City of Agoura Hills

Agoura Business Center West Project

Final

Initial Study and Mitigated Negative Declaration

May 2009

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Initial Study and Mitigated Negative Declaration

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INTRODUCTION

This document is a Draft Initial Study and Mitigated Negative Declaration (IS/MND) that addresses the potential environmental effects resulting from the construction of 20,640 square feet of multi-tenant retail space at the northwest corner of Derry Avenue and Canwood Street in Agoura Hills.

LEGAL AUTHORITY AND FINDINGS

This IS/MND has been prepared in accordance with the *California Environmental Quality Act (CEQA) Guidelines* and relevant provisions of CEQA of 1970, as amended.

Initial Study. Section 15063(c) of the *CEQA Guidelines* defines an Initial Study as the proper preliminary method of analyzing the potential environmental consequences of a project. The purposes of an Initial Study are:

(1) To provide the Lead Agency with the necessary information to decide whether to prepare an Environmental Impact Report (EIR) or a Mitigated Negative Declaration;

(2) To enable the Lead Agency to modify a project, mitigating adverse impacts, thus avoiding the need to prepare an EIR; and

(3) To provide sufficient technical analysis of the environmental effects of a project to permit a judgment based on the record as a whole, that the environmental effects of a project have been adequately mitigated.

Negative Declaration or Mitigated Negative Declaration. Section 15070 of the *CEQA Guidelines* states that a public agency shall prepare a negative declaration or mitigated negative declaration for a project subject to CEQA when:

(a) The initial study shows that there is no substantial evidence, in light of the whole record before the agency, that the project may have a significant effect on the environment; or

(b) The Initial Study identifies potentially significant effects but:

1. Revisions in the project plans or proposals made by, or agreed to by the applicant before a proposed mitigated negative declaration and initial study are released for public review would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur; and

2. There is no substantial evidence, in light of the whole record before the agency, that the project as revised may have a significant effect on the environment.

An IS/MND may be used to satisfy the requirements of CEQA when a proposed project would have no significant unmitigable effects on the environment. As discussed further in subsequent sections of this document, implementation of the proposed project would not result in any

significant effects on the environment that cannot be reduced to below a level of significance with the mitigation measures included herein.

IMPACT ANALYSIS AND SIGNIFICANCE CLASSIFICATION

The following sections of this IS/MND provide discussions of the possible environmental effects of the proposed project for specific issue areas that have been identified on the CEQA Initial Study Checklist. For each issue area, potential effects are discussed and evaluated.

A "significant effect" is defined by Section 15382 of the *CEQA Guidelines* as "a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by a project, including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance." According to the *CEQA Guidelines*, "an economic or social change by itself shall not be considered a significant effect on the environment, but may be considered in determining whether the physical change is significant."

Following the evaluation of each environmental effect determined to be potentially significant is a discussion of mitigation measures and the residual effects or level of significance remaining after the implementation of the measures. In those cases where a mitigation measure for an impact could have a significant environmental impact in another issue area, this impact is discussed as a residual effect.

USE OF PREVIOUS ENVIRONMENTAL DOCUMENTS IN THIS ANALYSIS

The following environmental analyses and technical studies were used as a basis for this document. Each study is available upon request at the City of Agoura Hills Planning Department Front Counter.

- *City of Agoura Hills, General Plan Update EIR, March 12, 1993.*
- *City of Agoura Hills, Agoura Hills Business Park IS/MND, June 2008.*
- *City of Agoura Hills, Liberty Canyon Office Expansion IS/MND, April 2008.*
- *Fehr & Peers/Kaku Associates, Traffic Study for the Liberty Canyon Road Office Expansion Project, January 2007.*

INITIAL STUDY

PROJECT TITLE

Agoura Business Center West Project

LEAD AGENCY and CONTACT PERSON

City of Agoura Hills
30001 Ladyface Court
Agoura Hills, CA 91301
Contact: Valerie Darbouze, Associate Planner

PROJECT PROPONENT

Agoura Business Center West, LLC
5304 Derry Avenue, Suite A
Agoura Hills, CA 91301

PROJECT SITE CHARACTERISTICS

Location: The project site is located at the northwest corner of the Derry Avenue and Canwood Street intersection in the City of Agoura Hills, Los Angeles County. Figure 1 illustrates the location of the project site in its regional context and Figure 2 shows the location of the project site in the City of Agoura Hills.

Assessor Parcel Numbers: The project site is identified by Assessor's Parcel Numbers (APN) 2048-012-022 and 2048-012-027.

Existing General Plan Designation: The City of Agoura Hills General Plan land use designation for the southern portion of the site (APN 2048-012-027) is Commercial Retail/ Service (CG) and for the northern portion of the site (APN 2049-012-022) is Business Park-Manufacturing (BP-M). The project site is additionally within the Freeway Corridor (FC) overlay zone.

Existing Zoning: The City of Agoura Hills zoning for the southern portion of the site (APN 2048-012-027) is Commercial Retail/ Service (CG). The zoning for the northern portion of the site (APN 2049-012-022) is Business Park-Manufacturing (BP-M). The project site is additionally within the FC overlay zone.

Surrounding Land Uses: The project site is surrounded by commercial and light industrial development to the north, Canwood Street to the south, Derry Street to the east and vacant land to the west. Highway 101 is located south of Canwood Street. Commercial and industrial uses are located south of the project site, across Canwood Street, and east of the project site, across Derry Avenue. Residential neighborhoods are located to the east of the project site adjacent to the commercial developments on Canwood, and to the northwest of the project site.

DESCRIPTION OF THE PROJECT

The proposed project involves the development of a one-story retail building at the northwest corner of the Derry Avenue and Canwood Street intersection. The project site measures approximately 2.01 acres. The proposed retail building would be comprised of seven individual commercial units that would total 20,640 square feet (sf). Additionally, there would be 1,956 sf of covered walkway on the project site. There would be 89 parking spaces provided on the project site, which would exceed the 83 required parking spaces by six spaces.

A relatively steep slope separates the northern and southern portions of the project site, each of which are generally flat. Currently, the project site is vacant, with the exception of a surface parking lot in the northern portion of the site. This parking lot serves the existing two-story commercial building located immediately north of the project site, which is owned by the project applicant. The existing commercial building would remain unchanged upon construction of the project. Access to the existing commercial building is available from Derry Avenue. Photographs of existing site conditions are shown on Figure 3.

Vehicular access to the proposed project would be available from Canwood Street on the southwest side of the project site, and from Derry Avenue on the northeast side of the project site. The retail units would be located parallel to Canwood Street. The retail units would be accessible to pedestrians from Canwood Street via an onsite walkway and from the parking lot north of the proposed retail buildings. A new parking lot to serve the project would be constructed immediately north of the proposed building. The proposed site plan is shown in Figure 4.

The proposed project would include landscaping around the project perimeter on Canwood Street and Derry Avenue and throughout the proposed parking lot. Additional site improvements would include a 17-foot high retaining wall on the north side of the property to create a level pad for the retail buildings, concrete curbs, gutters, sidewalks, monument signs, and a parking lot in the south portion of the project site. Figure 5 shows the preliminary grading plan and Figure 6 shows proposed building elevations. Existing utilities on the project site that would be relocated as part of the proposed project include drainage pipes and catch basins.

Site preparation would involve grading activities to create a level pad for the retail buildings and associated parking lot. There are currently two pads on the project site. Soil from the upper pad on the north side of the project site would be exported so that the project site would be level. Construction trucks traveling to and from the project site would access the project site via Highway 101 and would not travel into residential neighborhoods.

Pursuant to Chapter 6, Part 3 of the Agoura Hills Municipal Code, a Conditional Use Permit (CUP) is required for a development proposed on a hillside with an average slope equal to or greater than ten percent. The proposed project involves development of a retail building on a project site that has an average slope of greater than ten percent. Therefore, the proposed project would require a CUP. The proposed project would also require a zone change and associated General Plan Amendment from Business Park- Manufacturing to Commercial Retail/Service. A Zone Change application is subject to review by the Planning Commission,

which provides a recommendation to the City Council regarding the proposed Zone Change. The City Council is then responsible for reviewing and approving the Zone Change application. A General Plan Amendment is required when a project proposes to alter zoning designations. Additionally, a Parcel Map adjustment would be required to expand the project site parcel and to decrease the parcel to the north of the project site. In addition, a variance to allow the proposed 17-foot retaining wall would be required.

The approvals being requested from the City include:

- *General Plan Amendment for land use change from Business Park-Manufacturing (BP-M) to Commercial Retail/Service (CRS)*
- *Zone change from Business Park- Manufacturing (BP-M) to Commercial Retail/Service (CG)*
- *Conditional Use Permit for grading on a slope greater than 10 percent and for movement of more than 50 cubic yards of earth*
- *Parcel Map for the reduction of the parcel north of the project site and expansion of the project site parcel.*
- *Variance for 17-foot high retaining wall*

PUBLIC AGENCIES WHOSE APPROVAL MAY BE REQUIRED FOR SUBSEQUENT ACTIONS (e.g. permits, financing approval, or participation agreement):

None other than the City of Agoura Hills (see discussion of required City approvals above).

ENVIRONMENTAL FACTORS AFFECTED

The environmental factors checked below would be potentially affected by this project, involving at least one impact that could be lessened to a level of insignificance through incorporation of mitigation.

☐ Aesthetics	☐ Agriculture Resources	☐ Air Quality
☒ Biological Resources	☒ Cultural Resources	☒ Geology / Soils
☐ Hazards & Hazardous Materials	☐ Hydrology / Water Quality	☐ Land Use / Planning
☐ Mineral Resources	☐ Noise	☐ Population / Housing
☐ Public Services	☐ Recreation	☐ Transportation/Traffic
☐ Utilities / Service Systems		

DETERMINATION

On the basis of this initial evaluation:

☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION would be prepared.

☒ I find that although the proposed project could have a significant effect on the environment, there would not be a significant effect in this case because revisions in the project have been made by or agreed to by the applicant. A MITIGATED NEGATIVE DECLARATION would be prepared.

☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Valerie Darbouze, Associate Planner
City of Agoura Hills

Date 3/24/09

EVALUATION OF ENVIRONMENTAL IMPACTS

I. AESTHETICS – Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☒	☐
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☒	☐
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☐	☒	☐
d) Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?	☐	☐	☒	☐

a, c. The project site is surrounded by vacant land on the west; commercial and light industrial development on the east, across Derry Avenue and to the south across Canwood Street; and commercial development on the north. Figure 2 shows the location of the project site within Agoura Hills. Highway 101 runs parallel to Canwood Street to the south.

The majority of the project site is zoned Business Park-Manufacturing (BP-M), while a portion of the southern part of the project site is zoned Commercial Retail-Service (CG). The entire project site is within the Freeway Corridor Overlay District (FC) (City of Agoura Hills Zoning Map, 2001). The purpose of the FC overlay district is to recognize the importance of not just land use, but architectural design and the appearance of development within the freeway corridor, which is a gateway into the City of Agoura Hills. The standards of the FC overlay district include requirements for naturalistic and native landscaping; use of compatible colors and materials to preserve and enhance scenic quality; and screening of unsightly uses with berms, decorative walls or landscaping. Moreover, development in this zone is required to be low intensity, compatible with a semi-rural character and have building facades that are articulated on all sides, and treated with natural materials and earth tones (City of Agoura Hills Municipal Code Section 9541.1).

According to the City of Agoura Hills General Plan Scenic Highways Element (1993), Highway 101 is designated as a local scenic highway and a Los Angeles County scenic highway and is eligible for State scenic highway designation.

According to the City of Agoura Hills General Plan Scenic Highways Element (1993), Canwood Street is designated as a Local Scenic Highway and identified as a source of "excellent vistas of Ladyface Mountain and the ridgelines along the south side of the City." As noted in the Scenic Highways Element in the Agoura Hills General Plan (1993), the goals in protecting the scenic resources of Canwood Street are as follows:

- *Landscaping sensitive to freeway views*
- *Significant reduction of unsightly signs on existing commercial structures*
- *Restrict Street lighting*

- *Utility Undergrounding*
- *Removal of pole signs and billboards*

The proposed project would not include unsightly signs, pole signs, or billboards. Buildings within the FC overlay district are required to comply with Municipal Code Section 965.8, which regulates the signage allowable on buildings.

The project would incorporate restricted street lighting in parking lots. Additionally, the proposed project would be compatible with surrounding uses and would be similar in size and scale to surrounding developments. The design of the proposed commercial facility includes elements, such as landscaping, building heights, and roofing materials, that are intended to fit in with existing projects in the surrounding area.

Existing commercial and light industrial development located in the vicinity of the project site can be seen from Highway 101. The proposed one-story retail development would be constructed on a level surface at the height of existing commercial development to the south and east of the site and would be substantially blocked from Highway 101 by existing commercial developments to the south of the site.

Ladyface Mountain is located south of Canwood Street and Highway 101. Although development of the proposed project would alter views to the north of Canwood Street, the project would be similar to surrounding uses with respect to scale and architectural style. The proposed project would not alter public viewsheds between Canwood Street and Ladyface Mountain, or the ridgelines along the southern edge of the City (on the south side of Highway 101). Therefore, development of the proposed project would not adversely affect scenic vistas from public viewpoints.

The Open Space and Conservation Element of the Agoura Hills General Plan notes that the Palo Comado Hills are important scenic resources and that the preservation of these hillside viewsheds is guarded by designation of the Palo Comado area as a Significant Ecological Area (SEA). The designated SEA is located north of the project site and sits approximately 200 feet higher than the project site. Therefore, the proposed buildings, which would have a maximum height of one story, would not obstruct views of the SEA from travelers on Highway 101 or Canwood Street.

As discussed above, the proposed project would be similar size and scale to existing developments that surround the project site. The proposed project would be consistent with the goals of the Scenic Highways Element of the Agoura Hills General Plan and would not obstruct vistas of ridgelines in the City. In addition, development of the project would not obstruct views of Ladyface Mountain or the Palo Comado Hills, which are designated an SEA by the Agoura Hills General Plan. Therefore, the proposed project would not adversely affect a scenic vista or degrade the existing visual character or quality of the site and its surroundings. Impacts would be **less than significant.**

b. The project site is visible from Highway 101, albeit restricted by existing development along Canwood Street. Upon buildout of the proposed project, the one-story building would be partially visible from views along Highway 101. While Highway 101 is eligible for designation

as a state scenic highway, it is not officially designated as such. There are no rock outcropping, historic buildings, or other scenic resources on the project site.

As discussed in Section IV, *Biology*, there is minimal onsite native vegetation, no special-status plant species in the project vicinity, and no oak trees that measure more than two inches in diameter. Moreover, the proposed project includes landscaping that would add trees and vegetation to the site. Impacts related to trees, rock outcroppings, historic buildings, and other scenic resources on the project site would be **less than significant**.

d. The project site is currently vacant, with the exception of a surface parking lot in the northern portion of the site. The lights and reflective surfaces of the automobiles in the parking lot are the only existing sources of light and glare on the project site. The light industrial and commercial developments located to the north, east and south of the project site create light and glare in the vicinity of the project site. The proposed project would incorporate exterior lighting at pedestrian access locations and in parking areas. In addition, light would be cast from windows of the proposed buildings.

The proposed project would introduce new sources of glare from windows on the first floor of the proposed buildings. Additional sources of glare may include exterior building materials and surface paving materials as well as vehicles parked on the project site.

According to the Agoura Hills Municipal Code Section 9303.1, the design of parking areas should minimize light and glare. This can be accomplished through the use of sound walls, general location, use of well-designed lights, and landscaping throughout the parking lot. Section 9305 of the Agoura Hills Municipal Code states that, "all lights and glare associated with operations of commercial buildings shall be shielded or directed so as to not illuminate adjacent businesses or cause glare to motorists."

Light and glare associated with the retail buildings would not be out of character with the existing surrounding developments, which include primarily commercial and industrial uses. The closest residential neighborhoods lie approximately 700 ft northwest of the project site and approximately 900 feet east of the project site. Light cast by the proposed project would not adversely affect residents to the north or east of the project site. The project would be required to adhere to the City's Municipal Code requirements related to lighting and glare and impacts would be **less than significant.**

II. AGRICULTURE RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:	**Potentially Significant Impact**	**Less Than Significant With Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒

II. AGRICULTURE RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	☐	☐	☐	☒

a. The project site is previously disturbed, vacant land and is not Prime Farmland, Unique Farmland, or Farmland of Statewide Importance as shown on the maps prepared by the Farmland Mapping and Monitoring Program (California Department of Conservation, 2004). **No impact** would occur.

b. The project site is currently zoned Business Park- Manufacturing (BP-M) and Commercial Retail/Service (CG). The City does not have agricultural zoning or Williamson Act contracts. Therefore, there would be no conflict with zoning for agricultural use or with a Williamson Act Contract. **No impact** would occur.

c. The project site is previously disturbed, vacant land. Construction of the project would not result in the loss of farmland. Therefore, **no impact** would occur.

III. AIR QUALITY -- Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☒	☐
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☐	☐	☒	☐
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors)?	☐	☐	☒	☐
d) Result in a temporary increase in the concentration of criteria pollutants (i.e., as a result of the operation of machinery or grading activities)?	☐	☐	☒	☐
e) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐

III. AIR QUALITY -- Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
f) Create objectionable odors affecting a substantial number of people?	☐	☐	☐	☒

a. The project site is located in the South Coast Air Basin, which is within the jurisdiction of the South Coast Air Quality Management District (SCAQMD). According to SCAQMD Guidelines, to be consistent with the Air Quality Management Plan (AQMP), a project must conform to the local General Plan and must not result in or contribute to an exceedance of the City's projected population growth forecast. Development of the proposed retail buildings would not generate population growth, as the project does not involve any residential development. Consequently, the project would not contribute to an exceedance of the City's projected population growth forecast. The project's potential impact associated with air quality management plans would be **less than significant.**

b, c. The project site is located in the South Coast Air Basin, which is in nonattainment for the federal 8-hour ozone standard, the State 1-hour ozone standard, the federal 24-hour PM_{10} standard, and the State 24-hour and annual PM_{10} standards. The South Coast Air Basin is designated as attainment or unclassified for all other federal and state ambient air quality standards. The ozone precursors VOC and NO_x, in addition to fine particulate matter ($PM_{2.5}$ and PM_{10}), are the pollutants of primary concern for projects located in the SCAQMD.

The long-term air quality emissions associated with the proposed project were estimated using the URBEMIS 2002 v.9.2.4 air quality model. Appendix A contains the air quality modeling assumptions and detailed results. Operational emissions were determined based on the proposed square footage combined with the trip generation rates contained in the traffic impact study that was prepared for the project by Kunzman Associates (see Appendix B). Estimated project emissions estimates, as determined in the modeling analysis, are presented in Table 1. Mobile emissions are those associated with vehicle trips, while the use of natural gas and landscaping maintenance equipment are included in the area emissions.

As shown in Table 1, operation of the proposed project would generate approximately 6 lbs of ROG per day; 9 lbs of NOx per day; 75 lbs of CO per day, 14 pounds of PM_{10} per day; and 3 lbs of $PM_{2.5}$ per day. The emissions generated by the proposed project would not exceed the SCAQMD's daily operational thresholds for any pollutant; therefore, regional air quality impacts would be **less than significant.**

In addition to SCAQMD's regional significance thresholds for operational emissions, long-term operational impacts would be significant if project-generated traffic were to cause a significant impact at a local intersection that would result in CO concentrations above state or federal standards. Areas with high vehicle density, such as congested intersections and parking

Table 1
Operational Emissions (pounds per day)

Emission Source	Emissions (lbs/day)				
	ROG	NO_x	CO	PM_{10}	$PM_{2.5}$
Mobile Emissions	5.60	8.44	73.72	13.75	2.67
Area Emissions	0.25	0.22	1.72	0.01	0.01
Gross Emissions	**5.85**	**8.66**	**75.44**	**13.76**	**2.68**
SCAQMD Thresholds	*75*	*100*	*550*	*150*	*55*
Exceed SCAQMD Thresholds?	***NO***	***NO***	***NO***	***NO***	***NO***

Mobile emissions are based on trip generation rates determined by Kunzman Associates. See Appendix B for the Traffic Study.
Source: URBEMIS 2007 v.9.2.4 (See Appendix A for model assumptions and results)

garages, have the potential to create high concentrations of carbon monoxide (CO), known as CO hot spots. A project's localized air quality impact is considered significant if CO emissions create a hot spot where either the California one-hour standard of 20 parts per million (ppm) or the federal and state eight-hour standard of 9.0 ppm is exceeded. This typically occurs at intersections having a level of service (LOS) of E or F. According to the Caltrans *Transportation Project-Level Carbon Monoxide Protocol* (1997), a detailed CO screening analysis should be conducted when project-generated traffic worsens a signalized intersection from LOS A, B, C or D to E or F or when a project is likely to worsen air quality at a signalized intersection.

The 2007 SCAQMD summary card, which provides data on current conditions, states the maximum CO one-hour concentration for SRA-6 (West San Fernando Valley) as 4.0 ppm, and the maximum eight-hour concentration as 2.8 ppm. As discussed in Section XV, *Transportation/ Traffic*, the proposed project would not increase the LOS from LOS A, B, C, or D to E or F at any intersection in the vicinity of the project site. Given that project traffic would not have a significant impact at any intersection, the project-generated traffic would not significantly worsen air quality at intersections in the vicinity of the project site. Neither the 20 ppm one-hour CO standard nor the 9.0 ppm eight-hour CO standard would be exceeded. Impacts related to CO hotspots would be **less than significant**.

d. Temporary construction emissions were estimated using the URBEMIS 2007 v.9.2.4 computer model (see Appendix A for air quality data). The number and type of equipment to be used during construction was estimated based on construction projects similar in size to the proposed project. The length of construction of the proposed project was estimated to last approximately one year. During project site preparation, the soils that underlie portions of the site could be turned over and pushed around, exposing the soil to wind erosion and dust entrainment by onsite operating equipment. The majority of emissions associated with construction activities on site come from off-road vehicles such as cranes and backhoes, but some emissions are also associated with construction worker trips and the application of

architectural coatings, which release volatile or reactive organic gases (ROG) during the drying phase. Rule 403 of the SCAQMD Handbook requires implementation of measures to minimize emissions for all dust generating activity, regardless of whether it exceeds thresholds. The non-attainment status of the South Coast Air Basin for PM_{10} dust emissions requires that Best Available Control Measures (BACMs) be used to minimize regional cumulative PM_{10} impacts from all construction activities, even if any single project does not cause the thresholds to be exceeded. Additionally, the non-attainment basin status and the cumulative impact of all construction suggests that all reasonably available control measures for diesel exhaust shall be implemented even if individual thresholds are not exceeded.

Construction vehicles and equipment traveling along unpaved roads, grading, trenching, and stockpiled soils have the potential to generate fugitive dust (PM_{10}) through the exposure of soil to wind erosion and dust entrainment. In addition, exhaust emissions associated with heavy construction equipment would potentially degrade air quality. PM_{10} and exhaust emissions associated with construction activities are considered to be temporary air quality impacts.

SCAQMD has developed Localized Significance Thresholds (LSTs) in response to the Governing Board's Environmental Justice Enhancement Initiative (1-4). LSTs were devised in response to concern regarding exposure of individuals to criteria pollutants in local communities. LSTs represent the maximum emissions from a project that would not cause or contribute to an air quality exceedance of the most stringent applicable federal or state ambient air quality standard at the nearest sensitive receptor, taking into consideration ambient concentrations in each source receptor area (SRA), project size, distance to the sensitive receptor, etc. However, LSTs only apply to emissions within a fixed stationary location, including idling emissions during both project construction and operation. LSTs have been developed only for NOx, CO, PM_{10} and $PM_{2.5}$. LSTs are not applicable to mobile sources such as cars on a roadway (Final Localized Significance Threshold Methodology, SCAQMD, June 2003). As such, LSTs for operational emissions would not apply to the proposed project as the majority of emissions would be generated by cars on roadways.

LSTs have been developed for emissions within areas up to 5 acres in size, with air pollutant modeling recommended for activity within larger areas. The SCAQMD provides a lookup table for sites that measure 1, 2 or 5 acres. The project site measure approximately 2 acres and is located in Source Receptor Area 6 (SRA-6), which is designated by the SCAQMD as the West San Fernando Valley and includes the City of Agoura Hills. The LST construction emission thresholds shown in Table 2 are from the LST lookup tables for 2-acre project sites. The thresholds in Table 2 were determined based on the distance of nearby sensitive receptors.

As indicated in Table 3, the estimated daily construction emissions of criteria pollutants are below SCAQMD construction thresholds and LSTs for this location. Therefore, impacts would be **less than significant.**

Table 2
SCAQMD LSTs for Construction in SRA-6

Pollutant	Allowable emissions 656 feet from the 2-acre site boundary (lbs/day)
Gradual conversion of NO_x to NO_2	260
CO	564
PM_{10}	11
$PM_{2.5}$	6

Source: http://www.aqmd.gov/CEQA/handbook/LST/appC.pdf, accessed online February 2009.

Table 3
Maximum Daily Construction Emissions[1] (pounds per day)

Emission Source	ROG	NO_x	CO	PM_{10}	$PM_{2.5}$
Grading	24.9	53.1	17.91	3.6	2.7
Building Construction	11.0	26.0	6.44	1.5	1.3
Coating and Paving	17.6	36.0	9.02	2.6	2.4
SCAQMD Thresholds (peak day)	*75*	*100*	*550*	*150*	*55*
Exceed SCAQMD Thresholds?	***NO***	***NO***	***NO***	***NO***	***NO***
Localized Significance Thresholds	*n/a*	*260*	*564*	*11*	*6*
Exceed Localized Significance Thresholds?	***NO***	***NO***	***NO***	***NO***	***NO***

Note: The grading phase and the building construction phase do not occur simultaneously.
[1]Includes worker trips and architectural coatings.
[2]Threshold interpolated from 2-acre sites.

Source: URBEMIS 2007 v9.2.4 and Kunzman and Associates (See Appendix A for model assumptions and results)

e. Certain population groups are considered particularly sensitive to air pollution. Sensitive receptors include health care facilities, retirement homes, school and playground facilities, and residential areas. The closest sensitive receptors to the project site are residents located approximately 700 feet northwest of the project site and 900 feet east of the project site. As discussed in items b, c and d above, the proposed project would not result in an exceedance of any thresholds for construction or operational emissions, nor would project operation create a CO hotspot. As such, the proposed project would not expose residents in the vicinity of the project site to substantial pollutant concentrations. Impacts to sensitive receptors would be **less than significant.**

f. The proposed retail buildings are not anticipated to generate any objectionable odors. The proposed use of the site is not identified in "Land Uses Associated with Odor Complaints" of the 1993 SCAQMD's CEQA Air Quality Handbook. Therefore, it is unlikely that the proposed project would generate objectionable odors affecting a substantial number of people. Therefore, there would be **no impact** associated with odors**.**

Global Climate Change. Project-level operational emissions were studied based on contributions for both stationary and mobile emissions sources. Temporary construction-generated emissions were also quantified.

Temporary Construction Emissions. Based on the maximum daily CO_2 emissions generated by construction of the proposed project (see Appendix A for URBEMIS modeling results), construction of the proposed project would generate an estimated 242 tons of CO_2 during construction. Unlike the operational emissions that would occur over the life of the project, construction emissions are temporary and are associated with the vehicles that would be used to grade the site and construct the project as well as the vehicle miles traveled by workers commuting to and from the site. Once the construction is completed, emissions would derive from operational sources such as natural gas, electricity, landscaping equipment and vehicle trips.

Operational Indirect and Stationary Direct Emissions. The generation of electricity through combustion of fossil fuels typically yields carbon dioxide, and to a smaller extent nitrous oxide and methane. Annual electricity emissions were calculated using the California Climate Action Registry General Reporting Protocol's spreadsheet model titled Greenhouse Gas Emission Worksheet: Operational Emissions, which is included in Appendix A. The spreadsheet model uses emission factors based on the mix of fossil-fueled generation plants, hydroelectric power generation, nuclear power generation and alternative energy sources associated with the regional grid. Table 4 shows the estimated operational emissions of GHGs from the proposed commercial development. Some portion of the energy demand represents a diversion of emissions from other locations, so the emissions shown do not necessarily represent an increase over statewide or global emissions.

Transportation Emissions. Mobile source GHG emissions were estimated using the California Climate Action Registry General Reporting Protocol's spreadsheet model titled Greenhouse Gas Emissions Worksheet: Mobile Emissions, which is included in Appendix A. The spreadsheet model uses the average daily trips estimate from the project traffic report and the total vehicle miles traveled estimated in URBEMIS 2007 (v. 9.2.4). The URBEMIS 2007 model estimates that approximately 916 daily VMT are associated with the project. Table 5 shows the estimated mobile emissions of GHGs based on this VMT.

Table 4
Estimated Annual Operational Emissions of GHG from Project

Emission Source	Annual Emissions	
	Emissions	CDE
Carbon Dioxide (CO_2)[1]	139.07 short tons	126.2 metric tons
Methane (CH_4) [2]	0.001 metric tons	0.0 metric tons
Nitrous Oxide (N_20) [2]	0.0006 metric tons	0.2 metric tons
Project Total		**166 metric tons**

Source: California Climate Action Registry General Reporting Protocol, Reporting Entity-Wide Greenhouse Gas Emissions, Version 3.0, April 2008, page 30-35.
[1] Includes indirect energy from electrical and area source emissions from natural gas and heating. See Appendix A for GHG emission factor assumptions.

Table 5
Estimated Annual Mobile Emissions of Greenhouse Gases from Project

Emission Source	Annual Emissions	
	Emissions	CDE
Carbon Dioxide (CO_2)[1]	4169.6 tons (short, US)	235 metric tons
Methane (CH_4) [2]	1.3 metric tons	27 metric tons
Nitrous Oxide (N_2O) [2]	1.4 metric tons	430 metric tons
Project Total		**692 metric tons**

Source:
[1] Mobile Emissions from URBEMIS 2007 (version 9.2.4).
[2] California Climate Action Registry General Reporting Protocol, Reporting Entity-Wide Greenhouse Gas Emissions, Version 3.0, April 2008, page 30-35.
See Appendix A for GHG emission factor assumptions.

Combined Stationary and Mobile Source Emissions. Table 6 combines the operational and mobile GHG emissions associated with the proposed project, which total approximately 692 metric tons per year in CDE units. This total represents roughly 0.0000014% of California's total 2004 emissions of 492 million metric tons CDE (California Energy Commission, 2006). These emissions projections indicate the majority of the project GHG emissions are associated with vehicular travel. Please note that as discussed above, the mobile emissions accounted for in Table 5 are, in part, a redirection of existing travel to other locations, and so are not new or increased emissions but are instead already a part of the total California GHG emissions.

Table 6
Combined Annual Emissions of Greenhouse Gases

Emission Source	Annual Emissions
Operational	166 metric tons CO_2e
Mobile	692 metric tons CO_2e
Project Total	**858 metric tons CO_2e**

Sources: Operational Emissions from URBEMIS 2007 (version 9.2.4).
California Climate Action Registry General Reporting Protocol,
Reporting Entity-Wide Greenhouse Gas Emissions, Version 3.0, April 2008.

GHG Cumulative Significance. CAPCOA (January 2008) provided several approaches to consider potential cumulative significance of projects with respect to GHGs. A zero threshold approach can be considered based on the concept that climate change is a global phenomenon in that all GHG emissions generated throughout the earth contribute to it, and not controlling small source emissions would potentially neglect a major portion of the GHG inventory. However, the *CEQA Guidelines* (Section 15130) also recognize that there may be a point where a project's contribution, although above zero, would not be a considerable contribution to the cumulative impact. Therefore, a threshold of greater than zero is considered more appropriate in this air quality analysis. Table 7 shows CAPCOA's suggested thresholds for GHG emissions.

Table 7
CAPCOA Suggested Thresholds for Greenhouse Gases

Quantitative (900 tons)	~900 tons CDE/year
Quantitative CARB Reporting Threshold/Cap and Trade	Report: 25,000 tons CDE/year Cap and Trade: 10,000 tons CDE/year
Quantitative Regulated Inventory Capture	~40,000 - 50,000 tons CDE/year
Qualitative Unit-Based Threshold	Commercial space > 50,000 sf*
Statewide, Regional or Areawide (CEQA Guidelines 15206(b)).	Office Space > 250,000 sf

**sf = square feet*
Sources: California Air Pollution Control Officers Association (CAPCOA), CEQA & Climate Change, January 2008.

Based on CAPCOA suggested thresholds in Table 7, the proposed project's contribution of about 692 metric tons CDE/year would not exceed any of the thresholds. Therefore, because the

proposed project would not exceed the five numeric thresholds under the non-zero threshold approach, the project's contribution to a cumulative impact with regard to GHG emissions would not be cumulatively considerable. It should be noted that CAPCOA created the 900-ton Quantitative Threshold so that office projects over 35,000 square feet (sf) would be considered cumulatively considerable. CAPCOA estimated that office projects that measure 30,000 sf would generate approximately 800 metric tons CDE annually. In addition, as discussed above, the project would not result in operational emissions that exceed SCAQMD thresholds.

GHG emissions reduction strategies were prepared by CalEPA's Climate Action Team (CAT) established by Executive Order S-3-05. The CAT strategies are recommended to reduce GHG emissions at a statewide level to meet the goals of the Executive Order S-3-05 (http://www.climatechange.ca.gov). Table 8 illustrates that the proposed project would be consistent with the GHG reduction strategies set forth by the 2006 CAT Report. Therefore, the project's contribution to cumulative GHG emissions and climate change would not be cumulatively considerable.

Table 8
Project Consistency with 2006 CAT Report
Greenhouse Gas Emission Reduction Strategies

Strategy	Project Consistency
California Air Resources Board	
Vehicle Climate Change Standards AB 143 (Pavley) required the state to develop and adopt regulations that achieve the maximum feasible and cost-effective reduction of climate change emissions emitted by passenger vehicles and light duty trucks. Regulations were adopted by the ARB I September 2004.	**Consistent** The vehicles that travel to and from the project site on public roadways would be in compliance with ARB vehicle standards that are in effect at the time of vehicle purchase.
Diesel Anti-Idling In July 2004, the ARB adopted a measure to limit diesel-fueled commercial motor vehicle idling	**Consistent** Current state law restricts diesel truck idling to five minutes or less. Diesel trucks operating from, and making deliveries to the project site, are subject to this state-wide law.
Hydrofluorocarbon Reduction 1) Ban retail sale of HFC in small cans. 2) Require that only low GWP refrigerants be used in new vehicular systems. 3) Adopt specifications for new commercial refrigeration. 4) Add refrigerant leak-tightness to the pass criteria for vehicular inspection and maintenance programs. 5) Enforce federal ban on releasing HFCs.	**Consistent** This strategy applies to consumer products. All applicable products would comply with the regulations that are in effect at the time of manufacture.
Alternative Fuels: Biodiesel Blends ARB would develop regulations to require the use of 1 to 4 percent biodiesel displacement of California diesel fuel.	**Consistent** The ARB is in the process of developing regulations which would increase the use of biodiesel for transportation uses. Currently, it is unknown when such regulations would be implemented; however, it is expected that upon implementation of such a regulation that would require increase biodiesel blends, the diesel fuel used vehicles that travel to and from the project site would be correspondingly displaced by biodiesel.

Table 8
Project Consistency with 2006 CAT Report
Greenhouse Gas Emission Reduction Strategies

Strategy	Project Consistency
Alternative Fuels: Ethanol Increased use of E-85 fuel.	**Consistent** As data becomes available on the impacts of fuel specifications on the current and future vehicle fleets, the ARB will review and update motor vehicle fuel specifications as appropriate. In reviewing the specifications, the ARB will consider the emissions performance, fuel supply consequences, potential greenhouse gas reduction benefits, and cost issues surrounding E85. Future tenants of the project could purchase flex-fuel vehicles and utilize this fuel, once it is commercially available in the region and local vicinity.
Heavy-Duty Vehicle Emission Reduction Measures Increased efficiency in the design of heavy duty vehicles and an education program for the heavy-duty vehicle sector.	**Consistent** The heavy-duty vehicles that travel to and from the project site on public roadways would be subject to all applicable ARB efficiency standards that are in effect at the time of vehicle manufacture.
Achieving 50% Statewide Recycling Goal Achieving the State's 50% waste reduction mandate as established by the Integrated Waste Management Act of 1989, (AB 939, Sher, Chapter 1095, Statutes of 1989), will reduce climate change emissions, associated with energy intensive material extraction and production, as well as methane emission from landfills. A diversion rate of 48% has been achieved on a statewide basis. Therefore, a 2% additional reduction is needed.	**Consistent** The City has completed a comprehensive waste reduction and recycling plan in compliance with State Law AB 939, which requires every city in California to reduce the waste it sends to landfills by 50% by the year 2000. Currently, the City requires that at least 50% of all solid waste, including construction/demolition waste, be diverted from landfills. As of 2007, the City was recycling 55% of its solid waste, thereby exceeding the standards established by AB 939.
Zero Waste – High Recycling Efforts to exceed the 50% goal would allow for additional reductions in climate change emissions	**Consistent** As discussed above, currently, the City requires that at least 50% of all solid waste, including construction/demolition waste, be diverted from landfills. As of 2007, the City was recycling 55% of its solid waste, thereby exceeding the standards established by AB 939.
Department of Forestry	
Urban Forestry A new statewide goal of planning 5 million trees in urban areas by 2020 would be achieved through the expansion of local urban forestry programs.	**Consistent** The landscaping proposed for the project would include new trees at the site.
Department of Water Resources	
Water Use Efficiency Approximately 19 percent of all electricity, 30 percent of all natural gas, and 88 million gallons of diesel are used to convey, treat, distribute and use water and wastewater. Increasing the efficiency of water transport and reducing water use would reduce greenhouse gas emissions.	**Consistent** The proposed project would be required to comply with Part 2, Division 8 of the City's Municipal Code which requires onsite landscaping to implement water conservation measures.
Energy Commission (CEC)	
Building Energy Efficiency Standards in Place and in Progress Public Resources Code 25402 authorizes the CEC to adopt and periodically update its building energy efficiency standards (that apply to newly constructed buildings and alterations to existing buildings).	**Consistent** The project would be required to meet the standards of Title 24 that are in effect at the time of development.
Appliance Energy Efficiency Standards in Place and in Progress Public Resources Code 25402 authorizes the Energy Commission to adopt and periodically update its appliance energy efficiency standards (that apply to devices and equipment using energy that are sold or offered for sale in California).	**Consistent** Under State law, appliances that are purchased for the project – both pre- and post-development – would be consistent with energy efficiency standards that are in effect at the time of manufacture.

Table 8
Project Consistency with 2006 CAT Report
Greenhouse Gas Emission Reduction Strategies

Strategy	Project Consistency
Business, Transportation and Housing	
Measures to Improve Transportation Energy Efficiency Builds on current efforts to provide a framework for expanded and new initiatives including incentives, tools and information that advance cleaner transportation and reduce climate change emissions.	**Consistent** The project would be in close proximity to existing commercial and residential development, which would encourage alternative modes of transportation to be utilized.
Smart Land Use and Intelligent Transportation Systems (ITS) Smart land use strategies encourage jobs/housing proximity, promote transit-oriented development, and encourage high-density residential/commercial development along transit corridors.	**Consistent** The project site would be in close proximity to residential development and other commercial development. The Los Angeles County Metro Bus #161 make regular stops near the US 101/Kanan Road intersection.

IV. BIOLOGICAL RESOURCES – Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☒	☐	☐
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☐	☐	☒
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☒
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☒	☐
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	☒
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒

A Rincon Consultants, Inc. biologist conducted a reconnaissance field survey of the project site on January 7, 2009 to document onsite biological resources.

The project site consists of a manufactured building pad that is significantly influenced by human activity (frequently mowed/weed-whacked), and is surrounded by development (commercial buildings to the north, south, and east). A vacant, manufactured pad is located to the west.

At the time of the field investigation, the property contained minimal native vegetation. The flat portion of the raised building pad is predominantly ruderal grassland that is apparently mowed for weed control. Rincon observed 25 plant species onsite, including 5 scattered native plant species (20% of project site) and 20 abundant introduced plant species (80% of project site). The low species richness and low ratio of native plant species reflects the disturbed nature of the project site. The introduced annual grasses were only beginning to sprout at the timing of survey; however, the grass genera observed onsite likely include: *Avena*, *Bromus*, and *Hordeum*. Other pioneering introduced herbaceous plant species observed in the open mowed field onsite include: red-stem filaree (*Erodium cicutarium*), summer mustard (*Hirschfeldia incana*), bristly ox-tongue (*Picris echioides*), rabbitsfoot grass (*Polypogon monspeliensis*), curly dock (*Rumex crispus*), common knotweed (*Polygonum arenastrum*), Bermuda grass (*Cynodon dactylon*), bull thistle (*Cirsium vulgare*), cheeseweed (*Malva parviflora*), common groundsel (*Senecio vulgaris*), and Australian saltbush (*Atriplex semibaccata*). The west-, south-, and east-facing slopes of the raised building pad have been landscaped completely with ornamental ground cover, shrub, and tree species, including London planetree (*Platanus* X *acerfolia*), Tasmanian blue gum (*Eucalyptus globulus*), southern magnolia (*Magnolia grandiflora*), oleander (*Nerium oleander*), allepo pine (*Pinus halepensis*), rosemary (*Rosmarinus officinalis*), Peruvian pepper tree (*Schinus molle*), and greater periwinkle (*Vinca major*). The five native plant species observed scattered about the project site include: coyote brush (*Baccharis pilularis*), valley oak (*Quercus lobata* [1 sapling]), telegraph weed (*Heterotheca grandiflora*), cudweed aster (*Lessingia filaginifolia*), and narrow-leaved milkweed (*Asclepias fascicularis*). Due to the timing of the survey, it is likely that plant species have not sprouted yet, and additional species may occupy the project site.

Wildlife observed or detected onsite include: common raven (*Corvus corax*), black phoebe (*Sayornis nigricans*), Botta's pocket gopher (*Thomomys bottae*), California ground squirrel (*Spermophilus beecheyi*), and coyote (*Canis latrans* [scat and tracks]).

a. A five-mile radius from the project site was queried and mapped using California Department of Fish and Game's (CDFG's) California Natural Diversity Data Base (CNDDB) (CDFG 2008a [database current as of November 30, 2008]) to indicate the nearest location of any potential special-status species and critical habitat (Figures 7 and 8, respectively) in relation to the project site. This database search was conducted to account for special-status species tracked by CDFG in the area. The potential for special-status species to occur onsite is based on the proximity of the site to tracked occurrences, known geographic ranges, surrounding land uses, and onsite habitat suitability. A list of the 12 special-status plant species and 19 special-status wildlife species tracked by CNDDB within the 5-mile radius of the project site is provided in Tables 9 and 10, respectively. Rincon's literature review included a search of California Native Plant Society's Inventory of Rare and Endangered Plants of California (CNPS 2001, 2008) and the CNDDB Special Animals List (CDFG 2008b).

Two special-status plant species are tracked within one mile of the project site: Lyon's pentachaeta and Agoura Hills dudleya. Lyon's pentachaeta and its critical habitat are tracked

approximately 0.75 miles south of the project site. Lyon's pentachaeta typically requires grassland and/or chaparral habitat. Agoura Hills dudleya is tracked approximately 0.50 miles southwest of the project site. Agoura Hills dudleya requires rocky, volcanic breccia soils in chaparral or cismontane woodland. Neither of the two identified special-status plant species were observed on or in the vicinity of the project site. Given that the project site lacks the habitat typically associated with these species, the soils onsite have been disturbed, and the vicinity of the project site is developed, it is unlikely that these species occupy the project site.

Few species were sprouting or blooming during the site survey; however, the disturbed nature of the project site diminishes the possibility of special-status plant species on the site. Due to the habitat requirements of most of the special-status plant species (Table 9) tracked near the site, and due to the soil disturbances associated with construction of the building pad, frequent mowing, and spoils dumping, it is unlikely that any special-status plant species, or any state or federally listed plant species, would occur onsite. Impacts to special-status plant species would be **less than significant.**

No special-status wildlife species were observed in the vicinity of the project site. Due to the habitat requirements of most of the special-status wildlife species (Table 10) tracked near the site, the significant disturbances that encompass the project site, and the surrounding land uses, it is highly unlikely that any of the 19 special-status wildlife species tracked in the vicinity of the project site, or any state or federally listed wildlife species, would occur onsite. No bird nests were observed in the ornamental trees onsite; however, native birds may use the trees onsite for nesting and breeding during the breeding season (generally March through August). As such, implementation of the proposed project could potentially affect onsite nesting birds. California Department of Fish and Game Code 3513 provides protection to birds listed under the Migratory Bird Treaty Act (MBTA), which includes almost all native bird species. Therefore, impacts to nesting birds would be potentially significant. Implementation of mitigation measure BIO-1 would require construction activities to avoid bird nesting season. Mitigation would ensure that impacts to nesting birds would be reduced to a **less than significant** level.

b. CNDDB identifies five sensitive habitats and three critical habitat types in the five-mile radius of the project site, including:

Sensitive Habitat (G-Rank/S-Rank)

- California Walnut Woodland (S2.1/G2)
- Southern Coast Live Oak Riparian Forest (S4/G4)
- Southern Sycamore Alder Riparian Woodland (S4/G4)
- Valley Needlegrass Grassland (S3.1/G1)
- Valley Oak Woodland (S2.1/G3)

Federal Critical Habitat

- Calif. Red-legged Frog
- Braunton's Milk Vetch
- Lyon's Pentachaeta

The project site is not located within any designated critical habitat areas and no riparian habitat or other sensitive natural community was observed onsite. Due to the disturbed nature of the project site and lack of sensitive habitat, **no impact** to any riparian habitat or other sensitive natural community is expected.

c. No jurisdictional wetlands are present onsite. As such, **no impact** to wetlands would occur.

Table 9
Special-Status Plant Species Tracked by CNDDB in the Vicinity of the Project Site

Scientific Name	Common Name	G-Rank/ S-Rank	Fed List/ Cal List[1]	CNPS List[2]	Habitat Requirements
Astragalus brauntonii	Braunton's milk-vetch	G2/S2.1	FE/-	1B.1	Closed-cone coniferous forest, chaparral, coastal scrub, grassland. Recent burns or disturbed areas; in stiff gravelly clay soils overlying granite or limestone. 4-640 m.
Baccharis malibuensis	Malibu baccharis	G1/S1.1	-/-	1B.1	Coastal scrub, chaparral, cismontane woodland. In Conejo volcanic substrates, often on exposed roadcuts. 150-260 m.
California macrophylla	round-leaved filaree	G3/S3.1	-/-	1B.1	Cismontane woodland, valley and foothill grassland. Clay soils. 15-1,200 m.
Calochortus clavatus var. *gracilis*	Slender mariposa-lily	G4T1/S1.1?	-/-	1B.2	Chaparral, coastal scrub. Shaded foothill canyons on grassy slopes within other habitat. 420-760 m
Calochortus plummerae	Plummer's mariposa-lily	G3/S3.2	-/-	1B.2	Coastal scrub, chaparral, grassland, woodland, forest. Rocky, sandy sites, of granitic or alluvium. Can be very common after fire. 90-1,610 m.
Chorizanthe parryi var. *Fernandina*	San Fernando Valley spineflower	G2T1/S1.1	FC/SE	1B.1	Coastal scrub. Sandy soils. 3-1,035 m.
Deinandra minthornii	Santa Susana tarplant	G2/S2.2	-/SR	1B.2	Chaparral, coastal scrub. On sandstone outcrops and crevices, in shrubland. 280-760 m.
Dudleya cymosa ssp. *Agourensis*	Agoura Hills dudleya	G5T1/S1.2	FT/-	1B.2	Chaparral, cismontane woodland. Rocky, volcanic breccia. 200-500 m.
Dudleya cymosa ssp. *marcescens*	Marcescent dudleya	G5T2/S2.2	FT/3	1B.2	Chaparral. On sheer rock surfaces and rocky volcanic cliffs. 180-520 m.
Nolina cismontane	Peninsular nolina	G1/S1.1	-/-	1B.2	Chaparral, coastal scrub. On sandstone, shale, and gabbro substrates. 140-1,275 m.
Orcuttia californica	California Orcutt grass	G2/S2.1	FE/SE	1B.1	Vernal pools. 15-660 m.
Pentachaeta lyonii	Lyon's pentachaeta	G2/S2	FE/SE	1B.1	Chaparral, grassland. Edges of clearings in chaparral, usually at ecotone between grassland and chaparral or edges of firebreaks. Typically on thin volcanic soils. 30-630m.

[1] Federal Status: FT=Federal Threatened, FE=Federal Endangered, FC=Federal Candidate. State Status: SE=State Endangered

[2] CNPS List: 1A=Presumed Extinct in California; 1B=Rare, Threatened, or Endangered in California and elsewhere; 2=Rare, Threatened, or Endangered in California, but more common elsewhere; 3=Need more information (a Review List); 4=Plants of Limited Distribution (a Watch List).

CNPS Threat Code Extension: .1=Seriously endangered in California (>80% of occurrences threatened/high degree & immediacy of threat); .2=Fairly endangered in California (20-80% occurrences threatened); .3=Not very endangered in California (<20% of occurrences threatened).

Table 10
Special-Status Wildlife Species Tracked by CNDDB in the Vicinity of the Project Site

Scientific Name	Common Name	G-Rank/ S-Rank	Fed List/ Cal List[3]	CDFG[4]	Habitat Requirements
Invertebrates					
Danaus plexippus	Monarch butterfly	G5/S3	-/-	-	Winter roost sites extend along the coast from northern Mendocino to Baja California, Mexico. Roosts located in wind-protected tree groves.
Trimerotropis occidentiloides	Santa Monica grasshopper	G1G2/S1S2	-/-	-	Known only from the Santa Monica Mountains on bare hillsides & along dirt trails in chaparral.
Fish					
Gila orcuttii	Arroyo chub	G2/S2	-/-	SC	Los Angeles Basin south coastal streams. Slow water sections with mud or sand bottoms.
Amphibians					
Rana draytonii	California red-legged frog	G4T2T3/S2S3	FT/-	SC	Lowlands & foothills in or near permanent sources of deep water with dense, shrubby or emergent riparian vegetation.
Reptiles					
Actinemys marmorata pallida	Southwestern pond turtle	G3G4T2T3Q/S2	-/-	SC	Inhabits permanent bodies of water in many habitat types; below 6,000 ft elev. Require basking sites and suitable nesting sites.
Aspidoscelis tigris stejnegeri	Coastal western whiptail	G5T3T4/S2S3	-/-	-	Found in deserts & semiarid areas with sparse vegetation and open areas. Also found in woodland & riparian areas.
Lampropeltis zonata (pulchra)	California mountain kingsnake	G4G5/S1S2	-/-	SC	Restricted to the San Gabriel and San Jacinto Mtns of southern California. Hardwood, coniferous, chaparral, riparian, wet meadows.
Phrynosoma coronatum blainvillii	Coast (San Diego) horned lizard	G4G5/S3S4	-/-	SC	Inhabits coastal sage scrub and chaparral in arid and semi-arid climate conditions prefers friable, rocky, or shallow sandy soils.
Thamnophis hammondii	Two-striped garter snake	G3/S2	-/-	SC	Coastal California from vicinity of Salinas to northwest Baja California. Highly aquatic, found in or near permanent fresh water. Along streams with rocky beds and riparian growth.
Birds					
Aquila chrysaetos	Golden eagle	G5/S3	-/-	-	Rolling foothills, mountain areas, sage-juniper flats, and desert. Cliff-walled canyons & large trees provide nesting habitat in most of range.
Athene cunicularia	Burrowing owl	G4/S2	-/-	SC	Open, dry annual or perennial grasslands, deserts & scrublands of low-growing vegetation. Subterranean nester, dependent upon burrowing mammals.
Polioptila californica californica	Coastal California gnatcatcher	G3T2/S2	FT/-	SC	Obligate, permanent resident of coastal sage scrub below 2,500 ft in southern California. Low, coastal sage scrub in arid washes, on mesas & slopes.
Mammals					
Antrozous	Pallid bat	G5/S3	-/-	SC	Deserts, grasslands, shrublands,

[3] Federal Status: FT = Threatened.
[4] CDFG Status: SC = California Species of Special Concern

Table 10
Special-Status Wildlife Species Tracked by CNDDB in the Vicinity of the Project Site

Scientific Name	Common Name	G-Rank/ S-Rank	Fed List/ Cal List[3]	CDFG[4]	Habitat Requirements
pallidus					woodlands & forests. Open, dry habitats with rocky areas for roosting and protection from high temperatures and disturbance.
Euderma maculatum	Spotted bat	G4/S2S3	-/-	SC	Occupies arid deserts and grasslands through mixed conifer forests. Feeds over water and along washes on moths. Needs rock crevices in cliffs or caves for roosting.
Eumops perotis californicus	Western mastiff bat	G5T4/S3?	-/-	SC	Many open arid habitats, including woodlands, scrub, grasslands, chaparral. Roosts in cliff face crevices, high buildings, trees & tunnels.
Lasiurus blossevillii	Western red bat	G5/S3?	-/-	SC	Roosts in trees in mixed conifer forests. Prefers habitat edges and mosaics of trees protected from above and open below.
Lasiurus cinereus	Hoary bat	G5/S4?	-/-	-	Prefers open habitats or habitat mosaics, with access to trees for roosting, and open areas or habitat edges for feeding. Requires water.
Myotis ciliolabrum	Western small-footed myotis	G5/S2S3	-/-	-	Arid wooded & brushy uplands near water. Seeks cover in caves, buildings, mines & crevices. Prefers open stands in forests and woodlands. Requires drinking water.
Myotis yumanensis	Yuma myotis	G5/S4?	-/-	-	Open forests and woodlands with sources of water over which to feed. Maternity colonies in caves, mines, buildings or crevices.

d. Three mammals were detected during the site survey, including Botta's pocket gopher, California ground squirrel, and coyote. Coyote tracks and scat were observed along local movement paths traversing the perimeter of the top of the building pad, many tracks were observed near the ground squirrel and gopher holes. These species are known, and additional species are expected to use the project site and the local wildlife pathways existing onsite. However, the project site is not located within any known wildlife corridor or landscape linkage, and the project site does not provide any substantial or functional wildlife habitat for migrating wildlife. It is unlikely that the proposed project would interfere substantially with the movement of any native resident or migratory wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites. Therefore, impacts to wildlife movement would be **less than significant.**

e. Oaks (*Quercus* spp.) within the City of Agoura Hills are protected by the City's Oak Tree Ordinance (City Council Resolution No. 374). A permit is required to cut, move, or remove any oak tree larger than two inches in diameter, measured 3.5 feet above the tree's natural grade. In addition, a permit is required for encroachment within a qualified oak tree's protected zone. One valley oak (*Quercus lobata*) sapling was observed onsite at the southwest corner of the project site; however, the sapling does not meet the two-inch-diameter threshold. Therefore, a permit would not be required for removal of the sapling and the proposed project would not conflict with the Oak Tree Ordinance or other local policies or ordinances protecting biological resources. N**o impact** would occur.

f. The project site is located within an urban area that is not subject to an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state habitat conservation plan (City of Agoura Hills General Plan Update 1992). **No impact** would occur.

Mitigation Measure

Mitigation Measure BIO-1 is required to avoid potential impacts to nesting birds. Implementation of Mitigation Measures BIO-1 would reduce impacts to special-status species to a less than significant level.

BIO-1 **Migratory Bird Species Act Compliance.** To avoid the accidental take of any migratory bird species or raptors, such as Cooper's hawk (*Accipiter cooperii*), the removal or pruning of trees shall be conducted between September 15 and February 15, outside of the typical breeding season, as feasible. If avoidance of the nesting season is not feasible, a qualified biologist/ornithologist satisfactory to the City's Environmental Analyst shall conduct focused nesting surveys weekly for 30 days prior to grading or initial construction activity. The results of the nest survey shall be submitted to the City within one week of completion for review via a letter report prior to initiation of grading or other construction activity with the last survey conducted no more than three days prior to any clearance of vegetation or other construction activity. In the event that a nesting migratory bird species or raptor is observed in habitat to be removed or within 250 feet of the construction work areas, the applicant has the option of delaying all construction work in the suitable habitat area or within 250 feet of the nesting activity until after September 15 or continuing focused surveys in order to determine when nesting activity has ceased. If an active nest is found, clearing and construction within 50-250 feet of the nest, depending on the species involved (50 feet for common urban-adapted native birds and up to 250 feet for raptors), shall be postponed until the nest is vacated and juveniles have fledged, and there is no evidence of a second attempt at nesting. Limits of construction to avoid a nest site shall be established in the field with flagging and stakes or construction fencing. Construction personnel shall be instructed on the ecological sensitivity of the fenced area.

The project proponent shall record the results of the abovementioned protective measures to document compliance with applicable State and federal laws pertaining to the protection of native birds.

Once the pre-construction bird surveys are conducted by a qualified biologist during the proper seasons, the report results, including survey dates, exact species observed and location of species onsite, shall be submitted to the City and other necessary regulatory agencies

for review and approval. No construction shall begin prior to this approval.

V. CULTURAL RESOURCES – Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	☐	☐	☐	☒
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☐	☒	☐	☐
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☒	☐	☐
d) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☒	☐	☐

a. The project site is currently vacant and therefore lacking historical resources (Rincon Consultants, Inc. site visit, January 15, 2008). **No impact** to historical resources would occur.

b-d. The project site is not known to contain any archaeological resources, paleontological resources or human remains (City of Agoura Hills General Plan Update, 1993). Although no archaeological resources, paleontological resources or human remains are known to be present onsite, site grading has the potential to disturb as yet undiscovered cultural resources. This is a potentially significant impact; however, impacts would be **less than significant with mitigation incorporated.**

Mitigation Measures

Implementation of Mitigation Measures CR-1 and CR-2 would reduce impacts to unknown archaeological resources and human remains to a less than significant level.

CR-1 **Monitoring.** A qualified archaeologist shall monitor any grading, trenching, excavation, or other subsurface work that occurs in undisturbed soil. If artifacts are discovered, the developer shall notify the City of Agoura Hills' Environmental Analyst immediately, and construction activities shall cease until the archaeologist has documented and recovered the resources. Equipment stoppages prescribed by the archaeologist shall only involve those pieces of equipment that have actually encountered significant or potentially significant resources, and should not be construed to require stoppage of all equipment on the site unless the resources are thought by the archaeologist to be distributed throughout the entire site. The purpose of stopping the equipment is to protect cultural/scientific resources that would otherwise be impacted, and said equipment may undertake work in other areas of the site away from the

discovered resources. If the find is determined by the archaeologist to be a unique archaeological resource, as defined by Section 2103.2 of the Public Resources Code, the site shall be treated in accordance with the provisions of Section 21083.2 of the Public Resources Code with mitigation as appropriate. If the find is determined not to be a unique archaeological resource, no further action is necessary and construction may continue.

CR-2 **Evaluation and Notification.** Should archaeological resources be discovered and avoidance proves infeasible, the importance of the site shall be evaluated by a qualified archaeologist. In general, the following guidelines shall be followed:

- *Preservation of sites in-place is the preferred manner of avoiding damage to historic and prehistoric archaeological resources.*
- *In the event of discovery of human remains, work shall stop until the coroner has determined that no investigation of the cause of death is required; or, if descendants have made a recommendation of the property owner regarding proper disposal of the remains, or until descendants have failed to make a recommendation within 24 hours of notification. If no recommendation is received, remains shall be interred with appropriate dignity on the property in a location not subject to future development.*

VI. GEOLOGY AND SOILS – Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☒	☐
ii) Strong seismic ground shaking?	☐	☒	☐	☐
iii) Seismic-related ground failure, including liquefaction?	☐	☒	☐	☐
iv) Landslides?	☐	☐	☒	☐
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☒	☐	☐

VI. GEOLOGY AND SOILS – Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	☐	☒	☐	☐
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	☐	☐	☐	☒

The following analysis is based on a Geotechnical report prepared by Gorian and Associates, Inc. in 2007. The document can be found in its entirety in Appendix C.

a (i). There are no known active or potentially active faults within the immediate project area, as identified by the USGS mapping system (2008) or the State Geologist (Gorian, 2007). The project site is situated in the seismically active Transverse Ranges Geomorphic province, and like any other area in the City, would experience ground motion from earthquakes generated on regional faults, include the Malibu, San Fernando, Northridge, San Andreas, Newport-Inglewood and Malibu Coast Faults. Buildings would be required to be designed in accordance with City Building Code and California Building Code. Compliance with City and California Building Code would ensure that impacts relating to rupture of a known fault would be **less than significant**.

a (ii, iii). Several active and/or potentially active faults in the surrounding region could produce ground shaking at the site. These faults include the Malibu Coast fault San Fernando, Northridge, San Andreas, Newport-Inglewood and Malibu Coast Faults. Each of these faults is located in close enough proximity to cause earth shaking in the case of high magnitude earthquakes. Design and construction of the proposed structures would be required to adhere to the building standards set forth by the City and California Building Code. However, due to the high potential of expansive soils on the project site and construction of the retaining wall, impacts related to ground failure and ground shaking are potentially significant. Design standards contained in the 2007 Gorian and Associates geotechnical report would ensure that impacts associated with liquefaction and other seismic-related ground failure would be **less than significant with mitigation incorporated.**

a (iv). The proposed project is not located in an area delineated as a seismic landslide hazard zone by the California Department of Conservation Seismic Hazards Zone Map (2008) and the City of Agoura Safety Element (1992). According to the 2007 Gorian and Associates geotechnical report, no landslides present within the immediate area would affect the proposed development. Therefore, impacts would be **less than significant.**

b. The proposed project involves the construction of a 20,640 sf retail building with associated parking on a currently vacant site. Construction of the proposed project would increase the amount of impervious surface onsite over existing conditions. During construction, soil may erode due to wind entrainment and sediment may travel into storm drainage facilities. To reduce these impacts, standard dust control measures (AQMD Rule 403) and a Stormwater

Pollution Prevention Plan would be required for project development (refer to Section II, *Air Quality*; and Section VIII, *Hydrology and Water Quality*). These standard requirements would serve to reduce the potential for soil loss on the project site due to erosion to a **less than significant** level.

c. According to the California Department of Conservation Seismic Hazards Zone Map (2008) and the City of Agoura Safety Element (1992), the potential for liquefaction to occur on the project site is low. As discussed above, potential landslides were not found in the vicinity of the project site. Other conditions related to unstable soils, including lateral spreading, subsidence, and collapse, would be **less than significant with mitigation incorporated**. City and California Building Code requirements would be utilized to further reduce impacts related to unstable soil conditions.

d. For preliminary foundation design purposes, the fill soil should be considered highly expansive (Gorian, 2007). Therefore, impacts are potentially significant. Requirements from the 2007 Gorian and Associates geotechnical report would lessen potential impacts related to expansive soils to a **less than significant level with mitigation incorporated**.

e. The proposed project would be connected to the City's sewer system and would not use a septic system. **No impact** would occur.

Mitigation Measure

Implementation of the Mitigation Measure GEO-1 would reduce impacts related to ground shaking, liquefaction, and expansive soils to a less than significant level.

GEO-1 **Design and Construction.** The proposed project shall incorporate design and construction recommendations of the City of Agoura as accepted by the City Engineer. This may include recommendations that address site preparation, soil expansiveness, foundation recommendations, slabs-on-grade specifications, site drainage, manufactured slope construction and maintenance, embedment locations of retaining wall anchors, and retaining wall design. Compliance shall be verified by the City of Agoura Hills Building Department prior to issuance of a grading permit, through submission of a letter from the Project Engineer that documents incorporation of all applicable design and construction recommendations. Additionally, design and construction measures contained in the 2007 Gorian and Associates geotechnical report shall be incorporated. These measures include removal and recompaction of the upper and lower pad fill soils, removal of existing utilities in the lower pad area, undercutting of the fill in the lower pad area, removal of weathered fill soils, overexcavation and capping of cut areas, compaction of backfill of retaining wall and utility trenches, to at least 90 percent of the maximum dry soil density, excavation 10 feet below existing grade, minimal settlement of the footings embedded in engineering fill, design of retaining wall to resist vertical and horizontal seismic forces, consistency of site drainage plan with regional drainage pattern, observance of cut

slopes and retaining wall backcuts by the project engineering geologist, maintenance of manufactured slopes, soil expansion tests, positive draining, and spacing of trees.

VII. HAZARDS AND HAZARDOUS MATERIALS – Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☐	☒
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☒
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	☐	☐	☒	☐

a) The proposed project would involve the construction of a 20,640 sf retail building and associated parking lot. The proposed retail use would not involve the routine transport, use or disposal of hazardous substances, other than minor amounts typically used for maintenance. Impacts would be **less than significant**.

b) There would be no hazardous materials, substances, or waste associated with project development other than those typically used for routine maintenance. Therefore, the project would have **no impact** with release of hazardous materials into the environment.

c) The closest school is the Tutor Time Child Care/ Learning Center located on 5108 Clareton Dr., 0.3 miles away. As stated above, there would be no hazardous materials, substances, or waste associated with project development other than those typically used for routine maintenance. No schools are present within ¼ mile of the project site. Therefore, **no impact** would occur.

d) The project site does not appear on any hazardous material site list compiled pursuant to Government Code Section 65962.5. The following databases were checked (December 31, 2008) for known hazardous materials contamination at the project site:

- *Comprehensive Environmental Response, Compensation, and Liability Information System (CERCLIS) database;*
- *Geotracker search for leaking underground fuel tanks;*
- *Investigations- Cleanups (SLIC) and Landfill sites, Cortese list of Hazardous Waste and Substances Sites; and*
- *The Department of Toxic Substances Control's Site Mitigation and Brownfields Database.*

The project site does not appear on any of the above lists; thus, **no impacts** would occur with respect to this issue.

e, f) There are no airports or airstrips located within the project vicinity. The project site is not within an area covered by an airport land use plan, nor is it located in the vicinity of a private air strip. **No impact** would occur.

g. Implementation of the proposed project would not interfere with existing emergency evacuation plans, or emergency response plans in the area. **No impact** would occur.

h. Wildland fires are a major concern due to the hilly, mountainous, and undeveloped character of much of the surrounding areas of Agoura Hills (Public Safety Element, 1992). The City of Agoura Hills Municipal Code classifies the City as a Very High Fire Hazard Severity Zone. The City of Agoura Hills Uniform Fire Code, found in Section 8200 of the City of Agoura Hills Municipal Code includes modifications to the California Building Code that intend to prevent loss during a wildland fire, including design and instillation standards. Impacts related to wildland fire would be **less than significant** with mandatory compliance with building standards and regulations.

VIII. HYDROLOGY AND WATER QUALITY – Would the project:	**Potentially Significant Impact**	**Less Than Significant With Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
a) Violate any water quality standards or waste discharge requirements?	☐	☐	☒	☐

VIII. HYDROLOGY AND WATER QUALITY – Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	☐	☐	☒	☐
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	☐	☐	☒	☐
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	☐	☐	☒	☐
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	☐	☐	☒	☐
f) Result in temporary modifications to existing drainage patterns that may increase the flow rate of stormwater, violate water quality discharge requirements, or result in substantial erosion on or off-site due to construction activities?	☐	☐	☒	☐
g) Otherwise substantially degrade water quality?	☐	☐	☒	☐
h) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	☐	☐	☐	☒
i) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	☐	☐	☐	☒
j) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	☐	☐	☐	☒
k) Inundation by seiche, tsunami, or mudflow?	☐	☐	☐	☒

The following analysis is partially based on the drainage report prepared for the proposed project by Westland Civil, Inc. in 2008. The drainage report can be found in its entirety in Appendix D.

a, g. The proposed project involves development of a one story, 20,640 square foot multi-tenant retail building on a 2.01-acre vacant site at the northwest corner of Derry Avenue and Canwood street. Construction grading is expected to occur primarily during periods of low rainfall,

between May 2010 and August 2010. Nevertheless, if large amounts of bare soil are exposed during the rainy season, or in the event of a storm, finely grained soils could be entrained, eroded from the site, and transported to drainages. The amount of material that could potentially erode from the site during temporary construction activities would be greater than under existing conditions due to the loss of vegetation and movement of soils.

Following construction, a portion of the project site would be devoted to the parking and circulation of vehicles. Paved surfaces would replace existing vegetated, pervious ground cover, which can both absorb water and filter out pollutants. In contrast, paved surfaces accumulate pollutants such as deposits of oil, grease, and other vehicle fluids and hydrocarbons. Traces of heavy metals deposited on streets and parking areas from auto operation and/or fall out of airborne contaminants are common urban surface water pollutants. During storm events, these pollutants would be transported by runoff into storm drain systems and ultimately into the regional watershed. The introduction of urban pollutants to runoff from the project area could adversely affect the water quality of runoff from the project site.

The project site is currently served by a system of pipes owned by the City and maintained by LA County Flood Control Department. A 36-inch pipe is located on the southern portion of the site on Canwood Street and a 30 inch storm drain is located on Canwood Street. The 30-inch pipe was designed to handle all existing drainage that flows from Derry Avenue onto Canwood Street and that flows from the eastern portion of Canwood Street. Currently, the upper pad on the northern portion of the project site drains to the northeast to a catch basin on Derry Avenue and into the storm drain pipe on Canwood Street. The lower pad on the southern portion of the project site currently sheet flows to Canwood Street and Derry Avenue. The current site design flow is 6.5 cfs, based on an area of 2 acres and adjusted because the project site is located in an urban environment.

The proposed project would include lowering of the upper pad on the northern portion of the site by 15 to 20 feet. The western portion of the parking lot would be designed to drain to catch basins at the western driveway on Canwood Street into the 36-inch drain pipe that would be relocated and would run parallel to Canwood Street. The eastern portion of the site would drain to catch basins and drainage pipes on Derry Avenue. The southern portion of the site, including the building roof, sidewalk, and landscaped areas, would drain into onsite catch basins along the south and east side of the building and onto Derry Avenue or Canwood Street.

No stormwater detention would be required for the proposed project under SUSMP County guidelines. "FloGard+Plus" inserts (multi-purpose catch basin inserts designed to capture sediment, debris, trash and oils) would be utilized on and near the project site to reduce impacts to the storm drain system. In addition, BMP treatment control measures would be implemented to ensure that the degradation of water quality due to runoff from the proposed project would be a less than significant. Any potential concerns regarding water quality would be addressed through the use of inserts and other BMP treatment control measures on and around the project site.

The project site is within the region covered by the Los Angeles County Municipal Storm Water NPDES Permit No. CAS004001 issued by the Los Angeles Regional Water Quality Control Board (LARWQCB). The purpose of this permit is to govern non-point discharges associated

with storm water drainage. Regulations under the federal Clean Water Act require compliance with the NPDES storm water permit for projects that would disturb greater than one acre during construction. Per State regulations, the applicant would be required to file a Notice of Intent with the Los Angeles Regional Water Quality Control Board (LARWQCB) and prepare a Storm Water Pollution Prevention Plan (SWPPP). The SWPPP would list a series of measures, such as Best Management Practices (BMPs), to be utilized during construction to prevent storm water runoff pollution. Also as part of the SWPPP, the applicant would need to prepare a Wet Weather Erosion Control Plan to minimize erosion from the site and potential pollution of local waterways and ultimately the Pacific Ocean.

The applicant would also be required to prepare a Standard Urban Storm Water Management Plan (SUSMP), which would address post construction BMPs to reduce the potential for pollutants to enter the storm drain system. The SWPPP, Wet Weather Erosion Control Plan, and SUSMP must be provided to the City prior to issuance of a grading or building permit. Therefore, water quality impacts from runoff during temporary construction activities and long-term operational activities would be **less than significant** with implementation of the aforementioned county, state and federal requirements.

b. The proposed project involves construction of a 20,640 sf retail building in Agoura Hills. The project would utilize water from the Las Virgenes Municipal Water District (LVMWD). The LVMWD receives water from the State Water Project. Therefore, the project would not substantially deplete ground water supplies. Project development may increase impermeable surface area onsite, which may reduce groundwater recharge. However, with integration of BMPs, the project would not be expected to adversely affect groundwater in the vicinity of the project site and impacts would be **less than significant**.

c. The drainage pattern throughout the site would be modified by project development. However, the potential for adverse erosion and sedimentation effects would be reduced to a less than significant level with preparation and implementation of a SWPPP and a Storm Water Management Plan, as mentioned above. Therefore, impacts would be **less than significant.**

d-f. The proposed project would increase impervious surfaces on the project site, which would reduce the amount of water that percolates into the ground and increase the amount of water that is discharged to the storm drain system. However, the Los Angeles County Flood Control District (LACFCD) requires that no increase in peak flows in receiving waters should occur. Thus, new development is required to meet or exceed pre-project conditions for storm water discharge, and the proposed project would be required to retain any additional runoff onsite and discharge it to the storm drain system at rates that do not exceed pre-project conditions. Due to the relocation of onsite utilities, proposed "FloGard+Plus" inserts, and other BMP treatment control measures, no storm water detention is required under SUSMP. Moreover, compliance with Flood Control District requirements would reduce impacts relating to the quantity of surface water runoff and storm drain capacity to a **less than significant** level.

h,i,j. The proposed project involves construction of a 20,640 sf retail building. It does not involve the construction of housing. Furthermore, the project site is outside the 100-year flood hazard zone (Agoura Hills General Plan Update Public Safety Element, May 1993). Therefore, **no impact** with respect to flooding would occur.

k. Seiches are oscillations of the surface of an inland body of water that varies in period from a few minutes to several hours. Seismic excitations can induce such oscillations. Tsunamis are large sea waves produced by submarine earthquakes or volcanic eruptions. Since the site is not located close to an inland body of water and is at an elevation sufficiently above sea level to be outside the zone of a tsunami, the risk of these two hazards is not pertinent to the site. Therefore, **no impact** would occur.

IX. LAND USE AND PLANNING – Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Physically divide an established community?	☐	☐	☒	☐
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☒	☐
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	☐	☐	☐	☒

a. The proposed project would provide infill development on a site surrounded by light industrial and commercial uses to the north, vacant land to the west, commercial uses to the south across Canwood Street, and light industrial and commercial uses to the east across Derry Avenue. The project site is not currently utilized by nearby residents, pedestrians, or vehicles traveling through the area. The project would be similar to surrounding commercial uses on Canwood Street and would connect the commercial developments on Canwood Street east of the project site and the commercial developments on Canwood Street west of the project site. Therefore, the project would not divide an established community and impacts would be **less than significant.**

b. The proposed project would require a zone change and associated General Plan amendment from Business Park- Manufacturing to Commercial Retail/Service. The proposed project also includes a Conditional Use Permit in order to grade a slope greater than 10 percent and to move more than 50 cubic yards of earth. Additionally, a Parcel Map adjustment would be required to expand the project site parcel and to decrease the parcel to the north of the project site and a variance would be required for the proposed 17-foor high retaining wall. The project has been designed to fit in with existing uses and appearances of existing structures in the area. Upon City approval of the proposed zone change, General Plan Amendment and Conditional Use Permit, the proposed project would not conflict with the City ordinances and impacts would therefore be **less than significant**.

c. The project site is within an urban area and is not subject to an adopted habitat conservation plan (HCP) or natural community conservation plan (NCCP) (General Plan Update 1993). The closest protected community is the Las Virgenes vegetation community (Significant Ecological Area #6) located 0.25 miles south of the project site across Highway 101. The wildlife corridor closest to the project site is approximately one mile southeast of the site on the southeastern

boundary of the City. The project would not interfere with an adopted HCP or NCCP; therefore, **no impact** would occur.

X. MINERAL RESOURCES -- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☒	☐
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☒	☐

a, b. According to the California Division of Mines and Geology (DMG), no significant mineral deposits are present within the City of Agoura Hills (City of Agoura Hills, General Plan Update 1993). The majority of the City north of Agoura Road is classified as MRZ-1. This classification is used to delineate areas where adequate information is available to determine that not mineral deposits are present, and/or there is little likelihood for significant deposits to be present. The project site is located north of Agoura Road and is surrounded by development. Consequently, the conversion of the project site to mining is unlikely. Impacts would be **less than significant.**

XI. NOISE – Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☒	☐
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☒	☐
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity due to construction activities above levels existing without the project?	☐	☐	☒	☐
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒

Noise level (or volume) is generally measured in decibels (dB) using the A-weighted sound pressure level (dBA). The A-weighting scale is an adjustment to the actual sound power levels to be consistent with that of human hearing response, which is most sensitive to frequencies around 4,000 Hertz (about the highest note on a piano) and less sensitive to low frequencies (below 100 Hertz). For the most sensitive uses, such as single family residential, 60 dBA Day-Night average level (Ldn) is the maximum normally acceptable exterior level. Ldn is the time average of all A-weighted levels for a 24-hour period, with a 10 dB upward adjustment added to those noise levels occurring between 10:00 p.m. and 7:00 a.m. to account for the general increased sensitivity of people to nighttime noise levels. The Community Noise Equivalent Level (CNEL) is similar to the Ldn except that it adds 5 additional dB to evening noise levels (7:00 p.m. to 10:00 p.m.). The City of Agoura Hills utilizes the CNEL for measuring noise levels.

a, c. Operation of the proposed buildings would not substantially increase existing ambient noise levels. The primary source of noise would be that associated with project-generated traffic. The noise sensitive uses in the vicinity of the project site that could be affected by project-generated traffic noise are the residences located approximately 700 feet northwest of the project site and 900 feet east of the project site. Table 11 shows the interior noise standards for residential properties, per the City's Zoning Code (Division 6 – Noise Regulations, Section 9656.2).

Table 11
Significance of Changes in
Operational Roadway Noise Exposure

Ambient Noise Level without Project (Ldn or CNEL)	Significant Impact
< 60 dB	+ 5.0 dB or more
60 – 65 dB	+ 3.0 dB or more
> 65 dB	+ 1.5 dB or more

A 20-minute noise measurement was taken at the southeastern corner of the project site, approximately 35 feet from the centerline of Canwood Street, at 2:09 PM on Tuesday, December 30, 2008. The noise measurement indicated an ambient noise level of 68.1 dBA Leq.

Development of the proposed project would increase the amount of vehicle trips to and from the site, which has the potential to generate an increase in traffic noise on area roadways. Thus, project operation would incrementally increase noise levels at neighboring uses.

The criteria shown in Table 11 were used to determine whether or not increases in traffic noise would be significant. The criteria are based on the recommendations of the Federal Interagency Committee on Noise (FICON). The FICON recommendations were developed as a result of studies that related aircraft noise levels to the percentage of people highly disturbed by various noise levels. Although these recommendations were developed specifically for aircraft noise impacts, they are considered applicable to all noise sources that use noise exposure metrics such as the Ldn and CNEL.

Based on the traffic study, the following roadway segments would receive the highest proportion of project-generated traffic:

- *Canwood Street between Clareton Drive and Project Driveway*
- *Canwood Street between Project Driveway and Derry,*
- *Derry between Project driveway and Canwood, and Canwood between Derry and Colodny.*

Traffic Noise Model (TNM) look-up tables were used to estimate noise based on traffic estimates in the traffic study conducted by Kunzman Associates in November 2008. The results of the TNM look-up tables are contained in Appendix E. Existing noise levels for the street segments listed above were calculated by using existing volumes of traffic, obtained from the traffic study, for each street segment analyzed. These traffic volumes were translated into noise estimates, as shown in Table 12. Existing noise levels along street segments in the project vicinity range from about 64.5 to 65.4 dBA CNEL.

The increases in ADT from the traffic study were used to model the change in noise levels resulting from project-generated traffic along the four roadway segments closest to noise sensitive receptors. Noise model results for each studied roadway segment can be found in Appendix E. As shown in Table 12, model results indicate that the largest increase in noise from project-generated traffic would be 0.2 dB. Thus, project-related noise increases would not exceed the significance thresholds shown in Table 12. Therefore, noise increases associated with project-generated traffic would be **less than significant.**

Table 12
Projected Noise Levels along Roads with Project and Cumulative Traffic (dBA)

Roadway	Noise Level (dBA CNEL)		Cumulative Noise Level Change	Project Contribution	Significant Project Impact?
	Existing (2008)	Cumulative + Project			
Canwood St. between Clareton Drive and Project Driveway	65.4	66.5	1.1	0.2	**NO**
Canwood Street between Project Driveway and Derry	65.3	66.3	1.0	0.1	**NO**
Derry Avenue between Project Driveway and Canwood Street	64.5	64.9	0.5	0.2	**NO**
Canwood Street between Derry and Colodny	64.8	66.3	1.5	0.1	**NO**

The modeled distance is 50 feet from the road centerline. See Appendix E for calculations. Modeled noise levels do not account for the presence of sound walls, which would reduce exterior noise levels by 5-7 dBA.

Traffic increases associated with cumulative development within the City would incrementally increase noise levels along roadways and would potentially subject sensitive receptors to noise exceeding City standards. As shown in Table 12, the estimated increase resulting from cumulative development in the City on the studied road segments would be in the 0.5-1.5 dB

range and would not exceed City thresholds or FICON thresholds. Thus, although the cumulative increase in noise along Canwood Street is at the threshold, cumulative roadway noise impacts would be **less than significant.** Moreover, the project's contribution to the cumulative impact at that location (0.1 dB) would not be perceptible to even sensitive receivers and, therefore, would not be considerable.

b,d. Construction activity would generate a temporary increase in noise in the site vicinity. As shown in Table 13, maximum noise levels relating to construction range from 78-88 decibels (dB) at a distance of 50 feet (US EPA, 1971).

Table 13
Typical Noise Levels at Construction Sites

Construction Phase	Average Noise Level at 50 Feet	
	Minimum Required Equipment On-Site	All Pertinent Equipment On-Site
Clearing	84 dBA	84 dBA
Excavation	78 dBA	88 dBA
Foundation/Conditioning	88 dBA	88 dBA
Laying Subbase, Paving	78 dBA	79 dBA
Finishing and Cleanup	84 dBA	84 dBA

Source: Bolt, Beranek and Newman, "Noise from Construction Equipment and Operations, Building Equipment, and Home Appliances," prepared for the U.S. Environmental Protection Agency, 1971.

Sensitive receptors are generally considered residential units, libraries, hospitals, and nursing homes. The sensitive receptors closest to the project site are the residents 700 feet to the northwest and 900 feet to the east of the project site. Construction noise generally attenuates by about 6 dBA per doubling of distance. Therefore, the maximum noise level during construction activities at the exterior of the residences 700 feet from the project site would measure approximately 67 dBA. Construction of the proposed project would be required to comply with Article IV, Chapter 1, of the City's Municipal Code, which limits the use of construction equipment that generates noise in excess of 60 dBA to between the hours of 7:00 AM and 7:00 PM, Monday through Saturday. No construction activity is permitted between 7:00 PM and 7:00 AM that generates noise in excess of the 50 dBA nighttime standard, and no construction activity is permitted on Sundays or legal holidays. Therefore, with mandatory compliance with the City's construction noise ordinance, impacts related to construction noise and vibration would be **less than significant.**

e, f. The project site is not located within the vicinity of an airport or private airstrip; and therefore, would not be affected by air traffic noise impacts. **No impact** would occur.

XII. POPULATION AND HOUSING – Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☒	☐
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

a. The proposed project involves the construction of a 20,640 sf retail building. The proposed project does not involve the construction of new housing and would not induce population growth, but would generate new jobs in the City. The Southern California Association of Governments (SCAG) makes projections of housing and employment growth in each of several subregions within Southern California. Agoura Hills is located within the Las Virgenes, Malibu, Conejo Council of Governments (COG) subregion. According to SCAG projections, about 550 jobs are projected to be added to the City between 2010 and 2020 (Adopted 2008 RTP Growth Forecast, by City, http://www.scag.ca.gov/forecast/index.htm). Based on SCAG estimates, the average ratio of square feet to employees in Los Angeles County is approximately 424 square feet of retail/service per employee (SCAG Employment Density Study, 2001). Therefore, the proposed 20,640 sf project would add approximately 52 employees to the City. The projected amount of new jobs created by the proposed project would be within SCAG projections. The addition of 52 jobs represents nine percent of the projected addition of jobs to the City. This increase would not create a significant demand for housing in the City. Overall, the City has more housing than jobs (General Plan Housing Element, 2001). As the project would be consistent with the SCAG projections, it would not generate a significant demand for housing, and would not require the extension of infrastructure or roads. Therefore, impacts related to population growth would be **less than significant.**

b, c. The project site is primarily vacant, unused land. A parking lot serving a commercial/light industrial building is located on the north side of the project site. Thus, project implementation would not displace people or housing. **No impact** would occur.

XIII. PUBLIC SERVICES	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				

XIII. PUBLIC SERVICES	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
i. Fire protection?	☐	☐	☒	☐
ii. Police protection?	☐	☐	☒	☐
iii. Schools?	☐	☐	☒	☐
iv. Parks?	☐	☐	☐	☒
v. Other public facilities?	☐	☐	☒	☐

a.i. The City of Agoura Hills is served by the Los Angeles County Fire Department (LACFD). Fire Station #89, located at 29575 Canwood Street in Agoura Hills, approximately 1.5 miles west of the project site, serves the project site and surrounding areas. The proposed project would not require additional fire protection, as the project site is within a developed area currently served by the LACFD. The project would be required to comply with the Fire Code and LACFD standards, including specific construction specifications, access design, location of fire hydrants, and other design requirements. Impacts relating to fire services would be **less than significant.**

ii. The City of Agoura Hills receives police protection from the Los Angeles County Sheriff's Department (LACSD). The proposed project is not anticipated to require additional police services, as the project site is within a developed area currently served by the LACSD. The project itself is not expected to adversely affect police services as it would not increase population. The proposed project's impact with respect to police service would be **less than significant.**

iii. The proposed project would not directly generate an increase in population. Therefore, no increase in students or impacts relating to school capacity would occur. Nevertheless, the applicant would be required to pay state-mandated school impact fees. Pursuant to Section 65995 (3)(h) of the California Government Code (Senate Bill 50, chaptered August 27, 1998), the payment of statutory fees "...is deemed to be full and complete mitigation of the impacts of any legislative or adjudicative act, or both, involving, but not limited to, the planning, use, or development of real property, or any change in governmental organization or reorganization." Thus, impacts would be **less than significant.**

iv. The proposed project involves a 20,640 sf retail building. The project would not introduce residential uses or generate substantial population growth and, thus, would not increase citywide demand for parks or result in a change to the City's parkland to population ratio. Consequently, there would be **no impact** to parks and other public services**.**

v. The proposed project does not involve the construction of residences; therefore, it would not directly increase the City's population. While the proposed project would generate some new

jobs, it would not substantially increase the population of Agoura Hills. The project may incrementally increase the demand for parks, recreational facilities and/or other public services. However, the proposed project would not adversely affect existing parks, recreational facilities and/or other public services, nor would it create the need for new parks, recreational facilities or other public services. Therefore, the incremental increase in demand for parks, recreational facilities and other public services would not be substantial and impacts would be **less than significant.**

XIV. RECREATION	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☒	☐
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☒	☐

a-b. The proposed project involves construction of 20,640 sf retail building. It would not directly affect any existing park or recreational facility, nor would it substantially increase demand for parks or recreational facilities. Therefore, impacts would be **less than significant.**

XV. TRANSPORTATION/TRAFFIC – Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause an increase in traffic that is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	☐	☐	☒	☐
b) Result in the temporary street or lane closures that would result in either a change of traffic patterns or capacity that is substantial in relation to the existing traffic load and capacity of the street system during construction activities (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	☐	☐	☒	☐
c) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	☐	☐	☒	☐
d) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	☐	☐	☐	☒
e) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☒	☐

XV. TRANSPORTATION/TRAFFIC – Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
f) Result in inadequate emergency access?	☐	☐	☒	☐
g) Result in inadequate parking capacity resulting in an impact on traffic or circulation?	☐	☐	☐	☒

The following analysis is partially based upon a traffic impact analysis performed by Kunzman Associates (November 2008), which analyzed the proposed project's traffic impacts. The complete study is contained in Appendix B.

The project site is located at the northwest corner of Canwood Street and Derry Avenue in the City of Agoura Hills. Regional access to the site is provided by Highway 101. The nearest access to Highway 101 is via the on and off-ramps at Kanan Road, west of the project site.

a, b. The traffic study examined six intersections in the vicinity of the project site. The study intersections are listed below and illustrated on Figure 4 of the traffic study. The traffic study examined the following intersections in the vicinity of the project site:

- *Kanan Road (NS) at SR-101 Freeway NB Ramps/Canwood Street (EW) and at SR-101 Freeway SB Ramps/Roadside Drive (EW)*
- *Clareton Drive (NS) at Canwood Street (EW)*
- *Project Driveway (NS) at Canwood Street (EW)*
- *Derry Avenue (NS) at Project Driveway (EW) and Canwood Street (EW)*
- *Colodny Drive (NS) at Canwood Street (EW)*
- *Chesebro Road/Canwood Street (NS) at Driver Avenue/Palo Comado Canyon Road (EW) and SR-101 Freeway NB Ramps (EW)*

The qualitative measure used to describe the condition of traffic flow is Level of Service (LOS). LOS ranges from A to F, where LOS A would be excellent conditions and LOS F would be overload conditions. The Intersection Capacity Utilization (ICU) method of intersection analysis was used to compare the volume of traffic with the capacity of the intersection on signalized intersections. On intersections that are not signalized, the Intersection Delay Method was used to compare the volume of traffic with the capacity of the intersection. The intersection volume-to-capacity (V/C) ratio allows for the calculation of the corresponding LOS for intersections in the vicinity of the project site. The LOS definitions can be found in the technical appendix of the traffic study (Appendix B).

Table 14 summarizes the peak hour LOS at the seven study intersections under existing conditions.