

SECTION B

INITIAL STUDY CHECKLIST

Job: LU06-0088

Requester: Daniel Klemann

Applicants: Christian and Patty Mostert

Date: August 31, 2007

Survey Type: Field and Office

Rationale: Grading for development of single family residence

Methodology: ENSR and Ventura County staff prepared the Initial Study Biological Resources Report for the grading and development of a single family residence and accessory structures located at 11300 Yerba Buena Road (APN 700-0-070-470) in Malibu, California (Project Site). A map showing the property (Subject Property) as well as the extent of proposed development including driveway and structures is provided in **Map 1a** and **Map 1b** of **Attachment A**. Rincon Consultants, Inc. (Rincon) submitted a sensitive plant survey, which identified the amount of habitat (in acreage) that would be subject to project impacts, as well as the amount of habitat that the Applicants are proposing to restore as a part of the proposed project (Rincon, 2007a and 2007b). Ventura County and ENSR utilized this information, (which is provided as **Attachment B**) to prepare this Initial Study Biological Resources Report. ENSR biologist Manju Venkat conducted a site visit on June 20, 2007. The Applicants, Mr. and Mrs. Mostert, and the Ventura County planner for the project, Mr. Daniel Klemann, were also present during the site visit. The purpose of the site visit was to inspect the site characteristics and surrounding landscape elements and to verify the potential impacts to biological resources identified in the biological resources report (Rincon, 2007a). The site verification and the sensitive plant survey report were utilized in preparing this Initial Study Biological Resources Report. Additional resources utilized to evaluate impacts to biological resources within the vicinity of the proposed Project Site included: (1) a search of the California Natural Diversity Database (CNDDB) within a five-mile radius of the project site; (2) a review of the Ventura County Locally Important Species List; (3) a search of the Ventura County BIOS Database to identify other projects that have occurred in the vicinity of the Subject Property; and, (4) the review of two recently completed biological reports (DMEC, 2006 and 2007) that have not yet been added to the Ventura County BIOS Database.

Cumulative impacts were evaluated by conducting a search of the Ventura County BIOS database and reviewing two reports (DMEC, 2006 and 2007) that have recently been completed for projects within the vicinity of the project site, in order to determine if projects with impacts to biological resources similar to those affected by the Proposed Project have occurred in the vicinity of the proposed Project. The results of the database review and review of the reports indicate that nine projects within an approximately five-mile radius of the Project Site have had Initial Studies conducted. Of these, three projects involved impacts (approximately 7.63 acres) to coastal sage scrub/chaparral habitat. Additionally, there are 30 projects that have been approved or are in the process of being approved for construction in the vicinity of the Project Site. However, Initial Studies for these project were not available for review; therefore, specific information from these projects regarding impacts to biological resources for cumulative impacts analysis were not included in this study.

Site Description: The approximately 80-acre Subject Property is located at 11300 Yerba Buena Road in Malibu, Ventura County, California. Maps showing the Subject Property boundary are provided in **Attachment A**. Site photographs are provided in **Attachment C**. The Subject Property is located on a hillside overlooking the Pacific Ocean to the south. The immediate surrounding areas consist of natural open space areas with several steep ridgelines to the east, north and west. Several unnamed ephemeral drainages occur within the Subject Property. There are also several dirt roads crisscrossing the property.

The proposed project consists of the construction of a 6,233 square foot (s.f.) single family dwelling with a 720 s.f. attached garage. The single family dwelling with the attached garage would be 23 feet in height.

The project includes the construction of 2,854 s.f. of patios, loggias, decks, and entryways attached to, or located around, the single family dwelling and attached garage. The proposed project also includes the construction of the following: a 700 s.f. detached garage, which would be 12 feet in height; a 720 s.f. gazebo, which would be approximately 18 feet in height; and, a tennis court that would be 6,600 s.f. in size. A new 15-foot wide, 2,200-foot long driveway with a motorcourt and fire department turnarounds would provide access to the project site from Yerba Buena Road. The existing and proposed driveways are shown in **Figure 1b** of **Attachment A**. The Applicants propose to close portions of the roads located northeast and south of the housing units and new proposed road.

The proposed project would require approximately 4.95 acres of ground disturbance and approximately 39,500 cubic yards (c.y.) of grading (24,300 c.y. of cut, 15,200 c.y. of fill, and 9,100 c.y. of export) to construct the driveway and building pad. Fire hazard reduction (limbing-up shrubs to two feet from the ground, ensuring shrubs and trees are located at >15 ft apart, and maintaining herbaceous plant species to not exceed three inches off the ground) would be required within 100 feet of the proposed buildings and structures and within 10 feet of the proposed driveway in order to meet the Ventura County Fire Protection District's (VCFPD's) requirements. [**Attachment C** depicts a 200-foot fire hazard reduction zone around the proposed building structures; however pursuant to VCFPD standards, only a 100-foot vegetation clearance buffer will be necessary (Faina, 2006).]

An existing private well would provide water and a new individual sewage disposal system would provide sewage disposal services for the proposed residential use of the property. The Applicants have prepared a conceptual landscape plan that includes a mix of native and non-native (but not invasive) species for the revegetation of exposed soils and landscaping around the proposed buildings and structures. The Applicants are proposing to restore approximately 2.63 acres (2.07 acres on-site and 0.56 acres offsite) of mixed sage scrub habitat.

The vegetation within the property boundary is in a relatively natural state, except for disturbed areas associated with several dirt tracks and a small area in the south-central portion (see Habitat Map, **Figure 3** of **Attachment B**). The prominent vegetation type is classified as "Mixed Sage Series" (Rincon, 2007a). Dominant plants within this community include purple sage (*Salvia leucophylla*), shy-leaved buckwheat (*Erigonum cinereum*), Santa Barbara locoweed (*Astragalus trichopodus*), laurel sumac (*Malosma laurina*), California sagebrush (*Artemisia californica*), black sage (*Salvia mellifera*), and chamise (*Adenostoma fasciculatum*). Two patches consisting of native grassland purple needlegrass (*Nasella pulchra*), comprising approximately 0.14 acres, occur near the proposed housing pad clearance area within a 200-foot zone (Habitat Map, **Figure 3** of **Attachment B**). This native grass also occurs as understory within the undisturbed sage scrub habitat. The disturbed areas contain non-native plant species including ripgut brome (*Bromus diandrus*) and tocalote (*Centaurea melitensis*). The characterization of the vegetation communities was based on the Sawyer and Keelor-Wolf Vegetation Classification System (Sawyer & Keeler-wolf, 1995).

At the time of the site visit, the areas proposed for development of the single family dwelling had been cleared of vegetation. However, this area previously contained coastal sage scrub and purple needlegrass, though partially degraded due to presence of ruderal species. The area containing the proposed swimming pool, tennis courts, garage, and gazebo support mature stands of coastal scrub containing larger, taller species including laurel sumac (*Malosma laurina*), purple sage (*Salvia leucophylla*), black sage (*Salvia mellifera*), lemonade berry (*Rhus integrifolia*) and chaparral mallow (*Malacothamnus fasciculatus*) (Rincon, 2007a).

Site surveys conducted by Rincon identified several locations where western dichondra (*Dichondra occidentalis*), a plant species recognized by the California Native Plant Society (CNPS) as sensitive and by Ventura County as a Locally Important species, occurs within the Subject Property. The sensitive species map provided in **Figure 4** of **Attachment B** depicts these locations. In addition to the western dichondra, Catalina mariposa lily (*Calochortus catalinae*), a plant recognized by CNPS as sensitive and the CNDDDB as rare, was identified on the Subject Property. Approximately 200 distinct Catalina mariposa lily occurrences were observed within approximately 300 feet of the proposed housing grading area and the proposed new roadway and adjacent areas (Rincon, 2007a).

The proposed grading would disturb approximately 3.54 acres of mixed sage scrub, 0.38 acres of disturbed mixed sage scrub, 0.22 acres of disturbed native grassland, 0.06 acres of ruderal vegetation, and 0.75 acres of existing dirt roads (Rincon, 2007b). In addition, it is estimated that grading would disturb approximately 3.4 acres supporting western dichondra¹.

¹ Some of these habitats are interspersed and/or overlapping. Thus, the total habitat acreage disturbed is higher than the acres that will be graded for the Proposed Project.

SECTION C

DISCUSSION OF RESPONSES

	Project Impacts				Cumulative Impacts			
	Degree of Effect				Degree of Effect			
	N	LS	PS-M	PS	N	LS	PS-M	PS
6. Biological Resources								
a. Endangered, threatened, or rare species			✓				✓	
b. Wetland Habitat	✓				✓			
c. Coastal Habitat		✓					✓	
d. Migration Corridor		✓					✓	
e. Locally Important Species		✓				✓		
N: No Impact LS: Less than Significant PS-M: Potentially significant, unless mitigated to a level of significance PS: Potentially significant, even after mitigation								

6a. Endangered, Threatened or Rare Species

A CNDDDB database analysis was conducted by ENSR to determine special-status species potentially occurring within a five-mile radius of the project site (**Attachment D**). In addition, the Ventura County Locally Important Species List was reviewed to determine species considered to be locally important. Finally, two biological reports (DMEC 2006 and 2007) that were completed for a recently-approved project and a project currently under review by Ventura County, located within two miles of the project site and involving potential impacts to special-status species, were included in the analysis of cumulative impacts. The following is a discussion of the special-status species of concern most relevant to the project area:

Plants:

- **Plummer's mariposa lily (*Calochortus plummerae*)**. This species is listed as a federal species of concern, and listed by the California Native Plant Society (CNPS) as List 1B (rare, threatened, or endangered in California or elsewhere), and a species listed by Ventura as Locally Important. Plummer's mariposa lily is common in foothill grassland and generally occurs on rocky and sandy sites, usually of granite or alluvial material. No such habitat is present within the proposed Project Site. This species was not found within the Project Site during the surveys and the appropriate habitat is not present on-site; therefore, the project does not have the potential to result in significant project-specific impacts or contribute to cumulative impacts relating to this species.
- **Catalina mariposa lily (*Calochortus catalinae*)**. This perennial herb is identified by the CNPS as List 4 (a species with limited distribution or that occurs infrequently throughout a broader area in California), occurs in a variety of habitat types, including grasslands, scrublands and woodlands and

is known to occur from the Los Angeles area northward to San Luis Obispo County. This species was found in abundance throughout the site. During the survey conducted by Rincon biologists, at least 200 distinct Catalina mariposa lily occurrences were observed within approximately 300 feet of the proposed housing grading area, the proposed new roadway, and adjacent areas (Rincon, 2007a). Given the proximity of the subpopulations of this plant species to grading locations, project development would decrease the habitat and decrease the subpopulations of this species at the Project Site. In addition, two other projects included in the analysis of cumulative impacts, located within two miles of the project site within the Santa Monica Mountains would cause an additional decrease in the habitat and subpopulations of this species (DMEC, 2006 and 2007). Therefore, project-specific and cumulative impacts are considered potentially significant unless mitigated to a less-than-significant level. Implementation of Mitigation Measure **MM-1**, involving preconstruction survey and relocation of specimens found within the proposed grading footprint, would reduce project-specific impacts, as well as the project's contribution to cumulative impacts, to a less-than-significant level.

- **Orcutt's pincushion (*Chaenactis glabriuscula* var. *orcuttiana*)**. This species is listed by CNPS as List 1B. Orcutt's pincushion prefers sandy sites and open slopes, in coastal bluff scrub and coastal dunes. No such habitat is present within the proposed Project Site. Therefore, the project does not have the potential to result in project-specific impacts or contribute to cumulative impacts relating to this species.
- **Western dichondra (*Dichondra occidentalis*)**. This species is listed by CNPS as List 4, which means that it has been placed on a watch list for plants with a limited distribution or that occur infrequently throughout a broader area in California. This perennial herb occurs in a variety of habitat types, including chaparral, valley grassland, foothill grassland, northern coastal scrub and coastal sage scrub. Western dichondra generally blooms from March to July and undergoes summer dormancy, reappearing in spring, after winter rains. Western dichondra prefers cool, shady areas in wind swept coastal areas. This species occurs in various locations at the Project Site.

The Sensitive Species map (**Figure 4 in Attachment B**) identifies locations of Western dichondra within the survey area conducted by Rincon. Approximately 3.4 acres of habitat supporting western dichondra will be impacted by the proposed project (Rincon, 2007a). None of the other projects that were included in the analysis of cumulative impacts were found to have the potential to adversely impact Western dichondra. Although the Subject Property contains subpopulations of this species outside of the proposed grading footprint, project development will decrease the habitat and decrease the subpopulations of this species at the Project Site. Therefore, this impact is considered potentially significant unless mitigated to a less-than-significant level.

Restoration projects that involve the relocation or propagation of Western dichondra typically have limited success (Wilson, pers. comm. 2007). Therefore, deliberate relocation or propagation efforts to restore Western dichondra may not be relied on exclusively to mitigate the project impacts to a less-than-significant level. The relocation of Western dichondra will be a component of the habitat restoration plan, and shall partially mitigate for the loss of this species. As demonstrated by the naturally-occurring presence and success of this species on-site, the project site exhibits characteristics that are favorable to the success of this species, and the project site includes disturbed areas (e.g., dirt roads) that could be utilized for the placement of spoils from graded areas that might result in the regeneration of this species. As such, implementation of Mitigation Measure **MM-2**, which involves the salvaging of spoils from graded areas with Western dichondra and placement of these soils on roads proposed for closure, shall be used to partially mitigate for the impacts to this species. In addition to Mitigation Measure **MM-2**, a conservation easement to protect existing Western dichondra locations on-site shall be enforced to fully mitigate the significant impacts to this species to a less-than-significant level.

Approximately 13.8 acres of Western dichondra exists within areas located outside of the areas of proposed development (**Figure 4 in Attachment B**). Mitigation Measure **MM-3** shall require the

dedication of a conservation easement to a conservation entity that includes 3.4 acres of Western dichondra, to be managed and preserved in perpetuity. With the implementation of Mitigation Measures **MM-2** and **MM-3**, project-specific impacts to Western dichondra will be reduced to a less-than-significant level.

- **Santa Susana tarplant (*Deinandra minthornii*)**. This species is listed by CNPS as List 1B and by the state of California as rare. This species generally occurs on sandstone outcroppings and crevices in chaparral and coastal sage scrub. Although the Project Site supports chaparral and sage scrub habitats, sandstone outcrops were not evident within the Project Site. Additionally, this species was not observed during site surveys nor is it expected to occur within the Project Site. Therefore, the project does not have the potential to result in project-specific impacts or contribute to cumulative impacts relating to this species.
- **Marescent dudleya (*Dudleya cymosa* ssp. *marcescens*)**. This species is federally listed as threatened, state listed as rare, and listed by CNPS as List 1B species. Marescent dudleya occurs in chaparral vegetation and prefers sheer rock surfaces and rocky volcanic cliffs. The CNDDDB database search indicated that this species has been identified along both sides of Yerba Buena Road in Little Sycamore Canyon (approximately 1.6 miles from the Project Site). The Project Site supports soils consisting of Chumash-Boades-Malibu association (loamy shale and sandstone) that do not provide ideal conditions for this species. In addition, the project site does not have sheer rocky or volcanic cliffs such as the ones preferred by this species. This species was not observed during site surveys nor is expected to occur within the Project Site. Therefore, the project does not have the potential to result in project-specific impacts or contribute to cumulative impacts relating to this species.
- **Santa Monica Mountains dudleya (*Dudleya cymosa* ssp. *ovatifolia*)**. This species is federally listed as threatened and listed by CNPS as a 1B species. Santa Monica Mountains dudleya generally occurs in chaparral and coastal sage scrub habitats and prefers to grow on north facing slopes with sedimentary conglomerates. This species has been documented on both sides of Yerba Buena Road just above Little Sycamore Canyon. The Project Site does not support such habitat conditions. Additionally, this species was not observed during site surveys nor is it expected to occur within the Project Site. Therefore, the project does not have the potential to result in project-specific impacts or contribute to cumulative impacts relating to this species.
- **Conejo buckwheat (*Eriogonum crocatum*)**. This species listed by the state as threatened, and listed by CNPS as a List 1B species. Conejo buckwheat generally occurs in a variety of habitats, including chaparral, coastal sage scrub, and valley and foothill grasslands and prefers rocky sites of volcanic origins. Although the Project Site supports chaparral and coastal sage scrub elements, it does not support rocky sites of volcanic origins and thus does not have the suitable microenvironment to support this species. Therefore, this species is not expected to occur on-site, and the project does not have the potential to result in project-specific impacts or contribute to cumulative impacts relating to this species.
- **Sonoran Maiden Fern (*Thelypteris puberula* var. *snorensis*)**. This species is listed by CNPS as a List 2 species (i.e., rare/endangered in California, more common elsewhere). This species is found along streams and seepage areas and requires a high amount of available water. No such habitat occurs within the Project Site. In addition, this species was not observed during site surveys. Therefore, the project does not have the potential to result in project-specific impacts or contribute to cumulative impacts relating to this species.

Animals:

The following candidate, rare, threatened, or endangered animal species have been reported within five miles of the proposed Project Site:

- **Coast Horned Lizard (*Phrynosoma coronatum*).** The coast horned lizard is listed as a Species of Special Concern by CDFG. The subspecies found in southern California, *blainvillii*, is distributed throughout the foothills and coastal plains from Los Angeles area to northern Baja California. A ground dweller, it frequents areas with abundant, open vegetation such as chaparral or coastal sage scrub. The biological review of a project located two miles away revealed the presence of, and potentially significant but mitigable impacts to, coast horned lizard, due to the loss of suitable habitat to support this species and the potential for mortality during ground-disturbance activities (DMEC, 2006). Implementation of the project may impact individuals and will reduce the amount of habitat available to support this species, which is considered to be a potentially significant project-specific impact, and a potentially significant cumulative impact when added to other projects that also have contributed to the loss of suitable habitat for this species within the vicinity of the project site and region (DMEC, 2006 and 2007). Implementation of Mitigation Measure **MM-4**, which would require pre-construction surveys and relocation of specimens found within the grading and construction areas, would reduce potential project-specific and cumulative impacts to a less-than-significant level.
- **Golden Eagle (*Aquila chrysaetos*).** This species is listed as a Species of Special Concern by CDFG and Ventura County as a locally important species. This species generally occurs in rolling foothills, mountain areas, and desert. Golden eagles need open terrain for hunting and prefer grasslands, deserts, savannahs and shrub habitat. It prefers to nest in rugged, open habitats with canyons and escarpments, with overhanging ledges and cliffs with large trees used as cover. This species was not observed at the site but has the potential to forage at the site. Project-specific impacts and the project's contribution to cumulative impacts relating to this species would be less-than-significant.
- **Least Bells vireo (*Vireo bellii pusillus*)** is a State and Federally Listed Endangered Species. This species is a summer resident of Southern California occurring in low riparian areas in the vicinity of water or in dry river bottoms. Least Bell's vireo typically nests along margins of bushes such as willow or mesquite or on twigs projecting into pathways. Habitat for this species does not occur within the Project Site. Additionally, this species was not observed during the site visit. Therefore, the project does not have the potential to result in project-specific impacts or contribute to cumulative impacts relating to this species.
- **Monarch butterfly (*Danaus plexippus*).** While individual monarch butterflies hold no federal or state protection status, overwintering grounds for this species are considered significant and unique by the State of California and are protected by the California Department of Fish and Game (CDFG). A known monarch butterfly roosting area is located approximately 400 feet west of the Subject Property across Yerba Buena Road within a eucalyptus grove. No such habitat is found within the Proposed Project site; therefore, the project does not have the potential to result in project-specific impacts or contribute to cumulative impacts relating to this species.
- **San Diego Desert Woodrat (*Neotoma lepida intermedia*)** is listed as a Species of Special Concern by CDFG. These woodrats live in high desert areas, chaparral, sagebrush flats, and Pinyon-Juniper Woodland. San Diego Desert Woodrat is vulnerable to predation by coyotes, raccoons, owls, gopher and rattlesnakes, and hawks. The biological review of another project included in the analysis of cumulative impacts, located approximately two miles from the project site, near Deer Creek Road and Pacific View Road, revealed the presence of four San Diego desert woodrat nests (DMEC, 2006). Although to date this species has not been observed on-site, the mixed sage habitat is suitable for San Diego Desert Woodrat and grading and construction activities could result in the mortality of this species, if this species occupies the site

during these activities. Implementation of the project may impact individuals and will reduce the amount of habitat available to support this species, which is considered to be a potentially significant project-specific impact, and a potentially significant cumulative impact when added to other projects that also have contributed to the loss of suitable habitat for this species within the vicinity of the project site (DMEC, 2006 and 2007). Implementation of Mitigation Measure **MM-4**, which shall require pre-construction surveys and relocation of specimens found within the grading and construction areas, shall reduce project-specific impacts and the project's contribution to cumulative impacts relating to this species, to a less-than-significant level.

- **Southern steelhead (*Oncorhynchus mykiss irideus*)**, a federal endangered species and a state species of special concern, has been observed within five miles of the project site. This species is not expected on the project site because it requires an aquatic habitat, and no such habitat occurs on the site. Therefore, the project does not have the potential to result in project-specific impacts or contribute to cumulative impacts relating to this species.

6b. Wetland Habitat

An unnamed tributary of Little Sycamore Creek is located within 100 feet of the proposed driveway. However, riparian habitat lies on the opposite side of Yerba Buena Road from the area of proposed development, and would not be affected by the construction and use of the proposed driveway.

The Subject Property has three, unnamed ephemeral drainages that might qualify as wetland habitat; however, a formal wetlands delineation has not been conducted to determine if these drainages qualify as wetland habitat pursuant to the requirements of the U.S. Army Corps of Engineers (USACE), California Department of Fish and Game (CDFG), Regional Water Quality Control Board (RWQCB), and Ventura County. Although the ephemeral drainages might qualify as a wetland habitat pursuant to Ventura County's definition (which is most inclusive) (Ventura County, 2005, 154), the area of proposed development is located greater than 100 feet from these drainage features and does not have the potential to adversely affect wetland habitat that might exist onsite. Moreover, the proposed project would be required to comply with all conditions and requirements of the Ventura Countywide Stormwater Quality Management Program, National Pollutant Discharge Elimination System (NPDES) Permit No. CAS004002 (Stormwater Permit), as well as the provisions of the Stormwater Quality Urban Impact Mitigation Plan (SQUIMP). Compliance with NPDES and SQUIMP requirements would avoid indirect impacts to the ephemeral drainages due to erosion and siltation. Although the current project will not directly or indirectly result in significant project and cumulative impacts to significant wetland habitat, future development has the potential to significantly impact this resource. To prevent any future on-site development from impacting significant wetland habitat on-site, Mitigation Measure **MM-8** shall require the enforcement of a restrictive covenant that will require discretionary review of any future development proposal.

6c. Coastal Habitat

The Project Site is located within the Coastal Zone as defined by both Ventura County's Local Coastal Program (LCP) and the California's Coastal Act. Coastal habitat consists of environmentally sensitive habitat within the Coastal Zone—that is, any area in the Coastal Zone characterized by plant or animal life or their habitats, which are either rare or especially valuable because of their special nature or role in an ecosystem, and which could be easily disturbed or harmed by human activities and development (Ventura County, 2006, 25; Ventura County, 2003, §8172-1). Both the native grassland and mixed sage scrub habitats found on-site qualify as Coastal habitat. As shown in Table 1 (below), the project would result in the direct loss of 0.22 acre of native grassland habitat, 3.54 acres of mixed sage scrub habitat, and 0.38 acres of disturbed scrub habitat. In addition, landscaping that would include the use of non-native, invasive species has the potential to adversely affect surrounding habitat. Finally, three projects included in the analysis of cumulative impacts would further contribute to the loss of coastal sage scrub/chaparral habitat (approximately 7.63 acres) (DMEC, 2006 and 2007). Therefore, project-specific impacts and the project's contribution to cumulative impacts relating to Coastal habitat would be potentially significant, but mitigable.

Table 1 (below) shows the habitat restoration/conservation requirements to reduce the project's impacts to Coastal habitat to a less-than-significant level. As shown, 0.44 acres of grassland habitat and 7.46 acres of mixed sage scrub habitat (including disturbed habitat) would need to be either restored or placed in a conservation easement in order to reduce the impacts to these habitats to a less-than-significant level. A total of approximately 2.64 acres of disturbed areas (e.g., dirt roads and areas to be disturbed by grading activities) will exist on the Subject Property after the completion of grading activities, which could be utilized for habitat restoration. In addition, the Applicants have identified approximately 0.56 acres of disturbed areas on the adjacent property (APN 700-0-260-135) that could be used for restoration activities.²

Table 1 - Potential Impacts to Sensitive Habitat and Restoration/Conservation Requirements

Type of Vegetation	Impact Area (Acres)*	Impact Restoration/Conservation Requirement	Total Restoration/Conservation Required (Acres)
Grassland	0.22	2:1	0.44
Mixed Sage Scrub	3.54	2:1	7.08
Disturbed Scrub	0.38	1:1	0.38
Total	4.14	---	7.90

*The impact area was calculated using statistics provided by Rincon (2007b) and the Ventura County GIS Mapping Division (2007).

As shown in Table 2 (below), the Applicants have proposed to restore approximately 2.63 acres (2.07 acres on-site and 0.56 acres offsite) of mixed sage scrub habitat; however, an additional 0.44 acres of grassland habitat and 4.83 acres of mixed sage scrub habitat would need to be restored or conserved in order to fully mitigate the impacts to these habitats.³ Implementation of Mitigation Measure **MM-5**, would fully mitigate the impact to these habitats by requiring the following: (a) the dedication of a conservation easement to a conservation entity (e.g., the Mountains Resource and Conservation Authority), which includes 0.44 acres of grassland habitat and 4.83 acres of mixed sage scrub habitat located on the Subject Property, yet outside of the areas of proposed development; (b) payment into an in-lieu habitat restoration or acquisition fund, managed by a restoration or conservation entity for the acquisition or restoration of 0.44 acres of grassland habitat and 4.83 acres of mixed sage scrub habitat offsite; or, (c) a combination of options (a) and (b), such that 0.44 acres of grassland habitat and 4.83 acres of mixed sage scrub habitat are either restored or conserved on- and/or off-site. Regardless of the combination of options that are selected, a total of 0.44 acres of grassland habitat and 7.46 acres of mixed sage scrub habitat must be either restored or conserved either on- or off-site, and managed in perpetuity, in order to reduce the impacts to a less-than-significant level.

Table 2 – Applicant's Proposed Restoration

Type of Vegetation	Proposed On-Site Restoration	Proposed Off-Site Restoration	Restoration Requirement (Acres)	Net Difference (Acres)
Grassland	---	---	0.44	- 0.44
Mixed Sage Scrub	2.07	0.56	7.08	- 4.45
Disturbed Scrub	---	---	0.38	- 0.38
Total	2.07	0.56	7.90	- 5.27

² In order to qualify as feasible mitigation, the applicants would be required to demonstrate that: (a) the applicants have received permission from the property owner to conduct the habitat restoration activities on this property; and, (b) an entity would be available to manage the habitat restoration areas in perpetuity.

³ An additional 0.57 acres of disturbed areas exist on the Subject Property that could be restored; however the applicants have stated that these additional areas are unavailable for habitat restoration.

Finally, Mitigation Measure **MM-7** would prohibit landscaping that includes non-native, invasive species, which are incompatible with the surrounding coastal sage scrub habitat. With the implementation of Mitigation Measures **MM-5** and **MM-7**, project-specific and cumulative impacts to Coastal habitat would be less-than-significant.

6d. Migration Corridors

The Subject Property is surrounded by native habitat consisting of coastal sage scrub and chaparral vegetation to the north, east and west identified by Ventura County as important wildlife habitat facilitating wildlife movement (**Map 6a** and **Map 6b** of **Attachment A**). However, the development of the Proposed Project will remove habitat that may potentially provide for wildlife movement. Apart from direct reduction of wildlife habitat used as corridors, potential long term impacts from encroachment into native habitat (from humans as well as pets), lighting, and noise are likely to further negatively impact wildlife utilization and movement within the Project Site. In addition, such impacts from other current and future projects in the area will also incrementally exacerbate impacts to wildlife migration corridors in the vicinity. Thus, viewed in a cumulative context, impacts to wildlife migration corridors and wildlife movement are considered potentially significant unless mitigated to a level below significance. Implementation of Mitigation Measure **MM-6**, which would address indirect impacts from the introduction of lighting and domestic animals that could impede wildlife movement, would reduce potential impacts to a less-than-significant level. In addition, to prevent any future on-site development from significantly impacting wildlife movement on-site, Mitigation Measure **MM-8** shall require the enforcement of a restrictive covenant that will require discretionary review of any future development proposal.

6e. Locally Important Species/Communities

The County of Ventura has identified several plants, animals and vegetation communities that are considered to be locally important or characteristic of, or unique to, Ventura County. Substantial losses of these species or plant communities may be considered "significant" under the CEQA.

The County of Ventura identifies the following plant and vegetation community, as locally important:

Vegetation Community

The County, CDFG and CNPS have identified several native plant communities that are rare and/or diminishing within California. Substantial losses of these plant communities may be considered "significant" under the California Environmental Quality Act (CEQA).

- **Mixed Sage Scrub.** This vegetation community, which is an inter-grade of Venturan coastal sage scrub and chaparral communities, is typically composed of black sage, California sagebrush, brittlebush (*Encelia farinosa*), bush monkeyflower (*Mimulus auranticus*), California buckwheat (*Eriogonum fasciculatum*), prickly pears (*Opuntia* spp.), purple sage (*Salvia leucophylla*), white sage (*Salvia apiana*), laurel sumac, lemonade berry, and Mexican elderberry (*Sambucus mexicana*). This community is characterized by shrubs less than two meters tall and no single species or pair of species typically dominates this community. As discussed above (Section C.c), the loss of 3.92 acres of mixed sage scrub habitat is a potentially significant, but mitigable impact; with implementation of Mitigation Measure **MM-5**, impacts would be reduced to a less-than-significant level.

The following sensitive plant communities have been reported within five miles of the proposed Project Site:

- **Southern coast live oak riparian forest** is a riparian community characterized by a closed canopy with dense evergreen sclerophyllous woodlands dominated by California live oak (*Quercus agrifolia*) and California sycamore (*Platanus racemosa*). This habitat type appears to be richer in herbs and poorer in understory shrubs than other riparian communities. Southern coast live oak riparian forest occurs in various drainages east and west of the Project Site. The unnamed

drainage occurring approximately 2,000 feet west of the proposed housing development within the property supports this habitat type; however at this distance, the proposed project does not have the potential to result in project-specific impacts or contribute to cumulative impacts relating to this community.

- **Southern sycamore alder riparian woodland** is a riparian community typically located in very rocky streambeds subject to seasonally high-intensity flooding. The vegetation is characterized by tall, open, broad-leafed, winter-deciduous streamside woodland species dominated by California sycamore and often white alder (*Alnus rhombifolia*). Southern sycamore alder riparian woodland habitat occurs approximately three miles west of the proposed Project site. No such habitat is present within the Subject Property. Therefore, the project does not have the potential to result in project-specific impacts or contribute to cumulative impacts relating to this community.

Plants

- **Petite long-spurred plectritis (*Plectritis ciliosa* ssp. *inignis*)**. This annual plant favors open, very wet areas. No such habitat is present at the Project Site. This species is also very uncommon in the project area and was not observed during the project surveys (Rincon, 2007a). Therefore, the project does not have the potential to result in project-specific impacts or contribute to cumulative impacts relating to this species.
- **Showy fiddleneck (*Amsinckia spectabilis*)**. This annual plant favors sandy coastal bluffs and dunes. No such habitat is present at the Project Site. This species also was not observed during the project surveys (Rincon, 2007a). Therefore, the project does not have the potential to result in project-specific impacts or contribute to cumulative impacts relating to this species.
- **Plummer's mariposa lily (*Calochortus plummerae*)**. See description under Section C.a.
- **Western dichondra (*Dichondra occidentalis*)**. See description under Section C.a.

To prevent any future on-site development from significantly impacting locally important species or communities on-site, Mitigation Measure **MM-8** shall require the enforcement of a restrictive covenant that will require discretionary review of any future development proposal.

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Mitigation Measures

MM-1: Pre-construction Survey and Relocation of Catalina Mariposa Lily

Prior to construction, a qualified biologist shall mark and fence the locations of Catalina mariposa lily (*Calochortus catalinae*) that are within, or immediately adjacent to, areas of ground disturbance and areas that will be used for construction equipment staging. Project activities must avoid these areas to the maximum extent feasible.

Individuals of the Catalina mariposa lily that cannot be avoided during construction shall be salvaged and translocated to suitable areas on-site by a qualified biologist. Details of the translocation, including the appropriate time for salvage and replanting, propagation methods, and appropriate habitats for replanting, will be described in a Habitat Mitigation and Monitoring Plan (see **MM-7**), to be developed by a County approved qualified biologist. The Habitat Mitigation and Monitoring Plan must include measurable success criteria, replacement methods if the criteria are not met, and a monitoring schedule.

MM-2: Salvaging of Top Soils for Western Dichondra Regeneration

The excess material available from the grading activities which contain dormant western dichondra (*Dichondra occidentalis*) and other native plant species shall be salvaged and translocated over the roadways proposed for closure. These roadways are to the northeast and south of the proposed building structures and proposed roadway, as depicted in the aerial map (**Map 1b of Attachment A**). Prior to the salvaging, the soils should be examined by a qualified botanist to ensure that it does not contain invasive plant species. If the botanist determines that the soils are excessively contaminated with invasive, weedy plant species, then the translocation of these soils should not occur. After translocation of the soils, the roadways shall be hydro seeded with native coastal sage scrub seed mix native to the watershed. Details of the salvaging of the top soils, including an estimate of top soil available for salvage and spreading, acreage of dirt roads on the Subject Property available for placement of the top soil, details of hydro seeding, and details on methods of invasive plant species control, shall be described in a Habitat Mitigation and Monitoring Plan (see **MM-7**), to be developed by a County-approved qualified biologist.

MM-3: Dedication of a Conservation Easement to Preserve Western Dichondra

The Applicants shall grant a conservation easement to a conservation entity (e.g., the Mountains Recreation and Conservation Authority) that includes 3.4 acres of Western dichondra on the Subject Property (outside the areas of proposed development) to be managed and preserved in perpetuity. Selection of the 3.4 acre habitat conservation area shall be subject to the review and approval of the Resource Management Agency, Planning Division, after consultation with the selected conservation entity. Prior to the issuance of a Grading Permit and Zoning Clearance for grading and construction activities, the permittee shall submit a copy of the recorded conservation easement to the Resource Management Agency, Planning Division, to verify that the permittee has granted the conservation easement to a conservation entity and satisfied the requirements of this mitigation measure.

MM-4: Pre-construction Survey and Relocation of Coast Horned Lizard and San Diego Desert Woodrat

Within two weeks prior to the initiation of ground disturbance activities, proposed grading areas shall be fenced off with a silt-screen fence. Following the installation of the silt-screen fence and within two weeks prior to the initiation of, and periodically throughout, ground disturbance activities, surveys for reptiles and mammals shall be conducted to ensure that these species are not harmed within these fenced areas. Individuals of this species that are found shall be relocated to suitable undisturbed habitat, outside of the areas directly and indirectly (e.g., noise) affected by grading and construction activities. Surveys and relocation activities shall be conducted by a qualified biologist according to methods approved by the CDFG. The silt fencing shall remain in place until the completion of ground disturbance activities.

MM-5: Restoration of, and Dedication of a Conservation Easement for, Mixed Sage Scrub Habitat

A total of 0.44 acres of grassland habitat and 7.46 acres of mixed sage scrub habitat shall be either restored or placed in a conservation easement either on- or off-site, and managed in perpetuity. The project description includes the restoration of approximately 2.63 acres (2.07 acres on the Subject Property and 0.56 acres on APN 700-0-260-135) of mixed sage scrub habitat; therefore, an additional 0.44 acres of grassland habitat and 4.83 acres of mixed sage scrub habitat shall be restored and/or conserved in order to fully mitigate the impacts to these habitats. The options available to satisfy the requirements of the mitigation measure consist of:

- (a) The granting of a conservation easement to a conservation entity (e.g., the Mountains Recreation and Conservation Authority), which includes 0.44 acres of grassland habitat and 4.83 acres of mixed sage scrub habitat located on the Subject Property (outside of the areas of proposed development);
- (b) Payment into an in-lieu habitat restoration or acquisition fund, managed by a restoration or conservation entity for the acquisition or restoration of 0.44 acres of grassland habitat and 4.83 acres of mixed sage scrub habitat offsite; or,
- (c) A combination of options (a) and (b), such that 0.44 acres of grassland habitat and 4.83 acres of mixed sage scrub habitat are either restored or conserved on- and/or off-site.

Selection of the habitat restoration and/or conservation areas shall be subject to the review and approval of the Resource Management Agency, Planning Division, after consultation with the selected conservation entity. Prior to the issuance of a Zoning Clearance for construction and grading activities, the permittee shall submit to the Resource Management Agency, Planning Division, a copy of the recorded conservation easement(s) and/or documents verifying payment into an in-lieu habitat restoration or acquisition fund, to verify compliance with the requirements of this mitigation measure.

MM-6: Measures to Reduce Impacts to Wildlife Movement

Exterior night lighting installed on the project site shall be of low intensity, low glare design, minimum height, and hooded to direct light downward onto the building, structures, or yard in order to prevent spill-over onto surrounding habitat and parcels. Floodlights shall not be used to illuminate outdoor areas. The Applicants shall develop a Lighting Plan that complies with these requirements. The locations of all exterior lighting fixtures, an arrow showing the direction of light being cast by each fixture, and the height of the fixtures shall be depicted on a Lighting Plan to be reviewed by the Planning Division, prior to issuance of a Zoning Clearance. The Lighting Plan shall be consistent with the Habitat Mitigation and Monitoring Plan (see **MM-7**) and shall not result in the illumination of sensitive habitat. The Planning Division shall inspect the lighting prior to Final Inspection in order to ensure that exterior lighting fixtures have been installed consistent with their specifications and depiction on the Lighting Plan.

Animal proof trash cans and/or dumpsters,⁴ as well as fencing that prevents domestic animals and wildlife from interacting, shall be maintained on-site throughout the life of the project. Specifications on the type and location of trash cans and/or dumpsters, as well as fencing, shall be included in the Habitat Mitigation and Monitoring Plan and shown on the plans for development, which shall be submitted prior to issuance of a Zoning Clearance for construction. Domestic animals shall be kept indoors from dusk to dawn to reduce interactions with wildlife predation. The Planning Division shall inspect the project site prior to Final Inspection, in order to ensure compliance with the Habitat Mitigation and Monitoring Plan (see **MM-7**).

MM-7: Development of a Habitat Mitigation and Monitoring Plan (HMMP)

A Habitat Mitigation and Monitoring Plan (HMMP) shall be developed by a county approved qualified biologist prior to issuance of a Zoning Clearance. The HMMP shall include, but not be limited to:

- Landscape plans that avoid the use of non-native, invasive species, which are incompatible with the coastal sage scrub habitat;
- Details of the requisite surveys and translocation activities required by Mitigation Measures **MM-1**, **MM-2**, and **MM-4**, including the appropriate time for surveys, salvaging, and replanting, as well as the propagation methods, measurable success criteria, maintenance, monitoring, and appropriate habitats for replanting;
- Details on the mixed sage scrub habitat restoration activities required by Mitigation Measure **MM-5**, including, but not limited to: the types and location of species to be planted; measurable success criteria; maintenance and monitoring requirements; a contingency plan; and, documentation (e.g., recorded easements and agreements) with the property owners of APN 700-0-260-135, which demonstrate that habitat restoration activities on APN 700-0-260-135 will result in the successful restoration, maintenance, and preservation of the habitat in perpetuity;
- Copies of the conservation easements and documents verifying payment into an in-lieu habitat restoration or acquisition fund (as appropriate) required by Mitigation Measure **MM-3** and **MM-5**; and,
- Copies of the lighting plan, as well as the plans for the design of trash cans/dumpsters and fencing, required by Mitigation Measure **MM-6**.

MM-8: Recordation of a Restrictive Covenant

Prior to issuance of a Zoning Clearance, the permittee and the property owner(s) of record shall sign, have notarized, and record with the Office of the County Recorder, a Restrictive Covenant furnished by the Planning Division for the property. The Restrictive Covenant is to inform the present and future property owners that the Proposed Project will result in greater than 0.5 acre of vegetation removal and is located within a "Sensitive Area," as defined in the *Ventura County Coastal Zoning Ordinance* (2005, §8174-6). Therefore, pursuant to the *Ventura County Coastal Zoning Ordinance* (2005, §8174-4, *Brush or Vegetation Removal*, and §8181-10.4), any future brush removal (i.e., brush removal in excess of what is approved to be removed as part of the Proposed Project) on the Subject Property will require the property owner(s) to file an application for a modification to Coastal Planned Development Permit Case No. LU06-0088. The modification shall be subject to:

- (i) The modification approval standards of the Ventura County Ordinance Code in effect at the time the modification application is acted on by the Planning Director; and,

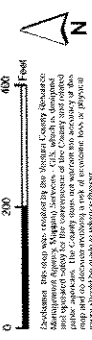
⁴ Alternatively, trash cans and/or dumpsters that are located in areas where wildlife cannot access them (e.g., enclosed buildings or structures), may be provided in lieu of animal proof trash cans and/or dumpsters.

- (ii) Environmental review, as required pursuant to the California Environmental Quality Act (CEQA; California Public Resources Code, §21000-21178), *State CEQA Guidelines* (California Code of Regulations, Title 14, Chapter 3, §15000-15387), *Ventura County Initial Study Assessment Guidelines* (February 2006), and *County of Ventura Administrative Supplement to the State CEQA Guidelines* (August 3, 1999), as amended from time to time.

ATTACHMENT A

BIOLOGICAL MAP PACKET

(Source: Ventura County Planning Department)



MAP 1a: LU06-0088
700-0-070-470
AERIAL BASE MAP



Verba Buena County
Bureau of Land Management
GIS Development & Mapping Services
Printed 06/18/2007
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the National Aerial Photography
Inventory (NAPSI) and is the
property of the U.S. Department of the Interior.
Source: AerialPhotoUSA, June 2006





MAP 1b: LU06-0088
700-0-070-470
AERIAL BASE MAP & PROJECT AREAS



Ventura County
Resolution Map
GIS Development & Mapping Services
Printed 04/18/2007
This map is the property of the
County of Ventura, California
Source: AerialPhotoUSA, June 2006

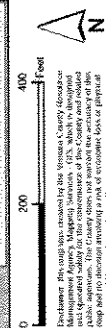




MAP 2: LU06-0088
700-0-070-470
VEGETATION/HABITAT MAP



Ventura County
Resource Management Agency
115 Development & Mapping Services
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MAP 3: LU06-0088 700-0-070-470 SENSITIVE SPECIES MAP



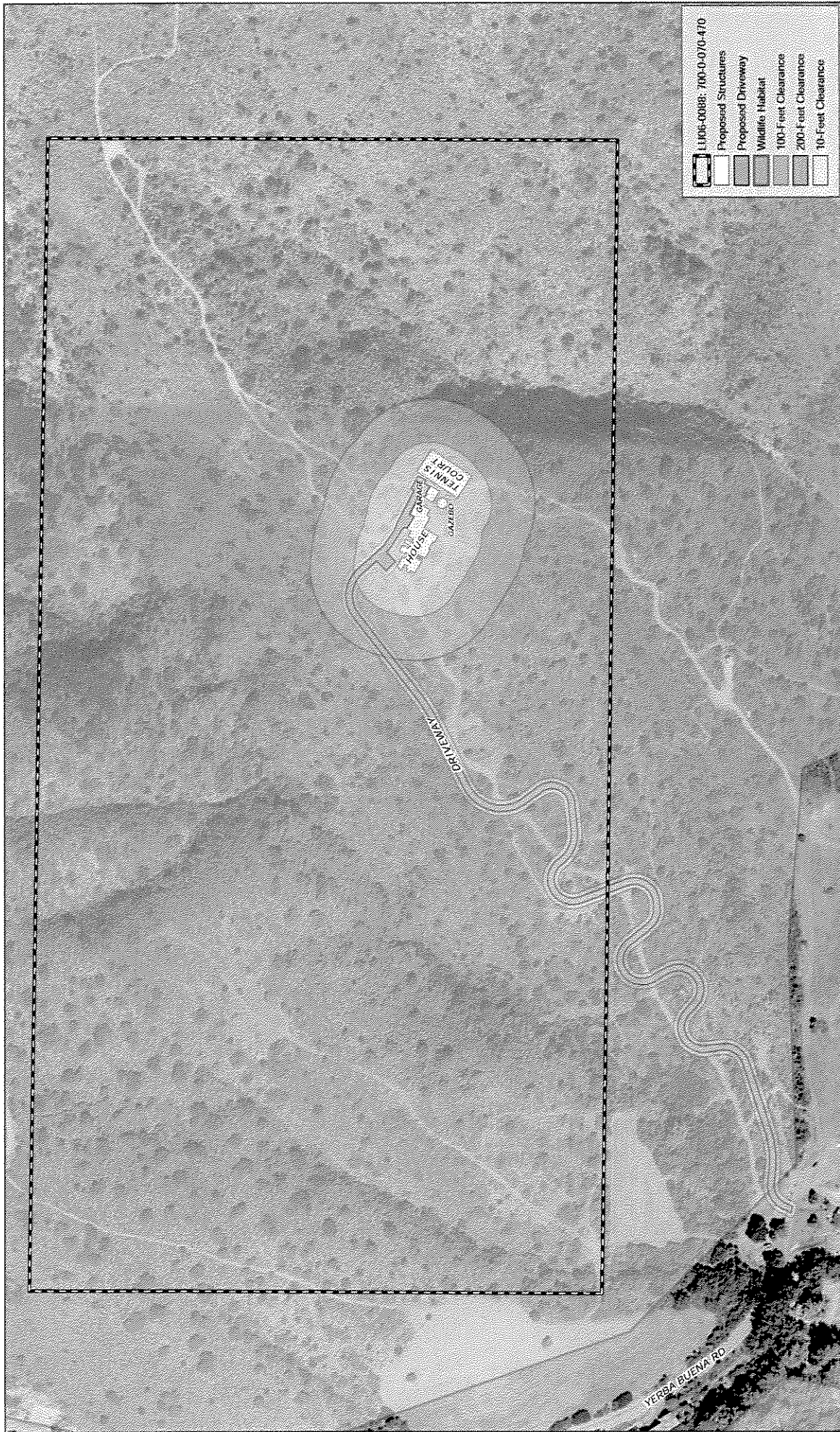
Ventura County
Board of Supervisors
GIS Development & Mapping Services
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Source: Aerial/USA, June 2006





Virginia County
Resource Management Agency
S. Development & Mapping Services
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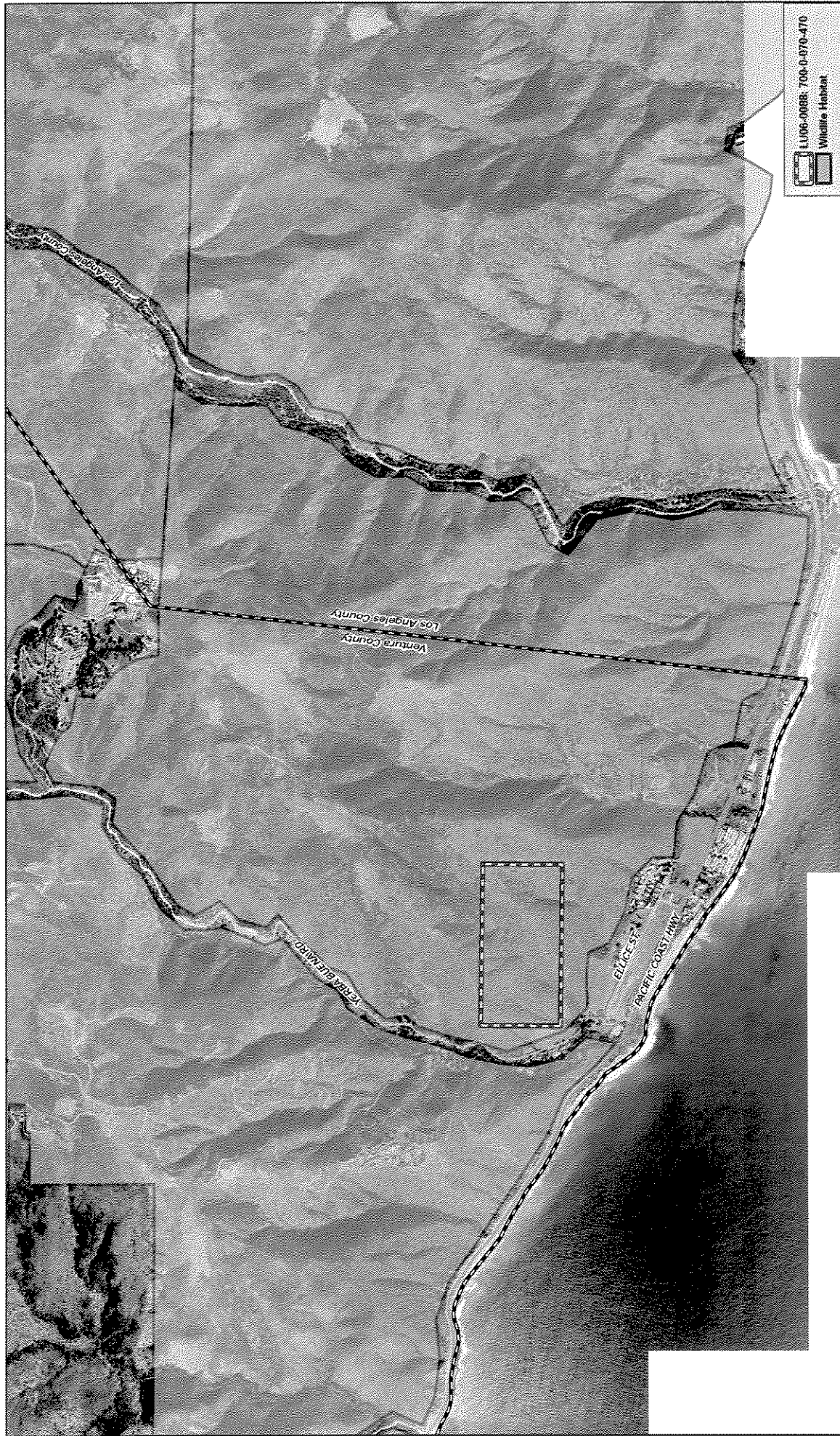


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Resource Development & Mapping Services
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MAP 6b: LU06-0088
700-0-070-470
LANDSCAPE SCALE WILDLIFE
MOVEMENT MAP



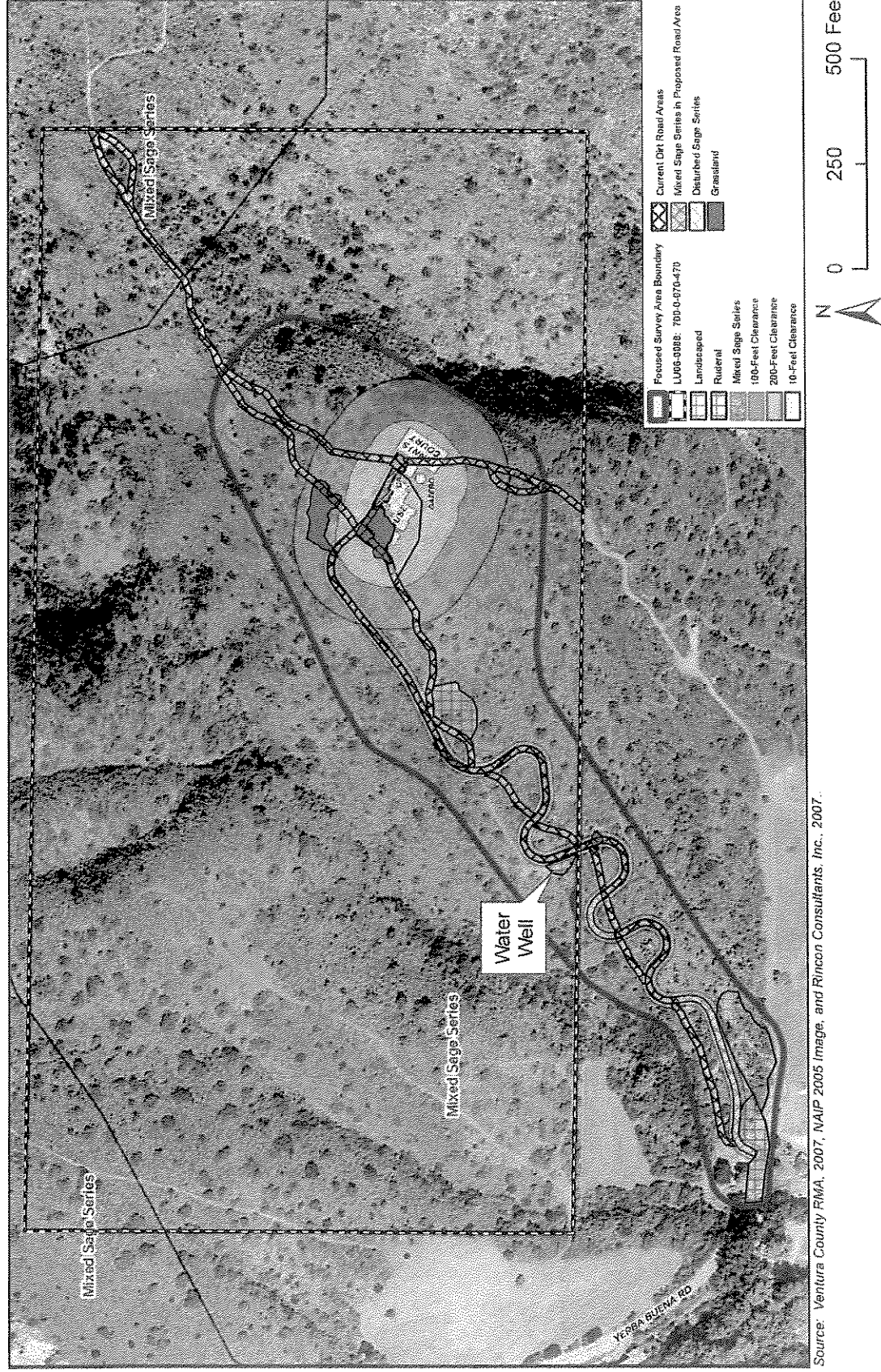
Ventura County
Resource Management Agency
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0 1,000 3,000 Feet
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ATTACHMENT B

SENSITIVE PLANT SURVEY AND STATISTICS ON VEGETATION IMPACT AREAS

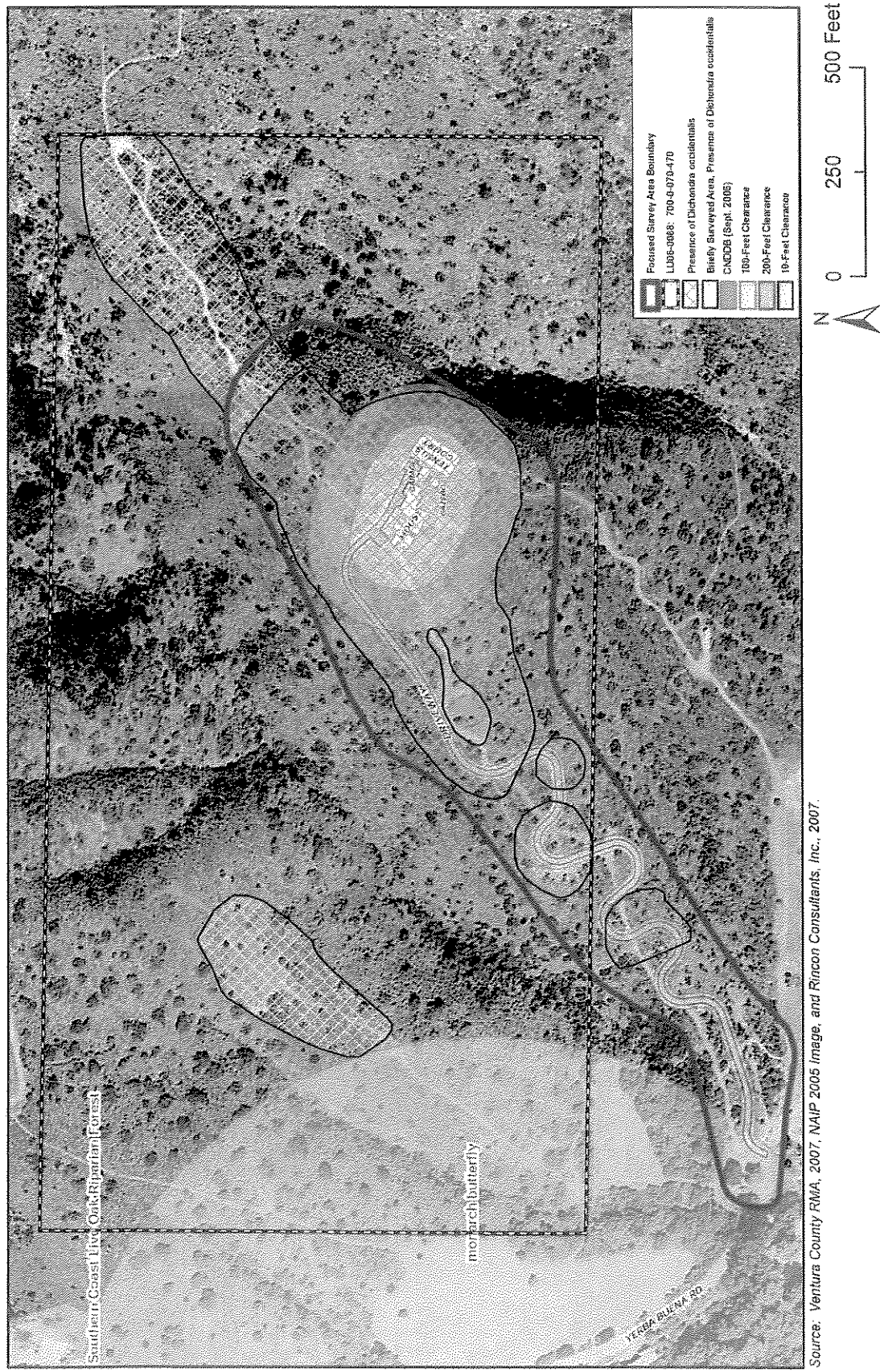


Source: Ventura County RMA, 2007, NAIP 2005 Image, and Rincon Consultants, Inc., 2007.

Habitat Map

Figure 3



Mostert Property







Source: Ventura County RMA, 2007, NAIP 2005 Image, and Rincon Consultants, Inc., 2007.



Sensitive Species Map

ATTACHMENT C
SITE PHOTOGRAPHS

ENSR		PHOTOGRAPHIC LOG	
Client Name: Ventura County Planning Division		Site Location: LU06-0088 Yerba Buena Road	
Project No. 07020-023-001			
Photo No. 1	Date: 6/20/07		
Direction Photo Taken: South			
Description: Cleared area of building pad overlooking the Pacific Ocean.			
Photo No. 2	Date: 6/20/07		
Direction Photo Taken: Southwest			
Description: View of existing driveway leading up to main building pad.			

ENSR		PHOTOGRAPHIC LOG	
Client Name: Ventura County Planning Division		Site Location: LU06-0088 Yerba Buena Road	
Project No. 07020-023-001			
Photo No. 3	Date: 6/20/07		
Direction Photo Taken: South			
Description: View of existing road heading south from proposed tennis court pad. Maxed sage scrub vegetation over either side of dirt road.			
Photo No. 4	Date: 6/20/07		
Direction Photo Taken:			
Description: View of the mixed sage scrub vegetation. California sage brush, with sage, purple needlegrass and laurel sumac can be seen in photograph.			

ENSR		PHOTOGRAPHIC LOG	
Client Name: Ventura County Planning Division		Site Location: LU06-0088 Yerba Buena Road	
Project No.: 07020-023-001			
Photo No. 5	Date: 6/20/07		
Direction Photo Taken: West			
Description: Area west of the construction area where populations of western dichondra and Catalina mariposa lily occur (foreground). The hill face in the background is separated by an ephemeral drainage, in the middle of the photo. Western dichondra was also detected on top of this ridge.			
Photo No. 6	Date: 6/20/07		
Direction Photo Taken:			
Description: View of ridge in the western portion of the site divided by an ephemeral drainage.			

ENSR		PHOTOGRAPHIC LOG	
Client Name: Ventura County Planning Division		Site Location: LU06-0088 Yerba Buena Road	
Project No. 07020-023-001			
Photo No. 7	Date: 6/20/07		
Direction Photo Taken:			
Description: Dormant dichondra (dried brown leaves).			
Photo No. 8	Date: 6/20/07		
Direction Photo Taken: Southwest			
Description: View of existing road that currently provides access to the site.			

ATTACHMENT D

CNDDDB MAP

