Historic Biological Reports
Scan Control Sheet

County Project Number(s): CCC-0201 / PM-5298

Report Type (check one):
- ☒ Initial Study
- ☐ Species Inventory/Survey
- ☐ Focused Study
- ☐ EIR
- ☐ Draft EIR
- ☐ EIS

Report Date (Month/Day/Year): 10/13/2003

Check if the following apply to the report:

- ☒ Wetland and/or aquatic habitat
- ☒ Within designated Coastal Zone
- ☒ Movement corridor for fish and/or wildlife

SECTION B
INITIAL STUDY CHECKLIST

Job: CCC-0201/PM 5288

Requester: Debbie Morrisset

Applicant: Mark Cywinski

Date: October 13, 2003

Survey Type: Office revision to field survey

Rationale: Legalization of parcel

Site Description: ENSR conducted a field visit of the project site (A.P.N. # 700-0-160-050) on March 27, 2002. The 64.87-acre property is located approximately ½ mile south of the intersection of Cotharin and Yerba Buena Road in Malibu, California. The project outlined in application CCC-0201/PM 5288 requests legalization the parcel. ENSR prepared a review of that action and submitted a report dated March 28, 2002. Since the original survey, the project applicant identified to the County, specific locations of an access road and building pad for a single family dwelling. ENSR's original 2002 report has been updated based on this new information.

The general topography of the property includes steep inclines on the west side of the property, sloping into the ravine of Little Sycamore Creek, then sloping back up to the edge of Yerba Buena Road. Dominant plant types are coast live oak/sycamore riparian and chaparral (see original report for site photographs). Little Sycamore Creek runs along the east side of the property, with relatively undisturbed riparian species, including sycamore (*Platanus racemosa*), coast live oak (*Quercus agrifolia*), alder (*Alnus rhombifolia*), scrub oak (*Quercus dumosa*), California sagebrush (*Artemesia californica*), mugwort (*Artemisia vulgaris*), and morning glory (*Calystegia macrostegia* ssp. *cyclostegia*).

Because the vegetation on the property is relatively undisturbed and the quality of the habitat is high, many special-status species have the potential of occurring on the property. Pools and eddies within the creek could provide good habitat and cover for riparian species such as the arroyo toad (*Bufo microscaphus* ssp. *californicus*) and the California red-legged frog (*Rana aurora* ssp. *draytonii*). The many large trees provide potential nesting habitat for avian species, and could include such species as the least Bell's vireo (*Vireo bellii* ssp. *pusillus*), raptors, and other species.

On June 11, 2003, Dr. Barbara Collins, an ENSR and County-approved biologist, performed a focused survey of the areas on the property that had been identified for construction of an access road and dwelling site. ENSR's original report has been updated to include this information. The conclusions presented below are based on this updated survey.

6. Biological Resources	Project Impact Degree of Effect*				Cumulative Impact Degree of Effect*			
	N	**LS**	**PS-M**	**PS**	**N**	**LS**	**PS-M**	**PS**
a. Endangered, threatened or rare species			✓			✓		
b. Wetland habitat			✓			✓		

c. Coastal habitat		✓				✓		
d. Migration corridors		✓				✓		
e. Locally important species/ communities		✓				✓		

* N: No impact
LS: Less than significant
PS-M: Potentially significant, unless mitigated to a level of insignificance
PS: Potentially significant, even after mitigation

SECTION C
DISCUSSION OF RESPONSES

a. Several rare or endangered species have been reported within 5 miles of the project site and have the potential to be present at the site:

The marcescent dudleya (*Dudleya cymosa* ssp. *marscesens*), listed as threatened by the USFWS and rare by CDFG, and the Santa Monica Mountains dudleya (*Dudleya cymosa* ssp. *ovatifolia*), listed as threatened by the USFWS, have been documented as present along the east and west sides of Yerba Buena road and above Little Sycamore Creek. Species of dudleya were observed during the March 2002 site visit (see photographs) but the species and subspecies were not identified. The areas proposed for the access road and building site were surveyed on June 11, 2003, which is during the appropriate blooming period of May through June, and no marcescent dudleya were found. However, because the entire site was not surveyed and this species could occur elsewhere on the property, appropriately timed surveys should be completed before disturbance of other areas of the site.

The winter roost sites of the monarch butterfly (*Danus plexippus*) are protected by both federal and state law. Monarchs roost in wind-protected tree groves (eucalyptus, Monterey pine, cypress) with nectar and water sources nearby. Roosting areas are documented at the junction of Yerba Buena Road and Hwy 1 at the mouth of Little Sycamore Canyon. Although the roosting site is near the project site, it is unlikely that trees that far up the canyon are utilized by migrating butterflies.

Plummer's mariposa lily (*Calochortus plummerae*), a federal species of concern, is usually found in coastal sage scrub or valley and foothill grassland. Although a small area along the existing access road has a suitable habitat for this lily, signs of the lily were not observed during the initial March 27, 2002 survey. Similarly, no specimens were observed during the June 11, 2003 survey in the areas identified for development. Based on this latter survey, there would be no impact on this species if development were to be confined to the identified area. However, because the entire site was not surveyed during the June 11, 2003 site visit, and this species could occur elsewhere on the property, appropriately timed surveys should be completed before disturbance of other areas of the site.

The Conejo buckwheat (*Eriogonum crocatum*), a federal species of concern, is found on steep north-facing volcanic slopes throughout the western side of Conejo Valley. Based on the March 27, 2002 survey, potential habitat for the species occurs on the property, although no such habitat was observed during the June 11, 2003 survey in the areas identified for development. Because the entire site was not surveyed during the June 2003 survey and this species could occur elsewhere on the property, appropriately timed surveys should be completed before disturbance of other areas of the site.

The Santa Susana tarplant (*Hemizonia minthornii*), a federal species of concern, is found in chaparral on hard sandstone outcrops in the Santa Monica Mountains. The subject property includes sandstone outcrops; although no sandstone outcrops were observed during the June 11, 2003 survey of the areas proposed for development. Because the entire site was not surveyed during the June 2003 survey and this species could occur elsewhere on the property, appropriately timed surveys should be completed before disturbance of other areas of the site.

The Sonoran Maiden Fern (*Thelypteris puberula var. sonorensis*), a California Native Plant Society (CNPS) List 2 plant, is found along streams and seepage areas, and requires a high amount of available water. The streambed crossing the project site is characterized by large amounts of available water and likely supports this species. If this area were to be disturbed by subsequent development, a specific survey should be completed before disturbance of the site.

The Southern Steelhead (*Oncorhynchus mykiss irideus*), a federally endangered species, is present in the tributaries of the Arroyo Sequit. A tributary does run through the property, with the potential to support the species. A special-status survey for this species should occur prior to disturbance of the Little Sycamore Creek, should that be proposed..

Due to the presence of a large number of special status species, development of the site could result in a significant impact to those species depending upon what areas are developed. If development is confined to the areas identified to the County for the access road and building pad, based on the June 11, 2003 survey by Dr. Collins, impacts to special-status species on these sites would not occur. However, since special-status species could occur in the adjacent creek, off-site impacts could occur if runoff were to carry silt to the creek. Therefore, measures to prevent runoff from grading from reaching the creek should be implemented. Also, if development were to occur in other areas beyond those currently identified, impacts to special-status species could occur. To determine the occurrence and magnitude of these other impacts, focused surveys would need to be completed at the proper time of year following the required survey protocols. Consultation with the CDFG and USFWS would also need to be completed to ensure impacts were avoided or fully mitigated. In the absence of such surveys and consultation, impacts could be significant if development extended beyond the area currently defined for the access road and building pad.

b. The banks of Little Sycamore Creek support riparian vegetation and the bed likely would be a jurisdictional wetland. Because of the sensitive resources that may occur in this area, impacts to the creek should be avoided if possible. A delineation of the site should occur prior to disturbance.

c. The project site is over a mile away from the coast, yet is considered to be within the coastal zone. If development is limited to the areas identified and offsite impacts are eliminated, there should be no impacts on coastal habitat. However, because the project is within the coastal zone, the California Coastal Commission should be consulted.

d. The project site is located in a rural area of the Santa Monica Mountains and includes extensive undeveloped areas that could be used as wildlife migration corridors. As currently described, the impact to wildlife migration corridors will be minimal.

e. Southern Coast Live Oak Riparian Forest and Southern Sycamore Alder Riparian Woodland are communities found in the area that are considered sensitive and disturbance should be limited. These communities are found on the subject property and should be assessed prior to disturbance. As currently described, direct impacts to these communities will be avoided.

SECTION D
MANDATORY FINDINGS OF SIGNIFICANCE

Based on the information contained within Sections B and C:

	YES	NO
1. Does the project 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?		✓
2. Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals? (A short-term impact on the environment is one which occurs in a relatively brief, definitive period of time while long-term impacts will endure well into the future).		✓
3. Does the project have impacts which are individually limited, but cumulatively considerable? (Several projects may have relatively small individual impacts on two or more resources, but the total of those impacts on the environment is significant).		✓
4. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?		✓

SECTION E
DETERMINATION OF ENVIRONMENTAL DOCUMENT

On the basis of this initial evaluation (*check one*):

	I find the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION should be prepared.
✓	I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measure(s) described below will be applied to the project. A MITIGATED NEGATIVE DECLARATION should be prepared.
	I find the proposed project, individually and/or cumulatively MAY have a significant effect on the environment and an ENVIRONMENTAL IMPACT REPORT is required.

Mitigation Measures

Based on the limited area that has been identified for disturbance and development, one, fairly general mitigation measure would be required: (site plan for future development by James Peterson)

- Measures to prevent runoff from entering the adjacent streambed must be incorporated into any development plans.

To prevent significant impacts from occurring if development were to occur outside of the identified footprint for the access road and building pad, the following measures should be implemented.

- Focused surveys for special-status species should be conducted in new areas proposed for development. If those survey indicate the presence of special-status species, impacts to those species should be minimized to the maximum extent feasible.
- If development would include activities potentially affecting the Little Sycamore Creek, the applicant should consult with California Department of Fish and Game (CDFG) and the US Army Corps of Engineers (Corps). Any measures required by these agencies should also be included as permit conditions for the County.

Suggested Actions

Because surveys have determined that the area identified for development did not contain special-status species at the time of the survey, it is unlikely that further consultation with the CDFG or the United States Fish and Wildlife Service (USFWS) would be required for the current action. However, it would be prudent for the applicant to contact these agencies to verify that they agree with this assessment. Should mitigation measures be required by the CDFG and/or USFWS through the consultation process, these measures would need to be incorporated into any permit from the County. Also, since the site is within the coastal zone, the applicant should contact the California Coastal Commission for their concurrence on the development. If

these changes to the development plan were to occur, the County would also have to be actively involved in the review and approval of the new development.

Signature of Preparer	Date