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Ron Allen
Ventura County Planning
800 S. Victoria Ave.
Ventura, CA 93009

Subject: Review of PM-4932 Nello Olivo Amended Biological Resources Report

Dear Ron:

David Magney Environmental Consulting (DMEC) on behalf of BioResource Consultants, has reviewed Kiva Biological Consulting's amended "Biotic Survey for a Proposed 80 Acre Subdivision Near Lockwood Valley, Ventura County, California", dated 25 January 2001. DMEC is focusing its review of Kiva's report on the botanical resource issues.

This amended report is greatly improved over the previous report for the project. A few issues remain to be adequately addressed before DMEC can concur.

- Additional mapping of the location of special-status plant species needs to be conducted.
- Offsite impacts to downstream wetlands potentially resulting from water extraction for the proposed development has not been addressed.
- Unidentified vascular plants need to be determined.
- Specific mitigation measures need to be developed to ensure protection of sensitive botanical resources.

Generally the report provides a good description of the methods used, site characteristics, and descriptions. Kiva should review the California Native Plant Society's (CNPS's) 6th edition of its *Inventory of Rare and Endangered Plants of California* for any changes in rarity status, or additional species of concern in the region compared to the outdated 5th edition. Note, however, Kiva will need to review the new list on CNPS's web site (www.cnps.org) since the 6th edition is in press and not available in printed form. Regardless, most likely all special-status plant species likely to occur in the Lockwood Valley area have been considered by Kiva since they used Magney's list of Ventura County species of local concern in their amended report.

Kiva's reference to *Quercus berberidifolia* on page 4 (4th line in 3rd paragraph) is likely an error and does not correspond to their list of plants in Appendix 1, which only lists *Quercus john-tuckeri*. *Q. john-tuckeri* is likely the correct species of oak onsite.

The Kiva report states that the following special-status plant species were found, or likely occur, onsite: *Delphinium parryi* var. *purpureum*, *D. inopinum*, *Eriogonum kennedyi* var. *austromontanum*, *Gilia leptantha* var. *pinetorum*,

A map (or maps) need to be provided that shows the specific locations of each special-status plant species, and their potential habitat onsite. The present report only maps two taxa.

As a point of information, *Monardella linioides* var. *oblonga* (Flax-like Monardella) definitely could occur onsite and occurs at even lower elevations than the project site. This reviewer has collected and mapped several populations near Lockwood Valley on the south slopes of Mount Pinos and Frazier Mountain, and the lower limits provided in *The Jepson Manual* are incorrect. However, this taxon should have been identifiable during the periods Kiva conducted their surveys; therefore, DMEC believes that it does occur onsite. Also, for *Eriophyllum jepsonii*, a population is known to occur at 4,400 feet along Lockwood Valley Road, so the project site may in fact not be outside this species' elevational limits.

Several special-status plant species present onsite were not identified as such in the amended Kiva report. Kiva inappropriately generalized a referenced of the California Department of Fish and Game restricting consideration of special-status plant species to CNPS List 1 plants (as listed by CNPS in its *Inventory*). The CDFG reference is concerning which nonlisted plants should be treated as if they were listed under the California Endangered Species Act. The report should include all plant taxa that are rare or sensitive, which includes species of local concern, as expressly mentioned in the CEQA Initial Study Checklist. The plant species that are considered as species of local concern known to occur onsite but **not** listed as such in the Kiva report (other than in Appendix 1) include: *Lomatium dasycarpum* var. *tomentosum*, *L. utriculatum*, *Eriogonum davidsonii*, *Layia glandulosa*, *Heterotheca sessiliflora* var. *fastigiata*, *Cardamine oligosperma*, *Lupinus excubitus* var. *austromontanus*, *Allium howellii* var. *clokeyi*, *Delphinium parishii* ssp. *pallidum*. That is nine taxa of special-status plant species the Kiva report did not properly assess impacts for. This needs to be corrected, and occurrences for all special-status plants need to be mapped.

Kiva concludes (on page 16) that “only one species with special status was found...” This statement is in conflict with the body of the report, where at least two special-status plant species were observed and mapped onsite, and the next paragraph mentions four sensitive species found. DMEC suspects this conflict may be a hold-over from the original report.

Kiva's conclusions that “Use of this site for four homes will probably not seriously impact these species negatively” and “We do not believe that this subdivision will seriously impact any of the sensitive species known from the Lockwood Valley/Mt. Pinos region” are unfounded and not supported by any scientific reasoning, studies, or other evidence; rather, it is likely simply Kiva's opinion, which MAY be correct. However, Kiva's assumption needs to be based on more than just an opinion without further explanation.

DMEC recommends that all special-status plant species occurrences be mapped on the project site. Then appropriate mitigation measures need to be developed, in detail, to avoid or mitigation for any and all impacts to these species.

Proposed building pads/envelopes should be designed to avoid or minimize all adverse impacts, and discretion by anyone wishing to build onsite be restricted to these defined building envelopes.



All land outside the building envelopes should be kept in a natural state in perpetuity, possibly through designating conservation easements on those portions of each parcel to protect the biological resources present onsite.

DMEC understands that Kiva believes the potential impact of water withdrawals onsite on offsite wetlands are beyond the scope of their analyses, this issue must be addressed before any determination of affect/no affect can be made. A groundwater hydrologist needs to gather data on the onsite and adjacent groundwater characteristics, and determine if the onsite groundwater aquifer is connected to the downstream wetlands at the Cuddy Ranch, and how the proposed extraction will affect water supply to the wet meadow wetlands on the Cuddy Ranch.

Please call me if you have any questions regarding this letter.

Sincerely,

David L. Magney
President

cc: Carl Thelander, BioResource Consultants