TABLE OF CONTENTS

Page

Introduction

Legal Authority and Findings....1
Impact Analysis and Significance Classification....2
Use of Previous Environmental Documents in this Analysis....2

Initial Study

Project Title....4
Lead Agency and Contact Person....4
Project Proponent....4
Project Site Characteristics....4
Description of the Project....4
Public Agencies Whose Approval May Be Required For Subsequent Actions....5
Environmental Factors Affected....6
Determination....6
Evaluation of Environmental Impacts
- Aesthetics....7
- Agricultural Resources....10
- Air Quality....10
- Biological Resources....13
- Cultural Resources....19
- Geology and Soils....20
- Hazards and Hazardous Materials....22
- Hydrology and Water Quality....23
- Land Use and Planning....27
- Mineral Resources....28
- Noise....28
- Population and Housing....31
- Public Services....31
- Recreation....32
- Transportation/Traffic....33
- Utilities and Service Systems....35
- Mandatory Findings of Significance....37

References....38
Persons Contacted....39
Response to Comments on the Draft MND....52

List of Tables

Table 1 Project Construction Emissions (max lbs/day) 12
Table 2 Mitigated Project Construction Emissions (max lbs/day) 13
Table 3 Project Operational Emissions 13
Table 4 Special-Status Plant Species Potentially Occurring in the Project Site 15
Table 5 Special-Status Wildlife Species Potentially Occurring in the Project Site 16
Table 6 Significance of Changes in Operational Roadway Noise Exposure 30
Table 7 Level of Service and Traffic Impacts at Intersections Within the Project Vicinity 34
Table 8. Existing + Project LOS at Study Area Intersections 62

List of Figures

Figure 1 Regional Location 40
Figure 2 Project Location 41
Figure 3 Proposed Site Plan 42
Figure 4 Proposed Elevations 44
Figure 5 Preliminary Overall Landscape Plan 46
Figure 6 Existing Conditions within the Project Site 47
Figure 7 Agoura Road Street Improvements 48
Figure 8 Existing Conditions Adjacent to Agoura Road South of the Project Site 50
Figure 9 Oak Tree Location Map for Area South of Agoura Road 51

Appendix

A Air Emissions Calculations
B Biological Reports
C Geologic Reports
D Noise Calculations
E Traffic Report
F Oak Tree Reports (7/22/05, 9/15/05, 3/15/06)
G CDFG Letter dated 1/13/2006

INTRODUCTION

This Initial Study and Mitigated Negative Declaration (IS/MND) addresses the potential environmental effects resulting from the construction of a 95,010 square foot office building and 308 parking spaces at 29621 Agoura Road, which is located between Kanan Road and Reyes Adobe Road. In conjunction with the proposed project, Agoura Road would be widened along its south side opposite the project site. The draft document was circulated for public review from 2/14/2006 to 3/15/2006. Three comment letters were submitted regarding the project, which are contained in this Final MND along with responses (see page 52).

LEGAL AUTHORITY AND FINDINGS

This Initial Study/Mitigated Negative Declaration (IS/MND) has been prepared in accordance with the *CEQA Guidelines* and relevant provisions of the California Environmental Quality Act (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 the physical effects of the proposed project are anticipated to 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 of 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.

- *Preliminary Geotechnical Engineering Report. Proposed Office Building. Earth Systems Southern California. November 10, 2004.*
- *Geotechnical Site Investigation Update. Agoura Oaks Plaza, 29857 Agoura Road, Agoura Hills, California. Gorian & Associates, Inc. Applied Earth Sciences. July 12, 2005.*
- *City of Agoura Hills - Geotechnical Review Sheet. Bing Yen & Associates, Inc. July 20, 2005.*
- *Addendum Letter-Response to Geotechnical Reviewer. Earth Systems Southern California. June 1,2005.*
- *Geotechnical Site Investigation. Proposed Cut Slope South Side of Agoura Road. Gorian & Associates, Inc. Applied Earth Sciences. December 02, 2005.*
- *Geotechnical Review Sheet. Agoura Oaks Plaza. Geodynamics. December 31, 2005.*
- *Geotechnical Site Investigation Supplement. Gorian & Associates, Inc. Applied Earth Sciences. January 11, 2006.*
- *Biological Assessment and Preliminary Jurisdictional Wetlands Delineation. Christopher A. Joseph & Associates. Revised August 9, 2005.*
- *Air Quality Assessment of the Agoura Oaks Plaza. 29701 Agoura Hills Road, City of Agoura Hills, California. Christopher A. Joseph & Associates. Revised June 9, 2005.*

- *Air Quality Assessment of the Agoura Oaks Plaza. 29701 Agoura Hills Road, City of Agoura Hills, California. Christopher A. Joseph & Associates. Revised October 25, 2005.*
- *Oak Tree Survey. Agoura Oaks Plaza, 29701 Agoura Oaks Road. Envicom Corporation. July 22, 2005.*
- *Oak Tree Survey for the 29701 Agoura Road, South Side of Agoura Road Improvements. Envicom Corporation. September 15, 2005.*
- *Oak Tree Impact Letter. Envicom Corporation. March 15, 2006.*
- *Traffic Impact Analysis for a Proposed Office Development Located at 29851 Agoura Road in the City of Agoura Hills. Overland Traffic Consultants, Inc. February 2005.*

INITIAL STUDY

PROJECT TITLE

Agoura Oaks Plaza

LEAD AGENCY and CONTACT PERSON

City of Agoura Hills
30001 Ladyface Court
Agoura Hills, CA 91301
Contact: Allison Cook, Senior Planner

PROJECT PROPONENT

HQ Development LLC
4641 Leahy Street
Culver City, CA 90232

PROJECT SITE CHARACTERISTICS

Location: The project site is located at 29621 Agoura Road in the City of Agoura Hills, approximately midway between Reyes Adobe Road and Kanan Road (refer to Figures 1 and 2).

Assessor Parcel Numbers: The site is identified by Assessor's Parcel No. 2061-003-027.

Existing General Plan Designation: The City land use designation is BP-M, Business Park-Manufacturing.

Existing Zoning: The project site is zoned BP-M-FC, Business Park-Manufacturing-Freeway Corridor District by the City of Agoura Hills.

Surrounding Land Uses: The project site is bound to the north by U.S. Highway 101 (U.S. 101), to the east by Los Angeles County Agoura Hills Animal Shelter, to the south and across Agoura Road by Gateway Church, and to the west by a two-story office building with surface parking.

DESCRIPTION OF THE PROJECT

The project site is currently an unused vacant lot that was previously used as a baseball field and recreational facility. The project site is approximately 5.17 gross acres. About 0.87 acres near the southern boundary of the site are within a storm drain easement and flood hazard area. Therefore, the net available area for development is 4.30 acres. The site is primarily open space, but also contains several structures including ballpark components, a small shed, a running track, and associated fencing.

The proposed project involves construction of a business park office building and widening along the south side of Agoura Road, opposite the project site. The two-story office building would include 93,950 square feet of building area, along with 308 parking spaces. As shown in the Proposed Site Plan and Elevations (refer to Figures 3 and 4), the building and parking area

would be designed around an existing oak tree, which would serve as the focal point of the northern building elevation as seen by south (east) bound motorists on U.S. 101. The office building would be designed in the craftsman/prairie style with varied rooflines. The remainder of the site incorporates design features that include decorative pavement, pedestrian gathering areas, a trellised pedestrian route from Agoura Road to the building, and pedestrian routes through the parking areas. The site plan incorporates a 20-foot landscaped setback from the Agoura Road and U.S. 101 property lines. A landscape plan for the project identifies seven tree species for inclusion among heavy landscaping in all areas not otherwise reserved for parking, hardscape structures, or existing trees to be preserved onsite (refer to Figure 5). Site preparation of this area would require removal of existing structures and fencing, numerous non-native landscape plantings, and one oak tree protected under the City's Oak Tree Ordinance (oak tree larger than two inches in diameter). Figure 6 illustrates existing structures and conditions within the project site. Additionally, overall site preparation could involve the removal of the top approximately ten feet of soil for processing prior to compaction and certification; approximately 59,300 cubic yards (CY) of cut and 55,890 CY of fill; capping the open portion of a box culvert flood control channel that runs beneath the project site from west to east; and augmentation of wetlands within the northeast corner of the site.

Road widening along the south side of Agoura Road would also occur as part of this project in order to provide an island median, an additional west bound traffic lane, and a left turn lane/pocket added eastbound turning into the project. Presently, the southern side of the existing road alignment is defined by a 25-foot high slope. Widening of the road would primarily involve cutting a new slope farther to the south (approximately 3,660 cubic yards of cut to be exported), installation of site drainage, removal of four trees protected under the City's Oak Tree Ordinance, and encroachment into a blue line stream (Waters of the U.S. under the jurisdiction of the Army Corps of Engineers) within the Gateway Church property. Figure 7 illustrates the improvements proposed along Agoura Road and Figure 8 illustrates existing conditions on the slope south of Agoura Road.

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

- U.S. Army Corps of Engineers - 404 Nationwide permit
- California Department of Fish and Game – Administrative Approval
- Los Angeles County Regional Water Quality Control Board. Section 401 Water Quality Certification
- City of Agoura Hills Planning Commission - Adoption of Mitigated Negative Declaration, Oak Tree Permit, and Site Plan Review
- County of Los Angeles Department of Public Works, Flood Control Construction Division- Permits and Subdivisions Section. Permit to overbuild at the existing daylight portion of the box culvert.

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.

Allison Cook
Senior Planner, City of Agoura Hills

4/25/06
Date

EVALUATION OF ENVIRONMENTAL IMPACTS

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

a. Two roadways, which form the northern and southern boundary of the project site, are considered visually sensitive corridors. In the City's General Plan, U.S. Highway 101 is identified as a visually sensitive corridor (Local Scenic Highway, Secondary County Scenic Highway, eligible for State Scenic Highway designation) and Agoura Road is designated as a Local Scenic Highway. The project involves development that would be visible to travelers on each of these corridors. However, the project is located among existing development, would be similar in size and scale to existing surrounding uses, and would utilize grading, landscaping, and setbacks sensitive to the existing landscape within the area.

The project site sits within a slight depression and is at a lower elevation than U.S. 101. Building height would be within the 35-foot height limitation for the BP-M zone, with second story roofs at 34 feet and the parapet height at 35 feet. Similar to the existing building located west of the project site, project development would not obstruct background views of Ladyface Mountain from U.S. 101. The project would alter foreground views for travelers on U.S. 101. However, the site plan incorporates architectural and landscaping elements that enhance the appearance of the building and complement surrounding uses, topography, oak trees and views. Visual elements incorporated into the project include 20-foot landscape buffers from the north and south property lines as part of the building setback (which is 70 feet, double the building height and equal the required setback); building orientation such that views of the central heritage tree onsite are preserved for south (east) bound U.S. 101 and east Agoura Road motorists; and architectural elements such as varied rooflines and substantial building articulation reflective of the craftsman/prairie style design (refer to Figure 4).

Although development of the project would alter foreground views for travelers on U.S. 101, the project is consistent with surrounding uses and is consistent with the scale and architectural style of adjacent developments. Therefore, it would not have a substantial adverse effect. Further, background views of Ladyface Mountain would be preserved through building height limitation and orientation of the building in a manner that would provide clear line-of-sight through the property from U.S. 101. Thus, development of the office building would have a less than significant impact on scenic vistas.

An additional element of the project is the widening of Agoura Road to a three-lane primary/secondary arterial roadway as outlined in the General Plan Circulation Element. Expansion of the roadway would require the removal of two oak trees, encroachment into one oak tree and grading of a slope south of the site. As discussed in Section XIII, *Public Services*, the Ladyface Mountain Specific Plan (LMSP) limits cut slopes within public view to 15 feet and retaining walls to six feet, and requires grading to create contoured forms compatible with the natural topography.

Resolution 329 of the City of Agoura Hills General Plan Scenic Highways element was adopted by the Agoura Hills City Council in order to establish guidelines and standards for grading adjacent to the scenic highways of the City. Pursuant to Resolution 329, a slope located adjacent to a scenic highway shall be limited to 5 feet in vertical height; unless approved by the Planning Commission. The Resolution states that a cut or fill slope shall not have steeper angles of slope than 2.5:1 for a height of 5-10 feet; 3:1 for 10-20 feet; and 4:1 for 20-25 feet. The Resolution also states that the guidelines or standards may be waived or modified by the Planning Commission where strict application would interfere with proper development of the property or create unnecessary hardship.

The applicant is proposing a cut slope of 25 feet at a 1.5:1 slope ratio for the southern slope along the Agoura Road widening. The Planning Commission shall determine whether modification to the Ladyface Mountain Specific Plan (LMSP) and Resolution No. 329 standards and guidelines are justified for the project, given aesthetic, geologic safety, and other considerations, including the feasibility of alternative methods. Upon approval by the Planning Commission, the project would be consistent with the LMSP and Resolution No. 329. Grading into the slope and at such a steep angle would place the roadway further into the slope, increasing the slope's dominance over the roadway. Additionally, the existing cut slope shape would be altered from that of a more natural appearing curve and rounded slope to a more man-made, contoured, slope appearance. This would be visible from Agoura Road. Although views to the south along this section of Agoura Road would be altered due to road widening, current views are limited by the existing slope such that the change would be incremental and would not be considered substantial. Two small retaining walls, each up to four feet high and six feet long, would be required along the western and eastern sides of the church driveway. However, no retaining walls would be required for the north facing cut slope at a 1.5:1 ratio.

The cut slope of 25 feet and the slope ratio of 1.5:1 are not expected to result in significant aesthetic impacts to the scenic highway, as the slope is currently 25 feet high, and the slope would be planted with vegetation to soften the appearance of the cut angle. However, to ensure that there are no significant aesthetic impacts from the cut slope height and slope ratio, the project shall be required to conform to the LMSP grading guidelines for ensuring contoured slopes and a more natural slope appearance, and shall utilize primarily native plant species, as outlined in the mitigation measures below.

Since expansion of Agoura Road would alter views from a local scenic highway, the following mitigation measures would be required in order to reduce impacts along Agoura Road to a less than significant level.

AES-1 If feasible, construction areas shall be screened from public view by temporary fencing. When not in use, equipment shall be stored in designated locations, shielded from view for motorists along U.S. 101 and Agoura Road. The developer shall clear the construction area south of Agoura Road of all excess construction debris on a daily basis. Implementation of the above mitigation would reduce temporary construction impacts for motorists along nearby scenic roadways.

AES-2 Any retaining walls visible from designated scenic roadways shall be made to be consistent with the City's Architectural Design Standard and Guidelines (1992). Possible design features may include the use of textured retaining walls with more natural features, such as those that simulate rocks or boulders. Additionally, design features may include the planting of landscape vegetation along the wall facing adjacent roadways. This landscape vegetation shall include plants that provide vertical wall coverage, such as, bougainvillea, ivy and other climbing vines, in order to enhance the visual character of the wall, and break up the area of the wall visible to passing motorists. Such retaining wall, landscaping and other related design features shall be shown on the project plans and verified by City Planning and

Community Development Department Staff prior to issuance of a Grading or Building Permit.

AES-3 The following LMSP standards and guidelines shall be met by the project:

- *Engineered slope banks with consistent gradients shall be avoided. Instead grading design shall utilize slope banks with variable gradients using landform grading techniques.*
- *Grading shall not create angular forms but shall create contoured forms compatible with the natural topography. Rounding of the top and toe of slopes blends naturally with the existing landform.*
- *Contoured edge of cut slope shall conform to the natural grade.*
- *Concrete lined terrace drains and down drains shall be avoided. Natural materials such as rip rap are preferred.*

AES-4 The cut slope shall be reseeded and replanted immediately after completion of grading with native plant species and in a natural plant configuration, to the extent feasible to ensure that the finished slope is visually compatible with the surrounding hillside areas. The precise landscape palette and design configuration shall be shown on the landscape plans submitted for review and approval by the City's Landscape Consultant prior to issuance of a grading or building permit.

b. The project site does not contain rock outcroppings or historic buildings; however, numerous trees would be removed and/or encroached upon by project development. The project site contains many nonnative ornamental trees and shrubs including eucalyptus, California pepper, and oleander, which would be removed for project development. Several oak trees, protected by the City's Oak Tree Ordinance, are also located onsite and directly south of the project site and would be removed by project development and the widening of Agoura Road. The project proposes to remove five protected trees. As discussed in Section 4, *Biological Resources,* the loss of tree #85, located within the project site, would be mitigated with three replacement trees (two twenty-four inch box specimen oak trees and one thirty-six inch box specimen oak tree). The replacement trees would be planted onsite and upon maturity would provide generally the same aesthetic value as the individual tree they would replace. Two oak trees located south of Agoura Road would also be removed and one oak tree encroached upon due to the widening of Agoura Road (refer to Figure 9). As the right-of-way along Agoura Road does not have sufficient space for planting of replacement trees, the City has determined that the applicant shall pay an in-lieu fee. The in-lieu fee would be placed into the City's existing oak tree mitigation fund. Although replacement trees may not be located within or directly adjacent to the project site, the preservation of oak trees within the City would ensure that the overall population size of oak trees within the City is not reduced.

The project incorporates the largest of the oak trees as a focal point for the northern building entrance, which would be visible from U.S. 101. Landscaping for the development includes the following 24-inch box trees: 35 oak trees, 38 California sycamore trees, 26 London plane trees, 32 western redbud trees, and 23 California black walnut trees. A variety of background, midground, and foreground shrubs would be planted amidst six different varieties of groundcovers. With the preservation of the heritage oak near the center of the site; incorporation of a diverse plant palette in association with hardscape features such as stamped tan and gray asphalt pedestrian crossings and a trellised pedestrian link between the office building and Agoura Road; and implementation of Mitigation Measure BIO-5 under Item IV, Biological Resources, impacts related to scenic resources would be considered less than significant.

c. The project site is currently an abandoned recreational facility. The property has been previously graded and improved with a baseball diamond, backstop, running track, and ancillary facilities. Lindero Canyon Creek historically ran through the property site. The creek has been channelized and subverted underground within a covered reinforced concrete box. The project site may be characterized by ruderal and non-native plants. Surrounding uses include a two story commercial

office building to the west and a single-story animal shelter to the east. U.S. 101 borders the site to the north and Agoura Road borders the site to the south. Gateway church and additional recreational facilities are situated along the south side of Agoura Road, across from the project site.

The proposed building is similar in size and scale as adjacent uses and so would not visually detract from the area. Full buildout of the project would improve the appearance of the northern property line with landscaping. Highly disturbed areas would be replanted with species such as Toyon (*Heteromeles arbutifolia*), Mexican sage (*Salvia leucantha*) and wild lilac (*Ceanothus sp.*). According to the landscaping plan, the project would eradicate all tree of heaven (*Ailanthus altissima*) species that persist onsite. These species would be replaced with native species such as coast live oak, California sycamore, California black walnut, and Toyon. The project would replace a disturbed and ruderal site with a landscaped development sensitive to the surrounding environment; thus, the project's impacts to the visual character of the area are considered less than significant.

d. A photometric site lighting plan has been submitted that proposes installation of 43 parking lot light fixtures. The light poles would be no more than 16 feet tall and oriented to minimize light spill. The project would not introduce night lighting to an unlit area because night lighting already exists adjacent to the site at the office building immediately west, at U.S. 101 to the north, at the Animal shelter to the east and along Agoura Road to the south. The project's impact would be less than significant.

ISSUES:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
II. AGRICULTURE RESOURCES - Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) to nonagricultural use?				X
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X
c) Involve other changes in the existing environment which, due to their location or nature, could individually or cumulatively result in loss of Farmland, to non-agricultural use?				X

a. The parcel is vacant, zoned Business Park-Manufacturing and surrounded by office use on the west, an animal shelter on the east and a church on the south. No impact would occur.

b. The project site is zoned Business Park-Manufacturing. The project would not conflict with existing agricultural zoning or Williamson Act contracts. No impact would occur.

c. The project site is vacant and completely surrounded by urban uses. Construction of the project would not result in the loss of farmland.

ISSUES:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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:				

ISSUES:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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:				
a) Conflict with or obstruct implementation of the applicable Air Quality Attainment Plan or Congestion Management Plan?				X
b) Violate any air quality standard or contribute to an existing or projected air quality violation?		X		
c) Result in a 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 which exceed quantitative thresholds for ozone precursors)?		X		
d) Expose sensitive receptors to substantial pollutant concentrations?				X
e) Create objectionable odors affecting a substantial number of people?				X

a. The project site is located within the South Coast Air Basin and is governed by the South Coast Air Quality Management District (SCAQMD). According to the APCD 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. Construction of the project is consistent with planned development in the City of Agoura Hills and would not generate population growth. Therefore, the project would have no impact on attainment of air quality or congestion management plans.

b, c. The Air Quality Assessment performed for this project (refer to Appendix A) included an URBEMIS (version 7.5.0) analysis to assess the project's temporary construction and long-term operational air quality effects. The Air Quality Assessment was performed by Christopher A. Joseph & Associates in June, 2005, and updated in October, 2005.

Temporary Construction Emissions. The temporary construction analysis was based on 72,311 cubic yards (CY) of cut and 60,890 CY of fill within the project building area, and an additional 11,200 CY of excavation within the Agoura Road improvement area. It was assumed that grading activities would require approximately 19,567 CY of soil export and approximately 5,280 CY of soil import. These figures have since been revised by the applicant based on more detailed calculations of earthwork quantities (see "Description of the Project"). Therefore, the emissions calculated are a worst case scenario. Actual emissions would be less than that shown. The construction period is assumed to require 12 months, of which the first six weeks would entail grading and earthwork activities. Table 1 (on the following page) shows project-generated construction emissions.

Temporary construction emissions would not exceed the SCAQMD's significance thresholds for nitrogen oxides (NOx) or carbon monoxide (CO). However, the 150 lb/day fine particulate matter (PM_{10}) threshold would be exceeded during the grading and earthwork phase of construction by 160.45 lbs/day, and reactive organic gas (ROG) emissions would exceed the 75lb/day threshold by 69.44 lbs/day during the finishing phase.

Rule 403 of the SCAQMD prescribes Best Available Control Measures (BACMs) for all projects exceeding five acres, and would reduce PM_{10} emissions below significance thresholds (see Table 2 on the next page).

Table 1 Project Construction Emissions (max lbs/day)

Source	ROG	NOx	CO	PM_{10}
Phase 1 Grading/Excavation	10.88	90.97	81.03	310.45*
Phase 2 Building Construction	5.31	38.94	40.24	1.78
Phase 3 Finishing	144.44*	37.26	41.23	1.62
SCAQMD Threshold	75	100	550	150
Significant Impact?	yes	no	no	yes

** indicates a significant impact*
Source: Christopher A. Joseph & Associates, October 2005

The following BACMs would be required pursuant to SCQAMD Rule 403.

- Water all active construction areas at least twice daily.
- Cover all haul trucks or maintain at least two feet of freeboard.
- Pave or apply water four times daily to all unpaved parking or staging areas.
- Sweep or wash any site access points within 30 minutes of any visible dirt deposition on any public roadway.
- Cover or water twice daily any on-site stockpiles of debris, dirt or other dusty material.
- Suspend all operations on any unpaved surface if winds exceed 25 mph.
- Hydroseed or otherwise stabilize any cleared area which is to remain inactive for more than 96 hours after clearing is completed.

ROG emissions associated with the application of architectural coatings are also expected to exceed significance thresholds. However, emissions can be reduced to a level of insignificance through incorporation of Mitigation Measure AQ-1 (see Table 2 below).

AQ-1 The applicant shall implement both of the following during the application of architectural coatings:

1) Use paint and laquer products with a non-volatile organic compound (VOC) or low-VOC content (<100 grams per liter) for surface coating.
2) Use high-pressure, low volume (HPLV) paint applicators or hand application for paint application, as feasible for surface coating.

Although no additional mitigation is necessary, the following practices are recommended to reduce PM_{10}, ROG, and diesel fuel emissions to the greatest extent feasible.

- Apply soil stabilizers to inactive areas.
- Replace ground cover in disturbed areas quickly.
- To the maximum extent feasible, the project contractor shall maintain all construction equipment in good working condition.
- Require 90-day low-NOx tune-ups for off-road equipment.
- Limit allowable idling to 10 minutes for trucks and heavy equipment.
- Encourage car-pooling for construction workers.
- Encourage delivery of materials during non-peak traffic hours.

Adherence to Rule 403 requirements would reduce PM10 emissions by roughly 59%. Incorporation of mitigation measure AQ-1 would result in about a 65% reduction of ROG emissions. Table 2 summarizes the mitigated project construction emissions.

Table 2 Mitigated Project Construction Emissions (max lbs/day)

Source	ROG	NOx	CO	PM_{10}
Phase 1 Grading/Excavation	10.88	90.97	81.03	124.26
Phase 2 Building Construction	5.31	38.94	40.24	1.78
Phase 3 Finishing	39.49	37.26	41.20	1.63
SCAQMD Threshold	75	100	550	150
Significant Impact?	No	no	no	no

Source: Christopher A. Joseph & Associates, October 2005

Long-Term Operational Emissions. Adverse operational air quality effects are associated with vehicle emissions from trips to and from the office building. Minor amounts of adverse emissions are also associated with consumption of natural gas, building and landscape maintenance equipment, paints, solvents and cleaning products. Trip generation was calculated using the default trip generation rate for a commercial office building. Table 3 shows the operational emissions that would be associated with the project.

Table 3 Project Operational Emissions

Emission Source	Criteria Pollutants				
	ROG	NOx	CO	SO2	PM10
Area Source Emissions	0.05	0.63	0.25	0.00	0.00
Mobile Source Emissions	11.48	20.57	142.64	0.07	13.90
Total Unmitigated Emissions	11.53	21.20	142.89	0.07	13.90
SCAQMD Thresholds	55	55	550	150	150
Exceed Threshold?	No	No	No	No	No

Source: Christopher A. Joseph & Associates, October 2005
See Appendix A for Air Quality Assessment

The project would not result in an exceedance of any thresholds for operational emissions. Long-term operational effects would therefore be less than significant.

d, e. The proposed project involves development of the site with an office building and would result in no increase of pollutant concentrations or exposure of sensitive receptors to objectionable odors. There would be no impact.

ISSUES:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
IV. BIOLOGICAL RESOURCES - Would the project:				
a) Have a substantial adverse impact, 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?		X		

ISSUES:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
IV. BIOLOGICAL RESOURCES - Would the project:				
b) Have a substantial adverse impact on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?		X		
c) Have a substantial adverse impact on federally protected wetlands as defined in Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) either individually or in combination with the known or probable impacts of other activities through direct removal, filling, hydrological interruption, or other means?		X		
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 wildlife nursery sites?				X
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?		X		
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state habitat conservation plan?				X

a. In 1989, the project site was developed with a running track and baseball diamond. The site is not currently used for recreational activities and is best characterized as predominantly ruderal/grassland and ruderal/ornamental. A second element of the project involves widening of Agoura Road. This area is currently vacant and covered predominately with weeds. Scattered small chaparral plants are also present and two large oak trees are located immediately beyond the southern margin and the western edge of the slope. On opposing ends of the slope concrete culvert walls and drainage pipes carry runoff underneath Agoura Road. An asphalt driveway, which provides access to parking for the neighboring church, is located on the western end of the slope. A review of aerial photos (Terraserver 1994) indicate that the area south of Agoura Road has been disturbed and disked in the past. The road expansion would overlap an area of less than 500 sf of the existing surface parking lot and roughly 160 feet of a blueline stream west of the parking lot.

According to a Biological Assessment and Preliminary Jurisdictional Wetlands Delineation performed by Christopher A. Joseph & Associates (CJA) in August 2005, no sensitive species are anticipated within the project area. The Biological Assessment (BA) included a search of the CNDDB Rarefind database for the Thousand Oaks and Calabasas area and surveys performed in February and March of 2005. Results of the CNDDB RareFind 3 database search, inclusive of the various federal, State, and CNPS listing statuses for resource occurrences yielded twelve species occurrences within this study area. Tables 4 and 5 summarize the plant and wildlife species identified and their probability for occurrence on site.

Table 4 Special-Status Plant Species Potentially Occurring on the Project Site

Scientific Name	Common Name	Status Fed/State/CNPS	Habitat Requirements	Project Site Suitability
Astragalus brauntonii	Braunton's milk-vetch	FE/None/1B	Closed-cone coniferous forest, chaparral, coastal scrub, valley and foothill grassland. Recent burns or disturbed areas. Stiff gravelly clay soils overlying granite or limestone. Blooms February – July. Perennial herb. 10 –2100 feet.	Suitable habitat not present on-site. Suitable soils absent.
Chorizanthe parryi fernandina	San Fernando valley spineflower	FC/SE/1B	Coastal scrub. Dry, gravelly or sandy soils. Blooms April – June. 10 – 3396 feet.	Suitable habitat not present on-site. Suitable soils absent.
Deinandra minthornii	Santa Susana tarplant	None/SR/1B	Chaparral, coastal sage scrub. Usually on sandstone outcrops and crevices, in shrubland. Blooms July – November. Shrub. 920 – 2500 feet.	Due to ruderal non-native grassland and artifical fill materials that occupy the Project Site, potential for presence is low.
Dudleya cymosa ssp. agourensis	Agoura Hills dudleya	FT/None/1B	Chaparral. Cismontane woodland. Rocky, volcanic breccia, 200-500 m.	Due to ruderal non-native grassland and artifical fill materials that occupy the Project Site, potential for presence is low.
Dudleya parva	Conejo dudleya	FT/None/1B	Coastal scrub, valley and foothill grassland habitats and is endemic to Ventura County. Occurs in clayey or volcanic soils on rocky slopes and grassy hillsides.	Due to ruderal non-native grassland and artifical fill materials that occupy the Project Site, potential for presence is low.
Eriogonum crocatum	Conejo buckwheat	None/SR/1B	Chaparral, coastal scrub, valley and foothill grasslands and is endemic to Ventura County. Occurs in conejo volcanic outcrops rocky sites.	Due to ruderal non-native grassland and artifical fill materials that occupy the Project Site, potential for presence is low.
Orcuttia californica	California orcutt grass	FE/SE/1B	Vernal pools. Blooms April – August. Annual herb. 49 – 2200 feet.	Suitable habitat not present within the project area. No vernal pools present within the project.
Pentachaeta lyonii	Lyon's pentachaeta	FE/SE/1B	Chaparral, valley and foothill grassland. Edges of clearings in chaparral. Clay soils, exposed soils. Blooms March – August. Annual herb. 100 – 2100 feet.	Possibility for this species to occur on site is low.

Source: California Department of Fish and Game CNDDB by Christopher A. Joseph & Associates, March 2005;

CSC = California Species of Special Concern
FSC = Federal Species of Special Concern
SE = State Endangered
FE = Federally Endangered
ST = State Threatened
FT = Federally Threatened
FP = Fully Protected
SR = State Rare
FC = Federal Candidate
CNPS List 1B = rare or endangered in California and elsewhere
CNPS List 2 = rare or endangered in California
None = no status

Table 5 Special-Status Wildlife Species Potentially Occurring on the Project Site

Scientific Name	Common Name	Status Federal/State	Habitat Requirements	Project Site Suitability
Bufo californicus	Arroyo toad	FE/None/CSC	Known to occur in semi-arid regions near washes or intermittent streams, including valley-foothill grassland habitats.	Suitability of site to support species is low.
Polioptila californica Californica	Coastal California gnatcatcher	FT/CSC	Obligate, permanent resident of coastal sage scrub. Low coastal sage scrub in arid washes, on mesas and slopes. Below 2500 feet in southern California.	Absence of suitable habitat on site, thus there is a low probability of occurrence.. Per USFWS (2002) no CA gnatcatchers have been found in the Santa Monica Mts.
Rana auroura draytonii	California red-legged frog	FT/CSC	Lowlands and foothills in or near permanent sources of deep water with dense, shrubby or emergent riparian vegetation.	Habitat does not occur onsite, thus there is a low probability of occurrence.
Riparia riparia	Bank swallow	None/ST	Nests in riparian and lowland habitats. Requires vertical banks/cliffs with fine textured/sandy soils near streams, rivers, lakes, or oceans.	Habitat does not occur onsite, thus there is a low probability of occurrence. However, this species may occupy the site on a transitory basis.

Source: California Department of Fish and Game CNDDB by Christopher A. Joseph & Associates, March 2005;

CSC = California Species of Special Concern
FSC = Federal Species of Special Concern
SE = State Endangered
FE = Federally Endangered
ST = State Threatened
FT = Federally Threatened
FP = Fully Protected
SR = State Rare
CFP = California Department of Fish and Game Fully Protected
FSS = USDA Forest Service sensitive species
None = no status

The surveys performed in February and March of 2005 found no threatened or endangered wildlife species or habitat within the project site. Additionally, due to the disturbed nature of the project site and the area immediately south of, and adjacent to, Agoura Road, the probability of sensitive and state and/or federal listed-species to roost, nest, or breed onsite is low. No sensitive species would be anticipated within these areas. Although the potential to impact sensitive species in either the project site or the Agoura Road expansion area is low, the following mitigation measure is required to avoid the accidental take of any special-status species.

BIO-1 To avoid the accidental take of any migratory bird species or raptors, the removal or pruning of trees shall be conducted between September 15 and February 15, outside of the typical breeding season, as feasible. Should avoidance of the nesting season not be feasible, a qualified biologist/ornithologist satisfactory to the City's Environmental Analyst shall be retained by the applicant to conduct focused nesting surveys within one week prior to grading or initial construction activity. The results of the nest survey shall be submitted to the City's Environmental Analyst for review via a letter report prior to initiation of grading or other construction activity. In the event that a nesting migratory bird species or raptor is observed in the habitat to be removed or in other habitat within 50 feet of the construction work areas, the applicant has the option of delaying all construction work in the suitable habitat area or within 50 feet thereof, until after September 15, or continuing focused surveys in order to locate any nests. If an active nest is found, clearing and construction within 50 feet of the nest 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 area.

b, c. A portion of the project area (210 square feet [sf]) is considered man-induced wetlands. This incidental man-made wetland has developed along the northern fence-line where the property abuts the Caltrans, U.S. 101 right of way. The wetland area, created by erosional runoff from the Caltrans easement and irrigation lines on and off site, is highly disturbed with a chain link fence running through the center of the drainage course. The vegetation within this drainage area is limited to nonnative grasses and Sandbar willow (*Salix hindsiana*) saplings. The tree canopy within this area is entirely associated with the Peruvian pepper trees (*Schinus molle*) situated along the berm to the south. In addition, the presence of a sewer manhole in the center of the drainage area indicates the extent of disturbance as the drainage area has been subject to trenching and filling activities in the past. It is therefore evident that this is not a natural wetland or watercourse and is a man-made feature. Due to the quality of runoff water feeding this drainage course, and the lack of biological diversity within the area, the quality of this habitat as a biological resource is low.

The project would require direct physical modifications to two existing jurisdictional drainage areas. Approximately 210 sf of jurisdictional waters would be lost in order to connect to the existing sewer line located in the northeastern corner of the lot and to improve the northern property line with landscaping. Approximately 160 sf of a blueline stream located south of Agoura Road, and the project area, would be lost as part of the expansion of Agoura Road.

Preliminary consultation with the ACOE (Wylie, November 10, 2005 and February 10, 2006) indicates that a 404 Nationwide Permit will likely be required for this loss of non-tidal waters of the US, as well as a RWQCB 401 certification for the potential discharge of fill into navigable waters of the US. Additionally, consultation with the local CDFG field office concluded that an "administrative approval" rather than a Streambed Alteration Agreement would be the appropriate level of consultation for this project.

Grading activities within the northern portion of the property would modify the existing topography and hydrologic regime of the area and landscaping would replace non-native species with native species. Although this drainage area is a man-made feature, is not in a natural state, and possesses little biological diversity, the loss of jurisdictional waters would be considered significant but mitigable as it does provide some wildlife habitat. Further, although the drainage located south of Agoura Road has been augmented and contains rip-rap and concrete lined stream-banks, the partial removal of this jurisdictional water would also be considered a significant but mitigable impact. Therefore, in addition to mitigation recommended under a Nationwide 404 permit, the following mitigation measure is required to reduce impacts related to the loss of jurisdictional waters.

Appendix G includes an approval letter from the California Department of Fish and Game dated January 13, 2006, acknowledging the loss of this habitat, along with the proposed mitigation program prepared by the applicant's biologist. The program includes the payment of in-lieu fees for disturbance to jurisdictional waters and wetlands, as well as the incorporation of cottonwood, willow and other riparian species along the drainage easement following the northern property line of the office site, with a five-year landscape maintenance plan for this area. The program also includes other habitat protection measures to be employed during construction. The Army Corps of Engineers (Wylie, November 10, 2005) has preliminarily indicated that the California Department of Fish and Game required mitigation would be acceptable and that no other mitigation would likely be necessary. However, final determination of this shall be made by the Army Corps.

BIO-2 Pursuant to the information included as Appendix A (letter dated January 13, 2006 from the California Department of Fish and Game and accompanying mitigation program), prior to the issuance of a grading or building permit the applicant shall pay an in-lieu fee at the standard rate, as determined by

CDFG and the City of Agoura Hills, for the loss of jurisdictional waters. The fee should express the value of at least a 3:1 replacement for wetlands or jurisdictional waters lost. Based on California Department of Fish and Game consultation, the fee for the loss of the onsite 210 square feet of jurisdictional waters shall be $5,100, and that for the loss of 160 square feet of stream south of Agoura Road shall be $4,750. The fees shall be paid to the Santa Monica Mountains Conservancy or other entity acceptable to CDFG, the City, and applicant for use in willow, riparian, and wetland habitat replacement and restoration within the Malibu Watershed. A copy of the agreement with the entity and owner/applicant concerning the restoration and evidence of fee payment shall be provided to the City's Environmental Analyst prior to issuance of the grading or building permit.

BIO-3 Written evidence of approvals from the Regional Water Quality Control Board and Army Corps of Engineers shall be provided to the City's Environmental Analyst prior to issuance of a building or grading permit.

BIO-4 The applicant shall comply with all components listed in the proposed mitigation program prepared by the applicant's biologist as part of Notification No. 1600-2005-0551-RS, as shown in Appendix A.

d. The project site is located within an urban environment. Although the project site is not developed, it has been highly disturbed and is surrounded by urban development on all sides. The project site is not located within a known migration corridor. Thus, no impacts to wildlife migration or nursery sites are anticipated.

e. Oak trees (*Quercus spp.*) within the City of Agoura Hills are protected by the City's Oak Tree Ordinance (City Council Resolution #374). For an oak tree larger than two inches in diameter, measured 3.5 feet above the tree's natural grade, a permit is required to cut, move, or remove any oak tree. In addition, a permit is required for encroachment within a qualified oak tree's protected zone, which is defined as extending five feet beyond the dripline and in all cases shall be at least 15 feet from the trunk.

Two oak tree surveys were prepared for the project by Envicom Corporation. An oak tree survey of the project site was performed in July of 2005. This survey identified eight trees of ordinance size within the subject property. According to this survey buildout of the project would result in the loss of one protected oak tree (#85). The second oak tree survey, performed in September 2005, determined that the widening of Agoura Road would result in the necessity to remove four protected oak trees along the south side of Agoura Road (#6, #133, #134 and #135). A revised report prepared in January 2006 (Appendix F) as a result of relatively minor changes in the Agoura Road improvement alignment indicates that only two protected oak trees along the south side of Agoura Road (#6 & # 7) would be removed and # 133 would be encroached upon to the extent that it may survive for only the next 10-15 years. Although the reports inventoried a total of nine oak trees located within the immediate vicinity of the Agoura Road improvement area, there are additional oak trees within thirty feet of the top of the cut slope that would be affected if the project configuration were expanded.

Pursuant to the City of Agoura Hills Oak Tree Preservation Guidelines, four oak trees shall be planted to replace each tree that was proposed for removal on a commercial property. The replacement trees must consist of at least two 24-inch box specimens, and one 36-inch box specimen. Although the mitigation for removal of oak trees would typically be addressed through the replanting of new oak trees, the right-of-way design near Agoura Road does not provide sufficient room for the planting of new trees. Therefore, the applicant shall pay an in-lieu fee to the City's oak tree mitigation fund for those trees removed and encroached upon from the south side of Agoura Road as part of the project's road widening element.

The following mitigation is incorporated to reduce impacts to oak trees to a level of insignificance.

BIO-5 The applicant shall obtain a permit from the City of Agoura Hills to remove three protected trees in accordance with the findings of the two oak tree surveys completed for the project by Envicom Corporation, dated July 22, 2005 and September 15, 2005. Based on the City of Agoura Hills Oak Tree Preservation Guidelines, the applicant shall mitigate the loss of tree #85 with at least four oak trees of the same species, at least three of which must meet the following criteria:

1) Two twenty-four inch box specimen oak trees; and
2) One thirty-six inch box specimen oak tree.

The trees shall be shown on final landscape plans, with the location approved by the City's Oak Tree and Landscape Consultant. The applicant shall mitigate the loss of trees #6, #7, and encroachment into #133 with the payment of an in-lieu fee to the City's oak tree mitigation fund as calculated by the City's Oak Tree Consultant. The City's Oak Tree Consultant has prepared a tentative valuation, per industry standards (International Society of Arboriculture), of the trees located on the south side of the street to be removed – a total of $29,030. The final fee shall be determined by the City's Oak Tree Consultant.

f. The project site is located in an urban area and would not conflict with an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state habitat conservation plan. No impact would occur.

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

a. The project site is vacant except for ballfield fencing, a brick barbeque and a modern storage shed. Each of these is less than 50 years of age. No impacts to historical resources would occur.

b, d. The project site is underlain by six to nine feet of fill, which is underlain by alluvium. Substantial disturbance of the native soils is presumed to have occurred during the channelization of Lindero Canyon Creek which occurred during the 1960s and during construction of U.S. 101 which is located at the northern boundary. Lindero Canyon Creek runs beneath the project area and daylights in the southwest corner. Since the project area contains six to nine feet of fill, it is presumed that archaeological resources, if present, could not be disturbed unless excavation exceeded six feet in depth. The City of Agoura Hills considers an impact to an archaeological resource significant if it is disrupted or adversely affected. Though no archaeological resources are known to be present onsite, the proposed project has the potential to disturb as yet undiscovered archaeological resources during grading activities that exceed six feet below the existing soil surface. The following mitigation measure is required to fully mitigate adverse effects to cultural resources.

CR-1 Initial grading activities (depths below five feet in the case of this project) shall be monitored by a qualified archaeologist. If archaeological resources are uncovered during excavation activities, the developer must notify the City of Agoura Hills Department of Planning and Community Development immediately and work must stop within a 100-foot radius until a qualified archeologist satisfactory to the City of Agoura Hills has evaluated the find. Construction activity may continue unimpeded on other portions of the project site. If the find is determined by the qualified archeologist to be a unique archeological 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.

c. Construction of the project would result in no impacts, either directly or indirectly, to a unique paleontological resource or site of unique geologic features, because the geologic study determined that the site soils are composed of six to nine feet of fill on top of alluvial deposits. No impacts would occur.

ISSUES:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
VI. GEOLOGY AND SOILS - Would the project:				
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?				X
ii) Strong seismic ground shaking?			X	
iii) Seismic-related ground failure, including liquefaction?				X
iv) Landslides?				X
b) Result in substantial soil erosion or the loss of topsoil?		X		
c) Be located on strata 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?		X		
d) Be located on expansive soil creating substantial risks to life or property?		X		

a (i). The project site is not located within a currently designated California Division of Mines and Geology Fault Rupture Hazard Zone (Gorian & Associates Inc., Geotechnical Site Investigation Update, 2005). There would be no impact.

a (ii). 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 (approximately 8.5 km south), the Anacapa-Dume fault (approximately 10.5 km southwest), the Simi-Santa Rosa fault (approximately 15.5 km northwest) and the Palos Verdes fault (approximately 27.5 km southeast). Design and construction of the office building shall adhere to recommendations listed in the standard procedures of the California Building Codes to reduce any potential impacts from seismic related activity affecting the site. With incorporation of design considerations and recommendations of Gorian & Associates Inc.

Geotechnical Site Investigation Update (July 2005), the impacts would be less than significant and no mitigation is required.

Regional geologic conditions for the area south of Agoura Road are the same as those described for the project site, north of Agoura Road. As with the proposed development, impacts would be considered less than significant with incorporation of design considerations and recommendations of relevant geotechnical studies and no further mitigation would be required.

a (iii, iv). The project site is not located within a liquefaction hazard zone or slope hazard zone as currently identified by the California Division of Mines and Geology on the Seismic Hazard Zones Thousand Oaks Quadrangle map dated November 17, 2000 (Gorian & Associates Inc., Geotechnical Site Investigation Update, 2005 and Geotechnical Site Investigation Supplement dated January 2006). There would be no impact.

b. The proposed project involves construction of an office building and would result in paving and structural coverage across much of the currently undeveloped site. Upon completion, the project would result in less bare soil than currently exists onsite. Some potential for soil erosion exists during construction due to wind entrainment or sediment traveling in stormwater runoff; however, dust control measures (AQMD Rule 403) and a stormwater pollution prevention plan already required for project development (refer to Section VIII, *Hydrology and Water Quality*), serve to reduce the potential for soil loss within the project site north of Agoura Road to a level that is less than significant.

Improvements to the section of Agoura Road, directly south of the project site, would require approximately 3,660 CY of cut soil from the slope south of Agoura Road. The slope is currently about 25 feet in height and trends east to west. Project plans indicate that the slope would be 1.5:1 and about 25 feet high. This exceeds the allowed height and slope as provided in City Resolution 329, but the City Planning Commission has the discretion to approve changes to these standards. The applicant's geologist has indicated that a gradient of 1.5:1 would be acceptable from a geotechnical standpoint, which has been confirmed by the City's consulting geologist, Geodynamics (January 2006). The potential for erosion within this area would be potentially significant. The following mitigation would be necessary in order to reduce impacts from erosion to a less than significant level.

GEO-1 Prior to approval of a grading permit, the applicant shall submit an erosion control plan that incorporates best management practices to the City Public Works Department for review and approval as part of the initial application process. Measures identified in such plans shall be implemented in addition to the recommendations of the Geotechnical Study (Gorian & Associates, 2005). Such measures may include slope protection measures, netting and sandbagging, landscaping and possibly hydroseeding, temporary drainage control facilities such as retention areas, etc.

c,d. The project site is not located in an area subject to landslide or liquefaction hazard, and the soils were not identified as unstable or subject to lateral spreading or collapse (Gorian & Associates Inc., Geotechnical Site Investigation Update, 2005, and Geotechnical Site Investigation Supplement, 2006). However, the site soils are composed of fill to a depth of up to 14 feet in some locations. The potential exists for differential settlement, which could result in structural damage if a structure such as the project office building is placed on improperly compacted fill. Therefore, the geotechnical consultants have issued recommendations regarding removal, processing and replacement of fill. Additionally, the geotechnical consultants have identified expansive soils within the fill. The fill contains clays with moderate to very high expansiveness. Expansive soils cause structural damage because the clay particles within the soil expand when wet and shrink when dry. Recommendations have been made by the geotechnical consultants, which are herein incorporated as mitigation that reduces the potential for adverse effects to a level of insignificance.

GEO-2 The project shall incorporate design and construction recommendations contained in the geotechnical investigations prepared for this project. The geotechnical investigations include: 1) *Preliminary Geotechnical Engineering Report* prepared for HQ Development (Earth Systems Southern California, Nov. 10, 2004); 2) *Addendum Letter – Response to Geotechnical Reviewer* (Earth Systems Southern California, Jun. 01, 2005); 3) City of Agoura Hills – Geotechnical Review Sheet (Bing Yen & Associates, Inc, July 20, 2005); 4) *Geotechnical Site Investigation Update* prepared for HQ Development LLC, (Gorian & Associates Inc., July 12, 2005); 5) Geotechnical Site Investigation, Proposed Cut Slope South Side of Agoura Road (Gorian & Associates, Inc, December 2, 2005 and Geotechnical Site Investigation Supplement, January 11, 2006). The reports contain recommendations that address seismic design parameters, site preparation and grading, excavations, utility trenches, soil expansiveness, foundation recommendations, slabs-on-grade specifications, site drainage, building runoff, manufactured slope construction and maintenance, and retaining wall design. Where recommendations for the same activity are included in more than one report, the recommendations contained in the most current report shall supercede. Compliance would 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.

ISSUES:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
VII. HAZARDS AND HAZARDOUS MATERIALS - Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use; or disposal of hazardous materials?				X
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment?				X
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X
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?				X
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?				X

ISSUES:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
VII. HAZARDS AND HAZARDOUS MATERIALS - Would the project:				
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?				X
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X
h) Expose people or structures to the risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?				X

a-c. The project involves construction of an office building and would not include routine use, transport, disposal, or generation of hazardous materials; therefore, it would not have the potential for accidental release of hazardous materials. There would be no impact.

d. The project site is vacant and does not currently contain nor has it historically contained hazardous materials. No impact would occur.

e,f. The project is not located in the vicinity of an airstrip or within an airport land use plan. No impacts would occur.

g. The project involves construction of an office building on a vacant lot surrounded by development and improvements to Agoura Road and would not interfere with existing emergency evacuation plans, or emergency response plans. No impact would occur.

h. The project involves construction of an office building on a vacant lot surrounded by development and would not expose people or structures to wildland fire hazards. No impact would occur.

ISSUES:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
VIII. HYDROLOGY AND WATER QUALITY - Would the project:				
a) Violate Regional Water Quality Control Board water quality standards or waste discharge requirements?			X	
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 (i.e., 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)?				X

ISSUES:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
VIII. HYDROLOGY AND WATER QUALITY - Would the project:				
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?			X	
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 that would result in flooding on- or off-site?		X		
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems to control?		X		
f) Otherwise substantially degrade water quality?				X
g) Place housing within a 100-year floodplain, as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				X
h) Place within a 100-year floodplain structures which would impede or redirect flood flows?			X	
i) 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 dam or levee?			X	
j) Inundation by tsunami or seiche?				X

a. The proposed project involves development of an office structure and 308 parking spaces on a vacant lot. Construction grading is expected to occur primarily during periods of low rainfall. Nevertheless, if large amounts of bare soil are exposed during the rainy season, or in the event of a thunderstorm, finely grained soils could be entrained, eroded from the site and transported to drainages. The amount of material potentially eroded from the site during construction is greater than under existing conditions due to the loss of vegetation and movement of soils. Uncontrolled discharges of sediment could significantly affect the quality of surface water in Lindero Canyon Creek, which daylights in the southwestern corner of the project site. This is considered a potentially significant impact to surface water quality.

Regulations under the federal Clean Water Act require that a National Pollutant Discharge Elimination System (NPDES) storm water permit be obtained for projects that would disturb greater than one acre during construction. The applicant would need 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) that is kept at the construction site and implemented during construction activities. The proposed project would be subject to this requirement, which would reduce short-term impacts to a less than significant level.

Following construction, a large portion of the project site would be devoted to the parking and circulation of vehicles. Paved surfaces would replace natural 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 also common urban surface water pollutants. During storm events, these pollutants would be transported by runoff into storm

drain systems, Lindero Canyon Creek and ultimately into the regional watershed. The introduction of urban pollutants to runoff from the project area would have potentially significant impacts to surface water quality.

The project site is within the region covered by the Los Angeles County Municipal Storm Water NPDES Permit No. CAS004001 issued by the LARWQCB. The purpose of this permit is to govern non-point discharges associated with storm water drainage. The permit is a joint permit, with the City of Agoura Hills as one of the co-permittees. The permit includes implementation of a Los Angeles County Standard Urban Storm Water Mitigation Plan (SUSMP) which requires preparation of a Stormwater Management Plan (SWMP). The SUSMP serves as a model guidance document for use by builders, land developers, engineers, planners, and others in selecting post-construction Best Management Practices (BMPs). The requirements are intended to reduce impacts of urban runoff and construction on local waterways and the Pacific Ocean. As part of the project, the applicant has prepared a site-specific "Wet-Weather Erosion Control Plan" to be used in conjunction with the SWPPP. The plan describes BMPs to be used during construction in the rainy season and depicts their locations relative to the site. Further, the property owners shall be responsible to maintain all onsite drainage structures unless otherwise approved by the City. The applicant has indicated that catch basin filter inserts shall be cleaned out a minimum of twice per year, once before the rainy season and again after the rainy season. In addition to these measures outlined by the applicant, preparation and implementation of a SWPPP (including notification with the LARWQCB) and a Stormwater Management Plan, would reduce short-term and long-term impacts to surface water quality to a less than significant level.

b. The proposed project involves construction of an office building and support parking with circulation. The project would utilize water from the Las Virgenes Municipal Water District which has no local sources of water. The LVMWD receives water from the State Water Project. Therefore, the project would not substantially deplete ground water supplies. Project development may incrementally increase impermeable surface area onsite, which may incrementally reduce groundwater recharge. However, because of the small size of the site and depth to groundwater, the project would not be expected to adversely affect groundwater. There would be no impact.

c. The proposed project involves a substantial amount of grading since the top 10 feet of soil within the development footprint would need to be removed, processed and recompacted per geotechnical specifications. Additionally, 3,660CY of soil would be cut from the improvement area along Agoura Road. A man-made drainage would be filled along the northern portion of the project area (refer to the Section IV, *Biological Resources*, for a detailed discussion of permit requirements and biological impacts). This drainage conveys runoff from U.S. 101 to a sewer manhole located in the drainage. Connections to sewerage services onsite would require augmentation of this drainage. The drainage pattern throughout the site would be substantially modified by project development. However, the potential for adverse erosion and sedimentation effects is diminished to a level of insignificance with preparation and implementation of a SWPPP and a Stormwater Management Plan, as mentioned above under issue a. Therefore, impacts would be considered less than significant.

d, e. The proposed project would result in the addition of impervious surfaces, 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 stormwater 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.

Additionally, an existing box culvert flood control channel that runs beneath the project site from west to east would be capped as part of the project. The drain is located near the southern boundary of the site and is currently maintained by LACFCD. The applicant would require an easement from LACFCD in order to cap the drain and would be subject to the standards and specifications outlined in the LACFCD's *Guidelines for Overbuilding and Air Rights* (1999). The area surrounding the channel is designated as a Flood Hazard Area and thus would be utilized as a parking area only, providing an overflow area during

storm events. Pursuant to the LACFCD's guidelines, capping of the drainage within the project area would not reduce the capacity of the drain and the applicant would be responsible for ensuring that local runoff would be able to enter the channel after the channel was covered. Therefore, provided that the applicant complies with Flood Control District requirement; impacts related to alterations to the existing drainage within the project site would be considered less than significant.

As part of the project, modifications to the area south of Agoura Road would affect local drainage. The southern shoulder of Agoura Road (approximately 475 feet long by 90 feet wide) is bounded by concrete culvert walls and drainage pipes that carry runoff underneath Agoura Road. Slope drainage is predominately via sheet flow to the east and west which concentrates into the mentioned drainage gullies. These gullies flow toward the north where they pass underneath Agoura Road via concrete drainage pipes that lead to Lindero Canyon Creek. Modifications to this slope would include approximately 3,660 CY of cut and a final slope height of 25 feet, at a 1.5:1 slope ratio. Given the steep slopes on the shoulder, modifications of this area could have a substantial impact on drainage across the slope. Additionally, widening of Agoura Road would require encroachment into the existing blue line stream that collects drainage from the slope. Encroachment into this drainage would be subject to consultation, at a minimum, with the U.S. Army Corps of Engineers (USACOE), the California Department of Fish and Game (CDFG), and the LARWQCB (Se Section IV, *Biological Resources*). The following mitigation, in addition to compliance with any provisions or permits that may be required by the above agencies, is required in order to reduce impacts to a less than significant level.

HYD-1 The applicant shall be required to prepare and submit a final drainage plan, prior to issuance of a grading permit, to the City's Public Works Department and Los Angeles County Flood Control for approval. Plans shall include detailed design and hydraulic analysis of the drainage facilities that capture and convey on- and off-site runoff for the area south of Agoura Road. The drainage plan shall include post development designs that ensure adequate capacity to accommodate the Capital Flood and prevent flooding of the roadway. These drainage facilities shall meet the design requirements and capacities of the *Master Plan of Drainage for the City of Agoura Hills, The Los Angeles County Department of Public Works Hydrology Manual and the Hydrology and Sedimentation Appendix*. The 50-year Capital Flood storm shall be used for all open channels, closed conduits under major and secondary road, and detention facilities. Additionally, design shall meet all interim peak flow standards, or the most up to date standards, as established by the LACDPW. The plans shall be subject to review and approval by the City Engineer.

f. The proposed project is subject to current regulations, which require the preparation and implementation of a SWPPP and a Stormwater Management Plan, which protect water quality during construction and upon completion during operation of the office building. The project development of this office structure would not otherwise degrade water quality. There would be no impact.

g. The proposed project involves construction of an office building and parking spaces. It does not involve construction of housing. There would be no impact.

h, i. The proposed project involves construction of parking spaces in an area that is subject to periodic inundation from Lindero Canyon Creek overflows during peak flow. However, the project does not involve any structures in this area. The office building is sited outside the floodplain boundary. The impact is therefore less than significant and no mitigation is required.

j. The project site is not located in a tsunami hazard zone. Given its inland location, no impacts would occur.

ISSUES:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
IX. LAND USE AND PLANNING - Would the project:				
a) Physically divide an established community?				X
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?			X	
c) Conflict with any applicable habitat conservation plan or natural communities conservation plan?				X

a. The project would not divide an established community. It would provide infill development on a vacant site between another office development and the Los Angeles County Animal Shelter. There would be no impact.

b. The project site is zoned BP-M, Business Park-Manufacturing District. The project involves the construction of a two story 93,950 sf office building and 308 parking spaces. The project complies with the 35-foot height limitations, and has a lot coverage of 20%, which is less than the 30% maximum allowed within the BP-M zone. The City's Zoning Ordinance requires one parking space per 300 square feet of gross floor area for business and professional commercial uses. Based on the net square footage, the project would require 305 parking spaces. The project includes 308 spaces, which is 3 in excess of that required. The site plan includes roughly 130-foot setbacks from both the Agoura Road and U.S. 101 property lines, including 20-foot landscaped setbacks at each property line. These setbacks are in excess of code requirements of 70 ft, or double the building height in both the front and rear yards. The east and west setbacks combined total roughly 77 ft, exceeding the 70 ft minimum.

The proposed project is located within the Freeway Corridor Overlay District (FC) and complies with the corridor standards for development in the FC. The FC standards require that new developments recognize the importance of the land use, architectural design, and appearance of development within the freeway corridor. Project design elements included in order to meet FC standards include preservation and incorporation of a large heritage oak tree onsite; planting of native landscaping including roughly 40 oak trees, 26 sycamores, and 24 black walnut trees onsite; preservation of existing views of Ladyface Mountain; use of the craftsman/prairie architectural style and design elements to complement existing development in the City. Building materials would be natural in appearance and are consistent with recently approved and developed projects located within the freeway corridor. Therefore, the project is consistent with the zoning.

The site is designated as BP-M (Business Park-Manufacturing) in the General Plan. Given that the project involves construction of an office building the project would be consistent with the General Plan. As part of the project, a portion of Agoura Road (an Agoura Hills local scenic highway) directly south of the project site would be widened and would require modifications to the existing shoulder. This area is subject to provisions of the Ladyface Mountain Specific Plan, the City of Agoura Hills General Plan, and City Resolution 329 of the City of Agoura Hills General Plan Scenic Highways element (a resolution of the City Council establishing guidelines and standards for grading adjacent to the scenic highways of the City of Agoura Hills). The widening of this road, as proposed with this project, is consistent with and actually implements the Circulation Element and is identified on the Circulation Plan exhibit in the Element. As mentioned in Section I, *Aesthetics*, project plans indicate that the slope would be 1.5:1 and about 25 feet high. The Ladyface Mountain Specific Plan (LMSP) limits cut slopes within public view to 15 feet and retaining walls to six feet, and requires grading to create contoured forms compatible with the natural topography. Resolution No. 329 of the City of Agoura Hills General Plan Scenic Highways Element was

adopted by the City of Agoura Hills City Council in order to establish guidelines and standards for grading adjacent to the scenic highways of the City. Pursuant to Resolution 329, a slope located adjacent to a scenic highway shall be limited to five feet in vertical height unless approved by the Planning Commission. The Resolution states that a cut or fill slope shall not have steeper angles of slope than 2.5:1 for a height of 5-10 feet; 3:1 for 10-20 feet; and 4:1 for 20-25 feet. The Resolution also states that the guidelines or standards may be waived or modified by the Planning Commission where strict application would interfere with proper development of the property or create unnecessary hardship. The project proposes a cut slope of 25 feet in height with a slope ratio of 1.5:1. It should be noted that the existing slope height is 25 feet. The Planning Commission shall determine whether modification to the Ladyface Mountain Specific Plan (LMSP) and Resolution No. 329 standards and guidelines are justified for the project, given aesthetic, geologic safety and other considerations, including feasible alternative methods. Upon approval by the Planning Commission, the project would be consistent with the LMSP and Resolution No. 329.

c. The project site is surrounded by urban development and does not contain significant habitat. There are no adopted habitat conservation plans or natural communities conservation plans in this area. As such, the proposed project would not conflict with such plans. No impacts would occur.

ISSUES:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
X. MINERAL RESOURCES - Would the project:				
a) Result in the loss of availability of a known mineral resource classified MRZ-2 by the State Geologist that would be of value to the region and the residents of the state?				X
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?				X

a, b. The City of Agoura Hills General Plan Update (1992) states that the area north of Agoura Road within the City is zoned MRZ-2. The MRZ-2 classification is used to delineate areas where adequate information is available to determine that no mineral deposits are present, and/or that there is little likelihood for significant deposits to be present. Thus, there would be no impact.

ISSUES:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
XI. NOISE - Would the project result in:				
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?		X		
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?				X
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?		X		

ISSUES:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
XI. NOISE - Would the project result in:				
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?				X
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?				X

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 PM and 7:00 AM 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 dB to evening noise levels (7:00 PM to 10:00 PM). The City of Agoura Hills utilizes the CNEL for measuring noise levels.

a. The project site is located adjacent to U.S. 101, which is the major source of noise in the vicinity of the project. The freeway is elevated approximately 10 feet above the project site along the northern boundary.

The 1992 City of Agoura Hills General Plan Noise Element contains noise contours that illustrate noise levels associated with U.S. 101. Based on the Noise Element future condition contour map (which shows projected noise levels at General Plan buildout), the northern 40% of the project site lies within the 75 dBA CNEL contour, and the southerly 60% of the site lies within the 70 dBA CNEL contour.

Table N-2 of the Noise Element delineates Noise Compatibility Standards for various uses and noise levels. According to the Noise Compatibility Standards, the location of the office in a noise environment of 70-75 dBA CNEL is considered "conditionally acceptable" with a detailed noise analysis and incorporation of noise insulation features that would reduce interior noise levels to 50 dBA CNEL. Because noise attenuation features would be needed in order to ensure an acceptable interior noise environment, impacts are considered potentially significant. The following mitigation would reduce impacts to a less than significant level.

N-1 The following noise insulating features shall be included in the project design to achieve an acceptable interior noise level:

- Windows facing U.S. 101 shall have a minimum Standard Transmission Class (STC) of 33 and be properly installed, weather stripped, and insulated. Exterior doors with a minimum STC of 33 should be used and shall be insulated in conformance with Title 24 requirements. The exterior wall facing material should be designed for a minimum STC of 35.

Incorporation of these design requirements would be expected to achieve an interior noise level reduction of 25 dB or greater. These attenuating features shall be shown on the construction plans submitted to the City Building Department prior to issuance of a Building Permit.

b. The project site is not located in an area of excessive groundborne vibration and would not expose people to excessive levels of groundbourne vibration. The project involves construction of an office building and 308 parking spaces. The project is not anticipated to generate groundborne vibration. There would be no impact.

c. The proposed project would generate an estimated 1,298 average daily vehicle trips (ADT) along Agoura Road, which currently carries an estimated 8,000 ADT. To estimate the effect of this increase in traffic, noise was modeled for current and post-project conditions using a spreadsheet version of the Federal Highway Administration's Traffic Noise Model (refer to Appendix B). Although not considered a noise sensitive use, the Los Angeles County Animal Shelter is located approximately 50 feet from Agoura Road. As this building is the closest in proximity to the section of Agoura Road that would be widened, the distance from the shelter to the street was modeled for the potential change in noise due to the project. Table 6 compares the current noise level to post-project level at a distance of 50 feet from the roadway centerline. As indicated, project-generated traffic would increase noise by an estimated 0.6 dBA (from 68.0 dBA CNEL to 68.6 dBA CNEL).

The criteria shown below are used to determine whether or not increases in noise are significant. These 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 relate aircraft noise levels to the percentage of people highly annoyed 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 these thresholds, the 0.6 dBA increase in noise due to project-generated traffic would not constitute a significant impact. It should be noted that the nearest sensitive receptor to the project site and the section of Agoura Road to be widened is the Gateway Church, located approximately 260 feet south of Agoura Road. Although the church is considered a sensitive receptor, it is located on a slope more than 30 feet above the grade of Agoura Road and would not experience a significant increase in noise due to the project. Project-generated traffic at the Gateway Church would increase noise by an estimated 0.5 dBA (from 60.9 dBA CNEL to 61.4 dBA CNEL). Therefore, no mitigation is required.

Table 6 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

d. Construction activity would generate a temporary increase in noise. Maximum noise levels relating to construction range from 75-95 decibels (dB) at a distance of 50 feet (US EPA, 1971). Sensitive receptors are generally considered residential units, libraries, hospitals, and nursing homes. The project is surrounded by office uses to the west, U.S. 101 to the north, the Los Angeles County Animal Shelter to the east, and a church across Agoura Road to the south. When considering that project activity would occur primarily on the weekdays during the day, the Church is not likely to be disturbed by construction activities. Nonetheless, construction activities would generate temporary noise increases. Therefore, the following mitigation is required to reduce construction-related noise impacts to a less than significant level.

N-2 **Construction Hours.** On-site construction activity, involving the use of equipment or machinery that generates noise levels in excess of the 55 dBA exterior daytime standard shall be limited to between the hours of 7 A.M. and 7 P.M., Monday through Saturday pursuant to City Ordinance 9656 and City Municipal Code Section 9666.4. No construction activity shall occur between 7 P.M. and 7 A.M. that generates noise in excess of the 50 dBA nighttime standard. No construction activity shall take place on Sundays or legal holidays.

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.

ISSUES:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
XII. POPULATION AND HOUSING -- Would the project:				
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)?			X	
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X

a. The proposed project is for an office building and does not include a residential component. Assuming one employee per 500 square feet of office building area, the project would be anticipated to generate roughly 188 new jobs. The actual number of employees may be somewhat higher or lower. 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 1,883 jobs are projected to be added in the subregion by 2010 and 2,799 jobs are expected to be added by 2020. Thus, new employment opportunities provided by the project would be within the SCAG projections. Additionally, Agoura Hills is a predominately residential community and has significantly more housing than it does jobs (Housing Element, 2001). Therefore, the introduction of jobs as part of the project would be beneficial in helping to balance the existing difference between housing and work levels within the City. As the project would be consistent with SCAG projections, and no infrastructure or roads are proposed to be extended, impacts would be less than significant.

b-c. The proposed project would not displace any people or occupied housing. Therefore, no impacts with respect to displacing persons or homes is anticipated.

ISSUES:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
XIII. PUBLIC SERVICES - 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:				
a) Fire protection?			X	
b) Police protection?			X	
c) Schools?			X	
d) Parks?				X
e) Other public facilities?				X

a-b. The City of Agoura Hills is currently served by the Los Angeles County Fire Department and the Los Angeles County Sheriff's Department. Although neither the LA County Fire or Sheriff's Department were available for consultation during the preparation of this report, the proposed project is not anticipated to require additional police or fire protection services as the project site is already within a developed area currently served by these agencies. The project would be required to comply with Fire Code and LACFD standards including specific construction specifications, access design, location of fire hydrants, and other design requirements. The project itself is not expected to adversely affect police or fire protections services. A new fire station is being developed directly north of the project site, north of U.S. 101. This station would service the project and surrounding areas. The Los Angeles County Sheriff's Department (LACSD) Lost Hills Substation provides police protection service for the immediate project area as well as the greater Agoura Hills area. The project's impacts with respect to police and fire services is considered less than significant.

c. In 1990, school facilities legislation (California Government Code § 65995) was enacted to generate revenue for school districts for capital acquisitions and improvements. This legislation allows a maximum one-time fee of $1.93 per square foot of residential floor area and $0.31 per square foot of commercial and industrial space for development projects. This fee is divided between the primary and secondary schools and is termed a "Level One Fee." The most recent adjustment to Level One fees occurred on April 17, 2006, which brought the rates to $2.63 per square foot of residential development and $0.42 per square foot of commercial/industrial development (California Department of General Services, January 2004). The applicant would be required to pay school impact fees to the local school district at the rate of $0.42 per square foot of commercial/industrial development. With payment of the required Level One fees, the project would have a less than significant impact on local schools.

d, e. Although the proposed project would replace a recreational facility with an office building, the existing recreational facilities are privately owned and are currently unused. The proposed project would not introduce residential uses or generate population growth and, thus, would not increase citywide demand for parks and would not result in a substantial decrease in the City's parkland to population ratio. Therefore, the project would not generate a significant impact with respect to parks. Additionally, the project is not anticipated to generate impacts related to other public services.

ISSUES:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
XIV. RECREATION -				
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?			X	
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?			X	

a-b. The proposed project involves construction of an office building and 308 parking spaces. Although the project would replace a recreational facility with an office building, the existing recreational facilities are privately owned and are currently unused. In addition, the project would not be expected to generate substantial demand for parks. Thus, impacts to recreational facilities would not be significant.

ISSUES:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
XV. TRANSPORTATION/TRAFFIC - Would the project:				
a) Cause an increase in traffic, which 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)?		X		
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?			X	
c) 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?				X
d) Substantially increase hazards to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?			X	
e) Result in inadequate emergency access?			X	
f) Result in inadequate parking capacity?				X

a. A traffic impact analysis performed by Overland Traffic Consultants, Inc. (February, 2005) analyzed the proposed project's traffic impacts. The focus of the traffic study is to evaluate the potential traffic impact created by the proposed office building on nearby intersections under different traffic growth scenarios. The study assumed that the office building would be 96,479 sf. This is a slightly larger estimate of building size than what is proposed (93,950 sf); thus, the results of the study would be conservative. The traffic analysis estimated that the project would generate approximately 1,298 daily vehicular trips, with 182 and 187 trips occurring during the morning and afternoon peak hours, respectively.

Traffic growth scenarios have been developed to estimate the potential impact caused by ambient traffic growth (traffic from the surrounding area); project traffic combined with ambient traffic growth; and cumulative traffic (which incorporates pending projects and other planned future developments nearby). Operating conditions were estimated for each traffic scenario and analyzed for exceedance of acceptable levels of service (LOS). According to the traffic analysis, nearby intersections of Kanan and Agoura Road and the 101 Freeway ramps are currently operating at or exceeding capacity. Freeway interchange projects are planned for both Kanan Road and Reyes Adobe Road to relieve current traffic congestion; however, these improvements were not included under this analysis.

Table 7 (shown on the following page) illustrates the level of service (LOS) and its resulting impact at each intersection within the project vicinity for each of the traffic growth scenarios.

As shown in Table 7, results of the analyses for each traffic growth scenario found that the addition of project-generated traffic is expected to significantly affect one intersection (Agoura and Kanan Road) as compared to the effect of ambient traffic growth alone, which is estimated to significantly affect four intersections. Project traffic combined with ambient traffic growth would affect two intersections (Reyes Adobe Rd & U.S. 101 and Agoura Rd & Kanan Rd intersections). Cumulative traffic growth (assuming all the other known or planned developments, but without the project) is estimated to impact six of the eight study intersections with one additional impact (Reyes Adobe Rd & Agoura Rd during PM peak hours) added due to the project (Project, plus ambient and cumulative traffic).

Table 7 Level of Service and Traffic Impacts at Intersections Within the Project Vicinity

Intersection	Existing	+Project		+Ambient Only		+Project & Ambient		+Ambient & Cumulative		+Project, Ambient, & Cumulative	
		LOS	Impact	LOS	Impact	LOS	Impact	LOS	Impact	LOS	Impact
Reyes Adobe Rd & Agoura Rd	AM LOS B	B	NO	B	NO	B	NO	B	NO	B	NO
	PM LOS C	C	NO	C	NO	C	NO	C	NO	D	YES
Reyes Adobe Rd & U.S. 101 S/B	AM LOS B	B	NO	B	NO	C	NO	D	YES	D	YES
	PM LOS C	C	NO	C	NO	D	YES	E	YES	E	YES
Reyes Adobe Rd & U.S. 101 N/B	AM LOS C	C	NO	D	YES	D	NO	E	YES	E	YES
	PM LOS C	C	NO	C	NO	C	NO	D	YES	D	YES
Reyes Adobe Rd & Canwood St.	AM LOS A	A	NO	A	NO	A	NO	A	NO	B	NO
	PM LOS B	B	NO	B	NO	B	NO	C	NO	C	NO
Agoura Rd & Kanan Rd	AM LOS D	D	NO	E	YES	E	NO	F	YES	F	YES
	PM LOS D	D	YES	D	YES	E	YES	F	YES	F	YES
Kanan Rd & U.S. 101 S/B	AM LOS D	E	NO	E	YES	E	NO	E	YES	F	YES
	PM LOS B	B	NO	C	NO	C	NO	D	YES	E	YES
Kanan Rd & U.S. 101 N/B	AM LOS E	E	NO	E	YES	E	NO	F	YES	F	YES
	PM LOS E	E	NO	F	YES	F	NO	F	YES	F	YES
Kanan Rd & Canwood St (S)	AM LOS A	A	NO	A	NO	A	NO	B	NO	B	NO
	PM LOS B	B	NO	B	NO	B	NO	D	YES	D	YES

Key: YES indicates a significant traffic impact and NO indicates a less than significant impact

Source: *Overland Traffic Consultants, Inc. Traffic Impact Analysis for a Proposed Office Development Located at 29851 Agoura Road in the City of Agoura Hills. February 2005.*

According to the standards adopted by the City of Agoura Hills, a traffic impact is considered significant if the related increase in the volume-to-capacity (ICU value) results in level of service (LOS D, E, or F). The traffic impact analysis determined that the added traffic generated by the stand alone project would significantly impact one of the study intersections (Kanan and Agoura Road), as shown in Table 7, and total cumulative traffic growth would result in significant impacts at seven of the eight study intersections (all intersections with the exception of the Reyes Adobe Road and Canwood Street intersection).

Currently, the City requires that applicants pay into the Agoura Hills Arterial Street System Development Fee (Resolution No. 493) to fund the City's arterial street system program. The improvements listed in the adopted street system improvement plan as part of Resolution No. 493 has been determined by studies conducted by the City to accommodate the additional traffic volume that would be generated by anticipated future development. Thus, the applicant would be required to pay its "pro rata" share of fees relative the project related impacts.

In addition to the fees above, the following mitigation measures would be required to reduce impacts to a less than significant level.

TRF-1 Widen the west side of Kanan Road south of Agoura Road to facilitate the conversion of the existing southbound right-turn lane to a shared through/right turn lane. The conversion would result in a LOS B during the AM peak hour and a LOS C in the PM peak hour. The costs associated with the widening of Kanan Road and Agoura Road should be credited towards the development fee as the roadway improvement is part of the fee based area wide improvement plan.

b. The Los Angeles County Congestion Management Program (CMP) requires a regional traffic impact analysis (TIA) when a project adds 150 or more trips in each direction to a freeway segment. As detailed in the traffic impact analysis, the project would add approximately 54 southbound and 47 northbound directional peak hour trips to the freeway. Thus, the project would not add more than 150 directional peak hour trips on any freeway segment. Therefore, the project would not exceed the CMP standard and impacts would be considered less than significant with respect to CMP standards.

c. The proposed project would not result in any impacts to air traffic patterns. No Impact.

d-e. As discussed in Section XIII, *Public Services,* the proposed project would be required to comply with Fire Code and LACFD standards including access design requirements. The project itself is not expected to generate emergency access or hazardous internal design impacts. The proposed widening of Agoura Road would generally improve circulation and, thus, could potentially improve safety and access within the project area. Therefore, impacts would be considered less than significant.

f. The current site plan shows that a total of 308 parking spaces would be provided onsite. The City's Zoning Ordinance requires 305 parking spaces. Therefore, the project exceeds the required parking spaces and, thus, no impacts related to parking would occur.

ISSUES:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
XVI. UTILITIES AND SERVICE SYSTEMS -Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?			X	
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			X	
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			X	
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?			X	
e) Result in a determination by the wastewater treatment provider, which serves or may serve the project, that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?			X	

ISSUES:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
XVI. UTILITIES AND SERVICE SYSTEMS -Would the project:				
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?			X	
g) Does the project comply with federal, state, and local statutes and regulations related to solid waste?			X	

a,b,e. Wastewater generated in the Agoura Hills area is transported to the Tapia Water Reclamation Facility for treatment. Existing intake capacity at the facility is 16 million gallons per day (mgd). However, future regulations may downgrade the facility to 12 mgd. Currently, the facility receives between 8 and 9 mgd of wastewater and has an additional 7 to 8 mgd of capacity available (Talmadge, 2006). This available capacity may be reduced to between 3-4 mgd of unused capacity if future regulations restrict the plant capacity.

The proposed project involves the construction of nearly 94,000 sf office building on five acres. Based on a rate of 90% of the estimated water demand, the project would generate an estimated 3,367 gallons of wastewater per day. This constitutes about 1% of the remaining capacity under the worst-case condition (3 mgd). Additionally, there is an existing trunk sewer line which runs adjacent to the project site. Therefore, the project would not require construction of new wastewater facilities and impacts related to wastewater treatment would be considered less than significant.

c. The proposed project involves the construction of an office building and 308 parking spaces on five acres. As discussed in Section VIII, *Hydrology*, 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 stormwater 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. The project would be required to retain any increased runoff on-site and the plans have incorporated two 18-inch HDPE storm drains. Additionally, connection of onsite storm drain to the existing system would require Los Angeles County Flood Control District approval. With implementation of LACFCD-required improvements, impacts would be less than significant.

d, e. The Las Virgenes Municipal Water District (LVMWD) supplies potable water in the City of Agoura Hills. The LVMWD has no local sources of water and obtains all of its potable water supply from the Metropolitan Water District of Southern California (MWD), which in turn receives water from the State Water Project. The LVMWD's potable water system currently operates with no significant deficiencies (Talmadge, 2005). The Potable Water System Master Plan for LVMWD assigns a use factor of 870 gpd/acre for BP-M office use (Potable Water System Master Plan for Las Virgenes Municipal Water District, December 1999). Based on this use factor and a net development area of 4.30 acres the project would generate demand for 3,741 gpd. However, LVMWD requires that all landscaping irrigation utilize reclaimed water. Therefore, the total water demand would be slightly reduced as potable water would not be used for landscaping purposes. Since the LVMWD currently operates with no significant deficiencies, it is presumed that the water required by this project would not result in the need for expanded entitlements (Talmadge, 2006). The impact is less than significant without mitigation.

f, g. Private contractors provide collection and hauling of solid waste services to commercial customers in Agoura Hills. Waste is transported mainly to the Calabasas Landfill for disposal. The landfill is owned and operated by the Los Angeles County Sanitation District. The Calabasas landfill is permitted to receive 3,500 tons of solid waste per day. The current wastestream at the landfill is about 1,900 tons per day. The life of the landfill is estimated to be approximately 15-20 years if the amount of solid waste

brought in per day remains consistent with current levels (Wippert, 2005). Although the exact level of waste generated by office uses varies, the following is an estimate based on the California Integrated Waste Management Board's *Estimated Solid Waste Generation Rates for Commercial Establishments* for office uses. Assuming 1lb/100 sf/day (Santa Barbara County Public Works Department Guide to Solid Waste and Recycling Plans for Development Projects, 1997) the project is estimated to generate roughly 940 lbs of solid waste per day or 172 tons per year.

This estimate represents solid waste generation under worst-case conditions without any recycling activities in place. Successful implementation of the California Integrated Waste Management Act (AB 939) within the City would result in a 50% reduction or diversion of solid waste from the project site. The City requires most new construction over 1,000 sf to implement a construction debris recycling program, and all commercial businesses are required to have a commercial recycling program in place. Additionally, the City requires all waste haulers operating in the City to pick up and properly dispose of recycled materials from commercial businesses. Monthly diversion rate reports must be submitted to the City for review. Thus, with implementation of the City required recycling programs, the project would require disposal of about 470 lbs of solid waste per day, or 86 tons per year. Based on current disposal capacity, the Calabasas Landfill is anticipated to operate for approximately 19 additional years (Los Angeles County Sanitation Districts, 2006). The project is not anticipated to generate waste that would exceed the permitted capacity of the Calabasas Landfill. The impact is considered less than significant.

XVII. MANDATORY FINDINGS OF SIGNIFICANCE	**Potentially Significant Impact**	**Less Than Significant With Mitigation Incorporation**	**Less Than Significant Impact**	**No Impact**
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?			X	
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?			X	
c) Does the project have environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly?		X		

a. The project would not have the potential to significantly degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory. Therefore, the impact is less than significant.

b. The project would not create any significant impacts that cannot be mitigated. Therefore, the project's contribution to cumulative impacts would be negligible.

c. As discussed in sections III, VI, VIII, and XI, the project has the potential for conditions related to air quality, slope stability, unstable soils, drainage, and noise issues that may adversely affect human health and safety. However, implementation of mitigation measures listed, compliance with the City of Agoura Hills Municipal Code, State of California Regional Water Quality Control Board, Los Angeles County Flood Control District requirements would reduce potential adverse affects to human safety to a less than significant level.

REFERENCES

Agoura Hills, City of. *Architectural Design Standards and Guidelines.* November 1992.

Agoura Hills, City of. *Zoning Ordinance.* February 1987.

Bing Yen & Associates, Inc. *City of Agoura Hills - Geotechnical Review Sheet.* July 20, 2005.

California Air Resources Board, www.arb.ca.gov/aqs/aaqs2.pdf, November 29, 2005.

California Air Resources Board, http://www.arb.ca.gov/aqd/aqdpage.htm, December 2005.

California Department of Fish and Game. (July 2005). *State and Federally Listed Endangered and Threatened Animals of California.* Habitat Conservation Division, Natural Diversity Data Base.

California Integrated Waste Management Board. *Estimated Solid Waste Generation Rates for Commercial Establishments.* Santa Barbara County Public Works Department Guide to Solid Waste and Recycling Plans for Development Projects, 1997. http://www.ciwmb.ca.gov/WasteChar/WasteGenRates/Commercial.htm. January 2006.

Christopher A. Joseph & Associates. *Biological Assessment and Preliminary Jurisdictional Wetlands Delineation.* Revised August 9, 2005.

Christopher A. Joseph & Associates. *Air Quality Assessment of the Agoura Oaks Plaza. 29701 Agoura Hills Road, City of Agoura Hills, California.* Revised June 9, 2005.

Christopher A. Joseph & Associates. *Air Quality Assessment of the Agoura Oaks Plaza. 29701 Agoura Hills Road, City of Agoura Hills, California.* Revised October 25, 2005.

Cotton/Beland/Associates. *City of Agoura Hills General Plan.* Prepared for the City of Agoura Hills. Update adopted May 12, 1993.

Cotton/Beland/Associates. *City of Agoura Hills General Plan Update Environmental Impact Report.* Prepared for the City of Agoura Hills. Updated March 24, 1992.

Earth Systems Southern California. *Addendum Letter-Response to Geotechnical Reviewer.* June 1,2005.

Earth Systems Southern California. *Preliminary Geotechnical Engineering Report - Proposed Office Building.* November 10, 2004.

Envicom Corporation. *Oak Tree Survey. Agoura Oaks Plaza, 29701 Agoura Oaks Road.* July 22, 2005.

Envicom Corporation. *Oak Tree Survey for the 29701 Agoura Road, South Side of Agoura Road Improvements.* September 15, 2005.

Envicom Corporation. Oak Tree Impact Letter. March 15, 2006.

Federal Highway Administration. *Traffic Noise Model®, TNM.*

Gorian & Associates, Inc. Applied Earth Sciences. *Geotechnical Site Investigation Update. Agoura Oaks Plaza, 29857 Agoura Road, Agoura Hills, California.* July 12, 2005.

Gorian & Associates, Inc. Applied Earth Sciences. *Geotechnical Site Investigation - Proposed Cut Slope South Side of Agoura Road.* December 02, 2005.

Holland, Robert F. *Preliminary Descriptions of the Terrestrial Natural Communities of California.* California Department of Fish and Game, Nongame Heritage Program. 156 pgs. (October 1986).

Los Angeles County Flood Control District. *Guidelines for Overbuilding and Air Rights.* Revised November 1999.

Overland Traffic Consultants, Inc. *Traffic Impact Analysis for a Proposed Office Development Located at 29851 Agoura Road in the City of Agoura Hills.* February 2005.

Rincon Consultants, Inc. *J.H. Snyder Mixed Use Development Final Environmental Impact Report.* Prepared for the City of Agoura Hills. (2002)

Rincon Consultants, Inc. *Agoura Village Specific Plan Draft Environmental Impact Report.* Prepared for the City of Agoura Hills. (November 2005)

Rosenheim & Associates. *Project Description for Application Review of APM No. 2061-003-027.*

Sawyer, J.O. and T. Keeler-Wolf (1995). *A Manual of California Vegetation.* California Native Plant Society.

Southern California Association of Governments. *City Projections.* http://www.scag.ca.gov/forecast/downloads/2004GF.xls. 2004.

TerraServer USA. United States Geological Survey Aerial Photo. http://terraservice.net/webservices.aspx. June 01, 1994.

PERSONS CONTACTED

Ed Cline, City Traffic Engineer, City of Agoura Hills.

Ken Berkman, City Engineer, City of Agoura Hills.

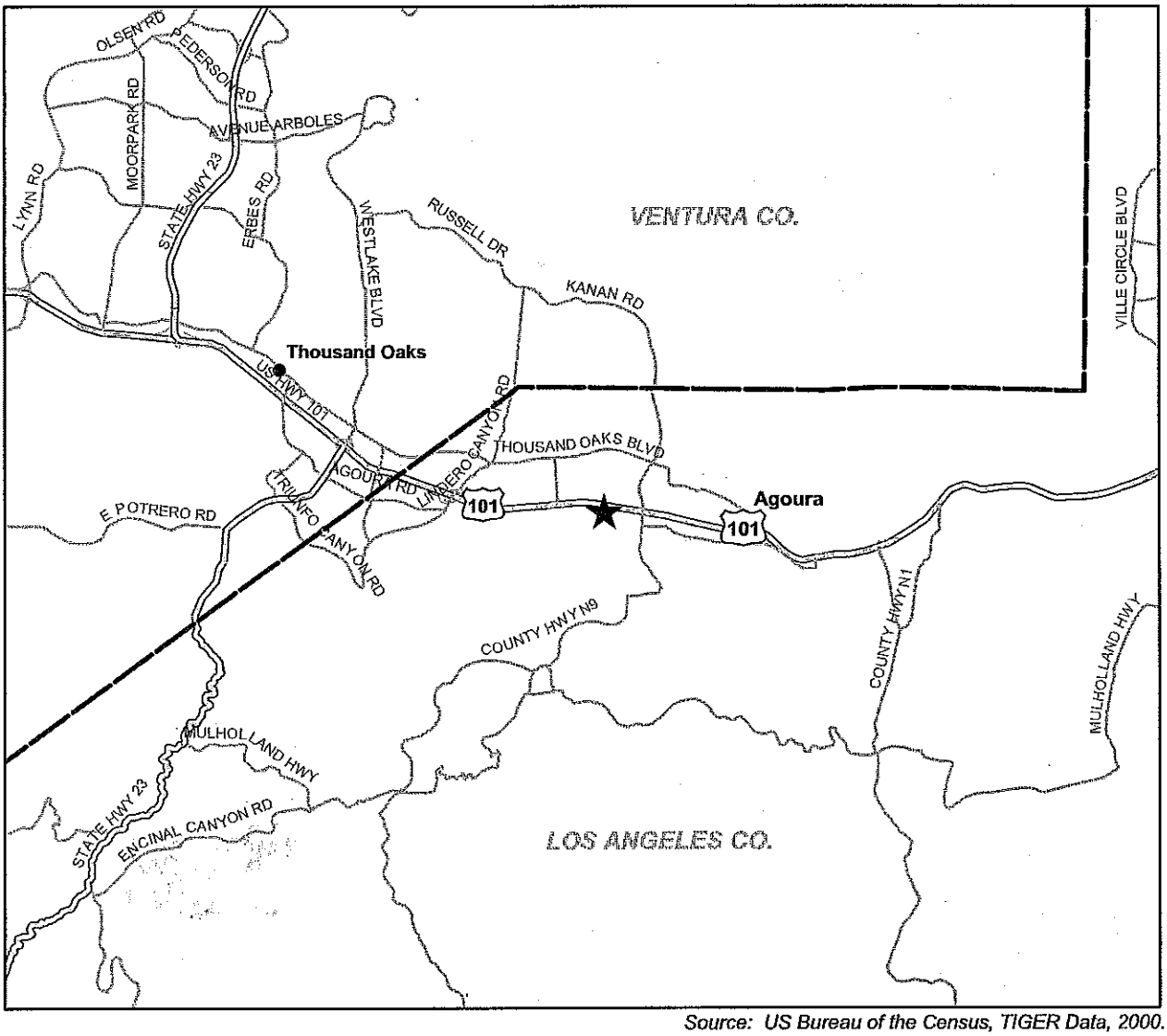
Ronnie Glick, California Department of Fish and Game. (City provided summary of previous communications).

Kay Greeley, City of Agoura Hills Landscape and Oak Tree Consultant. (City provided copy of written communications).

Gene Talmadge, Las Virgenes Municipal Water District.

Heather Wylie, U.S. Army Corps of Engineers.

Joe Houghton, Los Angeles County Sanitation Districts.



Source: US Bureau of the Census, TIGER Data, 2000.

★ Project Location

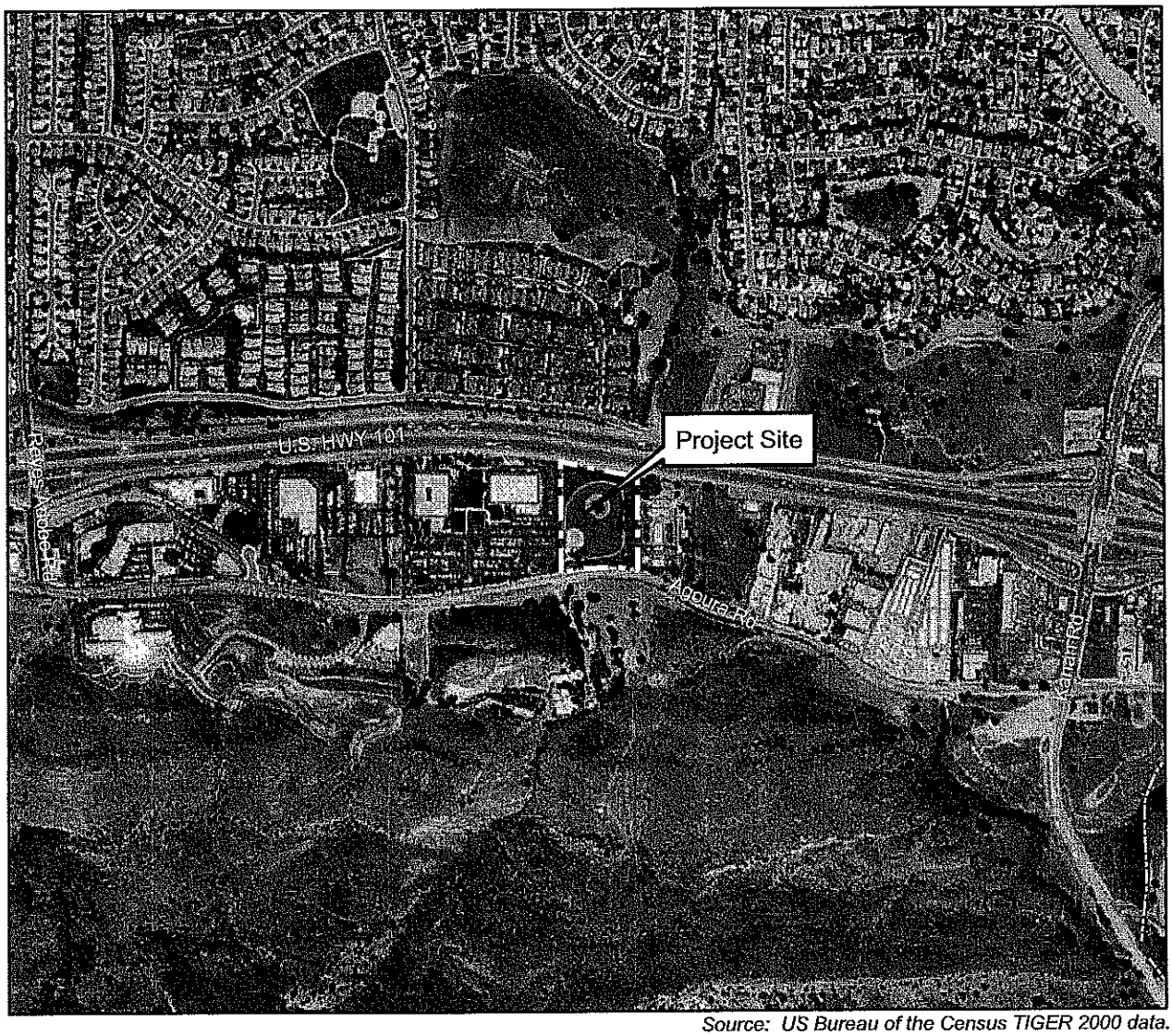
N

0 1.25 2.5 3.75 5 Miles

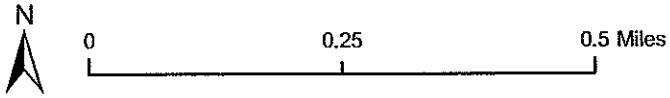
Regional Location

Figure 1

City of Agoura Hills



Source: US Bureau of the Census TIGER 2000 data.



Site Vicinity Figure 2

City of Agoura Hills

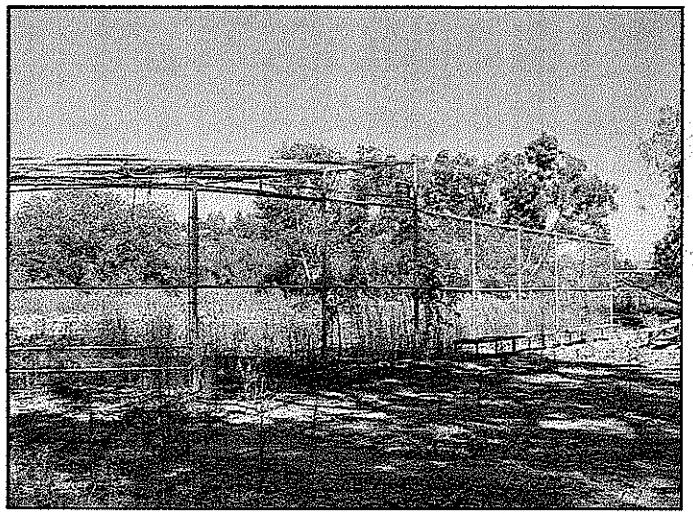


Photo 1 - Existing structures and fencing within project site.

Photo 2 - View of existing barbecue facilities and shed behind non-native landscaping trees.

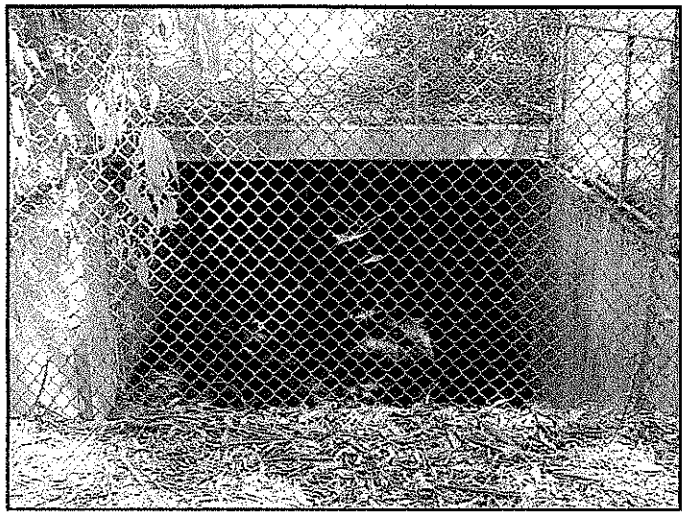
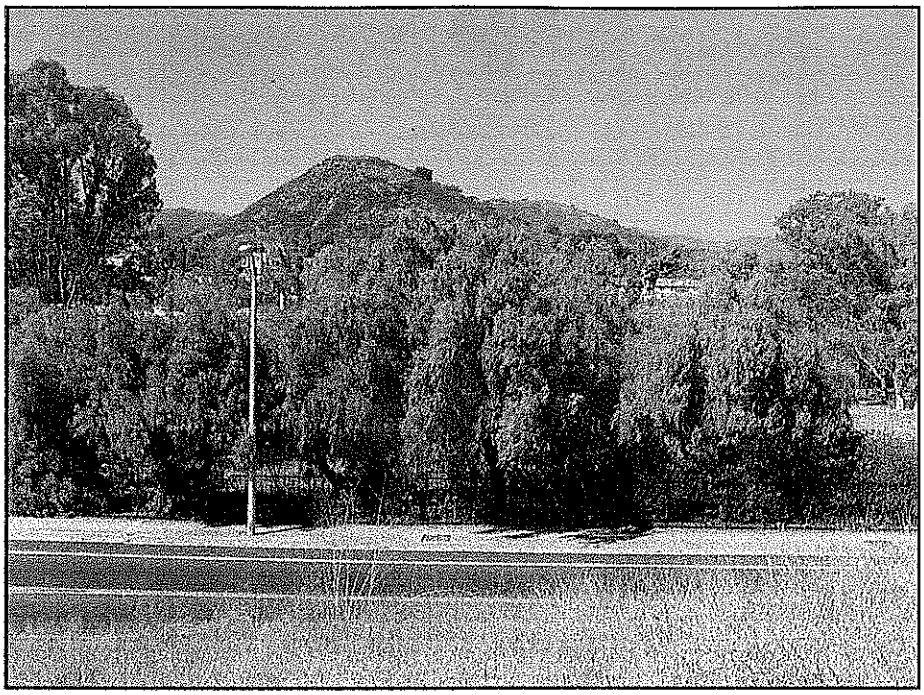


Photo 3 - Lindero Canyon Creek box culvert "daylight" location within project site.

Photo 4 - Man-induced wetlands along northern boundary of project site.

Existing Conditions Within the Project Site

Figure 6



Source: Rincon Consultants Inc., December 2005

Photo 1 - View looking north from top of slope.

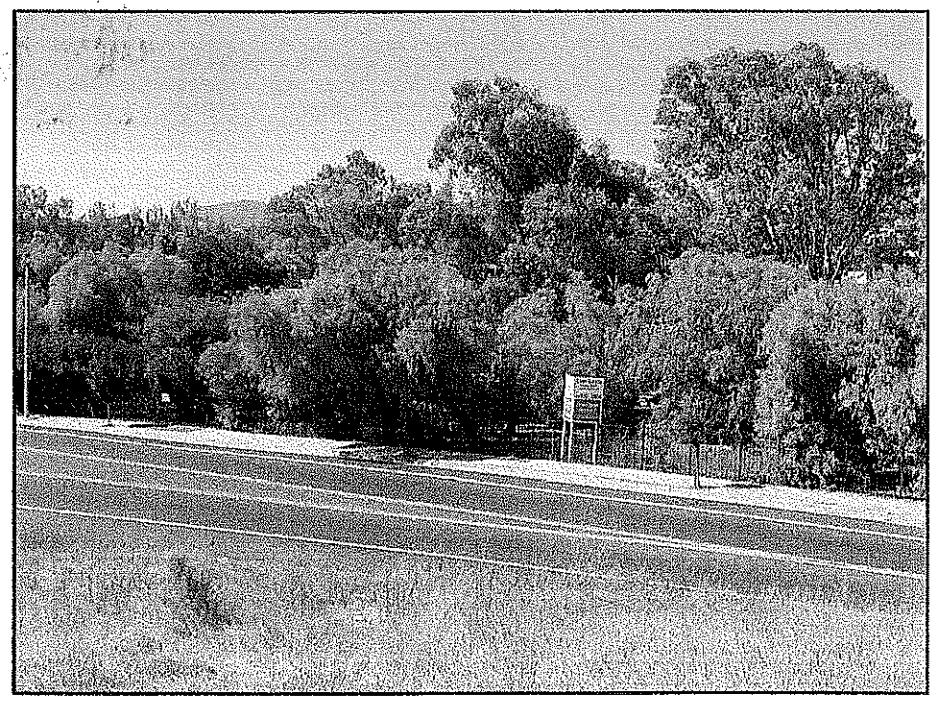
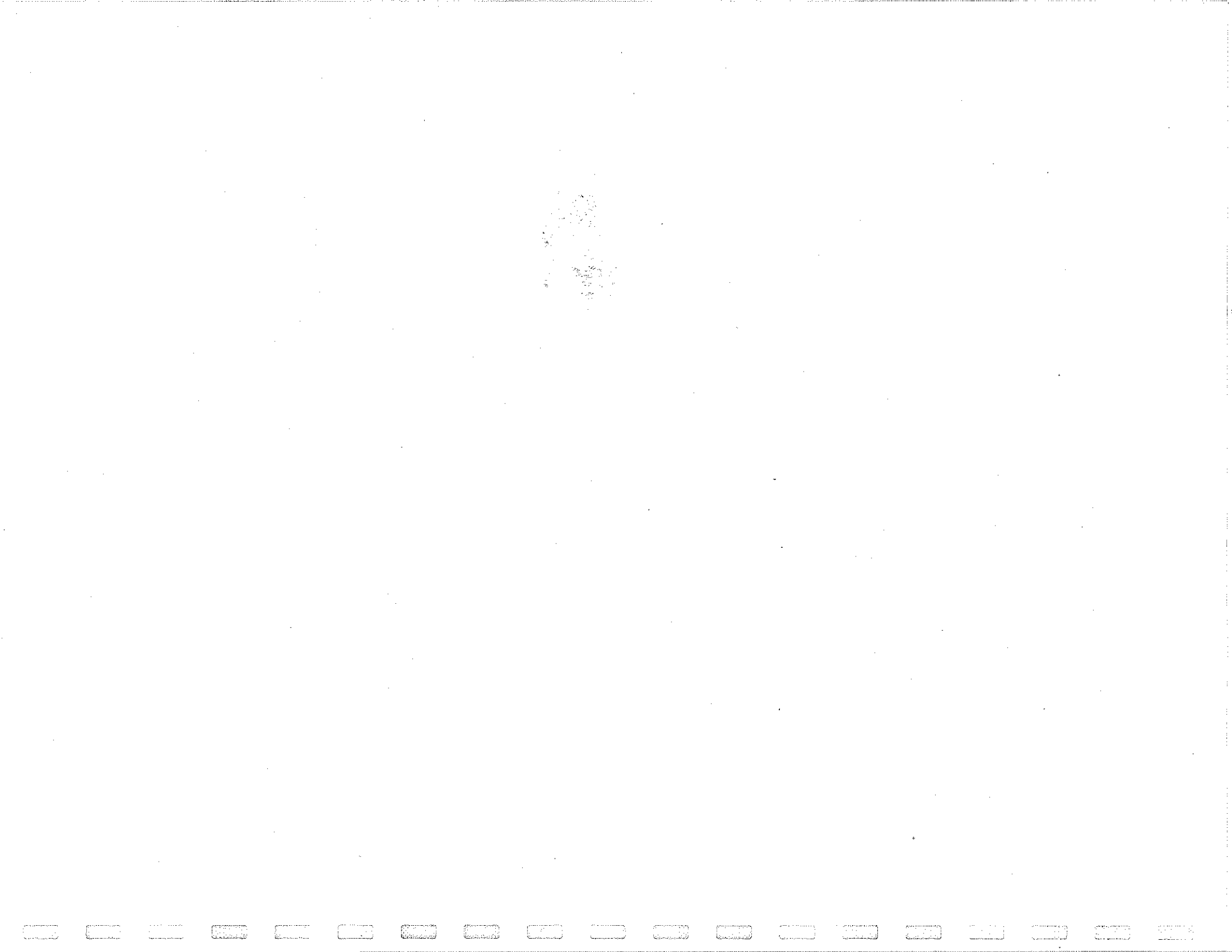


Photo 2 - View looking northwest from top of slope.

Existing Conditions Adjacent to
Agoura Road South of the Project Site

Figure 8



RESPONSES to COMMENTS on the NEGATIVE DECLARATION

The City has incorporated textual changes to the Mitigated Negative Declaration, which include informational clarifications resulting from additional project refinement in addition to those included as responses. Textual changes within the document are indicated by a vertical line in the right page margin. The City of Agoura Hills received three written comment letters on the project and proposed Mitigated Negative Declaration. These letters are listed below. The comment letters and responses thereto follow.

Commenter

1. Terry Roberts; Director; State Clearinghouse,
2. Eugene Talmadge; Planning Administrator; Las Virgenes Municipal Water District.
3. Steve Smith; Program Supervisor; CEQA Section; Planning, Rule Development & Area Sources; South Coast Area Air Quality Management District.

STATE OF CALIFORNIA

Governor's Office of Planning and Research

State Clearinghouse and Planning Unit

Arnold Schwarzenegger
Governor

Sean Walsh
Director

March 16, 2006

1

Allison Cook
City of Agoura Hills
30001 Ladyface Court
Agoura Hills, CA 91301

Subject: Agoura Oaks Plaza
SCH#: 2006021064

Dear Allison Cook:

The State Clearinghouse submitted the above named Negative Declaration to selected state agencies for review. The review period closed on March 15, 2006, and no state agencies submitted comments by that date. This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act.

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

Sincerely,

Terry Roberts

Terry Roberts
Director, State Clearinghouse

1400 TENTH STREET P.O. BOX 3044 SACRAMENTO, CALIFORNIA 95812-3044
TEL (916) 445-0613 FAX (916) 323-3018 www.opr.ca.gov

Document Details Report
State Clearinghouse Data Ba

1 cont.

SCH#	2006021064
Project Title	Agoura Oaks Plaza
Lead Agency	Agoura Hills, City of

Type	Neg Negative Declaration
Description	Construction of a two-story business park office building of 95,010 square feet, surface parking lot for 308 vehicles, and widening along the south side of Agoura Road, opposite the project site.

Lead Agency Contact

Name	Allison Cook		
Agency	City of Agoura Hills		
Phone	(818) 597-7310	*Fax*	
email			
Address	30001 Ladyface Court		
City	Agoura Hills	*State* CA	*Zip* 91301

Project Location

County	Los Angeles			
City	Agoura Hills			
Region				
Cross Streets	Reyes Adobe			
Parcel No.	2061-003-027			
Township		*Range*	*Section*	*Base*

Proximity to:

Highways	101
Airports	
Railways	
Waterways	Linden Canyon Creek
Schools	
Land Use	Zoning: BP-M-FC (Business Park- Manufacturing- Freeway Corridor) General Plan land use designation: BP-M (Business Park- Manufacturing)

Project Issues	Aesthetic/Visual; Air Quality; Archaeologic-Historic; Drainage/Absorption; Flood Plain/Flooding; Geologic/Seismic; Noise; Soil Erosion/Compaction/Grading; Solid Waste; Traffic/Circulation; Vegetation; Water Quality; Wetland/Riparian; Wildlife; Landuse
Reviewing Agencies	Resources Agency; Department of Fish and Game, Region 5; Office of Historic Preservation; Department of Parks and Recreation; Department of Water Resources; California Highway Patrol; Caltrans, District 7; Department of Health Services; Regional Water Quality Control Board, Region 4; Native American Heritage Commission

Date Received 02/14/2006 *Start of Review* 02/14/2006 *End of Review* 03/15/2006

Note: Blanks in data fields result from insufficient information provided by lead agency.

Letter 1

COMMENTER: Terry Roberts; Director; State Clearinghouse.

DATE: March 16, 2006

The commenter indicates that the City has complied with State Clearinghouse review requirements and that no state agencies submitted comments. No response is necessary.

LAS VIRGENES MUNICIPAL WATER DISTRICT
EST. 1956

Dedicated to Providing Quality Water & Wastewater Service

OFFICERS

President
Charles Caspary
Director, Division 1

Vice President
Joseph M. Bowman
Director, Division 4

Secretary
Glen Peterson
Director, Division 2
MWD Representative

Treasurer
Lee Renger
Director, Division 3

Jim Friedl
Director, Division 5

John R. Mundy
General Manager

Wayne K. Lemieux
Counsel

HEADQUARTERS
4232 Las Virgenes Road
Calabasas, CA 91302
(818) 251-2100
Fax (818) 251-2109

WESTLAKE
FILTRATION PLANT
(818) 251-2370
Fax (818) 251-2379

TAPIA WATER
RECLAMATION FACILITY
(818) 251-2300
Fax (818) 251-2309

RANCHO LAS VIRGENES
COMPOSTING FACILITY
(818) 251-2340
Fax (818) 251-2349

www.lvmwd.com

MEMBER AGENCY OF THE
METROPOLITAN WATER
DISTRICT
OF SOUTHERN CALIFORNIA

2

February 27, 2006

RECEIVED
MAR 0 1 2006
BY: A. Cook

City of Agoura Hills
Planning and Community
Development Department
30001 Ladyface Court
Agoura Hills, CA 91301

Attention: **Allison Cook, Senior Planner/Environmental Analyst**

Subject: **Agoura Oaks Plaza-Draft Initial Study and Mitigated Negative Declaration**
29621 Agoura Road
A.P.N. 2061-003-027

Dear Ms. Cook:

The District is in receipt of your request for agency comment concerning the Agoura Oaks Plaza project on Agoura Road in the City of Agoura Hills, California. The project proposes to construct a 95,010 sq. ft. two-story business park office building and subsurface parking for 308 vehicles. The project lies wholly within the boundaries of the Las Virgenes Municipal Water District.

The project would not have a significant impact on the water system. A

The District operates a trunk sewer fronting this project and may be slightly out of the right-of-way of Agoura Road. In addition, our trunk sewer leaves Agoura Road and goes north along the easterly property line of this parcel. **During construction, care must be taken to protect our sewer and the district must be notified when working near or on our sewer.** B

The nearest recycled waterline is approximately 430 feet west of the westerly property line of this parcel. The developer may be required to extend this recycled line to the easterly property boundary of this site. C

The district advocates strict water conservation measures as a condition of project approval. This would include, but not be limited to, fixture design and installation (use of ultra-low flow toilets and shower heads), hot water circulating systems, use of drought tolerant plantings and efficient irrigation systems and techniques. Use of recycled water during and after construction should be encouraged D

(2 cont.)

and irrigation systems need to be designed for ease of conversion to use recycled water when made available to the site. | D cont.

The developer would be required to pay all potable water and sewer capacity charges prior to construction. | E

If you have any questions concerning this matter, please feel free to contact me at any time. Thank you.

Very truly yours,

C. Eugene Talmadge
Planning Administrator

CET:nlc

Letter 2

COMMENTER: Eugene Talmadge; Planning Administrator; Las Virgenes Municipal Water District.

DATE: February 27, 2006

2A. The commenter states that the project would not have a significant impact on the water system. No further response is required.

2B. The commenter states that the project area overlies a trunk sewer which is located near the eastern project boundary and that care must be taken during construction to avoid inadvertent rupture of the sewer line. The City will incorporate requirements of notification to the District regarding construction scheduling and will require the sewer alignment to be located on the grading and construction plans with avoidance provisions. These provisions will be included as conditions of approval.

2C. The commenter states that the project may be required to extend the existing recycled water line which terminates approximately 430 feet west of the project site to the eastern boundary of the site. The City will include this provision as a condition of approval.

2D. The commenter states that the District recommends incorporation of strict water conservation measures such as use of ultra low flow toilets and showers, hot water circulating systems, use of drought tolerant plantings and efficient irrigation systems and techniques. Although the project proposes to include water efficient landscaping designs and irrigation systems, additional measures promoting conservation and use of recycled water will be included as conditions of approval.

2E. The commenter states that the District requires payment of all potable water and sewer capacity charges prior to construction. The City will incorporate this requirement as a condition of project approval.

South Coast
Air Quality Management District
21865 Copley Drive, Diamond Bar, CA 91765-4178
(909) 396-2000 • www.aqmd.gov

3

FAXED: March 17, 2006

March 17, 2006

Ms. Allison Cook, Senior Planner/Environmental Analyst
Planning and Community Development Department
City of Agoura Hills
30001 Ladyface Court
Agoura Hills, CA 91301

Draft Mitigated Negative Declaration (Draft MND) for the Proposed Agoura Oaks Plaza

The South Coast Air Quality Management District (SCAQMD) appreciates the opportunity to comment on the above-mentioned document. The following comments are meant as guidance for the Lead Agency and should be incorporated into the Final Mitigated Negative Declaration (Final MND).

Please provide the SCAQMD with written responses to all comments contained herein prior to the adoption of the Final Negative Declaration. The SCAQMD staff would be happy to work with the Lead Agency to address these issues and any other questions that may arise. Please contact Gordon Mize, Air Quality Specialist – CEQA Section, at (909) 396-3302, if you have any questions regarding these comments.

Sincerely,

Steve Smith

Steve Smith, Ph. D.
Program Supervisor, CEQA Section
Planning, Rule Development & Area Sources

Attachment

SS:GM

LAC060214-01
Control Number

3 cont.

CO Hotspots Analysis

- In the Draft MND, the lead agency has noted that seven of the eight study intersections listed in Table 7 Level of Service and Traffic Impacts at Intersections Within the Project Vicinity on page 33 show a decline in the level of service in the AM and PM Peak Hours that would warrant a CO hotspots analysis. The SCAQMD recommends performing a CO hotspots analysis if the volume to capacity ratio increases by two percent or more as a result of a proposed project for intersections rated D or worse or if the LOS declines from C to D.

  Please refer to the most current Cal Trans guidance regarding performing a CO hotspots analysis. This information can be obtained at the following internet address: http://www.dot.ca.gov/hq/env/air/coprot/htm .

Letter 3

COMMENTER: Steve Smith; Program Supervisor; CEQA Section; Planning, Rule Development & Area Sources; South Coast Area Air Quality Management District (SCAQMD).

DATE: March 17, 2006

The commenter states that the City has reported intersection level of service (LOS) declines in Table 7 on page 33 of the Draft MND that warrant investigation regarding carbon monoxide (CO) hotspot analyses for seven of the eight intersections studied. The commenter further states that the criteria for CO analysis involves one of the two following conditions (per SCAQMD recommendations):

- If the LOS declines from "C" to "D" as a result of project traffic; or
- If the existing LOS is "D" or worse and project generated traffic contributes an increase in the volume/capacity (V/C) ratio of ≥2.0%.

Additionally, the commenter refers to the Caltrans CO Protocol, and requests an evaluation pursuant to the Caltrans Protocol. The most current version of this protocol was adopted in 1997. The conditions for further evaluation contained in the 1997 CO Protocol involve the following:

- Signalized intersections where the LOS is at E or F, and the project would worsen air quality; and/or
- Projects that result in worsening of LOS at a signalized intersection including degradation of LOS from "D" to "E" or from "E" to "F".

The commenter based the recommendation for CO analysis on changes in LOS for the cumulative scenario, rather than the project specific analysis. Table 8 on the following page summarizes the project specific data in Table 7 of the Draft MND, which was derived from the Traffic Report that was prepared for the project (included as Appendix E in the Draft MND). Table 7 in the Draft MND reported intersection LOSs, but did not specifically delineate each of the V/C ratios, as these were included in Appendix E. Page 26 of Appendix E shows intersection capacity utilization (ICU) expressed as a V/C ratio for each of the study area intersections. This table is reproduced on the following page as Table 8 for ease of reference and includes the LOS and ICU expressed as a V/C ratio.

Applying the first SCAQMD condition involving a decrease in LOS from "C" to "D" due to project traffic, none of the intersections would qualify and require CO hotspot modeling analysis. Applying the second SCAQMD recommended condition to each of the eight intersections reveals only one intersection (Kanan Rd. & Agoura Rd.) that currently operates at LOS "D" and would generate a project related increase of ≥2.0% in the evening peak hour. As indicated in Table 8 on the following page, during the PM peak hour, project generated traffic would result in

a V/C increase of 4.3% at this intersection, and so would potentially trigger the need for further CO hotspot analysis.

The future plus project scenario traffic was also compared to the thresholds contained in the Caltrans Protocol (December 1997). As indicated in Table 8, the project would degrade LOS from "D" to "E" during the AM peak hour at the SB 101 ramps at Kanan Road. Additionally, the project would trigger the second threshold of worsening air quality (presumed to occur with the addition of any vehicles at this congested intersection), at the NB 101 ramps at Kanan Rd, which operate at LOS E under the existing + project scenario during both the AM and PM peak hours. However, under the Caltrans CO Protocol, the change in LOS at the Agoura Road and Kanan Road intersection does not trigger the recommendation for further study.

Table 8 Existing + Project LOS at Study Area Intersections

No.	Intersection	Peak Hour	Existing		Existing + Project		
			ICU	LOS	ICU	LOS	Impact
1	Agoura Rd. & Reyes Adobe Road	AM	0.603	B	0.614	B	+0.011
		PM	0.722	C	0.743	C	+0.021
2	Reyes Adobe Rd. & 101 SB Freeway Ramps	AM	0.663	B	0.711	B	+0.048
		PM	0.754	C	0.787	C	+0.033
3	Reyes Adobe Rd. & 101 NB Freeway Ramps	AM	0.770	C	0.789	C	+0.019
		PM	0.719	C	0.748	C	+0.029
4	Reyes Adobe Rd & Canwood St.	AM	0.558	C	0.559	A	+0.001
		PM	0.627	B	0.627	B	+0.000
5	Kanan Rd. & Agoura Rd.	AM	0.880	D	0.897	D	+0.017
		PM	0.823	D	0.866	D	+0.043 *
6	Kanan Rd & 101 SB Freeway Ramps	AM	0.877	D	0.896	E	+0.019 ^
		PM	0.665	B	0.699	B	+0.034
7	Kanan Rd. & 101 NB Freeway Ramps	AM	0.918	E	0.930	E	+0.012 ^
		PM	0.993	E	0.996	E	+0.003 ^
8	Kanan Rd. & Canwood St. (South I/S)	AM	0.550	A	0.553	A	+0.003
		PM	0.608	B	0.612	B	+0.004

Source: Overland Traffic Consultants, Inc. February 2005. Adapted from 29851 Agoura Road Traffic Impact Study, Table 5.
** exceeds SCAQMD recommended condition for further investigation*
^ exceeds Caltrans CO Protocol condition for further investigation

It should be noted that the traffic analysis was based on the ramp configuration for Kanan Road at US Highway 101 (intersections 6 and 7) as it existed at the time of the traffic study and did not include the effect of future geometrics of the improved ramp system. The Kanan Rd./101 interchange is undergoing a three phase improvement project, which involves the realignment of Canwood Street (Phase I completed), relocation of utilities (Phase II completed) and reconfiguration of ramps to eliminate left turns onto the SB 101 entrance ramp. Phase III, involving the reconstruction of existing ramps and construction of a new SB 101 entrance ramp, will start in April 2006 and finish this year (2006). Information and a graphic depicting the final configuration can be found at http://www.kananroad.org/. Therefore, the traffic study analyzed traffic impacts from a "worst case" basis and these current improvements would serve to reduce existing and future congestion at these intersections such that they would be at a LOS of "C" or better after completion (City of Agoura Hills, Agoura Village Specific Plan Final EIR, March 2006) as compared to the "D" and worse condition analyzed by the traffic study prepared for this

project. Because of these ongoing improvements, project traffic would not cause the Highway 101 ramp intersections to exceed the guidance for further analysis under the Caltrans CO Protocol, and no further analysis is necessary.

With respect to the Kanan Road/Agoura Road interchange, the change in LOS and traffic volumes at this intersection caused by the project would not meet the conditions specified in the Caltrans CO Protocol for further investigation, as previously stated. Nonetheless, further analysis of this intersection was conducted using the screening procedure of Appendix A in the Caltrans CO Protocol. It should be noted that this screening procedure utilizes emissions factors (EMFAC7G) that are out of date and that Caltrans no longer recommends use of this procedure. However, a comparison of carbon monoxide inventories generated by the various changes in the EMFAC model (EMFAC7G to EMFAC2000 to EMFAC2001 and finally to EMFAC2002) indicate that from a carbon monoxide perspective, the net emission levels are similar between EMFAC7G and EMFAC2002 (EMFAC2000 resulted in an 10% increase in CO emissions as compared to EMFAC7G, EMFAC2000 to EMFAC2001 was a 1% increase, and EMFAC2001 to EMFAC2002 was an 11% decrease). The screening results (attached following this response) for the Kanan Rd./Agoura Rd. intersection indicate that one hour concentrations for a receptor located 3 meters from the center of the intersection would be exposed to 1-hr concentrations of 7.2 ppm and 8-hr concentrations of 5.0 ppm. These are sufficiently below the 9 ppm 1-hr and 20 ppm 8-hr concentration thresholds that further detailed analysis to account for the differences in the emission factors (change in EMFAC7G to EMFAC20002) is not considered necessary, and the project's individual and cumulative impacts on CO concentrations at this intersection are considered less than significant.

Transportation Project-Level Carbon Monoxide Protocol

Methodology Source: UCD, Institute of Tranportation Studies, December 1997

Project: Agoura Oaks Plaza Date: 04/21/06

Intersection: Kanan Rd & Agoura Road-PM peak hour

Analysis Year (1996-2012)	2007	
Location:	SCAB	SCAQMD? Yes
Percentage of trips in cold start mode:	20%	*(Note: If cold start >50%, protocol not applicable)*
Worst case wind speed (0.5 or 1.0 m/sec):	1	m/sec
1-Hour Ambient Concentration:	5	ppm
8-Hour Ambient Concentration:	3.50	ppm
8-Hour Persistence Factor:	0.7	*(Rural/suburban=0.6, urban=0.7, congested/stagnant urban=0.8)*

ANALYSIS CONDITIONS: Existing + Ambient + Related Projects + Project

E-W Roadway: Agoura Road		N-S Roadway: Kanan Road	
Roadway type (arterial [I or II], collector [II or III]):	arterial	Roadway type (arterial [I or II], collector [II or III]):	arterial
# of approach lanes:	3	# of approach lanes:	3
# of departure lanes:	3	# of departure lanes:	3
WB approach volume:	844	NB approach volume:	827
EB approach volume:	929	SB approach volume:	1192
WB free flow speed (20-50 mph):	40	NB free flow speed (20-50 mph):	40
EB free flow speed (20-50 mph):	40	SB free flow speed (20-50 mph):	40
Highest % of red time per through approach:	50.0%	Highest % of red time per through approach:	50.0%

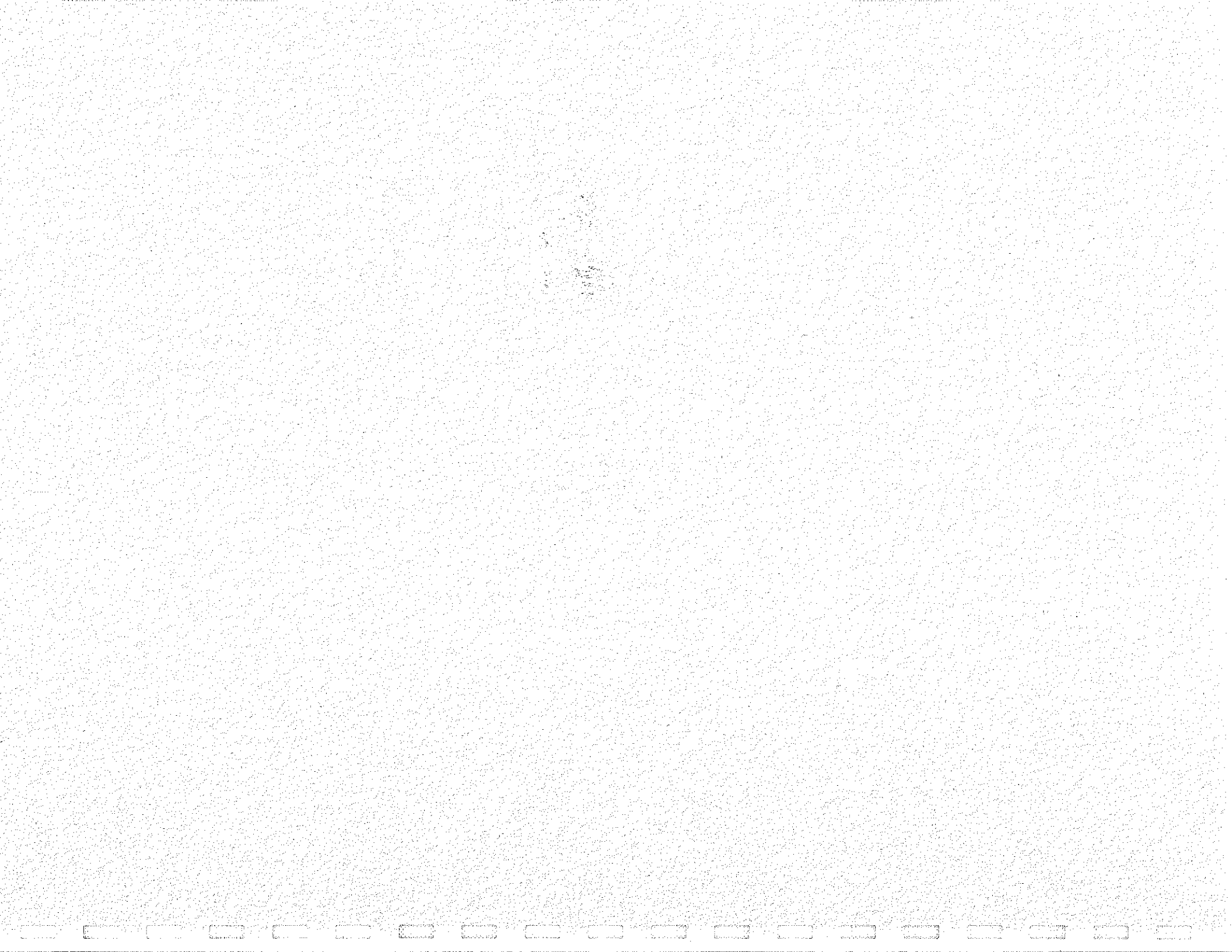
		Receptor nearest to Approach or Departure lanes	
RECEPTOR 1 LOCATION			
Distance (10-165 ft) from E-W Road:	23	EB	Approach
Distance (10-165 ft) from N-S Road:	23	SB	Departure
RECEPTOR 2 LOCATION			
Distance (10-165 ft) from E-W Road:	23	EB	Departure
Distance (10-165 ft) from N-S Road:	23	NB	Approach
RECEPTOR 3 LOCATION			
Distance (10-165 ft) from E-W Road:	23	WB	Approach
Distance (10-165 ft) from N-S Road:	23	NB	Departure
RECEPTOR 4 LOCATION			
Distance (10-165 ft) from E-W Road:	23	WB	Departure
Distance (10-165 ft) from N-S Road:	23	SB	Approach

MODEL RESULTS:

	1-Hr Concentration		8-Hr Concentration
Receptor	Local	Total	Total
1	2.0	7.0	4.9
2	2.2	7.2	5.0
3	2.0	7.0	4.9
4	2.2	7.2	5.0

Appendix A

Air Quality
Emissions Calculations



URBEMIS 2002 For Windows 7.5.0

File Name: C:\Program Files\URBEMIS 2002 For Windows\Projects2k2\HQ development Agoura Oaks Plaza.u
Project Name: HQ Development Agoura Oaks Plaza Revised
Project Location: South Coast Air Basin (Los Angeles area)
On-Road Motor Vehicle Emissions Based on EMFAC2002 version 2.2

SUMMARY REPORT
(Pounds/Day - Summer)

CONSTRUCTION EMISSION ESTIMATES

*** 2006 ***	ROG	NOx	CO	SO2	PM10 TOTAL	PM10 EXHAUST	PM10 DUST
TOTALS (lbs/day,unmitigated)	10.88	90.97	81.03	0.19	310.45	3.81	306.64
TOTALS (lbs/day, mitigated)	10.88	90.97	81.03	0.19	124.26	3.81	120.45

*** 2007 ***	ROG	NOx	CO	SO2	PM10 TOTAL	PM10 EXHAUST	PM10 DUST
TOTALS (lbs/day,unmitigated)	144.44	37.26	41.23	0.00	1.63	1.59	0.04
TOTALS (lbs/day, mitigated)	39.49	37.26	41.20	0.00	1.63	1.59	0.04

AREA SOURCE EMISSION ESTIMATES

	ROG	NOx	CO	SO2	PM10
TOTALS (lbs/day,unmitigated)	0.10	0.64	0.68	0.00	0.00

OPERATIONAL (VEHICLE) EMISSION ESTIMATES

	ROG	NOx	CO	SO2	PM10
TOTALS (lbs/day,unmitigated)	11.73	14.17	152.41	0.09	13.90

SUM OF AREA AND OPERATIONAL EMISSION ESTIMATES

	ROG	NOx	CO	SO2	PM10
TOTALS (lbs/day,unmitigated)	11.84	14.81	153.09	0.09	13.90

URBEMIS 2002 For Windows 7.5.0

File Name: C:\Program Files\URBEMIS 2002 For Windows\Projects2k2\HQ development Agoura Oaks Plaza.u
Project Name: HQ Development Agoura Oaks Plaza Revised
Project Location: South Coast Air Basin (Los Angeles area)
On-Road Motor Vehicle Emissions Based on EMFAC2002 version 2.2

SUMMARY REPORT
(Pounds/Day - Winter)

CONSTRUCTION EMISSION ESTIMATES

*** 2006 ***	ROG	NOx	CO	SO2	PM10 TOTAL	PM10 EXHAUST	PM10 DUST
TOTALS (lbs/day,unmitigated)	10.88	90.97	81.03	0.19	310.45	3.81	306.64
TOTALS (lbs/day, mitigated)	10.88	90.97	81.03	0.19	124.26	3.81	120.45

*** 2007 ***	ROG	NOx	CO	SO2	PM10 TOTAL	PM10 EXHAUST	PM10 DUST
TOTALS (lbs/day,unmitigated)	144.44	37.26	41.23	0.00	1.63	1.59	0.04
TOTALS (lbs/day, mitigated)	39.49	37.26	41.20	0.00	1.63	1.59	0.04

AREA SOURCE EMISSION ESTIMATES

	ROG	NOx	CO	SO2	PM10
TOTALS (lbs/day,unmitigated)	0.05	0.63	0.25	0.00	0.00

OPERATIONAL (VEHICLE) EMISSION ESTIMATES

	ROG	NOx	CO	SO2	PM10
TOTALS (lbs/day,unmitigated)	11.48	20.57	142.64	0.07	13.90

SUM OF AREA AND OPERATIONAL EMISSION ESTIMATES

	ROG	NOx	CO	SO2	PM10
TOTALS (lbs/day,unmitigated)	11.53	21.20	142.90	0.07	13.90

URBEMIS 2002 For Windows 7.5.0

File Name: C:\Program Files\URBEMIS 2002 For Windows\Projects2k2\HQ development Agoura Oaks Plaza.
Project Name: HQ Development Agoura Oaks Plaza Revised
Project Location: South Coast Air Basin (Los Angeles area)
On-Road Motor Vehicle Emissions Based on EMFAC2002 version 2.2

DETAIL REPORT
(Pounds/Day - Winter)

Construction Start Month and Year: September, 2006
Construction Duration: 12
Total Land Use Area to be Developed: 6.5 acres
Maximum Acreage Disturbed Per Day: 6.5 acres
Single Family Units: 0 Multi-Family Units: 0
Retail/Office/Institutional/Industrial Square Footage: 95000

CONSTRUCTION EMISSION ESTIMATES UNMITIGATED (lbs/day)

Source	ROG	NOx	CO	SO2	PM10 TOTAL	PM10 EXHAUST	PM10 DUST
*** 2006***							
Phase 1 - Demolition Emissions							
Fugitive Dust	-	-	-	-	0.00	-	0.00
Off-Road Diesel	0.00	0.00	0.00	-	0.00	0.00	0.00
On-Road Diesel	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Worker Trips	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Maximum lbs/day	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Phase 2 - Site Grading Emissions							
Fugitive Dust	-	-	-	-	306.58	-	306.58
Off-Road Diesel	10.11	77.80	74.43	-	3.55	3.55	0.00
On-Road Diesel	0.58	12.94	2.15	0.19	0.30	0.25	0.05
Worker Trips	0.19	0.23	4.45	0.00	0.02	0.01	0.01
Maximum lbs/day	10.88	90.97	81.03	0.19	310.45	3.81	306.64
Phase 3 - Building Construction							
Bldg Const Off-Road Diesel	5.06	38.80	37.20	-	1.74	1.74	0.00
Bldg Const Worker Trips	0.25	0.14	3.05	0.00	0.04	0.00	0.04
Arch Coatings Off-Gas	0.00	-	-	-	-	-	-
Arch Coatings Worker Trips	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Asphalt Off-Gas	0.00	-	-	-	-	-	-
Asphalt Off-Road Diesel	0.00	0.00	0.00	-	0.00	0.00	0.00
Asphalt On-Road Diesel	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Asphalt Worker Trips	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Maximum lbs/day	5.31	38.94	40.24	0.00	1.78	1.74	0.04
Max lbs/day all phases	10.88	90.97	81.03	0.19	310.45	3.81	306.64
*** 2007***							
Phase 1 - Demolition Emissions							
Fugitive Dust	-	-	-	-	0.00	-	0.00
Off-Road Diesel	0.00	0.00	0.00	-	0.00	0.00	0.00
On-Road Diesel	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Worker Trips	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Maximum lbs/day	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Phase 2 - Site Grading Emissions							
Fugitive Dust	-	-	-	-	0.00	-	0.00
Off-Road Diesel	0.00	0.00	0.00	-	0.00	0.00	0.00
On-Road Diesel	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Worker Trips	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Maximum lbs/day	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Phase 3 - Building Construction							
Bldg Const Off-Road Diesel	5.06	37.12	38.37	-	1.59	1.59	0.00
Bldg Const Worker Trips	0.24	0.14	2.86	0.00	0.04	0.00	0.04
Arch Coatings Off-Gas	139.80	-	-	-	-	-	-
Arch Coatings Worker Trips	0.22	0.10	2.70	0.00	0.04	0.00	0.04
Asphalt Off-Gas	0.12	-	-	-	-	-	-
Asphalt Off-Road Diesel	4.25	30.12	32.97	-	1.24	1.24	0.00
Asphalt On-Road Diesel	0.02	0.39	0.09	0.00	0.01	0.01	0.00
Asphalt Worker Trips	0.02	0.01	0.27	0.00	0.00	0.00	0.00
Maximum lbs/day	144.44	37.26	41.23	0.00	1.63	1.59	0.04
Max lbs/day all phases	144.44	37.26	41.23	0.00	1.63	1.59	0.04

›hase 1 - Demolition Assumptions: Phase Turned OFF

›hase 2 - Site Grading Assumptions
tart Month/Year for Phase 2: Sep '06
hase 2 Duration: 2 months
n-Road Truck Travel (VMT): 451.2
ff-Road Equipment

No.	Type	Horsepower	Load Factor	Hours/Day
1	Graders	174	0.575	8.0
2	Off Highway Tractors	255	0.410	8.0
1	Other Equipment	190	0.620	8.0
4	Tractor/Loaders/Backhoes	79	0.465	8.0

›ase 3 - Building Construction Assumptions
tart Month/Year for Phase 3: Nov '06
›ase 3 Duration: 10 months
Start Month/Year for SubPhase Building: Nov '06
SubPhase Building Duration: 8 months
Off-Road Equipment

No.	Type	Horsepower	Load Factor	Hours/Day
1	Concrete/Industrial saws	84	0.730	8.0
1	Other Equipment	190	0.620	8.0
1	Paving Equipment	111	0.530	8.0
1	Rollers	114	0.430	8.0

Start Month/Year for SubPhase Architectural Coatings: Aug '07
SubPhase Architectural Coatings Duration: 1 months
Start Month/Year for SubPhase Asphalt: Aug '07
SubPhase Asphalt Duration: 1 months
Acres to be Paved: 1
Off-Road Equipment

No.	Type	Horsepower	Load Factor	Hours/Day
1	Off Highway Tractors	255	0.410	8.0
1	Pavers	132	0.590	8.0
1	Paving Equipment	111	0.530	8.0

NSTRUCTION EMISSION ESTIMATES MITIGATED (lbs/day)

Source	ROG	NOx	CO	SO2	PM10 TOTAL	PM10 EXHAUST	PM10 DUST
** 2006***							
›se 1 - Demolition Emissions							
›itive Dust	-	-	-	-	0.00	-	0.00
f-Road Diesel	0.00	0.00	0.00	-	0.00	0.00	0.00
-Road Diesel	0.00	0.00	0.00	0.00	0.00	0.00	0.00
:ker Trips	0.00	0.00	0.00	0.00	0.00	0.00	0.00
laximum lbs/day	0.00	0.00	0.00	0.00	0.00	0.00	0.00
›se 2 - Site Grading Emissions							
›itive Dust	-	-	-	-	120.39	-	120.39
f-Road Diesel	10.11	77.80	74.43	-	3.55	3.55	0.00
Road Diesel	0.58	12.94	2.15	0.19	0.30	0.25	0.05
ker Trips	0.19	0.23	4.45	0.00	0.02	0.01	0.01
laximum lbs/day	10.88	90.97	81.03	0.19	124.26	3.81	120.45
se 3 - Building Construction							
g Const Off-Road Diesel	5.06	38.80	37.20	-	1.74	1.74	0.00
g Const Worker Trips	0.25	0.14	3.01	0.00	0.04	0.00	0.04
h Coatings Off-Gas	0.00	-	-	-	-	-	-
h Coatings Worker Trips	0.00	0.00	0.00	0.00	0.00	0.00	0.00
halt Off-Gas	0.00	-	-	-	-	-	-
halt Off-Road Diesel	0.00	0.00	0.00	-	0.00	0.00	0.00
halt On-Road Diesel	0.00	0.00	0.00	0.00	0.00	0.00	0.00
halt Worker Trips	0.00	0.00	0.00	0.00	0.00	0.00	0.00
aximum lbs/day	5.31	38.94	40.20	0.00	1.78	1.74	0.04
ax lbs/day all phases	10.88	90.97	81.03	0.19	124.26	3.81	120.45
- 2007***							
se 1 - Demolition Emissions							
.tive Dust	-	-	-	-	0.00	-	0.00
-Road Diesel	0.00	0.00	0.00	-	0.00	0.00	0.00
oad Diesel	0.00	0.00	0.00	0.00	0.00	0.00	0.00
er Trips	0.00	0.00	0.00	0.00	0.00	0.00	0.00
ximum lbs/day	0.00	0.00	0.00	0.00	0.00	0.00	0.00
e 2 - Site Grading Emissions							
tive Dust	-	-	-	-	0.00	-	0.00

Off-Road Diesel	0.00	0.00	0.00	-	0.00	0.00	0.00
On-Road Diesel	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Worker Trips	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Maximum lbs/day	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Phase 3 - Building Construction							
Bldg Const Off-Road Diesel	5.06	37.12	38.37	-	1.59	1.59	0.00
Bldg Const Worker Trips	0.24	0.14	2.82	0.00	0.04	0.00	0.04
Arch Coatings Off-Gas	34.95	-	-	-	-	-	-
Arch Coatings Worker Trips	0.22	0.10	2.66	0.00	0.04	0.00	0.04
Asphalt Off-Gas	0.03	-	-	-	-	-	-
Asphalt Off-Road Diesel	4.25	30.12	32.97	-	1.24	1.24	0.00
Asphalt On-Road Diesel	0.02	0.39	0.09	0.00	0.01	0.01	0.00
Asphalt Worker Trips	0.02	0.01	0.27	0.00	0.00	0.00	0.00
Maximum lbs/day	39.49	37.26	41.20	0.00	1.63	1.59	0.04
Max lbs/day all phases	39.49	37.26	41.20	0.00	1.63	1.59	0.04

Construction-Related Mitigation Measures

Phase 2: Soil Disturbance: Apply soil stabilizers to inactive areas
Percent Reduction(ROG 0.0% NOx 0.0% CO 0.0% SO2 0.0% PM10 30.0%)
Phase 2: Soil Disturbance: Replace ground cover in disturbed areas quickly
Percent Reduction(ROG 0.0% NOx 0.0% CO 0.0% SO2 0.0% PM10 15.0%)
Phase 2: Soil Disturbance: Water exposed surfaces - 2x daily
Percent Reduction(ROG 0.0% NOx 0.0% CO 0.0% SO2 0.0% PM10 34.0%)
Phase 3: Worker Trips: Use shuttle to retail establishments @lunch
Percent Reduction(ROG 1.0% NOx 1.3% CO 1.3% SO2 1.3% PM10 1.3%)
Phase 3: Worker Trips: Use shuttle to retail establishments @lunch
Percent Reduction(ROG 1.0% NOx 1.3% CO 1.3% SO2 1.3% PM10 1.3%)
Phase 3: Worker Trips: Use shuttle to retail establishments @lunch
Percent Reduction(ROG 1.0% NOx 1.3% CO 1.3% SO2 1.3% PM10 1.3%)
Phase 3: Offgassing: Use Low/no VOC content application materials
Percent Reduction(ROG 75% NOx 0.0% CO 0.0% SO2 0.0% PM10 0.0%)
Phase 3: Offgassing: Use Low/no VOC content application materials
Percent Reduction(ROG 75% NOx 0.0% CO 0.0% SO2 0.0% PM10 0.0%)
Phase 1 - Demolition Assumptions: Phase Turned OFF

Phase 2 - Site Grading Assumptions
Start Month/Year for Phase 2: Sep '06
Phase 2 Duration: 2 months
On-Road Truck Travel (VMT): 451.2
Off-Road Equipment

No.	Type	Horsepower	Load Factor	Hours/Day
1	Graders	174	0.575	8.0
2	Off Highway Tractors	255	0.410	8.0
1	Other Equipment	190	0.620	8.0
4	Tractor/Loaders/Backhoes	79	0.465	8.0

Phase 3 - Building Construction Assumptions
Start Month/Year for Phase 3: Nov '06
Phase 3 Duration: 10 months
Start Month/Year for SubPhase Building: Nov '06
SubPhase Building Duration: 8 months
Off-Road Equipment

No.	Type	Horsepower	Load Factor	Hours/Day
1	Concrete/Industrial saws	84	0.730	8.0
1	Other Equipment	190	0.620	8.0
1	Paving Equipment	111	0.530	8.0
1	Rollers	114	0.430	8.0

Start Month/Year for SubPhase Architectural Coatings: Aug '07
SubPhase Architectural Coatings Duration: 1 months
Start Month/Year for SubPhase Asphalt: Aug '07
SubPhase Asphalt Duration: 1 months
Acres to be Paved: 1
Off-Road Equipment

No.	Type	Horsepower	Load Factor	Hours/Day
1	Off Highway Tractors	255	0.410	8.0
1	Pavers	132	0.590	8.0
1	Paving Equipment	111	0.530	8.0

AREA SOURCE EMISSION ESTIMATES (Winter Pounds per Day, Unmitigated)

Source	ROG	NOx	CO	SO2	PM10
Natural Gas	0.05	0.63	0.25	-	0.00
Wood Stoves	0.00	0.00	0.00	0.00	0.00
Fireplaces	0.00	0.00	0.00	0.00	0.00
Landscaping - No winter emissions					
Consumer Prdcts	0.00	-	-	-	-
TOTALS(lbs/day,unmitigated)	0.05	0.63	0.25	0.00	0.00

UNMITIGATED OPERATIONAL EMISSIONS

	ROG	NOx	CO	SO2	PM10
General office building	11.48	20.57	142.64	0.07	13.90
TOTAL EMISSIONS (lbs/day)	11.48	20.57	142.64	0.07	13.90

Does not include correction for passby trips.
Does not include double counting adjustment for internal trips.

OPERATIONAL (Vehicle) EMISSION ESTIMATES

Analysis Year: 2007 Temperature (F): 50 Season: Winter

EMFAC Version: EMFAC2002 (9/2002)

Summary of Land Uses:

Unit Type	Trip Rate	Size	Total Trips
General office building	13.43 trips / 1000 sq. ft.	95.00	1,275.85

Vehicle Assumptions:

Fleet Mix:

Vehicle Type	Percent Type	Non-Catalyst	Catalyst	Diesel
Light Auto	55.20	1.80	97.80	0.40
Light Truck < 3,750 lbs	15.10	3.30	94.00	2.70
Light Truck 3,751- 5,750	16.10	1.90	96.90	1.20
Med Truck 5,751- 8,500	7.10	1.40	95.80	2.80
Lite-Heavy 8,501-10,000	1.10	0.00	81.80	18.20
Lite-Heavy 10,001-14,000	0.40	0.00	50.00	50.00
Med-Heavy 14,001-33,000	1.00	0.00	20.00	80.00
Heavy-Heavy 33,001-60,000	0.90	0.00	11.10	88.90
Line Haul > 60,000 lbs	0.00	0.00	0.00	100.00
Urban Bus	0.10	0.00	0.00	100.00
Motorcycle	1.70	82.40	17.60	0.00
School Bus	0.10	0.00	0.00	100.00
Motor Home	1.20	8.30	83.30	8.40

Travel Conditions

	Residential			Commercial		
	Home-Work	Home-Shop	Home-Other	Commute	Non-Work	Customer
Urban Trip Length (miles)	11.5	4.9	6.0	10.3	5.5	5.5
Rural Trip Length (miles)	11.5	4.9	6.0	10.3	5.5	5.5
Trip Speeds (mph)	35.0	40.0	40.0	40.0	40.0	40.0
% of Trips - Residential	20.0	37.0	43.0			
% of Trips - Commercial (by land use)						
General office building				35.0	17.5	47.5

Changes made to the default values for Land Use Trip Percentages

Changes made to the default values for Construction

The user has overridden the Default Phase Lengths
Site Grading Fugitive Dust Option changed from Level 1 to Level 2
Site Grading Truck Haul Capacity (yds3) changed from 20 to 15
Site Grading Miles/Round Trip changed from 20 to 12
Phase 2 mitigation measure Soil Disturbance: Apply soil stabilizers to inactive areas
has been changed from off to on.
Phase 2 mitigation measure Soil Disturbance: Replace ground cover in disturbed areas quickly
has been changed from off to on.
Phase 2 mitigation measure Soil Disturbance: Water exposed surfaces - 2x daily
has been changed from off to on.
Phase 3 mitigation measure Worker Trips: Use shuttle to retail establishments @lunch
has been changed from off to on.
Phase 3 mitigation measure Worker Trips: Use shuttle to retail establishments @lunch
has been changed from off to on.
Phase 3 mitigation measure Worker Trips: Use shuttle to retail establishments @lunch
has been changed from off to on.
Phase 3 mitigation measure Offgassing: Use Low/no VOC content application materials
has been changed from off to on.
Phase 3 mitigation measure Offgassing: Use Low/no VOC content application materials
has been changed from off to on.

Changes made to the default values for Area

The landscape year changed from 2004 to 2007.

Changes made to the default values for Operations

The operational emission year changed from 2004 to 2007.
The operational winter selection item changed from 3 to 2.
The operational summer selection item changed from 8 to 7.

URBEMIS 2002 For Windows 7.5.0

File Name: C:\Program Files\URBEMIS 2002 For Windows\Projects2k2\HQ development Agoura Oaks Plaza.u
Project Name: HQ Development Agoura Oaks Plaza Revised
Project Location: South Coast Air Basin (Los Angeles area)
On-Road Motor Vehicle Emissions Based on EMFAC2002 version 2.2

DETAIL REPORT
(Pounds/Day - Summer)

Construction Start Month and Year: September, 2006
Construction Duration: 12
Total Land Use Area to be Developed: 6.5 acres
Maximum Acreage Disturbed Per Day: 6.5 acres
Single Family Units: 0 Multi-Family Units: 0
Retail/Office/Institutional/Industrial Square Footage: 95000

CONSTRUCTION EMISSION ESTIMATES UNMITIGATED (lbs/day)

Source	ROG	NOx	CO	SO2	PM10 TOTAL	PM10 EXHAUST	PM10 DUST
*** 2006***							
Phase 1 - Demolition Emissions							
Fugitive Dust	-	-	-	-	0.00	-	0.00
Off-Road Diesel	0.00	0.00	0.00	-	0.00	0.00	0.00
On-Road Diesel	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Worker Trips	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Maximum lbs/day	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Phase 2 - Site Grading Emissions							
Fugitive Dust	-	-	-	-	306.58	-	306.58
Off-Road Diesel	10.11	77.80	74.43	-	3.55	3.55	0.00
On-Road Diesel	0.58	12.94	2.15	0.19	0.30	0.25	0.05
Worker Trips	0.19	0.23	4.45	0.00	0.02	0.01	0.01
Maximum lbs/day	10.88	90.97	81.03	0.19	310.45	3.81	306.64
Phase 3 - Building Construction							
Bldg Const Off-Road Diesel	5.06	38.80	37.20	-	1.74	1.74	0.00
Bldg Const Worker Trips	0.25	0.14	3.05	0.00	0.04	0.00	0.04
Arch Coatings Off-Gas	0.00	-	-	-	-	-	-
Arch Coatings Worker Trips	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Asphalt Off-Gas	0.00	-	-	-	-	-	-
Asphalt Off-Road Diesel	0.00	0.00	0.00	-	0.00	0.00	0.00
Asphalt On-Road Diesel	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Asphalt Worker Trips	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Maximum lbs/day	5.31	38.94	40.24	0.00	1.78	1.74	0.04
Max lbs/day all phases	10.88	90.97	81.03	0.19	310.45	3.81	306.64
*** 2007***							
Phase 1 - Demolition Emissions							
Fugitive Dust	-	-	-	-	0.00	-	0.00
Off-Road Diesel	0.00	0.00	0.00	-	0.00	0.00	0.00
On-Road Diesel	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Worker Trips	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Maximum lbs/day	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Phase 2 - Site Grading Emissions							
Fugitive Dust	-	-	-	-	0.00	-	0.00
Off-Road Diesel	0.00	0.00	0.00	-	0.00	0.00	0.00
On-Road Diesel	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Worker Trips	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Maximum lbs/day	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Phase 3 - Building Construction							
Bldg Const Off-Road Diesel	5.06	37.12	38.37	-	1.59	1.59	0.00
Bldg Const Worker Trips	0.24	0.14	2.86	0.00	0.04	0.00	0.04
Arch Coatings Off-Gas	139.80	-	-	-	-	-	-
Arch Coatings Worker Trips	0.22	0.10	2.70	0.00	0.04	0.00	0.04
Asphalt Off-Gas	0.12	-	-	-	-	-	-
Asphalt Off-Road Diesel	4.25	30.12	32.97	-	1.24	1.24	0.00
Asphalt On-Road Diesel	0.02	0.39	0.09	0.00	0.01	0.01	0.00
Asphalt Worker Trips	0.02	0.01	0.27	0.00	0.00	0.00	0.00
Maximum lbs/day	144.44	37.26	41.23	0.00	1.63	1.59	0.04
Max lbs/day all phases	144.44	37.26	41.23	0.00	1.63	1.59	0.04

Phase 1 - Demolition Assumptions: Phase Turned OFF

Phase 2 - Site Grading Assumptions
Start Month/Year for Phase 2: Sep '06
Phase 2 Duration: 2 months
On-Road Truck Travel (VMT): 451.2
Off-Road Equipment

No.	Type	Horsepower	Load Factor	Hours/Day
1	Graders	174	0.575	8.0
2	Off Highway Tractors	255	0.410	8.0
1	Other Equipment	190	0.620	8.0
4	Tractor/Loaders/Backhoes	79	0.465	8.0

Phase 3 - Building Construction Assumptions
Start Month/Year for Phase 3: Nov '06
Phase 3 Duration: 10 months
Start Month/Year for SubPhase Building: Nov '06
SubPhase Building Duration: 8 months
Off-Road Equipment

No.	Type	Horsepower	Load Factor	Hours/Day
1	Concrete/Industrial saws	84	0.730	8.0
1	Other Equipment	190	0.620	8.0
1	Paving Equipment	111	0.530	8.0
1	Rollers	114	0.430	8.0

Start Month/Year for SubPhase Architectural Coatings: Aug '07
SubPhase Architectural Coatings Duration: 1 months
Start Month/Year for SubPhase Asphalt: Aug '07
SubPhase Asphalt Duration: 1 months
Acres to be Paved: 1
Off-Road Equipment

No.	Type	Horsepower	Load Factor	Hours/Day
1	Off Highway Tractors	255	0.410	8.0
1	Pavers	132	0.590	8.0
1	Paving Equipment	111	0.530	8.0

CONSTRUCTION EMISSION ESTIMATES MITIGATED (lbs/day)

Source	ROG	NOx	CO	SO2	PM10 TOTAL	PM10 EXHAUST	PM10 DUST
** 2006***							
ase 1 - Demolition Emissions							
gitive Dust	-	-	-	-	0.00	-	0.00
f-Road Diesel	0.00	0.00	0.00	-	0.00	0.00	0.00
-Road Diesel	0.00	0.00	0.00	0.00	0.00	0.00	0.00
rker Trips	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Maximum lbs/day	0.00	0.00	0.00	0.00	0.00	0.00	0.00
ase 2 - Site Grading Emissions							
gitive Dust	-	-	-	-	120.39	-	120.39
f-Road Diesel	10.11	77.80	74.43	-	3.55	3.55	0.00
-Road Diesel	0.58	12.94	2.15	0.19	0.30	0.25	0.05
rker Trips	0.19	0.23	4.45	0.00	0.02	0.01	0.01
Maximum lbs/day	10.88	90.97	81.03	0.19	124.26	3.81	120.45
ase 3 - Building Construction							
lg Const Off-Road Diesel	5.06	38.80	37.20	-	1.74	1.74	0.00
g Const Worker Trips	0.25	0.14	3.01	0.00	0.04	0.00	0.04
h Coatings Off-Gas	0.00	-	-	-	-	-	-
h Coatings Worker Trips	0.00	0.00	0.00	0.00	0.00	0.00	0.00
halt Off-Gas	0.00	-	-	-	-	-	-
halt Off-Road Diesel	0.00	0.00	0.00	-	0.00	0.00	0.00
halt On-Road Diesel	0.00	0.00	0.00	0.00	0.00	0.00	0.00
halt Worker Trips	0.00	0.00	0.00	0.00	0.00	0.00	0.00
aximum lbs/day	5.31	38.94	40.20	0.00	1.78	1.74	0.04
ax lbs/day all phases	10.88	90.97	81.03	0.19	124.26	3.81	120.45
* 2007***							
se 1 - Demolition Emissions							
itive Dust	-	-	-	-	0.00	-	0.00
-Road Diesel	0.00	0.00	0.00	-	0.00	0.00	0.00
oad Diesel	0.00	0.00	0.00	0.00	0.00	0.00	0.00
er Trips	0.00	0.00	0.00	0.00	0.00	0.00	0.00
ximum lbs/day	0.00	0.00	0.00	0.00	0.00	0.00	0.00
e 2 - Site Grading Emissions							
tive Dust	-	-	-	-	0.00	-	0.00

Off-Road Diesel	0.00	0.00	0.00	-	0.00	0.00	0.00
On-Road Diesel	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Worker Trips	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Maximum lbs/day	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Phase 3 - Building Construction							
Bldg Const Off-Road Diesel	5.06	37.12	38.37	-	1.59	1.59	0.00
Bldg Const Worker Trips	0.24	0.14	2.82	0.00	0.04	0.00	0.04
Arch Coatings Off-Gas	34.95	-	-	-	-	-	-
Arch Coatings Worker Trips	0.22	0.10	2.66	0.00	0.04	0.00	0.04
Asphalt Off-Gas	0.03	-	-	-	-	-	-
Asphalt Off-Road Diesel	4.25	30.12	32.97	-	1.24	1.24	0.00
Asphalt On-Road Diesel	0.02	0.39	0.09	0.00	0.01	0.01	0.00
Asphalt Worker Trips	0.02	0.01	0.27	0.00	0.00	0.00	0.00
Maximum lbs/day	39.49	37.26	41.20	0.00	1.63	1.59	0.04
Max lbs/day all phases	39.49	37.26	41.20	0.00	1.63	1.59	0.04

Construction-Related Mitigation Measures

Phase 2: Soil Disturbance: Apply soil stabilizers to inactive areas
Percent Reduction(ROG 0.0% NOx 0.0% CO 0.0% SO2 0.0% PM10 30.0%)
Phase 2: Soil Disturbance: Replace ground cover in disturbed areas quickly
Percent Reduction(ROG 0.0% NOx 0.0% CO 0.0% SO2 0.0% PM10 15.0%)
Phase 2: Soil Disturbance: Water exposed surfaces - 2x daily
Percent Reduction(ROG 0.0% NOx 0.0% CO 0.0% SO2 0.0% PM10 34.0%)
Phase 3: Worker Trips: Use shuttle to retail establishments @lunch
Percent Reduction(ROG 1.0% NOx 1.3% CO 1.3% SO2 1.3% PM10 1.3%)
Phase 3: Worker Trips: Use shuttle to retail establishments @lunch
Percent Reduction(ROG 1.0% NOx 1.3% CO 1.3% SO2 1.3% PM10 1.3%)
Phase 3: Worker Trips: Use shuttle to retail establishments @lunch
Percent Reduction(ROG 1.0% NOx 1.3% CO 1.3% SO2 1.3% PM10 1.3%)
Phase 3: Offgassing: Use Low/no VOC content application materials
Percent Reduction(ROG 75% NOx 0.0% CO 0.0% SO2 0.0% PM10 0.0%)
Phase 3: Offgassing: Use Low/no VOC content application materials
Percent Reduction(ROG 75% NOx 0.0% CO 0.0% SO2 0.0% PM10 0.0%)
Phase 1 - Demolition Assumptions: Phase Turned OFF

Phase 2 - Site Grading Assumptions
Start Month/Year for Phase 2: Sep '06
Phase 2 Duration: 2 months
On-Road Truck Travel (VMT): 451.2
Off-Road Equipment

No.	Type	Horsepower	Load Factor	Hours/Day
1	Graders	174	0.575	8.0
2	Off Highway Tractors	255	0.410	8.0
1	Other Equipment	190	0.620	8.0
4	Tractor/Loaders/Backhoes	79	0.465	8.0

Phase 3 - Building Construction Assumptions
Start Month/Year for Phase 3: Nov '06
Phase 3 Duration: 10 months
Start Month/Year for SubPhase Building: Nov '06
SubPhase Building Duration: 8 months
Off-Road Equipment

No.	Type	Horsepower	Load Factor	Hours/Day
1	Concrete/Industrial saws	84	0.730	8.0
1	Other Equipment	190	0.620	8.0
1	Paving Equipment	111	0.530	8.0
1	Rollers	114	0.430	8.0

Start Month/Year for SubPhase Architectural Coatings: Aug '07
SubPhase Architectural Coatings Duration: 1 months
Start Month/Year for SubPhase Asphalt: Aug '07
SubPhase Asphalt Duration: 1 months
Acres to be Paved: 1
Off-Road Equipment

No.	Type	Horsepower	Load Factor	Hours/Day
1	Off Highway Tractors	255	0.410	8.0
1	Pavers	132	0.590	8.0
1	Paving Equipment	111	0.530	8.0

AREA SOURCE EMISSION ESTIMATES (Summer Pounds per Day, Unmitigated)

Source	ROG	NOx	CO	SO2	PM10
Natural Gas	0.05	0.63	0.25	-	0.00
Wood Stoves - No summer emissions					
Fireplaces - No summer emissions					
Landscaping	0.06	0.01	0.43	0.00	0.00
Consumer Prdcts	0.00	-	-	-	-
TOTALS(lbs/day,unmitigated)	0.10	0.64	0.68	0.00	0.00

UNMITIGATED OPERATIONAL EMISSIONS

	ROG	NOx	CO	SO2	PM10
General office building	11.73	14.17	152.41	0.09	13.90
TOTAL EMISSIONS (lbs/day)	11.73	14.17	152.41	0.09	13.90

Does not include correction for passby trips.
Does not include double counting adjustment for internal trips.

OPERATIONAL (Vehicle) EMISSION ESTIMATES

Analysis Year: 2007 Temperature (F): 90 Season: Summer

EMFAC Version: EMFAC2002 (9/2002)

Summary of Land Uses:

Unit Type	Trip Rate	Size	Total Trips
General office building	13.43 trips / 1000 sq. ft.	95.00	1,275.85

Vehicle Assumptions:

Fleet Mix:

Vehicle Type	Percent Type	Non-Catalyst	Catalyst	Diesel
Light Auto	55.20	1.80	97.80	0.40
Light Truck < 3,750 lbs	15.10	3.30	94.00	2.70
Light Truck 3,751- 5,750	16.10	1.90	96.90	1.20
Med Truck 5,751- 8,500	7.10	1.40	95.80	2.80
Lite-Heavy 8,501-10,000	1.10	0.00	81.80	18.20
Lite-Heavy 10,001-14,000	0.40	0.00	50.00	50.00
Med-Heavy 14,001-33,000	1.00	0.00	20.00	80.00
Heavy-Heavy 33,001-60,000	0.90	0.00	11.10	88.90
Line Haul > 60,000 lbs	0.00	0.00	0.00	100.00
Urban Bus	0.10	0.00	0.00	100.00
Motorcycle	1.70	82.40	17.60	0.00
School Bus	0.10	0.00	0.00	100.00
Motor Home	1.20	8.30	83.30	8.40

Travel Conditions

	Residential			Commercial		
	Home-Work	Home-Shop	Home-Other	Commute	Non-Work	Customer
Urban Trip Length (miles)	11.5	4.9	6.0	10.3	5.5	5.5
Rural Trip Length (miles)	11.5	4.9	6.0	10.3	5.5	5.5
Trip Speeds (mph)	35.0	40.0	40.0	40.0	40.0	40.0
% of Trips - Residential	20.0	37.0	43.0			
% of Trips - Commercial (by land use)						
General office building				35.0	17.5	47.5

Changes made to the default values for Land Use Trip Percentages

Changes made to the default values for Construction

The user has overridden the Default Phase Lengths
Site Grading Fugitive Dust Option changed from Level 1 to Level 2
Site Grading Truck Haul Capacity (yds3) changed from 20 to 15
Site Grading Miles/Round Trip changed from 20 to 12
Phase 2 mitigation measure Soil Disturbance: Apply soil stabilizers to inactive areas
has been changed from off to on.
Phase 2 mitigation measure Soil Disturbance: Replace ground cover in disturbed areas quickly
has been changed from off to on.
Phase 2 mitigation measure Soil Disturbance: Water exposed surfaces - 2x daily
has been changed from off to on.
Phase 3 mitigation measure Worker Trips: Use shuttle to retail establishments @lunch
has been changed from off to on.
Phase 3 mitigation measure Worker Trips: Use shuttle to retail establishments @lunch
has been changed from off to on.
Phase 3 mitigation measure Worker Trips: Use shuttle to retail establishments @lunch
has been changed from off to on.
Phase 3 mitigation measure Offgassing: Use Low/no VOC content application materials
has been changed from off to on.
Phase 3 mitigation measure Offgassing: Use Low/no VOC content application materials
has been changed from off to on.

Changes made to the default values for Area

The landscape year changed from 2004 to 2007.

Changes made to the default values for Operations

The operational emission year changed from 2004 to 2007.
The operational winter selection item changed from 3 to 2.
The operational summer selection item changed from 8 to 7.

Appendix B

Biological Assessment

BIOLOGICAL ASSESSMENT
AND
PRELIMINARY JURISDICTIONAL WETLANDS DELINEATION

For a Proposed Office Building located at
29701 Agoura Road in the City of Agoura Hills
Los Angeles County, California

Revised
August 9, 2005

Prepared for:
HQ Development LLC,
Attn: Robert Herscu, President
4641 Leahy Avenue
Culver City, CA 90232

Prepared by:

CHRISTOPHER A. JOSEPH & ASSOCIATES
Environmental Planning and Research

11849 West Olympic Boulevard · Suite 101 · Los Angeles · CA 90064
Phone 310 473-1600 · Fax 310 473-9336 · E-mail info@cajaeir.com · Web www.cajaeir.com
Los Angeles · Westlake Village · Petaluma

TABLE OF CONTENTS

Section	Page
INTRODUCTION	1
PROJECT LOCATION	1
PROJECT DESCRIPTION	3
OVERVIEW OF THE ENVIRONMENTAL SETTING	3
Geology	5
Topography	5
Hydrology	5
History of Development	6
REGULATORY SETTING	6
Federal Endangered Species Act	6
California Endangered Species Act	7
Migratory Bird Treaty Act	7
California Native Plant Society	8
Literature Search/Methodology	8
Sensitive Species Occurrences Evaluation	9
BIOLOGICAL ASSESSMENT	9
Biological Surveys	9
Vegetation Communities	12
Ruderal/Grasslands	12
Ruderal/Ornamental	12
Man-Induced Wetlands	16
Tree Survey	17
Wildlife Observations	17
JURISDICTIONAL DETERMINATION	18
U.S. Army Corps of Engineers' Jurisdictional Criteria	18
"Waters of the United States"	18
"Wetlands"	19
CDFG Jurisdictional Criteria	20

Survey Observations/Findings 20
Determination 24
PROJECT IMPACTS 25
RECOMMENDATIONS 26
REFERENCES 27

List of Figures

Figure 1: Topographic Location Map 2
Figure 2: Aerial Photograph of the Project Site and Surrounding Area 4
Figure 3: Vegetation Map 13
Figure 4: Photographs of the Project Site (Views 1 and 2) 14
Figure 5: Photographs of the Project Site (Views 3 and 4) 15
Figure 6: Wetland Delineation Map 21
Figure 7: Photographs of the Project Site (Views 7 and 8) 22
Figure 8: Photographs of the Project Site (Views 9 and 10) 23

List of Tables

Table 1: Federal Sensitive Species Classifications 6
Table 2: State Sensitive Species Classifications 7
Table 3: CNPS Special Status Classifications 8
Table 4: CNDDB RareFind 3 Sensitive Species Occurrences for the Thousand Oaks and Calabasas Areas 10
Table 5: Plant Species Observations On-Site 16
Table 6: Wildlife Species Observations On-Site 18

Appendices

Appendix A: CNDDB Database Printouts
Appendix B: Routine Wetland Determination Worksheets
Appendix C: Project Grading Plan (Sheets 1-6)
Appendix D: Project Landscaping Plan

BIOLOGICAL ASSESSMENT AND JURISDICTIONAL WETLANDS DELINEATION

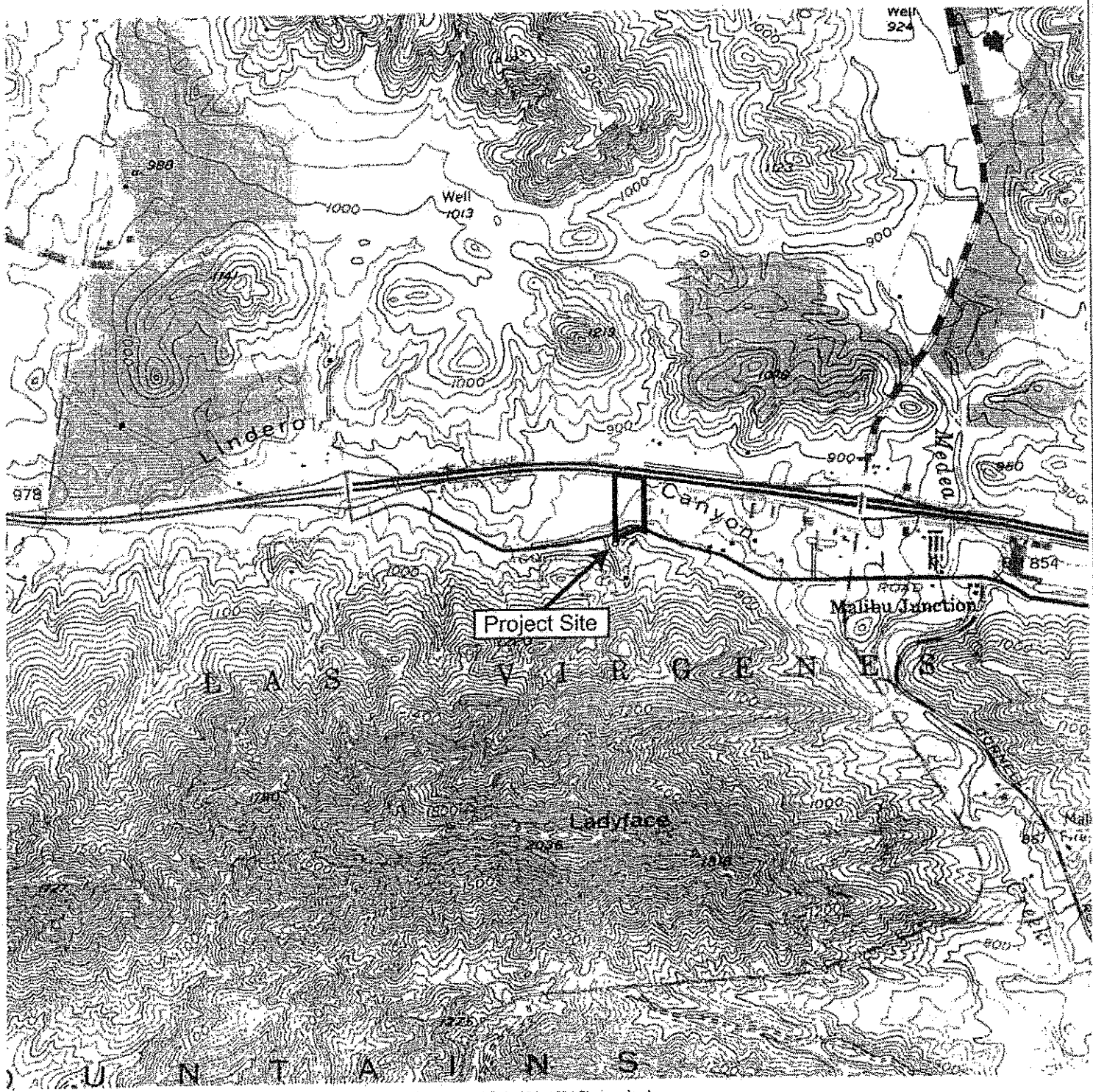
INTRODUCTION

The following report presents the findings of a biological assessment and preliminary jurisdictional wetlands delineation for a 5.17-acre property located at 29701 Agoura Road in the City of Agoura Hills, Los Angeles County, California. The purpose of this assessment is to meet the application filing requirements of the City of Agoura Hills for HQ Development LLC's proposed office building project as defined in greater detail below. The assessment includes a general biological inventory of the plant and animal species observed onsite and an assessment of the potential for special-status plants, animals and habitats to occur on the Project Site. This assessment also includes a detailed jurisdictional wetlands assessment to determine whether the drainage area within the northern portion of the Project Site meets the U.S. Army Corps of Engineers' (ACOE) definition of 'U.S. Waters,' and/or the California Department of Fish and Game's definition of 'Wetlands.'

This report has been amended from the previous report dated March 4, 2005, in response to the City's comments in their April 8, 2005 correspondence to Brad Rosenheim, re: Case #05-SPR-010/05-OTP-010/05-SP-006). The City requested additional clarification with respect to potential impacts within the delineated drainage area at the northeastern corner of the site. To clarify this issue, grading will be required in this drainage area as the proposed project will need to tie into the existing sewer line that is located at the northeastern corner of the lot. In addition, CAJA consulted with the regulatory agencies with respect to the permitting requirements for direct impacts upon this potential wetland area. Pursuant to the nationwide NPDES permit, the extent of "waters" that exist on-site does not exceed the threshold required to consult directly with the ACOE. Because the drainage area is less than 4,350 square feet in area, the proposed activity will be regulated under the jurisdiction of the local Regional Water Quality Control Board (RWQCB), in conjunction with the local NPDES permitting process. Pursuant to the California Department of Fish and Game's (CDFG) jurisdictional authority under the Streambed Alteration Agreement permitting process, CDFG staff informally reviewed our findings and advised that the area may meet the regulatory definition of a wetland and recommended a notification package be submitted to the CDFG's regional office in San Diego. Accordingly, a formal notification package will be submitted to the CDFG's regional office.

PROJECT LOCATION

The Project Site occupies an approximate 5.17-acre parcel of land located at 29701 Agoura Road in the City of Agoura Hills, Los Angeles County, California. The property is identified by the Los Angeles County Assessor's office as Parcel Number 2061-003-027. The Project Site falls within the U.S. Geological Survey (USGS) Thousand Oaks 7.5-minute topographic quadrangle. A topographical map depicting the location of the Project Site is provided in Figure 1 on page 2.



Source: California Spatial Information Library, USGS 7.5-Minute Quadrangle, Thousand Oaks, CA, 1981 Photorevised.

0.0 0.25 0.5 0.75 1.0

Scale (Miles)

CHRISTOPHER A. JOSEPH & ASSOCIATES

NORTH

Figure 1
Topographic Location Map

The Project Site is bound by Agoura Road to the south, the Ventura (101) Freeway to the north, an existing commercial office building to the west (occupied by Countrywide Home Loans), and the Los Angeles County Animal Shelter to the east. The Gateway Foursquare Church is situated along the south side of Agoura Road, directly across from the Project Site.

Regional access to the project is provided via the Ventura (101) Freeway. Locally, the Project Site is located on Agoura Road approximately ¾ of a mile west of Kanan Dume Road and approximate ½ of a mile east of Reyes Adobe Road.

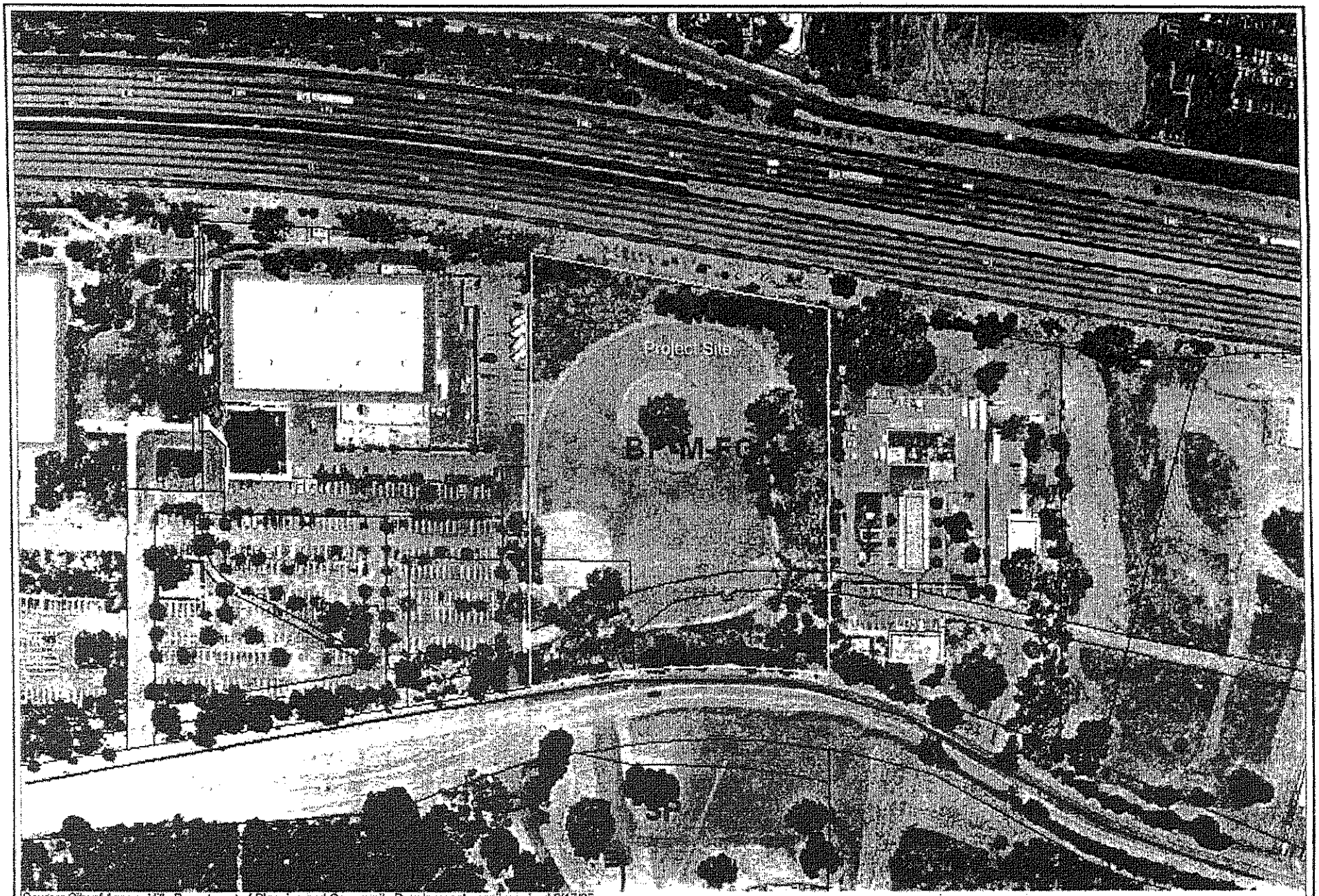
PROJECT DESCRIPTION

The Agoura Oaks Plaza ("The Proposed Project") includes the construction and operation of an approximate 96,857 square-foot, two-story commercial office building at 29701 Agoura Road in the City of Agoura Hills, California. The Project Site plans, architectural elevations, landscape plan, and a proposed grading plan were provided by the Applicant and are provided herein as Appendix C. As shown on the proposed site plan, an L-shaped structure will be developed around the heritage Valley oak tree that sits in the center of the Project Site. The remainder of the site will be developed with a surface parking lot (approximately 300 parking spaces), and re-vegetated as illustrated on the proposed landscaping plan (See Appendix D).

It is our understanding that a formal oak tree report is being provided under separate cover by a certified arborist to address the potential impacts of development on oak trees. For purposes of this assessment, oak trees are only addressed to the extent they were observed and recorded as part of a general biological inventory.

OVERVIEW OF THE ENVIRONMENTAL SETTING

The Project Site has historically been developed as a baseball field with a running track outlining the perimeter of the baseball field. As shown in Figure 2, *Aerial Photograph*, the extent of development on the Project Site includes a portable equipment shed, low-rise bench bleacher seating, chain link fencing, and a buried reinforced concrete storm drain culvert that traverses the southern portion of the site from west to east. A buried 12-inch sewer line extends along the project site's eastern property line; with a sewer manhole located at the northeastern corner of the parcel. A large "heritage" Valley oak tree (*Quercus lobata*), encircled by a fence, is located near the center of the site. The subterranean storm drain channel is located along the southern portion of the property, running southwest to northeast. As stated above, the Project Site is surrounded by developed properties.



Source: City of Agoura Hills Department of Planning and Community Development, email received 2/17/05.

CHRISTOPHER A. JOSEPH & ASSOCIATES
Environmental Planning and Research

NORTH

Figure 2
Aerial Photograph of the Project Site and Surrounding Area

Geology

The Project Site is situated within the Conejo Valley between the Simi Hills and the Santa Monica Mountain Range. The Conejo Valley is an east west trending structural trough, which is part of the larger Transverse Geomorphic Province of Southern California. The Transverse Ranges are a complex series of east-west trending mountain ranges and valleys separating the predominant northwest-southeast orientation of the Coast Ranges to the north and the Peninsular Ranges further south. The western limit of the Transverse Ranges extends to the Channel Islands off the coast of Ventura and Santa Barbara Counties. The eastern boundary extends as far as the San Bernardino Mountain Ranges and the Mojave Desert to the east. The Project Site sits on alluvial deposits derived from the Conejo Volcanics and Miocene-age sediments deposited along the axis of the valley and along creek banks.

Based on a review of the Preliminary Geotechnical Engineering Report,[1] the Project Site is overlain with artificial fill soils (af) to a depth of approximately 8 to 9 feet. Native Quaternary Alluvial soils (Qa) were found to consist predominately of dense to very dense clayey sands and stiff to hard sandy clay (SC and CL soil types).

Topography

Topographically, the Project Site is relatively flat with localized topographic variation at an approximate elevation of 875 to 880 feet above mean sea level (msl).[2] The areas immediately south of the project, south of Agoura Road, ascend topographically as part of the Santa Monica Mountain Range.

Hydrology

The Project Site is located in the southern edge of the Russell Valley Groundwater Basin near Triunfo Canyon and is a part of the Malibu Creek Watershed. The Russell Valley Groundwater Basin is an unconfined hydrologic unit comprised of Holocene-aged alluvium. The presence of native alluvial soils suggests that the Project Site and surrounding areas were likely part of the original Lindero Canyon Creek floodplain. The Lindero Canyon Creek watershed flows in a west to east direction beneath the project site in a buried reinforced concrete box culvert. The culvert daylights at two locations the southwestern portion of the property between the existing ball field backstop and Agoura Road. The culvert flow continues to the east where the watershed eventually discharges into Medea Creek. Medea Creek flows to the south-southwest and is a tributary to Malibu Creek.

Historical Development

Based on our review of the Phase I ESA[3], despite limited agricultural use during the 1940's, the Project Site has historically been vacant land. The site was altered at some point during the 1960's or early 70's

---

1 *Earth Systems California, PL-06405-01, November 10, 2004.*

2 *USGS, 7.5 minute Topographic Quadrangle, Thousand Oaks, CA, 1950, Photorevised, 1981.*

when Medea Canyon Creek was channelized into the current subterranean storm drain system. By 1989, the existing running track and baseball diamond were present. It is believed that the site was used as a recreational facility in association with the adjacent office buildings, built in the late 1970's to early 80's.

REGULATORY SETTING

Federal Endangered Species Act of 1973 (ESA)

The Endangered Species Act (ESA) and implementing regulations are codified in the Unites States Code (16 USC 1531 *et. seq.*,) and the Code of Federal Regulations (50 CFR Section 17.1 *et. seq.*). These regulations include provisions for the protection and management of federally listed or endangered plants and animals and their designated critical habitats. Section 7 of the ESA requires a permit to take threatened or endangered species during lawful project activities. The administering agency for the above authority is the U.S. Fish and Wildlife Service for terrestrial, avian, and most aquatic species. The federal classification system for sensitive species is presented in Table 1, below.

Table 1
Federal Sensitive Species Classifications

FE: Federally listed as Endangered
FT: Federally listed as Threatened
FTP: Proposed as Threatened
FPE: Proposed as Endangered
FSC: Federally listed as Candidate

California Endangered Species Act (CESA)

The California Endangered Species Act (CESA), and implementing regulations are administered through the CDFG as set forth in the State of California Fish and Game Code (Sections 2050 through 2089). The CESA includes provisions for the protection and management of plants and animal species identified as threatened, endangered, or as candidates for such listing. The CESA defines and endangered species as "...a native species or subspecies of a bird, mammal, fish, amphibian, reptile, or plant which is in serious danger of becoming extinct throughout all, or a significant portion, of its range due to one or more causes, including loss of habitat, change in habitat, overexploitation, predation, competition, or disease." The state defines a threatened species as "... a native species or subspecies of a bird, mammal, fish, amphibian, reptile,

---

[3] *Phase 1 Environmental Site Assessment Vacant Parcel, APN: 2061-003-02729857 Agoura Road Agoura Hills, California 91301, prepared by West Coast Environmental, for HQ Development, LLC*

or plant that, although not presently threatened with extinction, is likely to become an endangered species in the foreseeable future in the absence of the special protection and management efforts required by this chapter. Candidate species are defined as "...a native species or subspecies of a bird, mammal, fish, amphibian, reptile, or plant that the commission has formally noticed as being under review by the department for addition to either the list of endangered species or the list of threatened species, or a species for which the commission has published a notice of proposed regulation to add the species to either list." Candidate species are not afforded any protection under the Endangered Species Act, but since these species can become listed at anytime, the knowledge of their occurrence within a project area is crucial. Under certain circumstances, Candidate species may be afforded temporary protection as though they were already listed as threatened or endangered at the discretion of the Fish and Game Commission. CDFG's classification system for protected or "at risk" species is summarized in Table 2, below.

Table 2
State Sensitive Species Classifications

SE: State listed as Endangered
ST: State listed as Threatened
SR: State listed as Rare (Plants only)
CSC: California Species of Special Concern
SFP: Fully Protected

Migratory Bird Treaty Act (MBTA)

In addition to the federal and State ESAs, the Migratory Bird Treaty Act (MBTA) (16 USC 703) makes it illegal for anyone to take, possess, import, export, transport, sell, purchase, barter, or offer for sale, purchase, or barter, any migratory bird, or the parts, nests, or eggs of such a bird except under the terms of a valid permit issued pursuant to Federal regulations. The over 800 avian species including geese, ducks, shorebirds, raptors, songbirds, and many relatively common species protected under the MTBA are listed in 50 CFR 10.13.

California Native Plant Society (CNPS)

The California Native Plant Society (CNPS) is a local resource conservation organization that has developed an inventory of special status plant species. The CNPS' Inventory of Rare and Endangered Vascular Plants of California provides valuable information used by regulatory agencies and consultants in assessing the potential for sensitive plant communities to be present on the subject property or in the project vicinity. The CNPS classification system for special status species is provided on page 8.

Literature Search/Methodology

Information used in determining plant community designations within the Project Site was derived from the following literature sources: The Jepson Manual, Higher Plants of California (Hickman, ed., 1993); and Preliminary Descriptions of the Terrestrial Natural Communities of California (Holland, 1986); and A Manual of California Vegetation (Sawyer and Keeler-Wolf, 1995). In addition, the California Natural Diversity Data Base (CNDDB) was consulted to determine sensitive species previously detected within the Thousand Oaks and Calabasas Quadrangles.

Table 3
CNPS Special Status Classifications

CNPS List Status	
List 1A:	Plants presumed extinct in California
List 1B:	Plants rare, threatened, or endangered in California and elsewhere
List 2:	Plants rare, threatened, or endangered in California, but more common
List 3:	Plants about which we need more information – a review list
List 4:	Plants of limited distribution – a watch list.
CNPS	
R (Rarity)	
1. Rare, but found in sufficient numbers and distributed widely enough that	
2. Occurrence confined to several populations or to one extended population	
3. Occurrence limited to one or a few highly restricted populations, or present in such	
E (Endangerment)	
1. Not endangered	
2. Endangered in a portion of its range	
3. Endangered throughout its range.	
D (Distribution)	
1. More or less widespread outside of California	
2. Rare outside of California	
3. Endemic to California natural communities	

Sensitive Species Occurrences Evaluation

The CNDDB is the CDFG's computerized inventory of the location and condition of California's rare, threatened, endangered, and sensitive plants, animals, and natural communities. Utilizing the CNDDB's RareFind 3 database software, the database for the U.S. Geological Survey (USGS) 7.5-Minute Topographic Quadrangle Map areas for the Thousand Oaks and Calabasas areas was queried to determine the potential for California's rare, threatened, endangered, and sensitive biological resources to occur on the Project Site. The results of the CNDDB RareFind 3 database search, inclusive of the various federal, State and CNPS listing statuses for resource occurrences within the Thousand Oaks and Calabasas Quadrangles yielded twelve species occurrences within this study area. A summary of the species

identified and an assessment of their probability to occur on site is presented in Table 4 on page 10. The CNDDB database report for this query is provided in Appendix A.

BIOLOGICAL ASSESSMENT

Biological Surveys

The Project Site was surveyed by CAJA ecologists on four separate occasions for a total of 8 hours from February 21, 2005 through March 1, 2005. Shane Parker surveyed the property on Monday, February 21 between 3:30 and 5:30 pm. The sky was cloudy and temperatures were in the low 60's. Although no precipitation occurred during the site visit, heavy rains occurred prior to and following the survey period. Betsy Jordan surveyed the property on Wednesday, February 23, 2005 from 2:00 to 3:30 pm. The sky was partly cloudy with temperatures reaching the mid-60's (F). Shane Parker and Betsy Jordan surveyed the property together on Thursday, February 24, 2005 from 2:30 to 4:30 pm. Skies were party cloudy and temperatures ranged in the low to mid- 60's (F). Shane Parker surveyed the property again on March 1, 2005 from 9:00 to 11:30 a.m. Skies were party cloudy and temperatures ranged in the low to mid- 60's (F). It should be noted that field surveys were not conducted during the optimal time if year for detecting many of the sensitive plant and animal species known to occur in the general surrounding project area, and which may occur on the Project Site. It should also be noted that the surveys took place after record setting rainfall events that occurred throughout the southern California region during February 2005.

Table 4

CNDDB RareFind 3 Sensitive Species Occurrences for the Thousand Oaks and Calabasas Areas

Scientific Name	Common Name	Federal Status	State Status	CNPS R-E-D	General and Micro-habitat Requirements and Potential to Occur on Site
Astragalus brauntonii	braunton's milk-vetch	Endangered	--	1 B 3-3-3	This species generally occurs within closed-cone coniferous forest, chaparral, coastal scrub, valley and foothill grassland habitats. It is known to favor areas of recent burns or disturbed areas and occurs in stiff gravelly clay soils overlying granite or limestone. The suitability of the site to support this species presents a low probability of occurrence.
Bufo californicus	arroyo toad	Endangered	--	SC	This species is known to occur in semi-arid regions near washes or intermittent streams, including valley-foothill and desert riparian, desert wash, etc. It may be found along rivers with sandy banks, willows, cottonwoods, and sycamores; loose, gravelly areas of streams in drier parts of range. This habitat is questionably supported within the northern portion of the site as delineated in Figure 6. However, due to the quality of runoff from the Ventura Freeway (the primary source of water flow for this drainage area), there is low probability of occurrence. Irregardless, this habitat would not be altered as a result of the project activities.
Chorizanthe parryi var. fernandina	San Fernando Valley spineflower	Candidate	Endangered	1B 3-3-3	The San Fernando Valley Spineflower is found in coastal scrub formerly known from southern California. It occurs in sandy soils. The habitat requirements for this species do not occur on site.
Deinandra minthornii	Santa Susana tarplant	--	Rare	1B 2-2-3	This species occurs in chaparral, coastal scrub, known only from Los Angeles and Ventura counties on sandstone outcrops, crevices, and in shrubland. Due to the extent of ruderal grassland and artificial fill materials that occupy the Project Site, the probability of this species to occur on site is low.
Dudleya cymosa ssp. agourensis	Agoura Hills dudleya	Threatened	--	1B 3-2-3	This species occurs in chaparral and cismontane woodland in rocky, volcanic breccia. Due to the presence of ruderal non-native grassland and artificial fill materials that occupy the Project Site, the probability of this species to occur on site is low.
Dudleya parva	Conejo dudleya	Threatened	--	1B/ 3-2-3	This species occurs in coastal scrub, valley and foothill grassland habitats and is endemic to Ventura County. It occurs in clayey or volcanic soils on rocky slopes and grassy hillsides. Due to the extent of ruderal non-native grassland and artificial fill materials that occupy the Project Site, the probability of this species to occur on site is low.

Scientific Name	Common Name	Federal Status	State Status	CNPS R-E-D	General and Micro-habitat Requirements and Potential to Occur on Site
Eriogonum crocatum	Conejo buckwheat	--	Rare	1B/2-2-3	Conejo buckwheat occurs in chaparral, coastal scrub, valley and foothill grassland and is endemic to Ventura County. It occurs in conejo volcanic outcrops and rocky sites. Due to the extent of ruderal grassland and artificial fill materials that occupy the Project Site, the probability of this species to occur on site is low.
Orcuttia californica	California Orcutt grass	Endangered	Endangered	1B/3-3-2	This species occurs in vernal pools and is known only from southern California and baja. Due to the absence of vernal pools, this species would not be found on the Project Site.
Pentachaeta lyonii	Lyon's pentachaeta	Endangered	Endangered	1B/3-3-3	This species occurs in chaparral, valley and foothill grassland. It is found in edges of clearings in chapparal, usually at the ecotone between grassland and chaparral or edges of firebreaks. The probability of this species to occur on site is low to moderate. This species was not observed on site.
Polioptila californica californica	coastal California gnatcatcher	Threatened	--	SC	This species is an obligate, permanent resident of coastal sage scrub below 2,500 ft in southern California. It occurs in low, coastal sage scrub in arid washes, on mesas and slopes. Due to the absence of coastal sage scrub habitat on the Project Site, the probability of this species to occur on site is low.
Rana aurora draytonii	California red-legged frog	Threatened	--	SC	This species occurs in lowlands and foothills in or near permanent sources of deep water with dense, shrubby or emergent riparian vegetation. It requires 11-20 weeks of permanent water for larval development and must have access to estivation habitat. This habitat does not occur on site, thus there is low probability of occurrence.
Riparia riparia	bank swallow	--	Threatened	--	This species is a colonial nester, nesting primarily in riparian and other lowland habitats west of the desert. Bank swallows require vertical banks/cliffs with fine-textured/sandy soils near streams, rivers, lakes, ocean to dig nesting hole. These habitat characteristics are not supported on site and the probability for occurrence is low. However, this species may occupy the site on a transitory basis.

Source: California Department of Fish and Game Natural Diversity Database, Wildlife and Habitat Analysis Branch, Queried for the Calabasas and Thousand Oaks Quadrangles, by Christopher A. Joseph & Associates, March 1, 2005.

Vegetation Communities

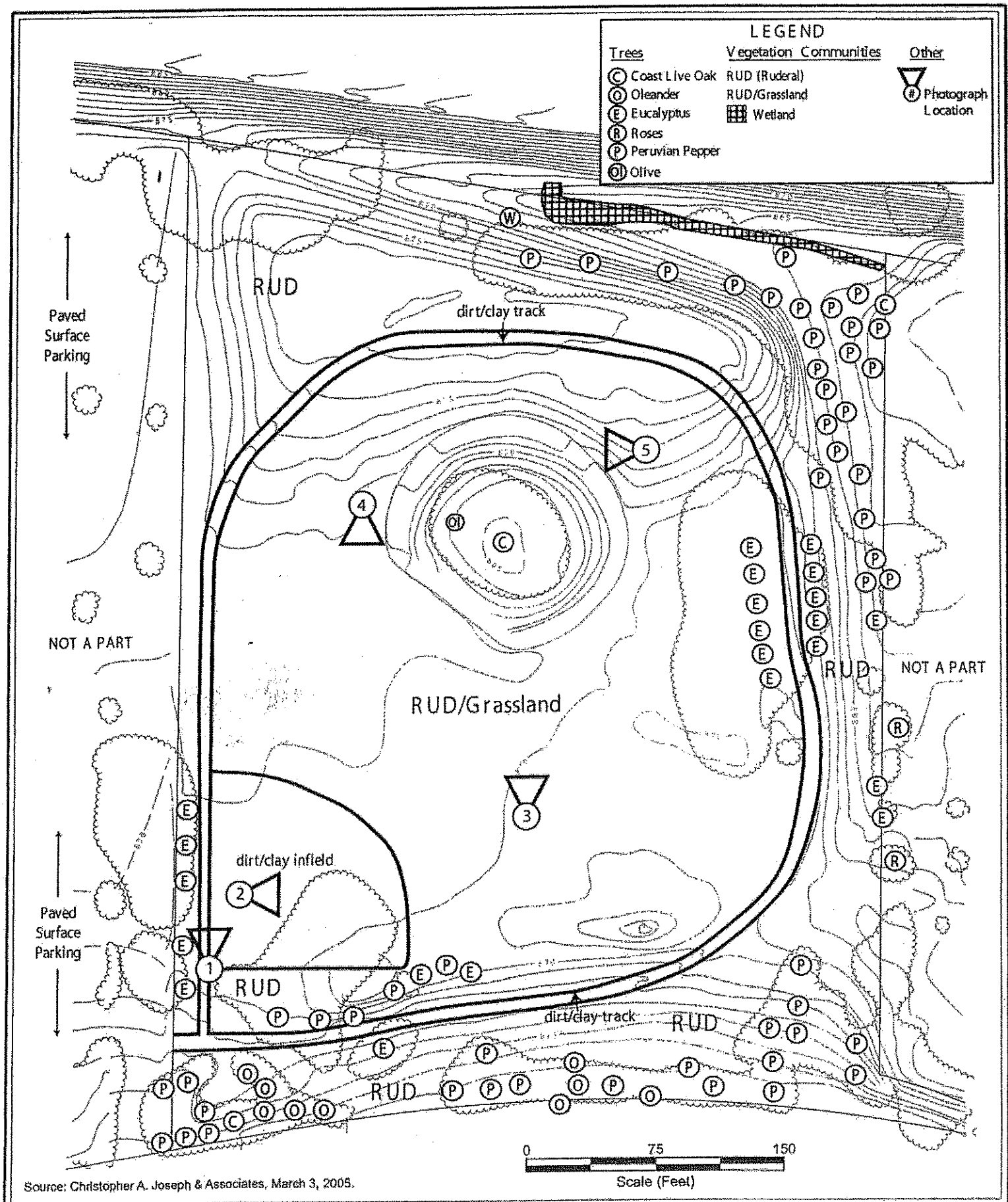
The extent of vegetation communities present on the Project Site reflects the historical level of human disturbances (grading, filling, and landscaping) and its present vacant status. The vegetation communities observed on-site are best described and expressed in percentage of the total site area as follows: ruderal/grassland (50%), ruderal/ornamental (34.5%), barren/clay dirt (15%), and man-induced wetlands (0.5%). The distribution of vegetation communities observed on site is illustrated in Figure 3 on page 13. A brief description for each of these vegetation communities is provided below. Table 5 on page 16 provides an inventory of all plant species that were identified during the biological surveys. Representative photographs illustrating the vegetation communities and general site conditions are depicted in Figures 4 and 5, respectively. The photograph location and orientation points are identified in Figure 3.

Ruderal/Grassland

Ruderal/Grassland occupies a large contiguous portion of the interior of the approximate 5-acre property. As noted previously, the Project Site was previously developed and landscaped with ornamental turf grass to support a baseball field. The entire grassland area is encircled by a clay surface running track and a clay dirt infield. The center of the grassland is fenced off to protect a native "heritage" Valley oak tree, which sits in a topographical depression indicating the entire extent of grasslands sits on fill material (see Tree Survey, below). As the Project Site was improved and landscaped as a baseball field, the grasses are dominated by non-native grasses and herbs. Introduce or invasive species observed within the area include Bromegrass *(Bromus diandrus)*, Farmer's Foxtail *(Hordeum murinum)*, Black mustard weed (*Brassica nigra*), Horehound *(Marrubium vulgare)*, Coyote Brush *(Baccharis pilularis)*, Sweet Fennel *(Foeniculum vulgare)*, Common Sow Thistle *(Sonchus oleraceus)*, and California Filaree *(Erodium cicutarium)*.

Ruderal/Ornamental

The area classified as Ruderal/Ornamental is characterized by irrigated areas that have been deliberately landscaped with ornamental vegetation. Due to the relatively low level of maintenance associated with the site in the recent past, the ornamental landscape has succumbed to an emergent growth of herbaceous non-native species. The predominant ornamental species that occur within this community include Peruvian Pepper *(Schinus molle)*, Oleander *(Nerium oleander)*, Blue Gum Eucalyptus *(Eucalyptus globules)*, and Fraser's Photinia *(Photinia fraseri)*. Due to the deliberate nature of the preservation of the valley oak tree *(Quercus lobata)*, which is enclosed within a chain link fence in the center of the property, this area is also considered ornamental. Emergent native and non-native species including a single juvenile Olive Tree *(Olea Europaea)*, and two juvenile coast live oaks *(Quercus agrifolia)* with trunk diameters < 3", and a few scattered coast live oak saplings occur within the



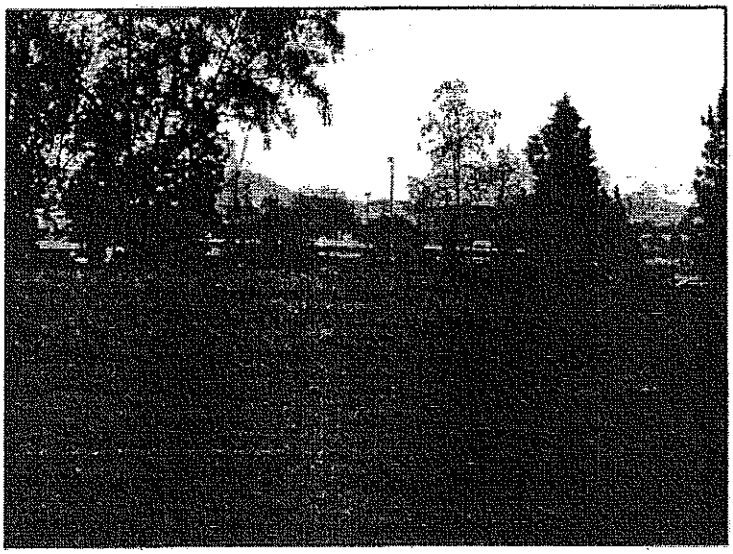
Source: Christopher A. Joseph & Associates, March 3, 2005.

CHRISTOPHER A. JOSEPH & ASSOCIATES
Environmental Planning and Research

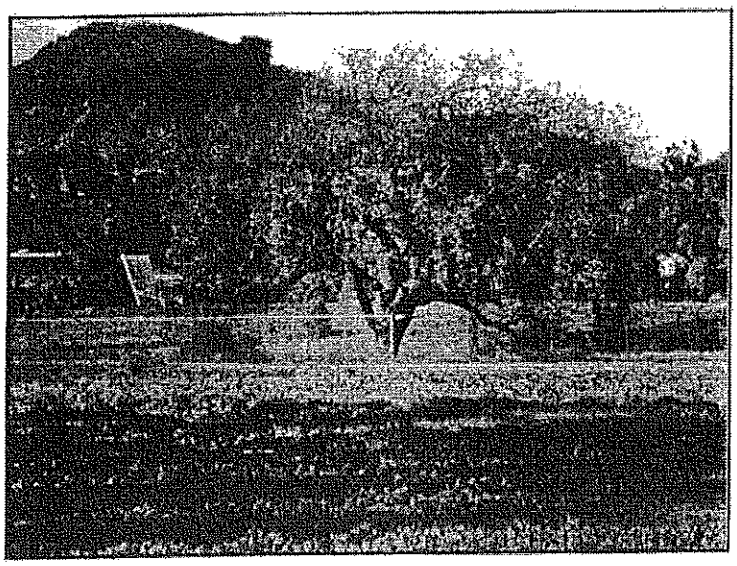
NORTH

Figure 3
Vegetation Map

View 1: Northerly view of the Project Site, looking toward the Ventura Freeway from the west side of the Project Site.



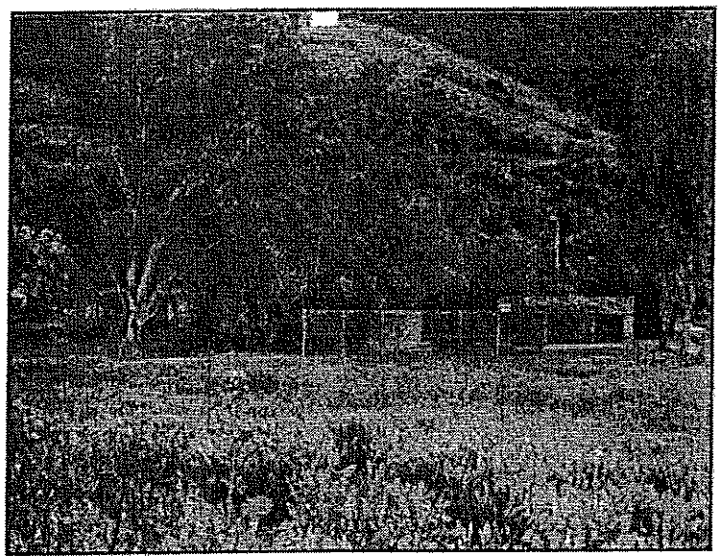
View 2: View looking east across the baseball field from the west side of the Project Site.



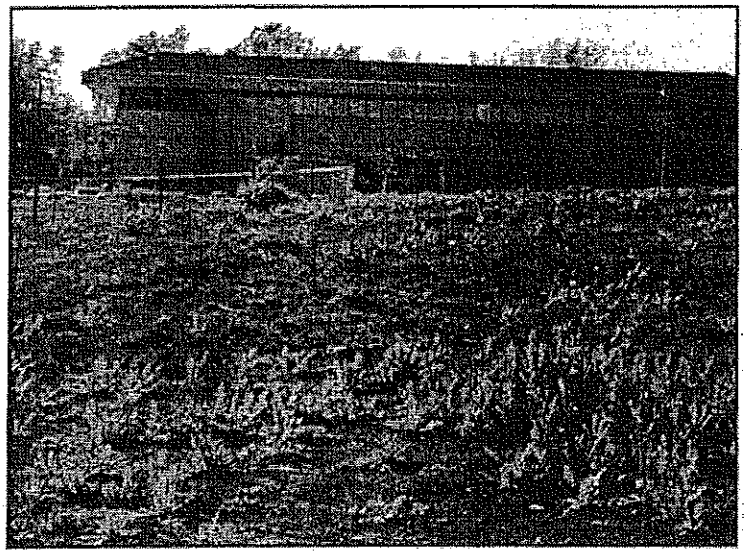
View 3: Northerly view of the Valley Oak tree (*Quercus lobata*) located in the center of the Project Site.

CHRISTOPHER A. JOSEPH & ASSOCIATES

Figure 4
Photographs of the Project Site
Views 1-3



View 4: Southwesterly view of the Project Site looking toward the baseball field.



View 5: View looking west across the Project Site, toward the adjacent Countrywide Property.

View 6: Southerly view of the stand of eucalyptus trees on the east side of the Project Site.

CHRISTOPHER A. JOSEPH & ASSOCIATES

Figure 5
Photographs of the Project Site
Views 4-6

Table 5
Plant Species Observed On-site

Common Name	Scientific Name
Bromegrass	*Bromus diandrus*
Horehound	*Marrubium vulgare*
Farmer's Foxtail	*Hordeum murinum*
Coyote Brush	*Baccharis pilularis*
Sweet Fennel	*Foeniculum vulgare*
Common Sow Thistle	*Sonchus oleraceus*
California Filaree	*Erodium cicutarium*
Common Fiddleneck	*Amsinckia intermedia*
Russian Thistle	*Salsola tragus*
Fraser's Photinia	*Photinia fraseri*
Blue Gum Eucalyptus	*Eucalyptus globulus*
California Palm	*Washingtonia filifera*
Peruvian Pepper	*Schinus molle*
Oleander	*Nerium oleander*
Coast Live Oak	*Quercus agrifolia*
Valley Oak	*Quercus lobata*
Sandbar Willow	*Salix hindsiana*
Tree of Heaven	*Ailanthus altissima*
Olive Tree	*Olea Europaea*
Oyster Mushroom	*Pleurotus ostreatus*
Source: Christopher A. Joseph & Associates, March 3, 2005.	

protected fence line. Invasive species observed within the areas classified as Ruderal/Ornamental include black mustard weed (*Brassica nigra*), Bromegrass (*Bromus diandrus*), Farmer's Foxtail (*Hordeum murinum*), Common Sow Thistle (*Sonchus oleraceus*), California Filaree (*Erodium cicutarium*) and Tree of Heaven *(Ailanthus altissima)*.

Man-Induced Wetlands

As discussed in further detail below (under the subheading "Preliminary Jurisdictional Determination"), an incidental man-made wetland has developed along the northern fence-line where the property abuts the Caltrans Ventura (101) Freeway right of way. The wetland area, created by erosional runoff from the Caltrans easement and irrigation lines on and off site, is highly disturbed with a chain link fence running through the center of the drainage course. The vegetation within this drainage area is limited to non-native grasses and Sandbar willow *(Salix hindsiana)* saplings. The tree canopy within this area (as seen in

Figure 2, *Aerial Photograph*) is entirely associated with the Peruvian pepper trees situated along the berm to the south. In addition, the presence of a sewer manhole in the center of the drainage area indicates the extent of disturbance as the drainage area has been subject to trenching and filling activities in the past. It is therefore evident that this is not a natural wetland or watercourse and is a man-made feature. Due to the quality of runoff water feeding this drainage course, and the lack of biological diversity within the area, the quality of this habitat as a biological resource is low.

Tree Survey

Trees located within the Project Site are predominantly ornamental in nature. As illustrated in Figure 2, *Aerial Photograph*, a well-defined tree canopy exists along the perimeter of the property in the southern eastern and northern portions of the site. Aside from the native "heritage" Valley oak tree located in the center of the Project Site, and one coast live oak (i.e., +/- 10" diameter trunk) and a few scattered saplings emerging in the undergrowth in the far southwestern corner of the property, the diversity of tree species within the Project Site is primarily limited to Eucalyptus and California Pepper trees. Oleander bushes/shrubs dominate the understory of the tree canopy along the southern portion of the Project Site. In addition another mature coast live oak tree (and few saplings) were observed in the far northeastern portion of the site within the delineated wetland area. However, it appears that this tree is emerging from the property line and may in fact lie off site. Pursuant to the City's Oak Tree Preservation Ordinance and Oak Tree Preservation Guidelines, all oak trees are protected under the ordinance, regardless of size. A detailed Oak Tree Report is being prepared for the Applicant under separate cover by a consulting Arborist and will be submitted to the City for review and approval. All trees observed during CAJA field surveys are plotted on the Vegetation Map (See Figure 3).

Wildlife Observations

During the field visits, birds represented the dominant source of wildlife utilizing the Project Site. A complete listing of all vegetation species observed on the Project Site is summarized in Table 6 on page 18. Birds observed on the property include Red-tailed hawk *(Buteo jamaicensis)*, common crow (*Corvus brachyrhynchos)*, Western Kingbird *(Tyrannus verticalis)*, Anna's Hummingbird *(Calypte anna)*, House Sparrow (*Passer domesticus)*, and Black Phoebe *(Sayornis nigricans)*. One unoccupied nest was observed in the canopy of a Eucalyptus tree in the middle of the property, just east of the running track. Western fence lizard and a ground squirrels were observed onsite. Several burrows exist along the northern side of the property along the north-facing berm suggest a sizable rodent population, which makes the site ideal foraging habitat for hawks and other birds of prey. In addition one domesticated rabbit *(Oryctolagus sp.)* was observed foraging within the wetland area, however this rabbit appears to have escaped from the adjacent County Animal Shelter property.

Table 6
Wildlife Species Observations On-Site

Common Name	Scientific Name
Western fence lizard	*Sceloporus occidentalis*
Ground squirrel	*Spermophilus beecheyi*
Domesticated rabbit	*Oryctolagus sp.*
Red-tailed Hawk	*Buteo jamaicensis*
Scrub jay	*Aphelocoma coerulescens*
Common crow	*Corvus brachyrhynchos*
Western Kingbird	*Tyrannus verticalis*
Anna's Hummingbird	*Calypte anna*
House Sparrow	*Passer domesticus*
Black Phoebe	*Sayornis nigricans*
Source: Christopher A. Joseph & Associates, February and March 2005.	

Due to the level of human disturbance on site, the generally poor quality of ruderal/grassland habitat, the diversity of wildlife on the Project Site is low. In addition, the lack of direct connectivity to any other biologically diverse habitats (i.e., coastal sage scrub habitat, chaparral, oak woodlands, etc.) preclude the site's ability to function as a wildlife corridor. No threatened or endangered species were observed on-site or are believed to inhabit the Project Site to nest or breed. The probability of sensitive and state and/or federal listed-species to roost, nest, or breed onsite is low.

PRELIMINARY JURISDICTIONAL DETERMINATION

The following analysis is preliminary and represents the professional opinion of CAJA staff. This report is intended as an informational document and analysis of the site characteristic to assist City and Agency staff in assessing the extent of biological resources on site and in determining the extent of areas that meet the regulatory criteria for permitting jurisdiction.

U.S. Army Corps of Engineers' Jurisdictional Criteria

"Waters of the United States"

Pursuant to Section 404 of the Clean Water Act, as amended, the ACOE regulates the discharge of dredged or fill material into jurisdictional "Waters of the United States." "Waters of the Unites States", as defined by regulation and subsequent case law interpretations, include: (1) All waters which are currently used, or were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide; (2) All interstate waters including interstate wetlands; (3) All other waters such as intrastate lakes, rivers, streams (including intermittent streams),

mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds, the use, degradation, or destruction of which could affect interstate commerce; (4) All impoundments of waters otherwise defined as waters of the United States under the definition; (5) Tributaries of waters; (6) The territorial seas; (7) and wetlands adjacent to waters.

"Wetlands"

Wetlands are included in the ACOE's definition of "waters" but also have additional criteria for delineation because these areas are perceived to have higher value. The ACOE defines the term "wetlands" as:

> *"those areas that are inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas. (33 CFR 328.3 (b); 40 CFR 230.3 (t))*

The ACOE Wetland Delineation Manual (Environmental Laboratory, 1987) provides diagnostic environmental characteristics for the identification and delineation of wetlands. In accordance with the ACOE's Wetlands Delineation Manual, "wetlands" possess three essential characteristics: (1) hydrophytic vegetation, (2) hydric soils, and (3) wetland hydrology, as defined below:

Hydrophytic Vegetation: The prevalent vegetation consists of macrophytes that are typically adapted to areas having hydrologic conditions described in the definition above. Hydrophytic species, due to morphological, physiological, and/or reproductive adaptation(s), have the ability to grow, effectively compete, reproduce, and/or persist in anaerobic soil conditions. Prevalent vegetation is generally defined as greater than 50% of the species would be obligate wetland species (OBL), facultative wetland species (FACW), or facultative species with greater probability of occurrence in wetlands (FAC+).

Hydric Soils: Hydric Soils are present and have been classified as hydric, or they possess characteristics that are associated with reducing soil conditions. Hydric soils are those which are flooded, or ponded long enough during the growing season to develop anaerobic conditions.

Wetland Hydrology: Wetland Hydrology is present when the area is inundated either permanently or periodically at mean water depths less than or equal to 6.6 ft, or soil is saturated to the surface for a specified minimum time during the growing season of the prevalent vegetation.

CDFG Jurisdictional Criteria

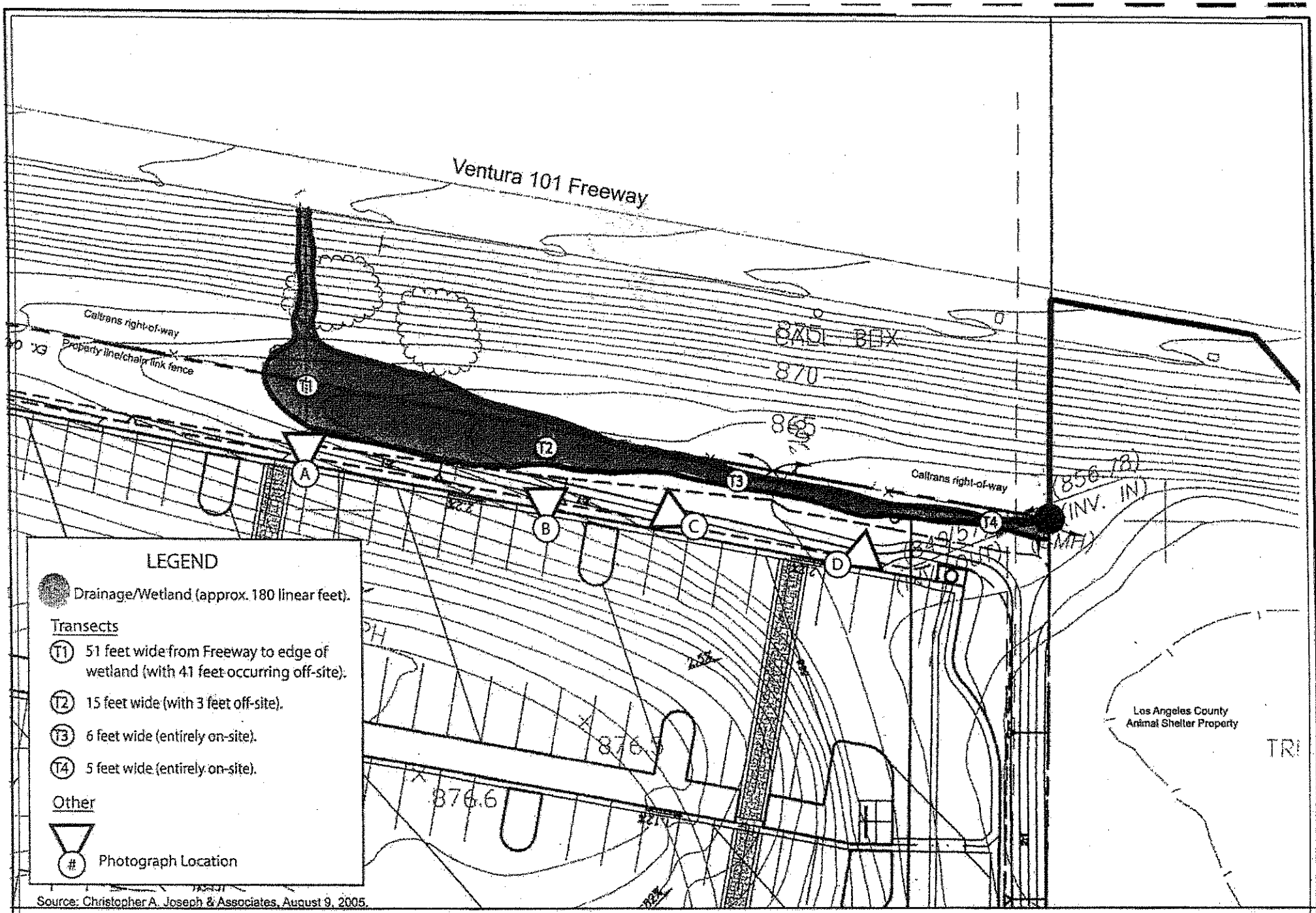
In order to protect and conserve fish and wildlife resources of the state of California, the CDFG regulates activities which "will substantially divert, obstruct or change the natural flow or bed, channel or bank of any river, stream, or lake designated by the Department in which there is at any time an existing fish or wildlife resource or from which these resources derive benefit, or will use material from the streambeds" (Fish and Game Code Section 1602).

In obtaining a Streambed Alteration Agreement, the limits of wetlands are not typically determined because the CDFG has the authority to assert broad jurisdiction over water flow areas (streams) to include adjacent riparian habitat. Thus, defining the limits of CDFG jurisdiction based on riparian habitat will include any wetland areas and may include additional areas that do not meet ACOE's criteria for "soils" and/or "hydrology." In some instances, the CDFG may assert jurisdiction over areas which appear to be uplands, in proximity to streambeds, but which also exhibit riparian characteristics.

Survey Observations/Findings

Utilizing ACOE procedures, practices, and guidance for determining "wetlands" and "waters," CAJA conducted a jurisdictional determination of the ephemeral drainage area located along the northern boundary of the Project Site. Shane Parker and Betsy Jordan surveyed and delineated the potential jurisdictional areas on February 24, 2005. Skies were party cloudy and temperatures ranged in the low to mid- 60's (F). It should be noted that the survey was conducted after an unusually high rainfall events preceding the survey, which resulted in standing water and muddy soils. A follow-up survey conducted on March 1, 2005 revealed the area to be well drained and dry with no standing water. Although the study area exhibited all three defining criteria for determining "waters" to various degrees and is characterized by riparian vegetation (sandbar willow and reed grass), the area exhibits atypical characteristics of man-made wetlands (See Appendix B). A Delineation Map identifying the delineated the extent of wetland area onsite is provided in Figure 6 on page 21. In addition, photographs of this area are provided in Figures 7 and 8 on pages 22 and 23, respectively. The photograph location and orientation points are identified in Figure 6. CAJA's survey observations of the potential wetlands areas are presented below.

Within the Project Site, the drainage area occupies approximately 180 linear feet beginning in the middle of the Project Site and extending eastward along the northern property line. The northern limits of the Project Site are characterized by a man-made topographical depression or ravine, which is presumed to have been created by the development of the Ventura Freeway and the artificial fill material placed on site. The drainage course generally follows the chain-link fence along the northern property line. The lower elevations of this depression are situated at approximately 870 feet msl with



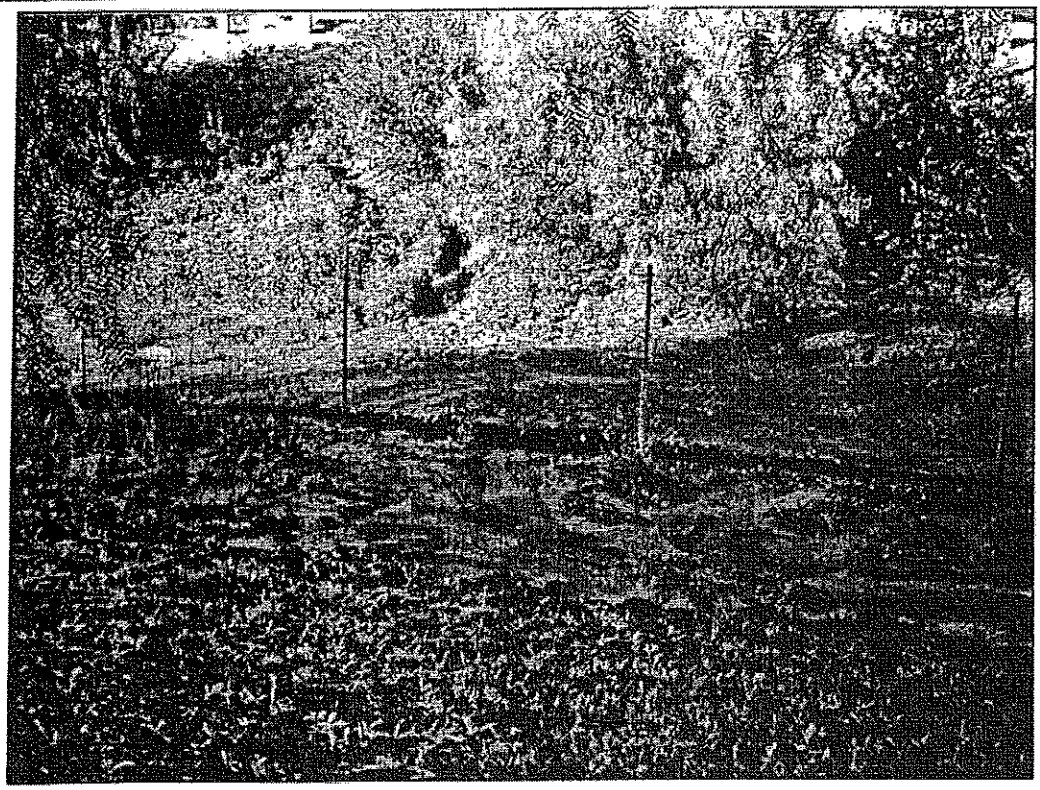
Source: Christopher A. Joseph & Associates, August 9, 2005.

CHRISTOPHER A. JOSEPH & ASSOCIATES
Environmental Planning and Research

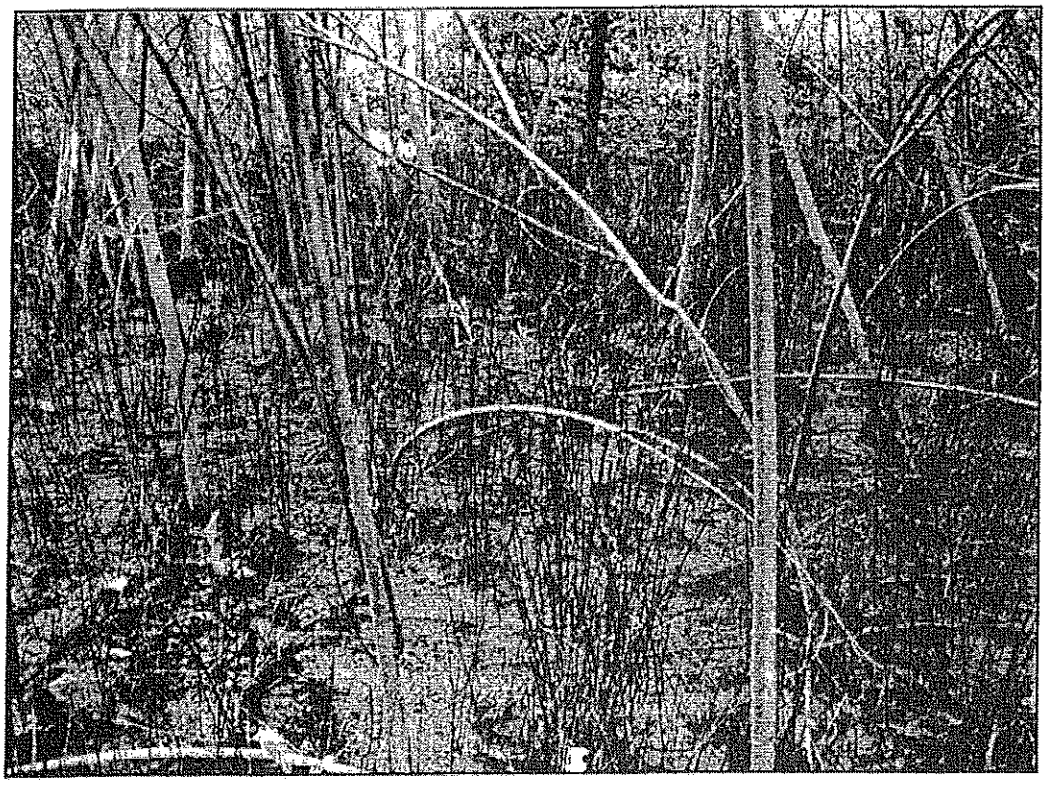
NORTH

0 30 60
Scale
(1 inch = 30 Feet)

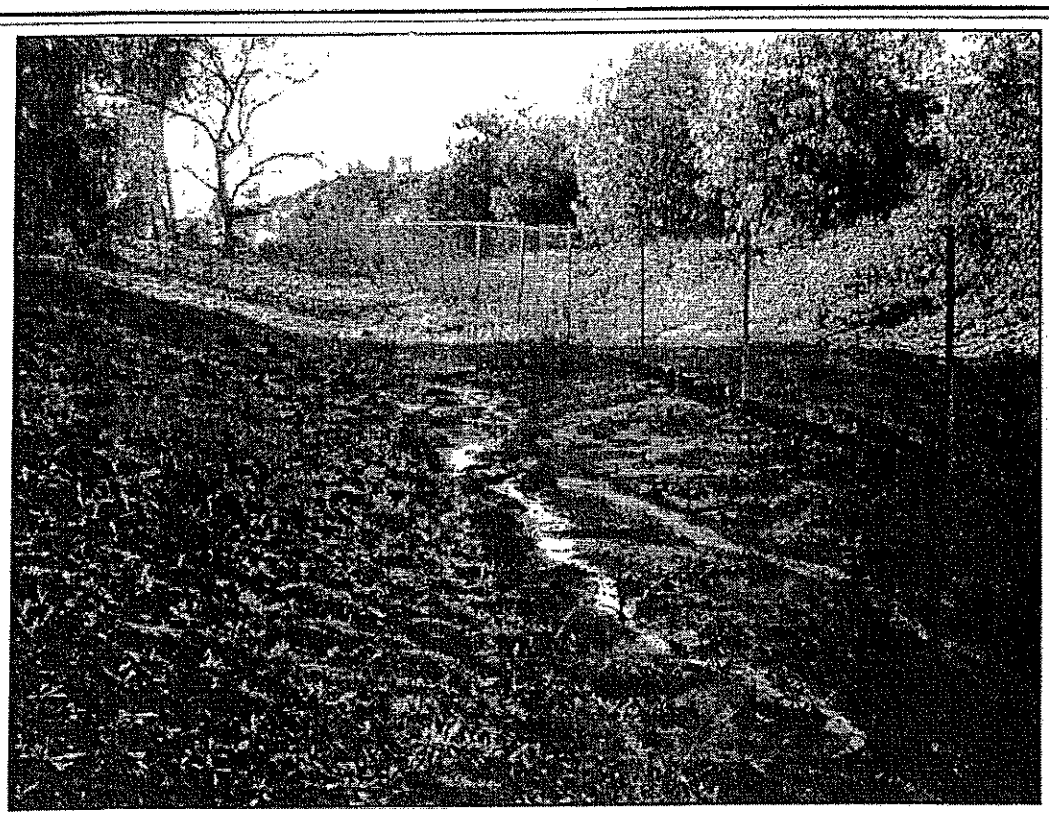
Figure 6
Wetland Delineation Map



View 7: View of the drainage channel and alluvial deposits where the water-course enters the Project Site.



View 8: Close-up view of Transect 2. Note presence of willow saplings and reed grass.



View 9: View looking west along the drainage area between Transects 2 and 3.

View 10: View of the northeastern corner of the Project Site where the drainage channel exits the site.

CHRISTOPHER A. JOSEPH & ASSOCIATES

Figure 8
Photographs of the Project Site
Views 9 and 10

the defining slopes extending to 885 feet msl to the north (approx. 2:1 slope) and approximately 875 msl to the south (approx 3:1 slope). The drainage course is predominantly fed by uncontrolled runoff from the the Ventura Freeway. A two- to three-foot deeply incised erosion channel extends approximately forty feet from the edge of the freeway roadway to the property line. Irrigation sprinklers along the Caltrans easement (off-site) and the southern slope of the on-site slope also contribute to the formation of the man-induced wetlands that occur on-site.

On-site, the drainage course is relatively undefined with relatively flat erosional deposits and claylike mud soils that have formed on the surface of the bed of the ravine. Extending off-site to the east, the drainage course feeds into a topographical depression with standing water at the head of a buried reinforced concrete stormwater channel (approx 10' by 10' in dimension) on the adjacent Los Angeles County Animal Shelter property. The northeastern corner of the property is highly disturbed with fallen chain link fencing, a sewer man-hole and fallen tree trunks, litter debris and another relatively small concrete drainage outlet that discharges water runoff collected from the eastern portions of the Project Site.

With respect to assessing jurisdictional constrains, CAJA determined that approximately 1,350 square feet (or roughly 0.03-acres) of area is *potentially* subject to interpretation as "waters of the U.S." as defined by the ACOE and "Wetlands" as defined by the CDFG. This determination is based on field observations along four transects, with an average "Wetlands" and "Waters" width of 7.5 feet, as identified in Figure 6 on page 21. Within these transects, the three parameters (hydrology, soils and vegetation) were present; however the area is not a natural feature and is a result of continuous irrigation.

The ACOE and the CDFG reserve the right, on a case by case basis, to determine whether or not potential "waters" or "wetlands" lie within their regulatory boundaries, concurrance of the below should be obtained by the appropriate permitting authorities of these agencies The vegetation, hydrology and hydric soils identified within the approximate 1,350 square-foot (or 0.03-acre) area delineated in Figure 6, appear to meet the strict regulatory definitions of jurisdictional "Waters" and "Wetlands" as defined by the ACOE and CDFG, respectively. However, as noted above, the area delineated is characteristic of man-made wetlands and does not exhibit normal circumstances. The ACOE and CDFG typically do not exercise their jurisdiction over man-made irrigated drainage channels unless historical evidence indicates that a given ditch or channel has replaced a native stream, creek or drainage swale.

Pursuant to the ACOE Nationwide Permit requirements, discharges of dredged or fill material into non-tidal waters of the US, excluding non-tidal wetlands adjacent to tidal waters, for the construction or expansion of residential, commercial, and institutional building foundations and building pads and attendant features that are necessary for the use and maintenance of the structures are authorized, provided the discharge does not cause the loss of greater than ½-acre of non-tidal waters of the U.S., excluding non-tidal wetlands adjacent to tidal waters. As the entire extent of the drainage area to be affected by the proposed activity is estimated to include 1,350 square feet in total area, the proposed

construction activities will be regulated under the authority of the RWQCB's NPDES permitting process and formal consultation with the ACOE is not warranted.

After an informal consultation with the local CDFG field office, we were advised that, due to the presence of riparian vegetation on-site, and the presence of ponded water immediately off-site at the Los Angeles County Animal Shelter property, the Applicant should submit a notification package for a Streambed Alternation agreement with the CDFG's regional office in San Diego. Accordingly, this report and a formal notification package will be submitted to the CDFG's regional office for review.

PROJECT IMPACTS

The Proposed Project will require direct physical modifications to the existing drainage area, as identified in Figure 6, as a result of connecting to the existing sewer line located in the northeastern corner of the lot and improving the northern property line with the proposed landscaping features identified on the landscaping plan in Appendix D. In addition the proposed landscaping plan indicates the northern portion of the property will be replanted with native species such as Toyon *(Heteromeles arbutifolia)*, Mexican sage *(Salvia Leucantha)*, and wild lilac, *(Ceanothus sp.)*. As such, the proposed grading activities would modify the exiting topography and hydrologic regime of this entire area. Direct impacts to this area will include modification of the existing grade and the removal of riparian vegetation. Because this drainage area is a man-made feature, is not in a natural state, and possesses little biological diversity, such impacts would be considered less than significant with respect to biological resources.

Runoff from the Caltrans easement would continue to inundate this area during periods of heavy rains and over-irrigation of the south facing slope (within the right-of-way). The surface water flows from the project site would be directed to the stormwater catch basin

The proposed landscaping plan proposes eradication of all Tree-of-heaven *(Ailanthus altissima)* species that persist on the project site. This species is considered a non-native invasive species. The removal of this invasive species and the planning of other native species throughout the project site, as noted on the proposed landscape plan (i.e., Coast Live Oak, California Sycamore, California Black Walnut, and Toyon), will provide a net biological improvement with respect to improving the biological diversity on site.

As noted on Sheet 4 of 6 of the proposed grading plan sheets, the grading plan includes a proposed erosion control plan to minimize the adverse impacts associated with construction activities. The proposed erosion control plan includes the installation of a silt fence along the property boundary where sandbags are not being used and the installation of a storm drain inlet to capture sediment and polluted runoff prior to draining off site. In addition, as stated on the plan notes, the County of Los Angeles Storm Water Pollution Control requirements must be integrated into the erosion control plans per Title 26, Section 7010 of the County Code for any construction activities proposed between October 1 and April 15. Implementation of the County prescribed best management practices would ensure that any adverse

impacts to the Lindero Canyon Creek and Medea Creek watersheds would be reduced to the maximum extent feasible. Accordingly, construction impacts would be less than significant.

RECOMMENDATIONS

The following measures are recommended to ensure potential impacts to biological resources are minimized to the maximum extent feasible.

1. The Applicant shall submit a notification package along with detailed topographic plot plan and proposed grading plans to the California Department of Fish and Game (San Diego Field office), prior to initiating any construction activities within the northern limits of the project site. Should the CDFG assert jurisdiction over the drainage course, the Applicant shall incorporate any prescribed mitigation measures into the final grading and landscaping plan, as directed. Procurement of all applicable CDFG permits shall be made a condition of project approval.

2. To avoid the accidental take of any special-status bird[4] or raptor nests, the removal of trees shall be conducted between September 15 and February 15, outside of the typical breeding season, as feasible. Should avoidance of the nesting season not be feasible, a qualified biologist, as determined to the satisfaction of the City's Planning Director, shall be retained by the Applicant to conduct focused raptor nest surveys within one week prior to grading. The results of the raptor nest survey shall be submitted to the City's Planning Department for review, via a letter report.

3. In the event that a nesting special-status bird species[5] is observed in the habitats to be removed or in other habitats within 50 feet of the construction work areas, the Applicant has the option of delaying all construction work in the suitable habitat area or within 50 feet thereof, until after September 15, or continuing focused surveys in order to locate any nests. If an active nest is found, clearing and construction within 50 feet of the nest 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 area.

---

[4] *Special status bird species include any species that is listed as threatened or endangered under the federal or state Endangered Species Acts; species identified by the California Department of Fish and Game (CDFG) as species of concern; or species that are designated as fully protected by CDFG (California Administrative Code, Title 14, Section 670.5), and species that are protected under the Migratory Bird Species Act (see Appendix E for a list of protected species).*

[5] *Ibid.*

REFERENCES

Brown, Lauren, National Audubon Society Nature Guides, *Grasslands,* Alfred A. Knopf, Inc., 1985.

California Department of Fish and Game, 1992. *Natural Communities.* (Update of Holland, R., 1986).

California Department of Fish and Game, Non-game Heritage, *Natural Diversity Data Base Element Occurrences from the Calabasas and Thousand Oaks USGS Quadrangles, Queried March 1, 2005.*

Clarke, Herbert, *An Introduction to Southern California Birds,* Mountain Press Publishing Company, Missoula, 1989.

Dale, Nancy, *Flowering Plants, The Santa Monica Mountains, Coastal and Chaparral Regions of Southern California,* Capra Press and the California Native Plant Society, 1986.

Garrett, K. and J. Dunn, *Birds of Southern California, Status and Distribution.* Los Angeles Audubon Society, publication, 1981.

Jameson, E.W. Jr., & H.J. Peters, *California Mammals.* California Natural History Guides: Number 52, U.C. Press, 1998.

Josh Berman (personal communication), U.S. Army Corps of Engineers, Los Angeles Field Office, 915 Wilshire Boulevard, 11th Floor, Los Angeles, California, (213) 452-3425, May 2005.

Peterson, R.T., *A Field Guide to Western Birds, Third Edition.* Houghton Mifflin Company, 1990.

Ronnie Glick (personal communication), California Department of Fish and Game, San Diego Field Office, (805) 568-1227, May 2005.

Sawyer, J.O., & T. Keeler-Wolf, *A Manual of California Vegetation. California Native Plant Society,* 1995.

Small, A., *California Birds: Their Status and Distribution.* Ibis Publ., 1994.

Stebbins, R.C., *A Field Guide to Western Reptiles and Amphibians, Third Edition. Peterson Field Guide Series,* Houghton Mifflin Company, 2003.

Thelander, C.G., ed., *Life on the Edge: A Guide to California's Endangered Natural Resources.* Biosystems Books, 1994.

Thomas J. Belzer, *Roadside Plants of Southern California,* Mountain Press Publishing Company, Missoula, 1984.