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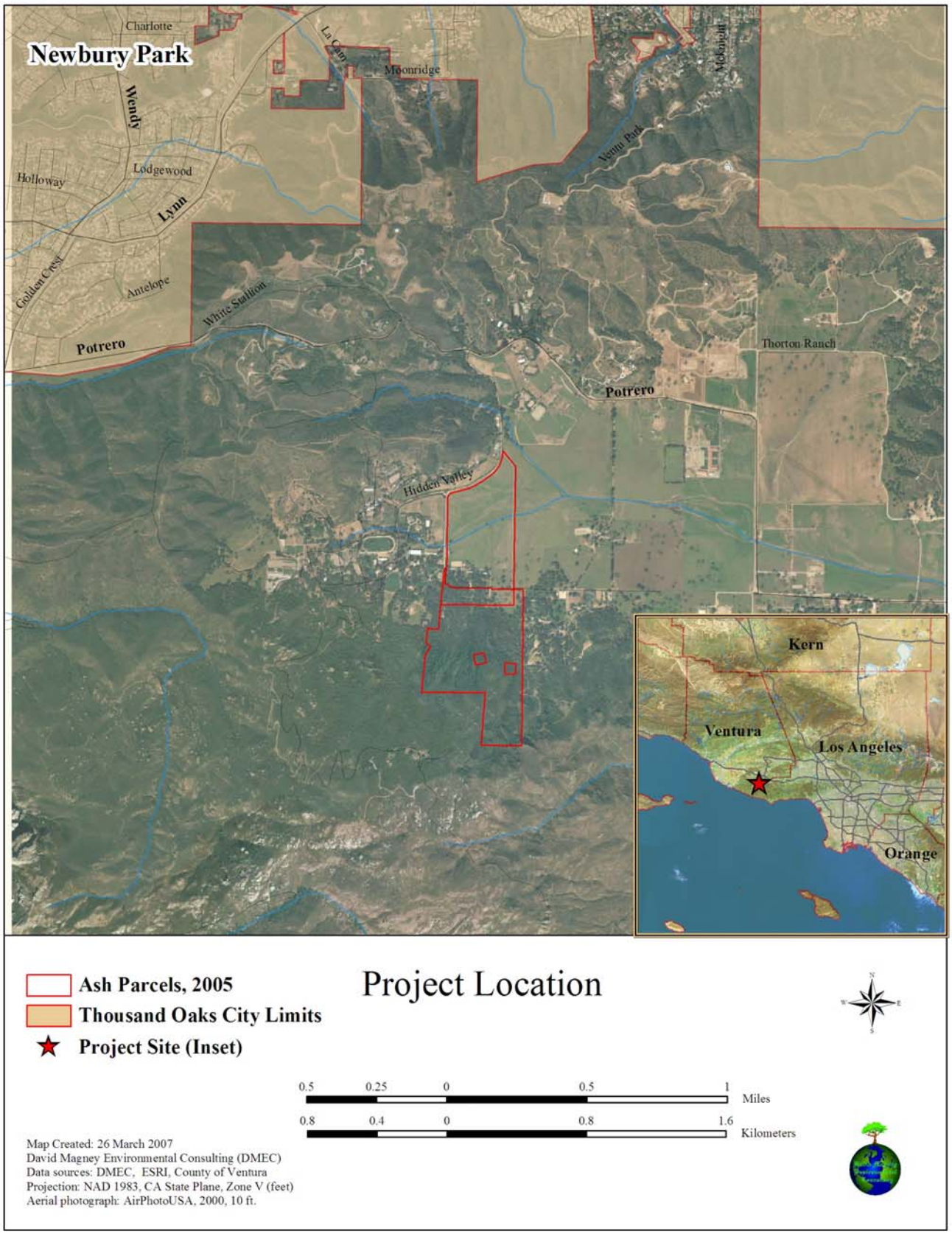
| **PROJECT REFERENCE NO.** SD06-0060 | **PROJECT PLANNER:** Lorie Baker |
| **DATE:** 14 June 2007.<br>Field Visits: 14 March 2007 & 31 May 2007. | **PROJECT BIOLOGISTS:**<br>Cher Batchelor and William Abbott of<br>David Magney Environmental Consulting (DMEC) |

**PROJECT LOCATION**: The Ash property (project site) is located. It is part of the Hidden Valley portion of an unincorporated portion of Thousand Oaks on the north side of the Santa Monica Mountains. The Ash property is north of Boney Mountain, south of West Potrero Road, east of SR 23, and west of Big Sycamore Canyon Road (Figure 1, Location of the Ash Property). The project site exists within the Newbury Park, California USGS Quadrangle ([1] SE¼, SE¼, S24, T1N, R20W; [2] E½, NE¼, S25 T1N, R20W; [3] SW1/4, SW1/4, S19, T1N, R19W; and [4] N1/2, NW1/4, S30, T1N, R19W). The center of the Ash property is located at the approximate geographic coordinates of 34.14353° north latitude and 118.92056° west longitude (NAD83), and ranges in elevation between approximately 1,060 and 1,800 feet above mean sea level.

**PROJECT ADDRESS**: 1430 Hidden Valley Road, Thousand Oaks, California 91361. The Ash property includes four Assessor Parcel Numbers 6940170260 (northern-most parcel), 6940170270 (30.78 acres), 6940170280/90 (41.31 acres), and 6940170300 (southern-most parcel, 54.76 acres).

**PROJECT DESCRIPTION**: Charles E. Ash (applicant and property owner) is applying to the County of Ventura for a parcel map waiver lot-line adjustment. The proposed project consists of a lot-line adjustment between three lots located in the Hidden Valley area, for which the reconfiguration would make possible one newly accessible, developable parcel. David Magney Environmental Consulting (DMEC) was contracted by the County of Ventura to conduct seasonal biological field surveys and vegetation mapping for this proposed lot-line adjustment project, and to conduct an impact analysis for any potential subsequent development of the property. DMEC conducted the early spring and early summer surveys in order to detect, observe, and map as many special-status resources onsite as possible during the first half of 2007. All accessible areas of the property, including any indicated potential development areas, were surveyed for sensitive biological resources to meet Ventura County Planning Division (VCPD) requirements. DMEC prepared a biological resources report, *Biological Resources of the Ash Property, Hidden Valley, Thousand Oaks, California (Ventura County Planning No: SD06-0060)* (DMEC 2007), presenting the results of both the spring and summer 2007 surveys and to provide an impact assessment for the Ash project.

## Figure 1. Location of the Ash Property



**ENVIRONMENTAL SETTING**: The general vegetation, observed at the Ash property in Hidden Valley on the north side of the Santa Monica Mountains, includes Grassland, Coastal Sage Scrub, Chaparral, and Woodland. Portions of the Ash property that were once a mosaic of these habitats are now pasture. Historic agricultural practices have since introduced nonnative plant species to these pasture areas onsite. Introduced plant species have the potential to be competitive and may inhibit establishment or growth of native indigenous plant species. Regardless, numerous biological resources exist onsite, and much of the property (especially higher elevation areas) consists of pristine and dense native vegetation with rock outcroppings and unique microhabitats. The property includes several sensitive resources, and many wildlife species are expected and known to use the resources existing within the Ash property.

The **flora** of the Ash property project site includes the vascular plants (flowering) and nonvascular plants (lichens) existing onsite. DMEC observed 161 vascular plant taxa. Of the 161 vascular plant taxa, 113 (70%) are native species and 48 (30%) are introduced naturalized species. DMEC's report (DMEC 2007) includes Table 5, Plants Observed at the Ash Property, which lists all plant species observed by DMEC during the two biological resources survey conducted onsite. Ten (10) lichen species were observed on the Ash property. The lichens of the Ash property are primarily crustose lichens growing on rock outcrops. Rare lichen species and/or rare lichen communities are possibly present onsite based on habitat conditions found in the Santa Monica Mountains (Knudsen & Magney 2006).

The predominant **habitat types** and associated plant communities (alliances) observed on the Ash property are classified as follows:

- Grassland
    - Wildflower Field Alliance
    - Native Perennial Grassland Alliance
    - Ruderal Grassland Alliance
- Coastal Sage Scrub
    - *Salvia leucophylla-Artemisia californica* Alliance
    - Lichen Rock Outcrop-*Dudleya lanceolata* Alliance
- Chaparral
    - *Adenostoma fasciculatum* Alliance
    - *Arctostaphylos glauca* Alliance
    - *Ceanothus spinosus* Alliance
    - *Heteromeles salicifolia Alliance*
- Woodland
    - *Quercus agrifolia* Alliance
    - *Quercus lobata* Alliance
- Developed/Disturbed

Ruderal Grassland (Pasture) occurs primarily in the valley portion of the Ash property, while Coastal Sage Scrub, Chaparral, and Woodland habitats exist on the higher elevations of the predominantly north-facing slope of Boney Mountain. DMEC's Ash property biological resources report includes descriptions of each general habitat and their plant alliances, and are mapped in Figure 5, Habitats Observed at the Ash Property, of the report.

Numerous species of **wildlife** are known to occur within the Santa Monica Mountains vicinity, and DMEC expects many to frequent and inhabit existing resources based on the presence of the resources provided by the Grassland, Scrub, Chaparral, and Woodland plant communities observed onsite. Sixty-six (66) wildlife species were observed, reported, or detected onsite, including 1 amphibian, 4 reptiles, 32 birds, 14 mammals, and 15 invertebrates. DMEC's Ash property biological resources report includes Table 6, Ash Property Wildlife Species, which contains a list of all animal species that were directly observed, reported by the property owner, or detected by sign in the vicinity of the Ash property.

South Coast Wildlands (SCW) (Penrod et al. 2006) identified multiple areas of existing and potential landscape linkage between the Santa Monica Mountains and the Sierra Madre. Using a "least cost union" methodology to determine which landscape linkages should be the focus of conservation efforts, they have identified one main corridor near the Ventura-Los Angeles County line, and one smaller "side branch" that connects the larger corridor with the western side of the Santa Monicas through the Tierra Rejada Valley. The southern edge of this western corridor lies 3.5 miles to the west of the Ash Property, along the summit of Conejo Mountain.

DMEC's Ash property biological resources report includes Figure 6, Regional Wildlife Habitat and Corridors Near the Ash Property, which illustrates the SCW wildlife habitat (non-core) and landscape linkages in relation to the location of the project site. Based on maps provided by California Department of Fish and Game's (CDFG's) BIOS MAPS (available at: http://imaps.dfg.ca.gov) and Figure 6, the southern half of the project site is located within wildlife habitat (non-core).

DMEC's report also includes Figure 7, Wildlife Travel Routes at the Ash Property, which presents the ridgelines, drainages, and foraging paths used by local and local wildlife. The rugged landscape and dense vegetation provides wildlife habitat that supports numerous travel routes and resources for wildlife movement, including large mammals, such as Mountain Lion.

Multiple habitat areas exist near the subject property, as can be seen in Figure 6 of DMEC's report. Some of these habitat areas are relatively isolated, and should be considered patches, such as those to the north of Potrero Road. The areas of habitat around and within the Ash property, however, should be considered core habitat due to their adjacency to the target habitat area of the SMMNRA. That is, at least for the Mule Deer and American Badger, since the Santa Monica Mountains are not large enough to support 50 individual Mountain Lions, which have very large habitat area requirements. The natural vegetation present on the Ash property, both within and outside of the proposed restrictive covenant area, functions together with the vegetation south of the property line as one habitat unit, which stretches to the Pacific Coast Highway. The Ash property represents the northernmost edge of one of the most isolated areas of high quality habitat in southern California.

| IV. BIOLOGICAL RESOURCES: | PROJECT IMPACT DEGREE OF EFFECT[1] | | | | CUMULATIVE IMPACT DEGREE OF EFFECT | | | |
|---|---|---|---|---|---|---|---|---|
| **What level of impact will the proposal have on:** | **N** | **LS** | **PS-M** | **PS** | **N** | **LS** | **PS-M** | **PS** |
| A. Endangered, Threatened, or Rare Species | | | **X** | | | | | **X** |
| B. Wetland Habitat | | | **X** | | | | **X** | |
| C. Coastal Habitat | **X** | | | | **X** | | | |
| D. Migration Corridors | | | | **X** | | | | **X** |
| E. Locally Important Species/Communities | | | **X** | | | | | **X** |
| ***Will the proposal:*** | | | | | | | | |
| a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? | | | | | | | | |
| b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? | | | | | | | | |
| c) Have a substantial adverse effect on federally protected wetland as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? | | | | | | | | |
| d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? | | | | | | | | |
| e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? | | | | | | | | |
| f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? | | | | | | | | |

[1] N = No Impact; LS = Less Than Significant; PS-M = Potentially Significant Impact Unless Mitigation Incorporated; PS = Potentially Significant Impact. Blank questions represent undeterminable impacts due to lack of information or inadequate survey data.

## VI. BIOLOGICAL RESOURCES (ADDITIONAL COMMENTS):

The Ash property project has the potential to impact sensitive biological resources existing within the project site parcels. However, impacts can be minimized by selecting development sites that avoid the maximum sensitive resources as possible. Using the pasture areas and avoiding areas with more pristine habitats will minimize impacts significantly.

DMEC recommends extending the proposed restrictive covenant north to protect special-status species, sensitive habitats, and wildlife resources the maximum extent possible. Figure 2, Recommended Restrictive Covenant Expansion Area for the Ash Project, illustrates the proposed lot-line adjustment, and DMEC's recommended expansion area in addition to the originally proposed restrictive covenant. The northern boundary of this expansion area cuts west to east across the property; as drawn, it avoids the existing water tank and associated dirt access road along the western property line, areas of corrals under oak canopy, and all outbuildings of the Ash residence. The proposed expansion of the restrictive covenant would, however, incorporate an existing well onsite near the eastern property line.

DMEC's proposed restrictive covenant will avoid significant impacts to almost all of the special-status plant species observed onsite (*Polygala cornuta* var. *fishiae* falls outside), and would preserve the limited, unique, and diminishing wildlife habitat of the Santa Monica Mountains. Some impacts to oak woodland may still result from such development, but those impacts would be mitigable onsite.

The following provides comments and mitigation recommendations for potential impacts to sensitive biological resources observed and potentially occurring onsite that may result from future development of the Ash property (comments to Letters A through E above in the Biological Resources Table). These mitigation measures are general recommendations. Once final project/construction plans are delineated, the impacts to specials-status biological resources can be more accurately and quantitatively defined. Mitigation for impacts to specials-status biological resources is not expected to be limited to recommendations discussed below.

### *A. Endangered, Threatened, or Rare Species*

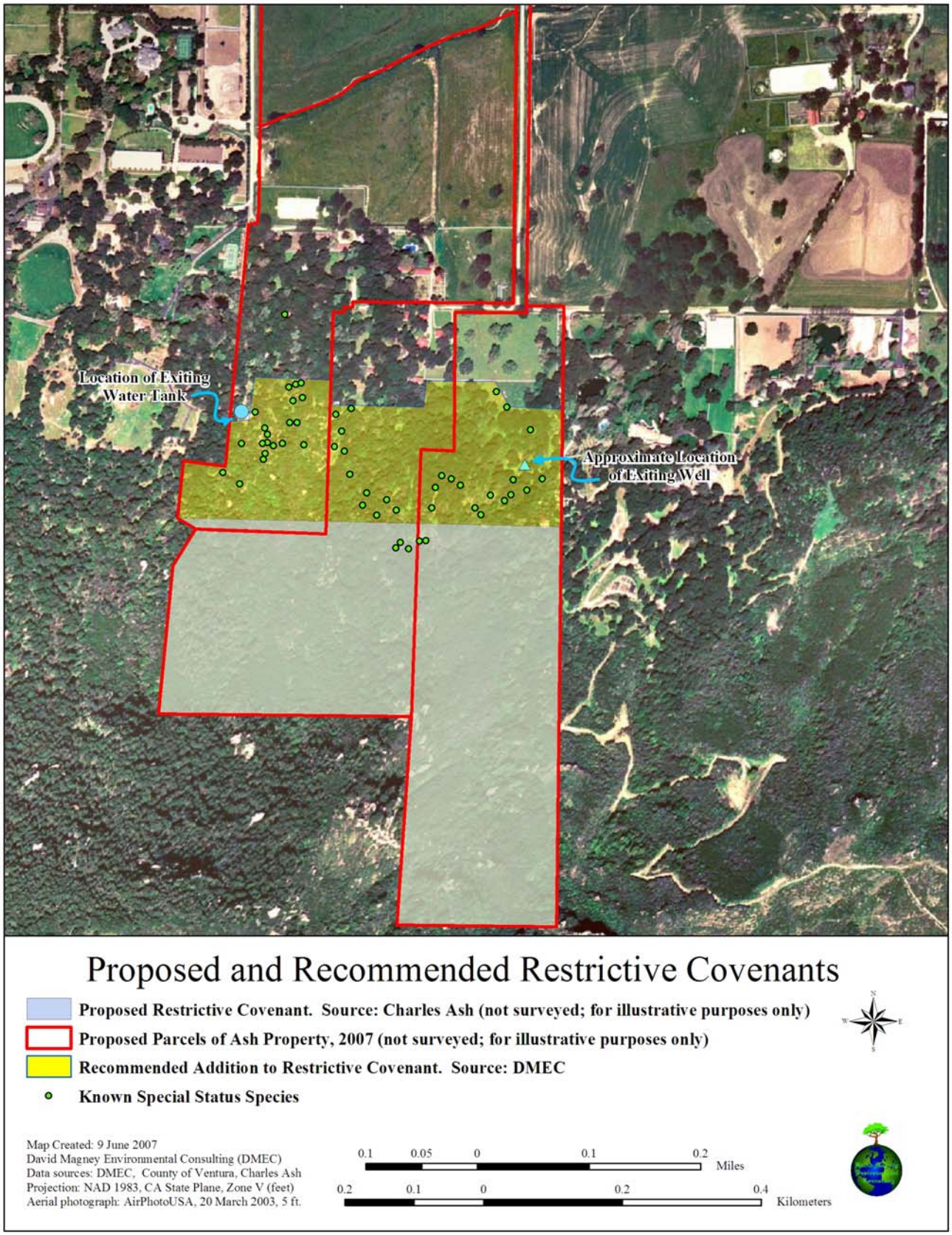
### Impacts to Special-Status Plant Species

No State or Federally Listed plant species were observed onsite. Of 31 special-status plant species tracked by CNDDB (CDFG 2007) for the nine quadrangles surrounding the Ash property, eight (8) species are *likely* to occur onsite. None of the eight species were observed onsite; however, not all portions of the property were accessible. These species are still considered *likely* to occur onsite since required habitat exists at the project site and/or the species has been reported nearby. The eight special-status plant species that are *likely* to occur onsite include:

- *Californica macrophyllum* [*Erodium macrophyllum*] (Round-leaved Filaree) – CNPS List 2.1;
- *Calochortus plummerae* (Plummer's Mariposa Lily) – CNPS List 1B.2;
- *Dudleya cymosa* ssp. *ovatifolia* (Agoura Hills Dudleya) – Federally Threatened, CNPS List 1B;
- *Dudleya cymosa* ssp. *marcescens* (Marcescent Dudleya) - Federally Threatened/State Rare, CNPS List 1B;
- *Dudleya cymosa* ssp. *ovatifolia* (Santa Monica Mountains Dudleya) - Federally Threatened, CNPS List 1B;
- *Dudleya abramsii* ssp. *parva* [*D. parva*] (Conejo Dudleya) - Federally Threatened, CNPS List 1B;
- *Dudleya verityi* (Verity's Dudleya) - Federally Threatened, CNPS List 1B; and
- *Eriogonum crocatum* (Conejo Buckwheat) – State Rare, CNPS List 1B.

Although none of these special-status plant species were observed onsite, impacts to them would be considered a significant impact and mitigation or avoidance would be required.

**Figure 2. Recommended Restrictive Covenant Expansion Area for the Ash Project**



**M-1.** Since eight endangered, threatened, or rare plant species are *likely* to occur onsite based on the presence of suitable habitat and proximity of known occurrences, pre-construction surveys for any future development shall be conducted to ensure that these species are not present or have not become established onsite. Once detailed development plans are submitted to the County, a qualified Botanist shall conduct focused botanical surveys within the vicinity of the actual development site to determine if any impacts to endangered, threatened, or rare plant species will result from such development.

To avoid impacts to special-status species, DMEC recommends extending the proposed restrictive covenant north to include and protect all important biological resources onsite. DMEC's proposed restrictive covenant (Figure 2) will avoid significant impacts to almost all of the special-status plant species observed onsite. DMEC believes that the proposed covenant area will not restrict all possible future development sites, such as the northern portion of the proposed parcel 694-0-170-300.

Impacts to endangered, threatened, or rare plant species, or any other special-status plant species, shall require mitigation. If mitigation is required for impacts to special-status plant species, a detailed mitigation plan shall be developed to minimize impacts and to ensure successful mitigation for impacts to special-status plant species. Mitigation ratios for any significant impacts to special-status plant species is recommended generally at a 10:1 ratio, but this ratio may vary depending upon the status of the species impacted and how well the species is expected to be reestablished. The mitigation plan shall include but not be limited to the following measures:

- Conducting floristic surveys prior to any construction to delineate the extent of the impacts to the population and individual plants resulting from the proposed project;
- Flagging off plants to be avoided outside of the development envelope;
- Preserving the topsoil within the development envelope as a seed bank to promote special-status species revegetation;
- Collecting seeds of special-status plant species in the immediate vicinity of the project site, to ensure that the genetic integrity of the local landscape remains intact;
- Sowing the seed back onsite (and outside of any potential fuel modification zones) after construction activities have been completed. (A qualified botanist shall be present during implementation of mitigation measures to aid in successful mitigation.); and
- Maintaining and monitoring restoration/planting sites for a minimum of five (5) years to determine mitigation success/failure, and implementing remedial measures to satisfy mitigation objectives.

### Impacts to Special-Status Wildlife Species

No State or Federally listed special-status wildlife species were observed onsite; however, eight (8) special-status wildlife species were observed, reported, or detected onsite during DMEC's field surveys (refer to DMEC's report Table 9 for species status), which include the following:

- *Accipiter cooperii* (Cooper's Hawk) - observed;
- *Aquila chrysaetos* (Golden Eagle) - reported;
- *Ardea herodias* (Great Blue Heron) - reported;
- *Athene cunicularia* (Burrowing Owl) - reported;
- *Elanus leucurus* (White-Tailed Kite) - reported;
- *Neotoma lepida intermedia* (San Diego Desert Woodrat) - detected;
- *Puma concolor* (Mountain Lion) - reported; and
- *Taxidea taxus* (American Badger) - reported.

Figure 3, Special-Status Plant and Wildlife Species Observed on the Ash Property, indicates the locations of the special-status species observed onsite by DMEC during field surveys. For wildlife, however, Figure 3 only maps the locations of San Diego Desert Woodrat, since Cooper's Hawk was observed flying overhead and all remaining special-status wildlife species were reported by Mr. Ash prior to the DMEC surveys, and their locations are unknown.

Red-shouldered Hawk, Red-tailed Hawk, American Kestrel, Barn Owl, and Great-horned Owl were also observed or were reported onsite. Although these species are not of any special-status, it should also be noted that all raptors and raptor nests are protected under Fish and Game Code Section 3503.5.

Of 40 special-status wildlife species tracked by CNDDB, five (5) species are *likely* to occur onsite (refer to DMEC's report Table 9 for species status). These species are *likely* to occur onsite since required habitat exists onsite and/or the species has been reported nearby, and include the following:

- *Aimophila ruficeps canescens* (Southern California Rufous-crowned Sparrow);
- *Eremophila alpestris actia* (California Horned Lark);
- *Phrynosoma coronatum* (*blainvillii* population) (Coast [San Diego] Horned Lizard);
- *Phrynosoma coronatum* (*frontale* population) (Coast [California] Horned Lizard); and
- *Trimerotropis occidentaloides* (Santa Monica Grasshopper).

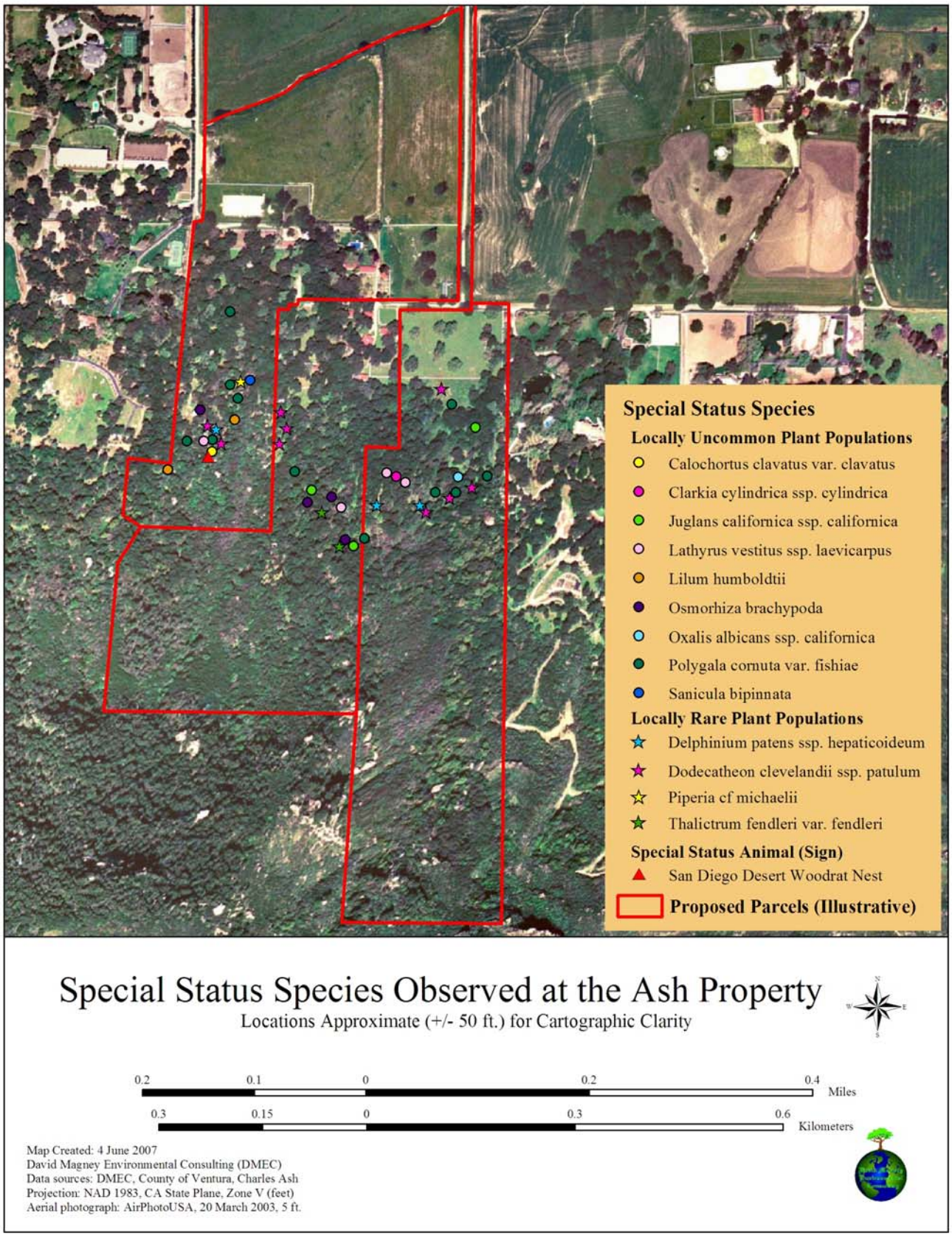
**M-2.** No Federally or State listed wildlife species were observed onsite. However, eight special-status wildlife species were observed, reported, and detected onsite. Detailed construction and grading plans must be submitted to the County in order to assess the impacts to these and potentially other special-status wildlife species resulting from any future development project onsite.

To avoid impacts to special-status species, DMEC recommends extending the proposed restrictive covenant north to include and protect all important biological resources onsite. DMEC's proposed restrictive covenant (Figure 2) will avoid significant impacts to special-status wildlife species and will preserve the limited, unique, and diminishing wildlife habitat of the Santa Monica Mountains.

If any special-status wildlife species are impacted as a result of any future development project, the project site shall either be relocated to another location within the identified project areas to avoid the impact, or a mitigation plan will be developed and implemented by a County approved biologist to minimize impacts and to ensure successful mitigation for impacts to special-status wildlife species. This mitigation plan shall include, but not be limited to the measures discussed in the following paragraphs.

A County-approved Biologist shall develop a mitigation plan to safely relocate the sensitive wildlife species (may include trapping) and install appropriate temporary fencing prior to development to prevent re-entry. If any state or federal endangered or threatened listed species are detected during the pre-development surveys, then the County, and the respective regulatory agencies, will be immediately notified, and development will not be permitted until such time as a letter of no-effect or the appropriate take permit(s) is issued. If development is approved, a County-approved Biologist shall also be present during development to ensure that sensitive wildlife species will not be directly disturbed, harmed, or lost.

**Figure 3. Special-Status Plant and Wildlife Species Observed on the Ash Property**



Measures shall be taken to ensure no harm or impacts to any wildlife species (special-status or otherwise) during construction activities (construction monitoring). Prior to grading or activities, a qualified biologist shall survey the construction areas of the site to determine if wildlife species are foraging, frequenting, or nesting on or adjacent to the construction areas. If *any* wildlife species, including special-status wildlife species, are observed during construction activities, the contractor shall allow the animal to escape or a qualified biologist shall relocate the animal to a preserved/undeveloped area with similar required habitat. If a special-status wildlife species is observed onsite, a biological monitor shall be notified to implement all measures necessary to protect the sensitive species. The equipment operators shall be informed of the species' presence and/or be provided with pictures in order to help avoid impacts to this species to the maximum extent possible.

Three special-status raptor birds were observed onsite including, Cooper's Hawk, White-Tailed Kite, and Golden Eagle. In addition, five other raptor birds were observed or reported onsite, including Red-shouldered Hawk, Red-tailed Hawk, American Kestrel, Barn Owl, and Great-horned Owl. Although these species are not of any special-status, it should be noted that all raptors and raptor nests are protected under Fish and Game Code Section 3503.

Bird nesting typically occurs between 1 February and 30 June, but may vary depending upon the species. Although the observed and reported raptors are not expected to be directly impacted by any future development, and no other bird nests are expected to be impacted onsite (no nests observed during surveys), to avoid violating the Migratory Bird Treaty Act or Fish and Game Code Section 3503, a County-approved Biologist shall survey the construction sites thirty (30) days prior to the onset of construction activities to identify any bird nests that would be directly or indirectly affected by the construction activities. If any active *non-raptor* bird nests are found, they shall be flagged off 300 feet in radius around the nest, and that area shall be avoided until the nest becomes inactive (vacated). If any active *raptor* bird nests are found, they shall be flagged off 500 feet in radius around the nest, and that area shall be avoided until the nest becomes inactive (vacated). Inactive raptor nests are also protected by the Migratory Bird Treaty Act, and any inactive raptor nests shall be protected and shall not be destroyed. If raptor nests are not found, and if active non-raptor nests are not found, no further mitigation is required. (Natasha Lohmus, pers. comm. 29 March 2007.)

### *B. Wetland Habitat*

DMEC observed several ephemeral drainages in the *Quercus agrifolia* Alliance onsite, otherwise classified as Coast Live Oak Riparian Forest. This habitat onsite was not extensive; however, the drainages included well-defined bed and banks, and included old-growth *Platanus racemosa* as well as other herbaceous wetland species, including *Artemisia douglasiana*, *Rosa californica* (California Wild Rose), and *Rubus ursinus* (Pacific Blackberry).

Riparian wetlands, such as the Coast Live Oak Riparian Forest observed by DMEC, are protected under the Ventura County General Plan Policy, which states "discretionary development within 300' of a stream is to be evaluated by a biologist for potential impacts."

Discretionary development occurring within 100 feet of riparian wetlands is generally prohibited under County General Plan Policies 1.5.2.1 and 1.5.2.2. Road crossings over streams are permitted (after appropriate permits obtained, such as from the U.S. Army Corps of Engineers and CDFG); however, replacement mitigation is typically required, with in-kind habitat replacement or enhancement.

Portions of the Coast Live Oak Riparian Forest plant community observed onsite may meet the definition of wetlands per Ventura County. They may be within the jurisdictional authority of Ventura

County, California Department of Fish and Game (pursuant to Section 1600 et seq. of the California Fish and Game Code), the U.S. Army Corps of Engineers (Corps), and the Los Angeles Regional Water Quality Control Board (LARWQCB) (Section 404 and Section 401, respectively of Clean Water Act).

CDFG will likely require a Streambed Alteration Agreement for within and impacts to the riparian habitat onsite, which will require a detailed mitigation and monitoring program to be developed to avoid impacts to the maximum extent possible and to mitigate for any impacts to riparian habitats.

The wetland habitat onsite may be considered Waters of the U.S., including wetlands, which are regulated by the Corps and LARWQCB, pursuant to Sections 404 and 401 of the Clean Water Act, respectively. Any impacts to the riparian habitat onsite may also require a permit from these regulatory agencies.

Any impacts to the wetland habitats onsite would be considered a significant impact, and a detailed mitigation and monitoring plan (similar to that described above in the Sensitive Habitats subsection) shall be developed to mitigate for impacts to County, state, and federally defined wetland habitats. All applicable permits shall be obtained prior to any construction activities in or near a jurisdictional wetland.

**M-3.** To avoid impacts to wetlands onsite, DMEC recommends extending the proposed restrictive covenant north to include and protect all important biological resources onsite. DMEC's proposed restrictive covenant (Figure 2) will avoid significant impacts to wetlands on the Ash property and will preserve the limited, unique, and diminishing wildlife habitat of the Santa Monica Mountains.

If impacts to wetlands result from future development, a detailed mitigation and monitoring plan shall be developed to avoid impacts to the maximum extent possible and to mitigate for any impacts resulting from fill and dredge activities. A wetland delineation may be required by a regulatory agency to determine the extent of wetlands onsite. All applicable permits shall be obtained prior to any construction activities in or near a jurisdictional wetland. Any riparian vegetation disturbed or removed shall be replaced onsite and in-kind at a 3:1 ratio, or through habitat enhancement at a ratio of 10:1.

### *C. Coastal Habitat*

No impacts to Coastal Habitat are expected to result from the proposed project.

### *D. Migration Corridors*

The project site is mapped by SCW as existing within wildlife habitat. The areas of habitat around and within the Ash property should be considered *core habitat* due to their adjacency to target habitat. The natural vegetation present on the Ash property, both within and outside of the proposed restrictive covenant area, functions together with the vegetation south of the property line as one habitat unit, which stretches to the Pacific Coast Highway. The Ash property represents the northernmost edge of one of the most isolated areas of high quality habitat in Southern California.

DMEC and Mr. Ash observed and reported several wildlife species and signs of several wildlife species, including Mule Deer, Coyote, Mountain Lion, Bobcat, American Badger, and several wildlife travel routes were observed onsite. DMEC fully expects these larger species, as well as smaller wildlife species, to use the roads, creeks, and ridgelines as well.

Future development of the Ash property (depending upon the extent of development) is not expected to significantly impact wildlife movement and migration in the vicinity of the Ash property project site; however, significant temporary and permanent impacts to the wildlife habitat onsite may result from development. Temporary impacts impeding use of the resources onsite would include noise, lighting, dust, and human presence. Permanent impacts include permanent loss of vegetation and species-specific wildlife habitat.

**M-4.** The following mitigation measures will be required to reduce potential development impacts to wildlife movement the minimum extent possible:

- Conserve other important wildlife movement areas on the Ash property through an expanded restrictive covenant (see Figure 2);
- Avoid removing natural vegetation to the maximum extent possible within the project area;
- Avoid contact with, or aggravating, any wildlife that may be encountered;
- Reduce noise levels during the night hours between 10:00 P.M. and 5:00 A.M.;
- Reduce night lighting, and direct lighting only towards structures and downward, not skyward or towards natural habitat areas; and
- Fence in domesticated animals to avoid their contact with wildlife;
- Restrict the use of chemicals or poisons around construction areas and completed project.
- If fencing is necessary away from the immediate structure, use only split-rail fencing to allow wildlife movement through the fence, except around houses and sensitive horticultural plantings.

### *E. Locally Important Species/Communities*

#### Impacts to Locally Important Species

Projects reviewed under California Environmental Quality Act (CEQA) should consider impacts to locally important species as significant. CNPS has identified Locally Rare and Locally Uncommon plants for Ventura County (Magney 2007). *Locally Rare* plants are those with five or fewer occurrences in Ventura County, and *Locally Uncommon* plants are those with six to ten occurrences in Ventura County. Generally, impacts to an entire population of one or more of the species listed herein would be considered significant.

Thirteen (13) special-status plant species were observed during the summer and spring field surveys. Five (5) of these observed species are CNPS List 4, while eight (8) are species of local importance. None of the special-status plant species observed are included on the Ventura County Locally Important Species List (VCPD 2005). Figure 3, Special-Status Plant and Wildlife Species Observed on the Ash Property (above), shows locations of the 13 special-status plant species observed onsite.

The 13 special-status plant species observed at the Ash property include the following (known population counts for Ventura County are according to Magney [manuscript]):

- ***Calochortus clavatus* var. *clavatus***
  (Club-haired Mariposa Lily) - CNPS List 4.3
  (~20 known extant populations in Ventura County);
- ***Clarkia cylindrica* ssp. *cylindrica***
  (Cylindrical Godetia) - Locally Uncommon
  (7 known extant populations in Ventura County);
- ***Delphinium patens* ssp. *hepaticoideum***
  (Spreading Larkspur) - Locally Rare
  (3 known extant populations in Ventura County);
- ***Dodecatheon clevelandii* ssp. *patulum***
  (Lowland Padre Shooting Star) - Locally Rare
  (4 known extant populations in Ventura County);
- ***Juglans californica* var. *californica***
  (Southern California Black Walnut) - CNPS List 4.2
  (~80 known extant populations in Ventura County);
- ***Lathyrus vestitus* ssp. *laevicarpus***
  (Pacific Peavine) - Locally Uncommon
  (7 known extant populations in Ventura County);
- ***Lilium humboldtii* ssp. *ocellatum***
  (Ocellated Humboldt Lily) - CNPS List 4.2
  (~12 known extant populations in Ventura County);
- ***Osmorhiza brachypoda***
  (Sweet Cicely) - Locally Uncommon
  (10 known extant populations in Ventura County);
- ***Oxalis albicans* ssp. *californica***
  (California White Wood Sorrel) - Locally Rare
  (5 known extant populations in Ventura County);
- ***Piperia* cf. *michaelii***
  (Michael's Rein Orchid) – CNPS List 4.2
  (4 known extant populations in Ventura County);
- ***Polygala cornuta* var. *fishiae***
  (Fish Milkwort) - CNPS List 4.3
  (27 known extant populations in Ventura County);
- ***Sanicula bipinnata***
  (Poison Sanicle) - Locally Uncommon
  (8 known extant pops in Ventura County); and
- ***Thalictrum fendleri* var. *fendleri***
  (Fendler Meadow-rue) - Locally Rare
  (4 known extant populations in Ventura County).

**M-5.** Since 13 special-status plant species were observed onsite, detailed construction and grading plans must be submitted to the County in order to assess the impacts to these and potentially other special-status plant species resulting from any future development project onsite. In addition, focused lichen surveys shall be conducted prior to any development to account for any special-status lichen species onsite. After lichen surveys have been conducted and development plans have been submitted, if impacts to special-status lichens are expected, then mitigation for such impacts must be developed.

To avoid impacts to special-status plant species, DMEC recommends extending the proposed restrictive covenant north to include and protect all important biological resources onsite. DMEC's proposed restrictive covenant (Figure 2) will avoid significant impacts to almost all of the special-status plant species observed onsite. DMEC believes that the proposed covenant area will not restrict all possible future development sites, such as the northern portion of the proposed parcel 694-0-170-300.

If any individuals of special-status species of concern statewide (listed by CNPS) are impacted, the impact would be considered significant and mitigation or avoidance would be required, or otherwise mitigated. In addition, if an entire population of a locally important species will be lost due to any future construction activities, or the remaining portion of the population would not be viable, this impact would also be considered significant and mitigation or avoidance would be required. If a special-status plant species, or if an entire population is found to exist within the areas of impact (after submittal of development plans), the location of the project, or aspects of the project, shall be relocated; or (1) prior to construction, the extent of the species shall be fully delineated to determine the extent of the impacts to the population and individual plants resulting from the proposed project, and (2) a detailed mitigation plan shall be developed and implemented.

If mitigation is required for impacts to special-status plant species, a detailed mitigation plan shall be developed to minimize impacts and to ensure successful mitigation for impacts to special-status plant species and implemented. Mitigation ratios for any significant impacts to special-status plant species is recommended generally at a 10:1 ratio, but this ratio may vary depending upon the status of the species impacted and how well the species is expected to be reestablished. The mitigation plan shall include but not be limited to the measures outlined above for M-1 under Endangered, Threatened, or Rare Species.

### Impacts to Locally Important Communities

Of the 12 sensitive habitats tracked by CNDDB, DMEC observed five (5) sensitive habitats (locally important communities) onsite, including the following:

- Coast Live Oak Woodland (*Quercus agrifolia* Alliance [upland & riparian]);
- Valley Oak Woodland (*Quercus lobata* [Savannah] Alliance); and
- Coastal Sage Chaparral Scrub (*Salvia leucophylla-Artemisia californica* Alliance and Lichen Rock Outcrop-*Dudleya lanceolata* Alliance);
- Valley Needlegrass Grassland (Native Perennial Grassland Alliance);
- Wildflower Field (Wildflower Field Alliance).

These observed habitats, and respective alliances (plant communities), are discussed in detail in the Habitat Descriptions section of DMEC's biological resources report. Refer to Table 10 of DMEC's report for habitat status. Figure 4, Sensitive Habitats Observed on the Ash Property, shows the distribution of locally important communities observed onsite.

To avoid impacts to sensitive habitats, DMEC recommends extending the proposed restrictive covenant north to include and protect all important biological resources onsite. DMEC's proposed restrictive covenant (Figure 2) will avoid significant impacts to all locally important habitats observed onsite. DMEC believes that the proposed covenant area will not restrict all possible future development sites, such as the northern portion of the proposed parcel 694-0-170-300. Some direct or indirect impacts to Oak Woodland and Wildflower Field may still result from such development, but those impacts would be mitigable onsite. If the restrictive covenant remains as proposed, the following mitigation measures shall be implemented for impacts to locally important plant communities.

**Oak Woodland**, including *Quercus agrifolia* Alliance and *Quercus lobata* Alliance, was observed throughout much of the property as shown in Figure 4. The potential for oak woodland conversion resulting from subsequent development of the property exists onsite. Impacts to oak woodland and any native trees is considered a significant but mitigable impact.

The General Plan requires developments involving damage or removal of trees in Scenic Resource and Scenic Highway areas to comply with the "Tree Protection Regulations". Tree Protection Regulations require a permit for removal of all oaks >9.5" dbh. No person shall remove or alter a Protected Tree except with a permit. Ministerial permits are required for removal of diseased or hazardous trees, up to five trees blocking access, or 6-25 trees for agricultural operations. Discretionary permits are required for larger removals as well as 1:1 offsets. Tree Protection Regulations define heritage tree as >/90" dbh, or two trunks > 72". No more than two historical or heritage trees may be removed to allow property access with a ministerial tree permit.

The Ventura County General Plan recognizes all native tree species that may make up oak woodland as well; therefore, impacts to any individual native trees, such as *Umbellularia californica, Platanus racemosa*, and *Juglans californica* existing onsite.

Once final development plans are submitted to the County, an assessment of individual native trees that will be impacted (including oaks) by the project shall be conducted. An assessment of oak

woodland to be directly impacted shall also be determined. Indirect impacts from fuel modification shall also be taken into consideration when determining impacts.

**M-6.** Oak Woodland will potentially be impacted onsite. Once the final development plans are in place and before any grading activities occur, a Certified Arborist shall survey all trees that will be lost or encroached upon as a result of any development activities, including fuel modification and road widening. A permit will be required to prune or remove any protected native trees pursuant to the County Ordinance. Any tree removal or trimming shall be conducted by a Certified Tree Trimmer, certified by a professional organization such as the International Society for Arboriculture, or similar organization. Once a tree impact assessment and native tree report is completed, the number of native trees impacted shall be mitigated at a 10:1 ratio. With this native tree mitigation ratio, not only will impacts to individual native trees be compensated for, but this also allows for mitigation for impacts to (the temporary loss of) the function of the woodland itself. Therefore, during native tree mitigation implementation, attention to habitat function shall also be addresses and reestablished back onsite.

To mitigate for the loss of mature native trees (including oaks) by the proposed project, sprouted seedlings of the species impacted shall be planted in appropriate ratios. The acorns/seeds shall be collected from onsite or from trees within Hidden Valley to maintain genetic integrity. The planted trees shall be maintained and monitored for a period of seven (7) years after planting. Success of this mitigation measure will be achieved if 75 percent of the acorns or seedlings survive after 7 years.

In addition to the mitigation measures outlined above, a native tree report with the health, diameter at breast height (dbh), and canopy diameter of each tree within the impact area and fuel modification zone shall be submitted to the County prior to grading. The report shall also outline the mitigation for removal of native trees. The mitigation shall include the following measures:

- Prior to grading, orange construction or chain-link fencing shall be installed around trees (15 feet outside the dripline of each tree or groups of trees) that will not be impacted by construction. Fencing shall be in place and inspected prior to commencement of grading. This fencing shall remain in place throughout the entire period of construction.
- The preferred replacement with tree seedlings shall be planted directly onsite as sprouted seedlings in liner tubes. Such plants are better able to become established and healthy trees that are adapted to site conditions. For each native tree removed, the mitigation shall require replacement trees of indigenous species in the ratio of at least 10:1 for container seedling planting.
- The landscape architect/designer for proposed project shall design these replacement trees into the landscape to replace the habitat of removed woodlands. The habitat shall be reviewed by a qualified botanist and shall be comparable to the removed woodland.
- Planting specifications shall consider the following:
    - Newly planted trees shall be planted above grade and maintained for seven (7) years, including irrigation, weed control, herbivore protections, and replacement.
    - Amending the backfill soil with wood shavings, oak-leaf mold, etc., is not recommended when existing soil is high in natural organic matter with a sandy loam texture.
    - Recommendations for the need of planting amendments and drainage systems shall be based on soil tests of this project and approved by the county.
    - Any County approved work within the driplines of saved trees, including branch removal, shall be under the inspection of a Certified Arborist approved by VCPD.

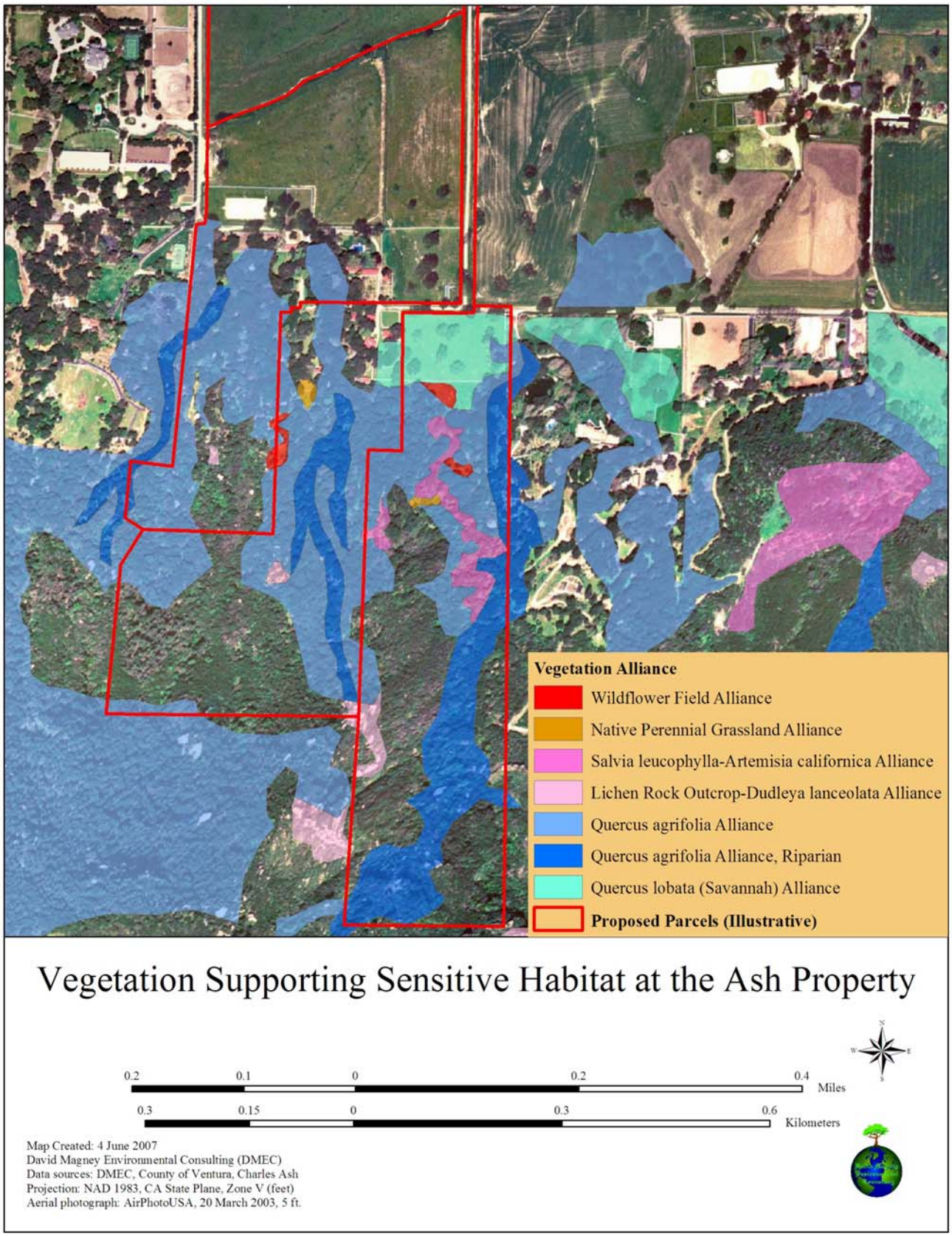
**M-7.** Any direct or indirect impacts to **Coastal Sage Scrub** (*Salvia leucophylla-Artemisia californica* Alliance and Lichen Rock Outcrop-*Dudleya lanceolata* Alliance), resulting from the proposed project and subsequent fuel modification, will be considered a significant impact and will require a detailed mitigation plan to minimize impacts and to ensure successful mitigation for impacts to Coastal Sage Scrub. To mitigate for impacts to Coastal Sage Scrub, the following measures shall be implemented:

- Habitat enhancement and/or creation of Coastal Sage Scrub will include eradicating invasive exotics from the remaining Coastal Sage Scrub onsite. Appropriate mitigation sites will be planted with Coastal Sage Scrub species indigenous to the immediate vicinity of the project site. This will create native shrub canopy cover to match desired cover levels, and increase dominance by native species.
- The site for the mitigation shall be determined in coordination with the project applicant and resource agencies. The site shall be located on the proposed development site in a dedicated open space area or dedicated open space area shall be purchased offsite. Appropriate sites shall have suitable hydrology and soils for the establishment of target native species.
- The site preparation shall include: protection of existing native species, trash and weed removal, native species salvage and reuse (i.e. duff), soil treatments (i.e. imprinting, decompacting), temporary irrigation installation, erosion control measures (i.e. rice or willow wattles), seed mix application, and container species.
- A schedule shall be developed which includes planting to occur in late fall and early winter between October 1 and January 30. The maintenance plan shall include: weed and herbivore control, trash removal, irrigation system maintenance, and replacement planting.
- A detailed mitigation plan shall be submitted for approval to the County prior to project implementation. The mitigation plan shall include specifics regarding enhancement, planting details, timing, and monitoring proposed for Coastal Sage Scrub mitigation. The monitoring plan shall include: qualitative monitoring (i.e. photographs and general observations); quantitative monitoring (e.g. randomly placed transects); performance criteria as approved by the resource agencies; monthly reports for the first year and bimonthly thereafter; and annual reports for five years that shall be submitted to the resource agencies. The site shall be monitored and maintained for five years to ensure successful establishment of Coastal Sage Scrub.

**M-8.** Any direct or indirect impacts to **Wildflower Field Alliance** and/or **Native Perennial Grassland Alliance**, resulting from the proposed project and subsequent fuel modification, will be considered a significant impact and will require a detailed mitigation plan to minimize impacts and ensure successful mitigation for impacts to Wildflower Field and/or Native Perennial Grassland, including but not limited to:

- Collect seeds of Wildflower Field and/or Native Perennial Grassland plant species in the immediate vicinity of the project site, to ensure that the genetic integrity of the local landscape remains intact;
- Salvage the topsoil of impact areas prior to construction to include as may propagules as possible;
- Revegetate and enhance Wildflower Field and/or Native Perennial Grassland within the property boundaries by hand sowing seeds and planting container plants of native indigenous plant species;
- Control and remove invasive exotic plant species from the restoration site to enhance species richness and create a less competitive growing environment for native successional and planted species;
- Implement erosion control devices (if necessary) to protect the integrity of the restoration site and to allow plantings and natural natives to germinate;
- Facilitate natural habitat regeneration and habitat succession to aid in the restoration effort;
- Increase native plant species richness, structural diversity, native vegetative cover, and increase forage, cover, and nesting habitat for terrestrial wildlife frequenting and inhabiting the property.
- Monitor work of planting contractors to minimize impacts to biological resources; and
- Monitor the restoration plantings and restoration site to ensure that success is achieved.

**Figure 4. Sensitive Habitats Observed on the Ash Property**



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## PERSONAL COMMUNICATIONS:

Lohmus, Natasha, California Department of Fish and Game. Telephone conversation of 29 March 2007 regarding Migratory Bird Treaty Act or Fish and Game Code Section 3503.

| **D. MANDATORY FINDINGS OF SIGNIFICANCE**<br>Based on the information contained with Section B6: | **Yes/Maybe** | **No** |
|---|---|---|
| 1. 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 major periods of California's history or prehistory? | **X** | |
| 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 that occurs in a relatively brief, definitive period of time while long-term impacts will endure well into the future.) | **X** | |
| 3. 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 effect of other current projects, and the effect of probable future projects. (Several projects may have relatively small individual impacts on two or more resources, but that total of those impacts on the environment is significant.) | **X** | |
| 4. Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly? | | **X** |

**E. DETERMINATION OF ENVIRONMENTAL DOCUMENT:**

On the basis of this initial evaluation:

| | |
|---|---|
| [ ] | 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 environmental, there would not be a significant effect in this case because the mitigation measure(s) described in section C of the Initial Study 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 environmental, and an ENVIRONMENTAL IMPACT REPORT is required. |
| [ ] | I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environmental, but at least one effect 1) has been adequately analyzed in and 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 or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required. |

*Biological Resources Initial Study Preparer*

14 June 2007
*Date*