STATE OF CALIFORNIA–THE RESOURCES AGENCY

ARNOLD SCHWARZENEGGER, *Governor*

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February 28, 2005

Ms. Joyce Parker-Bozylinski, AICP
City of Agoura Hills
30001 Ladyface Court
Agoura Hills, California 91301

Notice of Preparation for the Agoura Village Specific Plan

Dear Ms. Parker-Bozylinski:

The Santa Monica Mountains Conservancy (Conservancy) is the principal state agency charged with planning and conservation for the Santa Monica Mountains Zone and Rim of the Valley Corridor pursuant to Division 23 of the Public Resources Code. The Conservancy offers the following comments on the Notice of Preparation (NOP) for the Agoura Village Specific Plan. The Conservancy provided similar comments in a November 24, 2003, letter on the NOP for the Agoura Village Strategic Plan. If there any inconsistencies between the previous and current letters, this current February 28, 2005 letter supersedes that November 24, 2003 letter.

The proposed Agoura Village would encompass 98 acres, 66 of which are currently vacant. Land uses proposed for those areas that are currently vacant include retail and office space and residential units. The Specific Plan includes proposed architectural and urban design standards defining the Agoura Village project, modifications to existing Zoning Code provisions, and a number of circulation improvements. Adoption of the Strategic Plan and Specific Plan will require a General Plan amendment and Zoning Code amendments.

The subject project area comprises a major gateway to the Santa Monica Mountains National Recreation Area. The rigor of environmental analysis required by the City for this specific plan, and ultimately the version of the specific plan that is approved by the City, will reflect upon whether the City has adequately protected this gateway. The subject specific plan must maximize avoidance of biological and aesthetic impacts in this sensitive portion of the Santa Monica Mountains.

Need for project modifications and project alternatives

The ecological and aesthetic resources of the site warrant at least one alternative in the Draft Environmental Impact Report (DEIR) with a substantially reduced project footprint

on the southern project boundary. The attached figure, entitled "Environmentally Sensitive Footprint," should be considered as an alternative in the DEIR. The project area south of Agoura Road, on the east and west side of Kanan Road contribute to an east-west habitat linkage across Kanan Road and it connects to 1,000-plus-acre blocks of roadless habitat (unpaved). Two blue line streams, Lindero Creek and Medea Creek and, flow through the western and central portions of the specific plan area. Lyon's pentachaeta wildflower, listed as endangered by the U.S. Fish and Wildlife Service is known to occur onsite and in the vicinity. The project area is also located near Los Angeles County Significant Ecological Area No. 6. (The DEIR should show exact location of SEA No. 6 with respect to the project.) The project site is part of the Malibu Creek watershed, known to support numerous sensitive species, including southern steelhead trout. The site also provides a significant viewshed from Kanan Road.

As described below, the proposed project and DEIR alternatives should incorporate several modifications. Specifically, the Conservancy recommends that the DEIR consider a project as shown on the attached figure, entitled "Environmentally Sensitive Footprint." The Conservancy recommends modifications in the following three portions of the project: (1) the area of Lindero Creek, west of Kanan Road, south of Agoura Road, (2) the area of Medea Creek, east of Kanan Road, south of Agoura Road, and (3) the area east of Cornell Road, south of Agoura Road.

With respect to the first area encompassing Lindero Creek, the DEIR must address the importance of the subject threatened section of Lindero Creek for wildlife in the area of Ladyface Mountain habitat area. Specifically, there is no other reliable perennial water source, to our knowledge, for wildlife in the Ladyface Mountain habitat block other than in the counter opposite end in Triunfo Creek downstream from the Westlake Dam. These wildlife include mammals, birds, and herpetofauna. The DEIR must address how the proposed project and each relevant DEIR alternative could degrade wildlife utilization of this section of the Creek. Such degradation would occur from the placement of buildings, parking lots, hardscape, non-native landscaping, lighting and drainage improvements. In contrast, we look to the City to fashion a specific plan the provides generous setbacks from the Creek as dictated by conservation biology.

The proposed project and DEIR alternatives should be modified to maintain a completely natural wildland interface in this area around Lindero Creek, as shown on the attached figure. Lindero Creek should be completely avoided, as well as the majority of the project area on the western side of Kanan Road, south of Agoura Road. Development on the west side of Kanan Road, south of Agoura Road, should be clustered and limited to those grassland and disturbed areas as shown on the attached figure. Development should not be

permitted in other areas on the west side of Kanan Road, south of Agoura Road for this project. No public policy decision can be justified which jeopardizes the value of Lindero Creek on the project site for wildlife carrying capacity within the Ladyface Mountain habitat block. This would also minimize adverse view impacts from Kanan Road.

Reductions of the project east of Kanan Road, in the vicinity of Medea Creek, should also be reflected in the proposed project and DEIR alternatives. The DEIR must address the value of the natural and channelized creek bottom in terms of its connectivity for wildlife moving northward towards and under the 101 freeway. The southern portion of the project, east of Kanan Road, provides significant views from Kanan Road. The southern portion of the project between Kanan Road and Cornell Road is known to contain sensitive archaeological resources. The Conservancy recommends that Medea Creek be avoided such that a swath of undisturbed habitat is permanently preserved along the southern project boundary, curving to the northeast, and following Medea Creek until it connects to the channelized portion of Medea Creek. Under this alternative, the development in this area of the project would be limited to those areas shown on the attached figure. This Hiking and Equestrian Center would be deleted under this alternative.
As development proceeds on other areas of the project site, we can expect the runoff to Medea Creek to increase. This increase in flow to Medea Creek may result in increased riparian habitat, thus making this described area even more important for wildlife habitat.

The third area where a project modification is warranted is the southernmost nob of the project, at the eastern end of the project. The presence of oak woodlands, the potential for sensitive species, and the adjacency to other existing open space south of the project warrants avoidance of this area. The attached figure, "Environmentally Sensitive Footprint," shows a reduced footprint, outside of which development should be prohibited.

These three main areas in which the Conservancy recommends additional avoidance should reflect the lowest intensity development in the Zoning Code and General Plan land use (e.g., Open Space).

Protection of open space on the project site

The DEIR must require in a mitigation measure that any open space areas in the proposed project, and all alternatives, be dedicated in fee title to an appropriate public entity capable of managing open space for resource protection and recreational use. The Mountains Recreation and Conservation Authority (MRCA), the Conservancy's joint powers partner, would be an appropriate entity to accept this dedication. If fuel modification is required

on any public open space, easements should be provided in favor of the development entity to allow for privately funded fuel modification on public land.

The DEIR should require a Communities Facility District or sufficient funds from the developer (e.g., in the form of a non-wasting endowment), in the mitigation measures to fund long-term management and maintenance of the open space. The proposed project and every CEQA alternative must require that the funding mechanism be established prior to grading or vegetation removal. This funding would be used to cover management of the open space and Lyon's pentachaeta populations and to provide ranger patrol for any nuisance problems.

Other comments regarding biological resources

Updated rare plant surveys must be conducted during the appropriate times of year and these results should be included in the DEIR. The slopes of Ladyface Mountain support high plant diversity, and the project site likely reflects this diversity. Specifically, these surveys should survey for any potentially occurring rare plants including Lyon's pentachaeta Santa Monica Mountains dudleya, and the rare *Coreopsis* sp.

The DEIR should also analyze how changes in runoff from the site will impact on water quality within the Malibu Creek aquatic communities.

Land use impacts

The DEIR must address any inconsistencies with the City of Agoura Hills Open Space Preservation Action Plan. Part of the subject property is within Area 6–Ladyface Mountain identified in the plan.

The DEIR also must address any inconsistencies with the Santa Monica Mountains Comprehensive Plan (SMMCP). Specifically, the SMMCP identifies the eastern-most portion of the project area (south of Agoura Road) the appropriate development density as being one unit per 20-40 acres.

Cumulative impacts

The DEIR must address cumulative impacts to biological resources and aesthetic resources (e.g., view impacts from Kanan Road) from recently proposed or approved projects in the area. This analysis should include, but not be limited to, the following projects: Live Oak Ranch Project Tentative Tract No. 52419 (located south of the subject specific plan, on

both sides of Kanan Road), the project currently being built on both sides of Medea Creek north of the 101 freeway, east of Kanan Road, and the Corporate Point Commercial Project Conditional Use Permit No. 98-012 (located west of the subject strategic plan, south of and adjacent to Agoura Road).

The Conservancy emphasizes that even though the subject proposed specific plan is a planning document, it is expected to result in foreseeable environmental impacts directly resulting from the plan. Therefore, this specificity we outline in this letter must be included in the specific plan DEIR, and must not be deferred to California Environmental Quality Act documents for individual projects that will be proposed later.

The Conservancy recommends a reduced project for the reasons outlines above. The primary public policy objective to be pursue in this both ecologically and visually sensitive area should be to maximize the preserves of open space, key ecological resources, and primary viewsheds. Please direct any questions and all future correspondence to Judi Tamasi of our staff at the above address and by phone at (310) 589-3200, ext. 121.

Sincerely,

Elizabeth A. Cheadle

ELIZABETH A. CHEADLE
Chairperson