

RESOURCE MANAGEMENT AGENCY
county of ventura

Planning Division

Christopher Stephens
 Director

March 10, 2005

Joyce Parker-Bozylinski, AICP
 Contract Planner
 City of Agoura Hills
 30001 Ladyface Court
 P.O. Box 20250
 Agoura Hills, CA 91301

FAX #: 818-597-7352

Post-it* Fax Note	7671	Date	3/11/05	# of pages	3
To	JOYCE PARKER	From	C. MOREHOUSE		
Co./Dept.		Co.			
Phone #		Phone #			
Fax #		Fax #			

Subject: Agoura Village Specific Plan; Notice of Preparation of Draft EIR

Thank you for the opportunity to review and comment on the subject document. Attached are the comments that we have received resulting from intra-county review of the subject document.

Your proposed responses to these comments should be sent directly to the commenter, with a copy to Carl Morehouse, Ventura County Planning Division, L#1740, 800 S. Victoria Avenue, Ventura, CA 93009.

If you have any questions regarding any of the comments, please contact the appropriate respondent. Overall questions may be directed to Carl Morehouse at (805) 654-2476.

Sincerely,



Christopher Stephens
 County Planning Director

I:\Working Files\MOREHOC\Outside Env. Docs\Response Letters\Agoura Hills 05-011

Attachment

County RMA Reference Number 05-011





**PUBLIC WORKS AGENCY
TRANSPORTATION DEPARTMENT
Traffic, Advance Planning & Permits Division
MEMORANDUM**

DATE: March 10, 2005

TO: Resource Management Agency, Planning Division
Attention: Carl Morehouse

FROM: Nazir Lalani, Deputy Director

SUBJECT: Review of Document 05-011 Agoura Hills Village Specific Plan
Notice of Preparation of an EIR for the Agoura Hills Village Specific Plan encompassing approximately 587,000 SF of retail and office space and between 184 and 234 residential units. The project is located on the south of 101 Freeway and on either side of Kanan Road in the Agoura Hills in Los Angeles County.
Lead Agency -- City of Agoura Hills

The Transportation Department has reviewed the Notice of Preparation of an EIR for the Agoura Hills Village Specific Plan. The project proposes to construct a maximum of approximately 587,000 SF of retail and office space and between 184 and 234 residential units. The project is located on the south of 101 Freeway and on either side of Kanan Road in the Agoura Hills in Los Angeles County.

The Environmental Study should be required to analyze and address the traffic impacts of these projects to the roads in Ventura County in particular on Kanan Road. We would like to review the environmental study as it becomes available.

Our review is limited to the impacts this project may have on Ventura County's Regional Road Network.

Please call me at 654-2080 if you have questions.

MAR 08 2005

VENTURA COUNTY
AIR POLLUTION CONTROL DISTRICT
Memorandum

TO: Carl Morchouse, Planner DATE: March 7, 2005

FROM: K.D. Otani 

SUBJECT: Request for Review of Notice of Preparation of an Environmental Impact Report for the Agoura Village Specific Plan, City of Agoura Hills, Los Angeles County (Reference No. 05-011)

Air Pollution Control District staff has reviewed the subject project notice of preparation, which is a proposal for the development of 98 acres, 66 of which are currently vacant, to create Agoura Village and to be implemented through the Agoura Village Specific Plan. The proposed project will be located on the southeast side of Kanan Road and the 101 Ventura Freeway in the City of Agoura Hills, in Los Angeles County.

Due to the magnitude of the project and the close proximity of the project to the County of Ventura's border (less than 2.5 miles) District staff recommends that the air quality section of the draft environmental impact report address potential regional and local air quality impacts that would be present in the County of Ventura. Specifically, the air quality assessment should consider reactive organic compound and nitrogen oxide emissions from all project-related motor vehicles and construction equipment. Additionally, the air quality assessment should consider potential impacts from fugitive dust, including PM10, that will be generated by construction activities.

This project will involve a large amount of grading and transfer of soil. The California Air Resources Board (CARB) has identified diesel exhaust particulate matter as a Toxic Air Contaminant (TAC). Diesel exhaust includes hundreds of different gaseous and particulate components, many of which are toxic. The earthmoving equipment and diesel trucks used to transfer soil have the potential to expose sensitive populations in the vicinity to elevated levels of diesel exhaust. The District recommends that a formal health risk assessment be conducted for the project. Mitigation measures should also be identified and discussed if the assessment indicates a significant risk.

If project-related air quality impacts are deemed significant, appropriate mitigation measures should be identified and included in the environmental impact report.

If you have any questions, please call me at 645-1422 or email me at kd@vcapcd.org.



COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

900 SOUTH FRESNANO AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100
www.ladpw.org

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

April 5, 2005

IN REPLY PLEASE
REFER TO FILE: LD-0

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

Dear Ms. Parker-Bozylinski:

RESPONSE TO NOTICE OF PREPARATION ENVIRONMENTAL IMPACT REPORT AGOURA VILLAGE SPECIFIC PLAN CITY OF AGOURA HILLS

Thank you for the opportunity to provide comments on the Notice of Preparation (NOP) of an Environmental Impact Report (EIR) for the Agoura Village Specific Plan. We have reviewed the NOP and offer the following comments for your consideration in preparing the EIR.

Hazards and Hazardous Materials

If any excavated soil is contaminated by or classified as hazardous waste by an appropriate agency, the soil must be managed and disposed in accordance with applicable Federal, State, and local laws and regulations. Should any operation within the subject project include the construction, installation, modification or removal of underground storage tanks, our Environmental Programs Division must be contacted for required approvals and operating permits.

Hydrology/Water Quality

To adequately assess/address Standard Urban Stormwater Mitigation Plan (SUSMP) and drainage issues impacting our existing drainage improvements, a Drainage Concept/SUSMP report is required. The report should address increases in runoff, any change in drainage patterns, treatment method proposed for SUSMP regulations (label location of SUSMP device and Qpm on drainage concept plan), and the capacity of storm drain facilities.

Ms. Joyce Parker-Bozylinski
April 5, 2005
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Submit two sets of the drainage concept and calculations to Public Works for review and approval. We recommend that this environmental report not be approved until Public Works has reviewed and approved the Drainage Concept/SUSMP report. A copy of the approved Drainage Concept/SUSMP report should be included in the final EIR.

Flood

The NOP presents a conceptual plan to restore the Cheseboro Canyon Channel and the Media Creek located in the vicinity of their confluence. There was not sufficient information to assess the impacts of this proposal on existing structures or flood control facilities. The project proponent should coordinate the development and implementation of the proposed restoration with our Flood Maintenance Division to ensure all Flood Control District guidelines are met. Please contact Mr. Kenneth Rickard of our Flood Maintenance Division at (818) 896-0594 for additional information.

Solid Waste

The construction, demolition, and/or predevelopment activities associated with the proposed project will increase the generation of solid waste and may negatively impact the solid waste management infrastructure in the County. The proposed environmental document should identify what measures the project proponent plans to implement to mitigate the impact. Mitigation measures may include, but are not limited to, implementation of waste reduction and recycling programs and implementation of a mandatory recycling program for owners and/or tenants of all on-site businesses.

If you have any questions or require additional information, please contact Mr. Juan Sarda at (626) 458-7151.

Very truly yours,

DONALD L. WOLFE
Acting Director of Public Works



DENNIS HUNTER
Assistant Division Engineer
Land Development Division

JMS:jmw

P:\dpub\CEQA\JUAN\Agoura Village Specific Plan.doc

Friends of the Environment

"To Preserve and Protect Our Future"

Whether you are a resident of Agoura Hills, the unincorporated areas of Los Angeles County along Kanan Road, or Cornell Road to Malibu Lake, the following information is vital to your survival and preservation of a peaceful and serene lifestyle, void of any more traffic congestion than we already have. It is also an opportunity to protect open space and wildlife habitat. All of this is being threatened at the gateway to the Santa Monica Mountains, at the intersection of Kanan and Agoura Roads in the City of Agoura Hills, by a selfish and determined City Council of Agoura Hills, who desire to build a concrete shrine to themselves, named Agoura Village, without consideration or consequence to anyone or anything it may harm.

The Agoura Village plan, which incorporates massive grading and construction to accommodate at least twenty new commercial buildings and additional housing, will entail demolition and construction of all lands along Agoura Road as far back as Cornell Road on the South, all level lands at the base of Ladyface Mountain as far South as Cornell and as far West along Agoura Road as to need a bridge over Medea Creek, North to Roadside Drive, and East as far as the Do It Center. The Agoura Village plan was initiated more than fifteen years ago under the former mayor, Fran Pavley, but until recently was a backburner dream project. However, in the past several months, the Agoura Hills City Council has been conspiring behind closed doors to make this project a reality. But, has anyone seen details of this project mentioned in City newsletters or on the City's website? So why then has the City of Agoura Hills spent hundreds of thousands of dollars in renderings and studies? Why have certain Council members been secretly courting tenants for the project? This project is a monster that will severely impact traffic patterns and flows in and around Agoura Hills, and make an already overburdened Kanan freeway interchange even worse. The construction of the Kanan interchange is already twelve years behind schedule, but even if it is finished before the Agoura Village could be built, the new bridge will still not be able to mitigate the additional traffic.

The roads most affected are the following:

1. Kanan Road - the most critical times being on Saturdays, Sundays, and on rainy days when Malibu Canyon Road is closed, which is quite often. Summer beach traffic already causes delays up to one hour from Troutdale to the freeway.
2. Agoura Road - on Saturdays and Sundays, for those who know the streets, Agoura Road serves as an alternate access to the freeway, with people traveling to the on-ramps at Cheseboro. The Agoura Village plan calls for putting diagonal parking on both sides of Agoura Road, and making it a pedestrian-friendly zone, which means traffic coming to a halt every time a pedestrian steps into the street- a problem that does not now exist.

Agoura Road also serves as the only parallel through-access road along the Ventura 101 freeway corridor. It is the only usable road when the 101 is stopped. It is also the most direct, and currently used artery to and from the Lost Hills Sheriff's station on Agoura Road, for both Agoura Hills and Westlake Village.

In addition to nightmarish traffic congestion, the Agoura Village plan calls for covering the entrance to the Santa Monica Mountains with buildings and paved parking that will create runoff into Medea Creek beyond our wildest dreams. It will also remove the ridgelines from view by the buildings that are planned for the project. For those interested, a long time resident and pioneer in Agoura, Mr. Vance Moran, had attempted on no less than seven occasions over the past twenty years, to develop his property on the southwest corner of Kanan and Agoura Roads. Each and every time, the application was denied by the City of Agoura Hills, in conjunction with the Department of Fish and Game, citing projected pollution and runoff into the creek at grossly unacceptable levels. The Agoura Village plan includes this very same parcel, except with twice as many buildings and paved area, and adds to it more of the same all along Agoura Road as far as Cornell Road. The supposed environmentally friendly Agoura Hills City Council members have obviously had a behind-closed-door change of heart.

Reliable, and environmentally friendly insider sources, have revealed that the City Council has been using much-needed funds from other projects, including moneys earmarked for road and park improvements, and the long-delayed Kanan interchange, to fund the preliminary studies for the Agoura Village. At a minimum cost of \$300,000 alone, the Environmental Impact Report has secretly been started and financed by the City of Agoura Hills, which will be finished in July 2005.

Furthermore, to acquire the land that the City of Agoura Hills needs to build Agoura Village, the City of Agoura Hills is poised to condemn, and confiscate, privately owned lands along Agoura Road and beyond, using a Redevelopment Agency that the city set up almost twenty years ago, but has been sitting dormant until needed. And when these businesses are forced to close, they will be receiving pennies on the dollar, as the proceedings will only pay for the land, not the value of the businesses. This process was demonstrated quite boldly by the City Council in its treatment of Mel Adams of Agoura Equipment Rentals in 2004. City renderings and verbal corroboration indicate that some of the businesses slated for confiscation are Agoura Self Storage, Agoura Equipment Rentals, Roadside Lumber, the Agoura Hill Commercial Center, the Adobe Cantina Restaurant, and eventually the Whizin's Shopping Center.

Anonymity is vital at this time as the City Council of Agoura Hills is a deviant lot who will stop at nothing, including threats and retribution to any person or business that dares to speak against them or question them. It has been an on-going practice that began in the Pavley era, and has continued for years. But *who* we are will be revealed soon enough, especially as this is an election year in Agoura Hills.

Do not wait to use this information until it is too late. Stop this project before it gets started, as we did with Ahmanson and Soka University. And as those battles proved, you *can* fight city hall. But we must start now! It is important to immediately write letters, make phone calls, and send emails to the Council members of the City of Agoura Hills, and all agencies affected by this project at the City, State, and Federal levels. Write to your local newspapers, and get your friends and neighbors involved. Good luck to all of us.

Friends of the Environment



COUNTY OF LOS ANGELES

FIRE DEPARTMENT

1320 NORTH EASTERN AVENUE
LOS ANGELES, CALIFORNIA 90063-3294

(323) 890-4330

CITY OF AGOURA HILLS
2005 MAY 16 PM 3:09
CITY CLERK

P. MICHAEL FREEMAN
FIRE CHIEF
FORESTER & FIRE WARDEN

May 11, 2005

Joyce Parker-Bozylinski, AICP
City of Agoura Hills
30001 Ladyface Court
Agoura Hills, CA 91301

Dear Ms. Parker-Bozylinski:

NOTICE OF PREPARATION, THE AGOURA VILLAGE SPECIFIC PLAN, "CITY OF AGOURA HILLS" – (FFER #200500011)

The Notice of Preparation has been reviewed by the Planning Division, Land Development Unit, and Forestry Division of the County of Los Angeles Fire Department. The following are their comments:

PLANNING DIVISION – FIRE PROTECTION AND EMERGENCY MEDICAL SERVICE AVAILABILITY:

The subject development will receive fire protection and paramedic service from the County of Los Angeles Fire Department. The closest fire station to the project area is Station 65, located at 4206 N. Cornell Road, about 1 mile south of Agoura Road. The closest ladder company, essential for fighting fires in buildings of 3 or more stories in height, is in Station 125, located on Las Virgenes Road immediately north of the Ventura Freeway, about 4.2 miles from the intersection of Kanan and Agoura Roads. In addition, future Fire Station 89 will be located on Canwood Street east of Strawberry Hill Drive, a little more than half a mile from the same intersection.

PROJECT IMPACT ON SERVICES:

At maximum buildout, the plan would add 234 multi-family residential units and 587,000 square feet of miscellaneous commercial development. Although this development would be in proximity to existing and future fire stations, it would represent a substantial increase in demand on the fire protection and emergency medical resources in the general area. Additional manpower, equipment, and facilities are needed in the area now due to the cumulative impact of incremental growth.

SERVING THE UNINCORPORATED AREAS OF LOS ANGELES COUNTY AND THE CITIES OF:

- | | | | | | | | |
|--------------|-----------|------------------|----------------------|-----------|----------------------|-----------------------|------------------|
| AGOURA HILLS | BRADBURY | CUDAHY | HAWTHORNE | LA MIRADA | MALIBU | POMONA | SIGNAL HILL |
| ARTESIA | CALABASAS | DIAMOND BAR | HIDDEN HILLS | LA PUENTE | MAYWOOD | RANCHO PALOS VERDES | SOUTH EL MONTE |
| AZUSA | CARSON | DUARTE | HUNTINGTON PARK | LAKEWOOD | NORWALK | ROLLING HILLS | SOUTH GATE |
| BALDWIN PARK | CERRITOS | EL MONTE | INDUSTRY | LANCASTER | PALMDALE | ROLLING HILLS ESTATES | TEMPLE CITY |
| BELL | CLAREMONT | GARDENA | INGLEWOOD | LAWNDALE | PALOS VERDES ESTATES | ROSEMAD | WALNUT |
| BELL GARDENS | COMMERCE | GLENDORA | IRVINDALE | LOMITA | PARAMOUNT | SAN DIMAS | WEST HOLLYWOOD |
| BELLFLOWER | COVINA | HAWAIIAN GARDENS | LA CANADA-FLINTRIDGE | LYNWOOD | PICO RIVERA | SANTA CLARITA | WESTLAKE VILLAGE |
| | | | LA HABRA | | | | WHITTIER |

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SERVICE RESPONSIBILITY:

Individual projects within the Specific Plan area shall participate in an appropriate financing mechanism, such as a developer fee or an in-kind consideration in lieu of developer fees, to provide funds for fire protection facilities which are required by new commercial, industrial or residential development in an amount proportionate to the demand created by this project. Currently, the developer fee is a set amount per square feet of building space, adjusted annually, and is due and payable at the time a building permit is issued. In the event that the developer fee is no longer in effect at the time of building permit issuance, alternative mitigation measures shall be required.

LAND DEVELOPMENT UNIT:

1. The County of Los Angeles Fire Department, Land Development Unit appreciates the opportunity to comment on this project.
2. This project does not propose construction of structures or any other improvements at this time. Therefore, until actual construction is proposed the project will not have a significant impact to the Fire Department, Land Development Unit.
3. When developing the infrastructure and when actual construction is proposed, the following requirements shall be incorporated into the project proposals.
4. The proposed development may necessitate multiple ingress/egress access for the circulation of traffic, and emergency response issues.
5. The development of this project must comply with all applicable code and ordinance requirements for construction, access, water mains, fire flows and fire hydrants.
6. Specific fire and life safety requirements for the construction phase will be addressed at the building fire plan check. There may be additional fire and life safety requirements during this time.
7. Every building constructed shall be accessible to Fire Department apparatus by way of access roadways, with an all-weather surface of not less than the prescribed width. The roadway shall be extended to within 150 feet of all portions of the exterior walls when measured by an unobstructed route around the exterior of the building.
8. Access roads shall be maintained with a minimum of ten (10) feet of brush clearance on each side. Fire access roads shall have an unobstructed vertical clearance clear-to-sky with the exception of protected tree species. Protected tree species overhanging fire access roads shall be maintained to provide a vertical clearance of 13 feet, 6 inches.
9. When a bridge is required to be used as part of a fire access road, it shall be constructed and maintained in accordance with nationally recognized standards and designed for a live load sufficient to carry a minimum of 75,000 pounds. All water-crossing designs are required to be approved by the Department of Public Works prior to installation.

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10. The maximum allowable grade shall not exceed 15% except where topography makes it impractical to keep within such grade; in such cases, an absolute maximum of 20% will be allowed for up to 150 feet in distance. The average maximum allowed grade, including topographical difficulties, shall be no more than 17%. Grade breaks shall not exceed 10% in ten (10) feet.
11. When involved with a subdivision in a city contracting fire protection with the County of Los Angeles Fire Department, Fire Department requirements for access, fire flows and hydrants are addressed during the subdivision tentative map stage.
12. Fire sprinkler systems are required in some residential and most commercial occupancies. For those occupancies not requiring fire sprinkler systems, it is strongly suggested that fire sprinkler systems be installed. This will reduce potential fire and life losses. Systems are now technically and economically feasible for residential use.
13. The development may require fire flows up to 5,000 gallons per minute at 20 pounds per square inch residual pressure for up to a five-hour duration. Final fire flows will be based on the size of the buildings, their relationship to other structures, property lines, and types of construction used.
14. Fire hydrant spacing shall be 300 feet and shall meet the following requirements:
 - No portion of lot frontage shall be more than 200 feet via vehicular access from a public fire hydrant.
 - No portion of a building shall exceed 400 feet via vehicular access from a properly spaced public fire hydrant.
 - Additional hydrants will be required if hydrant spacing exceeds specified distances.
 - When cul-de-sac depth exceeds 200 feet on a commercial street, hydrants shall be required at the corner and mid-block.
 - A cul-de-sac shall not be more than 500 feet in length, when serving land zoned for commercial use.
15. Turning radii shall not be less than 32 feet. This measurement shall be determined at the centerline of the road. A Fire Department approved turning area shall be provided for all driveways exceeding 150 feet in length and at the end of all cul-de-sacs.
16. All on-site driveways/roadways shall provide a minimum unobstructed width of 28 feet, clear-to-sky. The on-site driveway is to be within 150 feet of all portions of the exterior walls of the first story of any building. The centerline of the access driveway shall be located parallel to, and within 30 feet of an exterior wall on one side of the proposed structure.

Joyce Parker-Bozylinski, AICP
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17. Driveway width for non-residential developments shall be increased when any of the following conditions will exist:
 - Provide 34 feet in width, when parallel parking is allowed on one side of the access roadway/driveway. Preference is that such parking is not adjacent to the structure.
 - Provide 42 feet in width, when parallel parking is allowed on each side of the access roadway/driveway.
 - Any access way less than 34 feet in width shall be labeled "Fire Lane" on the final recording map, and final building plans.
 - For streets or driveways with parking restrictions: The entrance to the street/driveway and intermittent spacing distances of 150 feet shall be posted with Fire Department approved signs stating "NO PARKING - FIRE LANE" in three-inch high letters. Driveway labeling is necessary to ensure access for Fire Department use.
18. The development may require fire flows up to 5,000 gallons per minute at 20 pounds per square inch residual pressure for up to a five-hour duration. Final fire flows will be based on the size of the buildings, their relationship to other structures, property lines, and types of construction used.
19. Fire hydrant spacing shall be 300 feet and shall meet the following requirements:
 - No portion of lot frontage shall be more than 200 feet via vehicular access from a public fire hydrant.
 - No portion of a building shall exceed 400 feet via vehicular access from a properly spaced fire hydrant.
 - When cul-de-sac depth exceeds 200 feet, hydrants will be required at the corner and mid-block.
 - Additional hydrants will be required if the hydrant spacing exceeds specified distances.
20. Turning radii shall not be less than 32 feet. This measurement shall be determined at the centerline of the road. A Fire Department approved turning area shall be provided for all driveways exceeding 150 feet in length and at the end of all cul-de-sacs.
21. All on-site driveways shall provide a minimum unobstructed width of 28 feet, clear-to-sky. The 28 feet width does not allow for parking, and shall be designated as a Fire Lane, and have appropriate signage. The centerline of the on-site driveway shall be located parallel to and within 30 feet of an exterior wall on one side of the proposed structure. The on-site driveway is to be within 150 feet of all portions of the exterior walls of the first story of any building.

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22. The 28 feet in width shall be increased to:
- Provide 34 feet in width when parallel parking is allowed on one side of the access way.
 - Provide 36 feet in width when parallel parking is allowed on both sides of the access way.
 - Any access way less than 34 feet in width shall be labeled "Fire Lane" on the final recording map, and final building plans.
 - For streets or driveways with parking restrictions: The entrance to the street/driveway and intermittent spacing distances of 150 feet shall be posted with Fire Department approved signs stating "NO PARKING - FIRE LANE" in three-inch high letters. Driveway labeling is necessary to ensure access for Fire Department use.
23. When serving land zoned for residential uses having a density of more than four units per net acre:
- A cul-de-sac shall be a minimum of 34 feet in width and shall not be more than 700 feet in length.
 - The length of the cul-de-sac may be increased to 1,000 feet if a minimum of 36 feet in width is provided.
 - A Fire Department approved turning area shall be provided at the end of a cul-de-sac.
24. Single-family detached homes shall require a minimum fire flow of 1,250 gallons per minute at 20 pounds per square inch residual pressure for a two-hour duration. Two-family dwelling units (duplexes) shall require a fire flow of 1,500 gallons per minute at 20 pounds per square inch residual pressure for a two-hour duration. When there are five or more units taking access on a single driveway, the minimum fire flow shall be increased to 1,500 gallons per minute at 20 pounds per square inch residual pressure for a two-hour duration.
25. Fire hydrant spacing shall be 600 feet and shall meet the following requirements:
- No portion of lot frontage shall be more than 450 feet via vehicular access from a public fire hydrant.
 - No portion of a structure should be placed on a lot where it exceeds 750 feet via vehicular access from a properly spaced public fire hydrant.
 - When cul-de-sac depth exceeds 450 feet on a residential street, hydrants shall be required at the corner and mid-block.
 - Additional hydrants will be required if hydrant spacing exceeds specified distances.

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26. A Fire Department approved turning area shall be provided for all driveways exceeding 150 feet in length and at the end of all cul-de-sacs.
27. Fire Department access shall provide a minimum unobstructed width of 28 feet, clear-to-sky and be within 150 feet of all portions of the exterior walls of the first story of any single unit. If exceeding 150 feet, provide 20 feet minimum paved width "Private Driveway/Fire Lane" clear-to-sky to within 150 feet of all portions of the exterior walls of the unit. Fire Lanes serving three (3) or more units shall be increased to 26 feet.
28. Streets or driveways within the development shall be provided with the following:
 - Provide 36 feet in width on all streets where parking is allowed on both sides.
 - Provide 34 feet in width on cul-de-sacs up to 700 feet in length. This allows parking on both sides of the street.
 - Provide 36 feet in width on cul-de-sacs from 701 to 1,000 feet in length. This allows parking on both sides of the street.
 - For streets or driveways with parking restrictions: The entrance to the street/driveway and intermittent spacing distances of 150 feet shall be posted with Fire Department approved signs stating "NO PARKING - FIRE LANE" in three-inch high letters. Driveway labeling is necessary to ensure access for Fire Department use.
 - Turning radii shall not be less than 32 feet. This measurement shall be determined at the centerline of the road.
29. All access devices and gates shall meet the following requirements:
 - Any single gated opening used for ingress and egress shall be a minimum of 26 feet in width, clear-to-sky.
 - Any divided gate opening (when each gate is used for a single direction of travel - i.e., ingress or egress) shall be a minimum width of 20 feet clear-to-sky.
 - Gates and/or control devices shall be positioned a minimum of 50 feet from a public right-of-way, and shall be provided with a turnaround having a minimum of 32 feet of turning radius. If an intercom system is used, the 50 feet shall be measured from the right-of-way to the intercom control device.
 - All limited access devices shall be of a type approved by the Fire Department.

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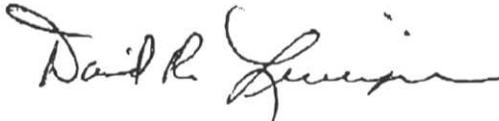
- Gate plans shall be submitted to the Fire Department, prior to installation. These plans shall show all locations, widths and details of the proposed gates.
30. All proposals for traffic calming measures (speed humps/bumps/cushions, traffic circles, roundabouts, etc.) shall be submitted to the Fire Department for review, prior to implementation.
 31. Should any questions arise regarding subdivision, water systems, or access, please contact the County of Los Angeles Fire Department, Land Development Unit's EIR Specialist at (323) 890-4243.

FORESTRY DIVISION – OTHER ENVIRONMENTAL CONCERNS:

1. The statutory responsibilities of the County of Los Angeles Fire Department, Forestry Division include erosion control, watershed management, rare and endangered species, vegetation, fuel modification for Very High Fire Hazard Severity Zones or Fire Zone 4, archeological and cultural resources, and the County Oak Tree Ordinance. Potential impacts in these areas should be addressed.

If you have any additional questions, please contact this office at (323) 890-4330.

Very truly yours,



DAVID R. LEININGER, CHIEF, FORESTRY DIVISION
PREVENTION SERVICES BUREAU

DRL:lc

Comment Sheet

Please let us know your concerns, so we can address them in the EIR.

Name: Ken Handla Affiliation: CPO
(resident, businessperson, community group member)

Address: 29803 VISTA DEL ARROYO Phone: (818) 735-0757

Schools - Revenue Enhancement - Vision Statement

Traffic - Coordination Bt Cal Trans and project
What happens first? Projected time line

Relation between Reges Adobe + Kovan project -
will they be similar design

Adjacent properties to project - Who owns the land
and are there easement issues?

Vision Statement

★★ Ted Mone has applied for a CUP to take the Knoll down.
What % of project dependent upon Knoll development?

Please submit to Joyce Parker-Bozylinski, AICP
City of Agoura Hills
Planning and Community Development
30001 Ladyface Court, Agoura Hills, CA 91301

Appendix I

Mitigation Monitoring and Reporting Program

MITIGATION MONITORING AND REPORTING PROGRAM

CEQA requires that a reporting or monitoring program be adopted for the conditions of project approval that are necessary to mitigate or avoid significant effects on the environment. The mitigation monitoring and reporting program is designed to ensure compliance with adopted mitigation measures during project implementation. For each mitigation measure recommended in this Environmental Impact Report, specifications are made herein that identify the action required and the monitoring that must occur. In addition, a responsible agency is identified for verifying compliance with individual conditions of approval contained in the Mitigation Monitoring and Reporting Program.



Agoura Village Specific Plan Updated Final Revised and Recirculated EIR
Mitigation Monitoring and Reporting Program

Mitigation Measure/Condition of Approval	Action Required	When Monitoring to Occur	Monitoring Frequency	Responsible Agency or Party	Compliance Verification		
					Initial	Date	Comments
AESTHETICS							
<p>AES-1 Retaining Wall Design. In the event any proposed retaining walls are visible from designated scenic roadways, the City's Architectural Review Board shall determine whether they are consistent with the City's Architectural Design Standard and Guidelines (1992). If any wall is found to be inconsistent with the Guidelines, the Architectural Review Board shall recommend additional design features to bring the wall(s) into compliance. Possible design features may include the use of textured retaining walls with more natural features, such as those that simulate rocks or boulders. Additionally, design features may include the planting of landscape vegetation along the wall facing south toward the freeway. This landscape vegetation should include plants that provide vertical wall coverage, in order to enhance the visual character of the wall and break up the area of the wall that is visible from scenic corridors. Such retaining wall, landscaping and other related design features shall be shown on the project plans and verified by City Planning and Community Development Department Staff prior to issuance of a Grading or Building Permit.</p>	<p>PCD to require ARB review of projects with retaining walls visible from scenic roadways; ensure that design features are included consist with Architectural Design Standard and Guidelines as appropriate.</p>	<p>-Prior to approval of future projects -At site inspection.</p>	<p>-Once per project application. -At least once, as required.</p>	<p>PCD</p>			

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<p>AES-3 Avoidance of Knolls. The applicant shall avoid development, removal, or reduction (to include grading or blasting) of that knoll located south and east of the intersection of Agoura and Kanan Road. Although development of the site is unlikely, given it is zoned as Open Space and would require a vote of the people in order to be rezoned, the applicant shall avoid this area in order to avoid substantially modifying a scenic resource. Additionally, the applicant shall minimize grading (subject to approval of City Community Planning and Development Department) of the knoll located south and east of the intersection of Agoura and Cornell Road. Although development and minor modifications would be allowed on the knoll, the majority of the knoll should be preserved.</p>	<p>Ensure that any development or earthwork avoids or minimizes disturbance of the respective knolls as specified.</p>	<p>-Prior to approval of future projects -At site inspection.</p>	<p>-Once per project application. -At least once, as required.</p>	PCD			
<p>AES-4 Glare Reduction. Project design and architectural treatments shall incorporate additional techniques to reduce glare, such as:</p> <ul style="list-style-type: none"> • Use of low reflectivity glass; • Use of plant material along the perimeter of structures to soften views; and, • Brush-polishing metal surfaces and/or use of metal surfaces that are not highly reflective. <p>Plans for new development shall indicate the architectural treatments and/or landscaping to be used in order to reduce glare that could be generated by new development. Plans shall be reviewed by City staff, the Architectural Review Panel, and the City's Architectural consultant for compliance with this standard.</p>	<p>Ensure that future projects incorporate glare reduction techniques as described; that such techniques are shown on plans and reviewed by the ARB and the City's Architectural consultant for compliance.</p>	<p>-Prior to approval of future projects -At site inspection.</p>	<p>-Once per project application. -At least once, as required.</p>	PCD			
<p>AES-5 Each project applicant would be required to obtain a permit from the City and to comply with the provisions of the permit, prior to the approvals of removal</p>	<p>Require permits for oak tree removal.</p>	<p>When oak tree removal is proposed.</p>	<p>Once per project application.</p>	PCD			

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of oak trees.							
AIR QUALITY							
AQ-1(a) Fugitive Dust Control Measures: <ul style="list-style-type: none"> Water trucks shall be used during construction to keep all areas of vehicle movements damp enough to prevent dust from leaving the site. At a minimum, this will require twice daily applications (once in late morning and once at the end of the workday). Increased watering is required whenever wind speed exceeds 15 mph. Grading shall be suspended if wind gusts exceed 25 mph. The amount of disturbed area shall be minimized and onsite vehicle speeds shall be limited to 15 mph or less. If importation, exportation and stockpiling of fill material is involved, earth with 5% or greater silt content that is stockpiled for more than two days shall be covered, kept moist, or treated with earth binders to prevent dust generation. Trucks transporting material shall be tarped from the point of origin or shall maintain at least two feet of freeboard. After clearing, grading, earth-moving or excavation is completed, the disturbed area shall be treated by watering, revegetation, or by spreading earth binders until the area is paved or otherwise developed. All material transported off-site shall be securely covered to prevent excessive amounts of dust. 	Require fugitive dust control measures for future development projects, as specified.	-Prior to approval of future projects -At site inspection.	-Once per project application. -At least once, as required.	PCD			
AQ-1(b) NO_x Control Measures: <ul style="list-style-type: none"> When feasible, electricity from temporary power poles on site shall be utilized rather than temporary diesel or gasoline generators; When feasible, on site mobile equipment shall 	Require NO _x control measures for future development projects, as specified.	-Prior to approval of future projects -At site	-Once per project application. -At least once,	PCD			

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be fueled by methanol or natural gas (to replace diesel-fueled equipment), or, propane or butane (to replace gasoline-fueled equipment) <ul style="list-style-type: none"> Aqueous Diesel Fuel or biodiesel (B20 with retarded fuel injection timing), if available, shall be used in diesel fueled vehicles when methanol or natural gas alternatives are not available. 		inspection.	as required.				
AQ-1(c) VOC Control Measure: <ul style="list-style-type: none"> Low VOC architectural and asphalt coatings shall be used on site and shall comply with AQMD Rule 1113-Architectural Coatings. 	Require that low VOC coatings are used for future development projects, as specified.	-Prior to approval of future projects -At site inspection.	-Once per project application. -At least once, as required.	PCD			
AQ-1(d) Ozone Precursor Control Measures: <ul style="list-style-type: none"> Equipment engines should be maintained in good condition and in proper tune as per manufacturer's specifications; Schedule construction periods to occur over a longer time period (ie lengthen from 60 days to 90 days) during the smog season so as to minimize the number of vehicles and equipment operating simultaneously; and Use new technologies to control ozone precursor emissions as they become readily available. 	Require Ozone Precursor Control Measures for future development projects, as specified.	-Prior to approval of future projects -At site inspection.	-Once per project application. -At least once, as required.	PCD			
AQ-2 Decrease Emissions of diesel particulate matter during site grading by implementing one of the following four measures. <ul style="list-style-type: none"> Construction contractors shall not operate more than two pieces of heavy-duty diesel-powered equipment within 600 feet of any residence at any time. Construction contractors shall use biodiesel fuel in all on-site diesel-powered equipment. Biodiesel that is blended with low sulfur diesel fuel shall be used if 	Ensure that one of the specified measures is implemented during grading for future projects.	-Prior to approval of future projects -At site inspection.	-Once per project application. -At least once, as required.	PCD			

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available. • Construction contractors shall use only Tier 2 diesel-powered earth moving equipment. • At least 80% of the diesel-fueled construction equipment in terms of brake-horsepower shall have DPFs installed, or all equipment shall be equipped with diesel oxidation catalysts. • Construction contractors shall limit the movement of large trucks to off-peak commute hours.							
AQ-3(a) Energy Consumption. Onsite structures shall reduce energy consumption by at least 20% below current Federal guidelines as specified in Title 24 of the Code of Federal Regulations. Potential energy consumption reduction measures include, but are not limited to, the use of photovoltaic roof tiles, installation of energy efficient windows, and the use of R-45 insulation in the roof/attic space of all onsite structures.	Ensure that future structures include measures to reduce energy consumption by at least 20% below current Federal guidelines.	-Prior to approval of future projects -At site inspection.	-Once per project application. -At least once, as required.	PCD			
AQ-3(b) Landscape Equipment. Multi-family residential developments shall be encouraged to utilize electrical powered landscape maintenance equipment, and exterior outlets shall be installed at the front and rear of residences.	Encourage use of electrical powered landscape maintenance equipment for future multi-unit residential projects, and require provision of exterior outlets to facilitate their use.	Prior to approval of future projects.	Once per project application.	PCD			
AQ-3(c) Shade Trees Shade trees shall be planted to shade onsite structures to the greatest extent possible in summer, reducing indoor temperatures, and reducing energy demand for air conditioning. The City's ARB shall review project landscaping plans for consistency with this mitigation measure.	Require shade trees in future projects to shade structures, and that the ARB review landscaping plans for consistency.	-Prior to approval of future projects -At site inspection.	-Once per project application. -At least once, as required.	PCD			
AQ-3(d) Bus Stops. Applicants shall provide bus stops	Require that bus stops	-Prior to	-Once per	PCD			

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within the Specific Plan Area. The number to be constructed will be determined in consultation with the City Traffic Engineer and the local transit agencies. Bus stops shall meet the requirements of the transit agency providing service to the City and shall include street furniture that provides shelter for passengers.	meeting City and transit agency standards and including passenger shelters as specified be provided in future projects in the Specific Plan Area as appropriate.	approval of future projects -At site inspection.	project application. -At least once, as required.				
AQ-4 Equestrian Center and Trail Maintenance Plan. As part of the City's feasibility study for an equestrian center within the Specific Plan area, the City shall include provisions for a maintenance plan of both the equestrian center and related trails. The maintenance plan shall include the following measures, at a minimum: <ul style="list-style-type: none"> • Organic debris/waste shall be properly disposed of or sold offsite on a regular basis, • BMP's shall be instituted to prevent dust from moving offsite, • BMP's (to include necessary bioswales or erosion control measures) shall be instituted to prevent organic waste, or associated nutrients from organic waste, from entering nearby water bodies. 	Ensure that the City's feasibility study for an equestrian center within the Specific Plan area includes provisions for center and trail maintenance plans as specified.	Prior to release of the feasibility study.	Once per study draft.	PCD			
BIOLOGY							
BIO-1(a) Sensitive Plant Survey and Protection Plan. Prior to approval of individual development applications within the residual natural areas of Zones A south, B, E, and F, surveys for sensitive plant species, including but not limited to Agoura Hills dudleya and Lyon's pentachaeta, should be performed by a qualified plant ecologist. These surveys shall be performed during the blooming period (April - June). If a sensitive species is found, avoidance shall be required unless the applicant provides substantial documentation that avoidance would	Require sensitive plant surveys be performed as specified in the measure for proposed development within the areas listed, and mitigation and monitoring as specified where appropriate, including avoidance of Lyon's pentachaeta and Agoura	-Prior to approval of future projects -During construction and at site inspection.	-Once per project application. -At least once, as required.	PCD			

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<p>not be feasible or would compromise the objectives of the Specific Plan. For Lyon's pentachaeta and Agoura Hills dudleya, avoidance is defined as a minimum 200 foot setback unless an active maintenance plan is implemented for the known occurrence. With implementation of an active maintenance and management program, the buffer width may be reduced further based on review and approval by the jurisdictional agencies (USFWS and/or CDFG). For other sensitive species avoidance shall be determined based on the specific plant pursuant with the recommendations of a qualified plant ecologist, and with the coordination of USFWS and/or CDFG for state or federally listed plants. The maintenance and management plan must be approved by the appropriate jurisdictional agencies prior to issuance of a grading permit.</p> <p>If avoidance is not feasible, on-site mitigation is preferred if suitable, unoccupied, habitat is present that can be isolated from human disturbance. Otherwise, an offsite location would be considered; the Ladyface Mountain Specific Plan area may contain appropriate habitat and may be a preferred location. A mitigation restoration plan shall be prepared by a qualified plant ecologist that identifies the number of plants to be replanted and the methods that will be used to preserve this species in the on- or off-site mitigation location. The plan shall also include a monitoring program so that the success of the effort can be measured. Restoration efforts shall be coordinated with applicable federal, state, and local agencies. The required level of success for Agoura Hills dudleya and Lyon's pentachaeta shall be defined at a minimum as a demonstration of five consecutive years, or a period as deemed appropriate by the permitting agencies (USFWS and/or CDFG), of growth of a population equal to or greater than that which would be</p>	<p>Hills dudleya, unless a successful mitigation replacement population is established in accordance with the appropriate success period (as determined by the permitting agencies). Ensure that restoration efforts are coordinated with applicable federal, state, and local agencies.</p>						

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lost due to the project. This level of success shall be achieved prior to removal of the impacted population. Success criteria for other sensitive species will be determined on an individual basis pursuant with the recommendations of a qualified plant ecologist, and with the coordination of USFWS and/or CDFG for state or federally listed plants. When applicable the mitigation restoration plan shall be submitted to the appropriate regulatory agencies for review and approval, with the approved plan then submitted to the City of Agoura Hills prior to issuance of a grading permit for the area of concern.							
BIO-1(b) Sensitive Wildlife Survey. Not more than two weeks prior to ground disturbing construction within the Specific Plan area, a preconstruction survey for the two-striped garter snake, burrowing owl, western pond turtle, sensitive bat species, and any other special-status species shall be conducted by a qualified biologist and submitted to the City Planning and Development Department prior to beginning construction and/or commencement of any disturbance. If a species is found, avoidance is the preferred mitigation option. If avoidance is not feasible these species shall be captured, when possible, and transferred to adjacent appropriate habitat within designated open space areas either onsite or directly adjacent to the project area. This shall be performed only by a CDFG approved biologist. The CDFG and City of Agoura Hills shall be formally notified and consulted regarding the presence of these species onsite. If a federally listed species is found prior to grading of the site, the USFWS shall also be notified. Only a USFWS approved biologist would be allowed to capture and relocate these animals.	Require sensitive wildlife surveys as specified in the measure for proposed development within the Specific Plan area, and mitigation and monitoring as specified where appropriate. Ensure that a CDFG-approved biologist perform surveys, and that if a federally listed species is found, the USFWS is notified and a USFWS-approved biologist carry out any capture and relocation of such animals.	-Prior to approval of future projects -During construction and at site inspection.	-Once per project application. -At least once, as required.	PCD			

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<p>BIO-1(c) Bird Nesting Surveys. If vegetation clearing (including tree pruning and removal) or other project construction is to be initiated during the bird breeding season (February 1 through August 31), pre-construction/grading surveys shall be conducted by a qualified ornithologist (a person with a biology degree and/or established skills in bird recognition). Surveys shall begin 30 days prior to initial disturbance activities and shall continue weekly, with the last survey being conducted no more than three days prior to the initiation of clearance/construction work. If bird species are observed nesting within 500 feet of construction/grading areas, all construction or grading activities will be postponed or halted at the discretion of the biologist until the nest is vacated and the juveniles have fledged.</p> <p>Limits of construction to avoid a nest should be established in the field with flagging and stakes or construction fencing. This distance shall be at least 300 feet for raptors and at least 100 feet for all other bird species. Construction personnel should be instructed on the sensitivity of the area. The applicant should record the results of the recommended protective measures described above to document compliance with applicable State and federal laws pertaining to the protection of native birds.</p>	<p>Require bird nesting surveys as specified in the measure for proposed development within the Specific Plan area, and mitigation and monitoring as specified where appropriate.</p>	<p>-Prior to approval of future projects</p> <p>-During construction and at site inspection.</p>	<p>-Once per project application.</p> <p>-At least once, as required.</p>	PCD			
<p>BIO-2(a) Buffer Zones. Except in cases of Lyon's pentachaeta and/or Agoura Hills Dudleya, which are addressed in MM BIO-1(a), a minimum buffer zone of 50-100 feet of native vegetation shall be maintained between urban development and adjacent sensitive native habitats. This includes those areas located along the unchannelized portions of Medea and Lindero Canyon Creeks within the Specific Plan boundaries.</p>	<p>Require incorporation of a appropriate habitat buffer areas for native vegetation for future projects.</p>	<p>-Prior to approval of future projects</p> <p>-At site inspection.</p>	<p>-Once per project application.</p> <p>-At least once, as required.</p>	PCD			

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Such vegetation should be sensitive to, and similar in nature to, the natural environment surrounding the sensitive native habitats. A minimum buffer of 50 feet (or greater if required by the CDFG) from the top of bank and/or edge of riparian cover (whichever is greater) shall be established for the protection of southwestern pond turtle where preferred nesting habitat (exposed, southerly-facing slopes vegetated with open scrub or sparse grassland vegetation, dense soils with a high silt and clay fraction, and less than 25% slope) is present. No heavy equipment or ground disturbance shall enter the buffer zone during the nesting period of SWPT (April-August). Further, equestrian trails shall be located no less than 10 to 20 (preferred) feet from the edge of the exterior riparian canopy.							
BIO-2(b) Native Grassland Protection. Prior to approval of individual development applications within the southern portion of the Specific Plan area, surveys for native grasslands shall be performed by a qualified biologist (with acceptance by the City Planning and Community Development Department Staff). If native grasslands are found, avoidance shall be required unless the applicant provides substantial documentation that avoidance would not be feasible or would compromise the objectives of the Specific Plan. Avoidance shall be planned and enforced with a Native Grassland Protection Program . If the applicant demonstrates that avoidance would not be feasible or would compromise the objectives of the Specific Plan, on-site mitigation would be required if suitable habitat is present and can be isolated from human disturbance. In this event, a Native Grassland Restoration Plan shall be prepared and implemented.	Require native grassland surveys for future development proposals and native grassland protection programs, including avoidance and mitigation as appropriate, where warranted. Protocols for surveys and protection/restoration are included in the mitigation measure.	-Prior to approval of future projects -During construction and at site inspection.	-Once per project application. -At least once, as required.	PCD			

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<p>Native Grassland Protection Program. If native grasslands are found onsite and avoidance is feasible, a native grassland protection program shall be prepared by a qualified biologist. The protection program shall be submitted for review and approval as part of the application process with the City Planning and Development Department. In addition, final plans shall be subject to review and approval by the City Planning and Community Development Department prior to issuance of a grading permit. The protection program shall include, but not be limited to, the following components:</p> <ul style="list-style-type: none"> • A qualified biologist shall map the current extent of habitat; and • The location of native grassland habitat outside of the construction footprint shall be fenced in the field. Fencing shall be depicted on final grading and building plans. The location of the habitat and fencing shall be done under the direction of a qualified biologist (with acceptance by the City Planning and Community Development Department Staff); and • All ground disturbances, including grading for buildings, accessways, easements, subsurface grading, and utilities shall be prohibited within the fenced native grassland area. <p>Native Grassland Restoration Plan. If avoidance is not feasible, on-site mitigation is preferred if suitable habitat is present that can be isolated from human disturbance. In this event, a restoration plan shall be prepared by a qualified plant ecologist that identifies the location and acreage to be replanted and the methods that will be used to preserve this community in that location. The plan shall also include a monitoring program so that the</p>							

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<p>success of the effort can be measured. The required level of success, at a minimum, shall be defined as a demonstration of three consecutive years of at least 50% native grass dominance within the mitigation area. If off-site mitigation is proposed, the Ladyface Mountain Specific Plan area may contain appropriate habitat and may be a preferred location. Restoration efforts shall be coordinated with applicable federal, state, and local agencies (including LA County Fire Department). The restoration plan shall be submitted for review as part of the application process with the City Planning and Development Department. In addition, final plans shall be subject to review and approval by the City Planning and Development Department prior to issuance of a Grading Permit.</p> <p>Native grassland habitat shall be replaced at a minimum ratio of three to one for native grassland lost and shall utilize native species from onsite habitats. Target sites for mitigation plots shall be sampled for soil type and habitat criteria sufficient for the establishment and growth of the native grassland lost. No species identified as invasive on the CNPS, Channel Islands Chapter Invasive Plants List (1997) shall be utilized in the landscape plans. The plan shall include, but not be limited to, the following components:</p> <ul style="list-style-type: none"> • Performance criteria (i.e., what is an acceptable success level of revegetation to mitigate past impacts); • Monitoring effort (i.e., who is to check on the success of the revegetation plan, and how frequently); • Contingency planning (i.e., if the effort fails to reach the performance criteria, what remediation steps need to be taken); • Irrigation method/schedule (i.e., how much water is 							

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<p>needed, where, and for how long);</p> <ul style="list-style-type: none"> Plant species, seed mixes, weed suppression and planting methodology <p>From preliminary observations, it appears that potential target areas to perform mitigation for the loss of native grassland exist on the northern slopes of Ladyface Mountain, within the open space of Zone G (the area formerly identified in the 1996 Creekside EIR as valley needlegrass grassland and located south of Lindero Canyon Creek) in the southwest corner of the Specific Plan boundary. These areas need testing to confirm that they meet the soil and habitat requirements for native grassland species. If sufficient mitigation area does not exist onsite, off site mitigation or in lieu fees to an off site local or regional mitigation bank acceptable to the City of Agoura Hills shall be done.</p>							
<p>BIO 2(c) Southern Willow Scrub/ Southern Arroyo Willow Riparian Protection. Based on a review of pending development applications near Lindero Canyon Creek, it is anticipated that the existing southern willow scrub/ southern arroyo willow riparian may be encroached upon; however, avoidance of these areas is required. If avoidance is feasible, the following Riparian Habitat and Creek Protection Program shall be implemented in order to reduce impacts to this sensitive community. If the applicant demonstrates that avoidance would not be feasible or would compromise the objectives of the Specific Plan, on-site mitigation is preferred and shall be implemented through a Riparian Habitat Restoration Plan, as outlined below.</p> <p>Riparian Habitat and Creek Protection Program. A riparian habitat and creek protection program shall be</p>	<p>Require southern willow scrub/ Southern Arroyo Willow Riparian protection, including avoidance and mitigation as appropriate, where warranted. Protocols for protection/restoration are included in the mitigation measure.</p>	<p>-Prior to approval of future projects</p> <p>-During construction and at site inspection.</p>	<p>-Once per project application.</p> <p>-At least once, as required.</p>	PCD			

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<p>prepared and implemented for any future developments proposed within the Specific Plan area adjacent to Lindero Canyon or Medea Creeks. These shall be prepared by a qualified biologist (with acceptance by the City Planning and Community Development Department Staff) and shall include specific measures as dictated by CDFG. The program shall, to the extent feasible, avoid encroachment into any riparian areas. The program shall include, but not be limited to, the following components:</p> <ul style="list-style-type: none"> Riparian areas shall be indicated and fenced off on all grading and construction plans. The location of the habitat and fencing off shall be done under the direction of a qualified biologist (with acceptance by the City Planning and Community Development Department Staff). Construction personnel shall be informed of the sensitivity and location of riparian habitat on the project site; and All ground disturbances including grading for buildings, accessways, easements, subsurface grading, and utilities shall be prohibited within the fenced riparian area. <p>The protection program shall be submitted for review as part of the application process with the City Planning and Community Development Department. In addition, the final plans shall be subject to review and approval by the City Planning and Community Development Department prior to the issuance of a Grading Permit.</p> <p>Riparian Habitat Restoration Plan. However, if avoidance is not feasible, on-site mitigation is preferred over off-site mitigation but both mitigation measures could be effective at reducing the impacts to less than significant. If avoidance is not feasible, a restoration plan</p>							

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<p>shall be prepared by a qualified plant ecologist. The preferred area to perform mitigation for the loss of riparian forest exists within the southern reach of the channelized and concrete lined portion of Medea Creek, located directly south of Agoura Road and also in the vicinity of Lindero Canyon Creek. If development were to encroach upon this sensitive community, the appropriate permits would be necessary from the Army Corps of Engineers, the California Department of Fish and Game, and the Los Angeles Regional Water Quality Control Board. Individual applicants for projects located south of Agoura Road and that contain riparian habitat areas, shall submit a Riparian Habitat Restoration Plan for review by the City Planning and Community Development Department and, as necessary, a City approved biologist or qualified landscape specialist, as part of the initial project application. Riparian habitat shall be replaced at a minimum ratio of 2.0 acres for every 1.0 acre of riparian habitat lost. However, additional mitigation may be required by the CDFG. The restoration plans shall include, but not be limited to, the following components:</p> <ul style="list-style-type: none"> • Performance criteria (i.e., what is an acceptable success level of revegetation to mitigate past impacts); • Monitoring effort (i.e., who is to check on the success of the revegetation plan, and how frequently); • Contingency planning (i.e., if the effort fails to reach the performance criteria, what remediation steps need to be taken); and • Irrigation method/schedule (i.e., how much water is needed, where, and for how long). <p>The required level of success, at a minimum, shall be defined as a demonstration of three consecutive years of</p>							

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growth of a population double the size of that which would be lost due to the project. The final restoration plan shall be subject to review and approval by the City Planning and Community Development Department prior to Grading Permit issuance.							
<p>BIO-3(a) Oak Tree Protection and Preservation. Individual project applicants shall submit the results of an oak tree survey and an Oak Tree Report, including an Oak Tree Preservation Program, for review and approval by the City's oak tree consultant as part of the project application. Individual projects shall be developed and operated in compliance with the approved Oak Tree Preservation Program and any other conditions determined to be necessary by the City oak tree consultant. The program shall include, but not be limited to, the following components:</p> <ul style="list-style-type: none"> • No grading or development shall occur within 5 feet from the driplines of oak trees that occur in the construction area. • All specimen oak trees within 25 feet of proposed ground disturbances shall be temporarily fenced with chain-link or other material satisfactory to the City throughout all grading and construction activities. The fencing shall be installed six feet outside the dripline of each specimen oak tree, and shall be staked every six feet. • No construction equipment shall be parked, stored or operated within six feet of any specimen oak tree dripline. • No fill soil, rocks, or construction materials shall be stored or placed within six feet of the dripline of a specimen oak tree (pervious paving and other materials are allowed, as approved by the City). 	Require oak tree surveys, reports and preservation programs for future development projects. Ensure review of these documents by the department's oak tree consultant.	-Prior to approval of future projects -At site inspection.	-Once per project application. -At least once, as required.	PCD			

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<ul style="list-style-type: none"> No artificial surface, pervious or impervious, shall be placed within six feet of the dripline of any specimen oak tree, except for project access roads. Any roots encountered that are one inch in diameter or greater shall be cleanly cut. This shall be done under the direction of a City approved arborist/oak tree consultant. Any trenching required within the dripline or sensitive root zone of any specimen tree shall be done by hand. In addition, trenching in the protected zone needs to preserve roots over 1 inch by tunneling. No permanent irrigation shall occur within the dripline of any existing oak tree. Any construction activity required within three feet of a specimen oak tree's dripline shall be done with hand tools. Any construction activity required within three feet of a specimen oak tree's dripline shall be done with hand tools. 							
<p>BIO-3(b) Grading Plan. The number of oak trees requiring removal and the number of trees that will be encroached upon by grading and project development shall be confirmed by the City's oak tree consultant with the final grading plan. The plan shall also indicate requirements for retaining walls, tree wells, tree drainage requirements, and pruning as part of the plan.</p>	Require that oak tree information be shown on final grading plans for future projects.	Prior to approval of future projects.	Once per project application.	PCD			
<p>BIO-3(c) Oak Tree Replacement. For impacts involving 10 percent or less of oak tree removal resulting from grading and project development, each oak tree shall be replaced with specimen oak trees of the same species as the tree that was removed at a ratio and dimension specified in the City's Zoning Ordinance. This mitigation is to occur onsite. For impacts involving greater than 10</p>	Ensure that the specified oak replacement criteria and ratios are applied to future projects involving oak tree removal.	<p>-Prior to approval of future projects</p> <p>-At site inspection.</p>	<p>-Once per project application.</p> <p>-At least once, as required.</p>	PCD			

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percent of oak tree removal resulting from grading and project development, mitigation shall either be onsite with the requirements as listed above, or an in-lieu fee may be paid to the City to be used to acquire land and/or install oak trees on another site, preferably in as close proximity to the area of removal as possible. The sum of the calipers of all oak trees planted must be at least equal to that removed. The locations of the replanted trees shall be indicated on the project plans submitted to the City for review by the City's oak tree consultant. Trees shall be planted so that mature trees will have a continuous canopy. Every attempt shall be made to plant oak trees according to species-specific habitat requirements: valley oaks at lower elevations in alluvial soils; and coast live oaks on mesic north facing slope locations. Each oak tree removed by grading and project development shall be replaced with two 36 inch box and two 24 inch box specimen oak trees of the same species as the tree that was removed. Additionally, all naturally occurring native vegetation in the areas proposed for oak tree mitigation shall be identified. This includes surveys for ephemeral plants and bulbs. Oak tree planting shall not cause the removal or destruction of existing native vegetation without replacement in the same locations.								
BIO-3(d) Oak Planting Arrangements. Where appropriate pursuant to the recommendations of the City's oak tree consultant, replacement oaks for the removal of individual oak trees shall be clustered in an attempt to replace oak woodland habitat removed. Trees shall be planted so that mature trees will have a continuous canopy. Every attempt shall be made to plant oak trees according to species-specific habitat requirements: valley oaks at lower elevations in alluvial soils and coast live oaks on mesic north facing slope	Ensure that the specified oak replacement standards are applied to future projects involving oak tree removal.	-Prior to approval of future projects -At site inspection.	-Once per project application. -At least once, as required.	PCD				

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locations.							
<p>BIO-4(a) Replacement Ratio. Federal and State protected wetland habitat shall be replaced at a minimum ratio of 2.0 acres of habitat, at the same or greater quality, for every 1.0 wetland acre removed. Replacement shall be at an Agoura Hills Planning and Community Development Department approved location or by providing adequate funding for the replacement of wetland habitat to an organization currently conducting restoration of wetland habitat. The organization and its activities are to be approved by an Agoura Hills Planning and Community Development Department approved biologist. Two areas located within the Specific Plan boundaries shall be considered for mitigation credit. That portion of Lindero Canyon Creek located between Agoura Road and Kanan Road is the preferred mitigation location for impacts to other wetland areas within the project area. This restoration effort would include restoring the channel to a more natural state. Improvement of the unchannelized portion of Medea Creek, located south of Agoura Road, shall be considered as an alternate location for mitigation and wetland restoration.</p>	<p>Ensure that the specified wetland replacement ratios are applied to future projects where appropriate, and that the identified mitigation credit and restoration areas are used when warranted.</p>	<p>-Prior to approval of future projects -At site inspection.</p>	<p>-Once per project application. -At least once, as required.</p>	PCD			
<p>BIO-4(b) Wetland Restoration Plan. For projects that may adversely impact wetland areas, individual project applicants shall submit a wetland creation or restoration plan for review and approval by an Agoura Hills Planning and Community Development Department staff and, as necessary, a City approved biologist or qualified landscape specialist, as part of the initial application. The final restoration plan shall be submitted for City review and approval prior to Grading Permit issuance. The plan shall include, but not be limited to the following</p>	<p>Require wetland creation or restoration plans as specified in the measure where projects would result in wetland impacts.</p>	<p>-Prior to approval of future projects -At site inspection.</p>	<p>-Once per project application. -At least once, as required.</p>	PCD			

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components: <ul style="list-style-type: none"> • Performance criteria (i.e., what is an acceptable success level of revegetation to mitigate past impacts); • Monitoring effort (i.e., who is to check on the success of the revegetation plan, and how frequently); • Contingency planning (i.e., if the effort fails to reach the performance criteria, what remediation steps need to be taken); and • Irrigation method/schedule (i.e., how much water is needed, where and for how long). 							
BIO-4(c) City Approval. For projects where wetland areas are affected, the individual project applicants shall demonstrate to the City of Agoura Hills that the requirements of agencies with jurisdiction over wetlands onsite can be met prior to obtaining grading permits. This will include, but not be limited to, consultation with those agencies, securing the appropriate permits, waivers or agreements, and arrangements with a local or regional mitigation bank including in lieu fees, as needed.	Require applicants for projects that would affect wetlands to demonstrate to the City compliance with regulations of other agencies having jurisdiction over wetlands.	Prior to approval of grading permits for future projects.	Once per project application.	PCD			
BIO-4(d) Riparian Habitat Preservation and Restoration. Refer to BIO-2(c) above.	Refer to BIO-2(c) above.						
BIO-4(e) Fencing. Solid barrier fencing onsite shall be prohibited around areas that border open spaces or routes of animal movement, specifically riparian areas. Fencing in these areas shall consist of “ranch style” post fencing. Fencing shall allow at least one-foot of clearance above ground to permit wildlife movement. Fencing between creekside trails and the creeks shall be designed to limit human entry into significant habitat. Such fencing or vegetative barrier shall be at least four feet in height and shall be planted with spinescent plants	Require fencing proposed around areas that border open spaces or routes of animal movement to allow for wildlife movement as specified.	-Prior to approval of future projects -At site inspection.	-Once per project application. -At least once, as required.	PCD			

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such as wild rose, blackberry, or other suitable native species in a dense bramble.							
<p>BIO-4(f) Corridor Lighting. The following low-light design features shall be implemented throughout the Specific Plan area, and shown on the individual project plans submitted as part of the application.</p> <ul style="list-style-type: none"> • Streetlight poles shall be of an appropriate height to reduce the glare and pooling of light into open space and corridor areas, and • Street light elements shall be recessed or hoods shall be used to reduce glare impacts on open space and corridor areas, and • All exterior lighting shall be low sodium lights, low intensity, shielded, and directed away from the drainage/wildlife corridors corridor. 	Require the specified low-light design features for projects in the plan area, and that these be shown on project plans.	<p>-Prior to approval of future projects</p> <p>-At site inspection.</p>	<p>-Once per project application.</p> <p>-At least once, as required.</p>	PCD			
<p>BIO 6(a) Coastal Sage Scrub Habitat Survey. As part of the sensitive plant surveys required under Mitigation Measure BIO-1(a), prior to approval of individual development applications within the residual natural areas of Zones A south, B, E, and F, surveys for sensitive plant species shall also include surveys and consideration of adjacent areas of Coastal Sage Scrub habitat. A qualified biologist shall determine the condition of such habitat and whether it would be considered of “high value.” Any areas identified as “high value” Coastal Sage Scrub habitat shall mitigate for disturbed (including disturbance for fuel modification) or removed CSS habitat at a minimum 1:1 ratio. Coastal Sage Scrub habitat with known occurrences of sensitive (endangered or threatened) species shall be mitigated at a minimum 2:1 ratio.</p>	Require sensitive plant surveys in the areas identified to include surveys and consideration of adjacent areas of Coastal Sage Scrub habitat, and projects to include mitigation and monitoring as specified where appropriate.	<p>-Prior to approval of future projects</p> <p>-At site inspection.</p>	<p>-Once per project application.</p> <p>-At least once, as required.</p>	PCD			

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BIO 6(b) Fuel Modification Areas. Landscaping within fire clearance zones shall include native species indigenous to the area of disturbance. Modification of fire hazard fuels shall be limited to hand thinning of individual shrubs, clearing dead fuel, replanting with fire-resistant plants indigenous to the area, or other methods to attain fire safety while producing a viable natural and native vegetation community. No species identified as invasive on the CNPS, Channel Islands Chapter Invasive Plants List (1997) shall be utilized in the landscape plans and all landscaping plans shall be approved by the City and the County Fire Department.	Require that the specified standards be applied to landscaping within identified fire clearance zones. Ensure landscape plan review and approval by PCD and the County Fire Department.	-Prior to approval of future projects -At site inspection.	-Once per project application. -At least once, as required.	PCD			
GEOLOGY							
GEO-1(a) Building Design. All buildings shall be engineered to withstand the expected design basis ground acceleration that may occur at the project site. All critical facilities shall be designed to withstand the upper bound earthquake ground motion. The design shall take into consideration the most current and applicable seismic attenuation methods that are available. All onsite structures shall comply with applicable provisions of the California Building Code and Chapter 1 of Article 8 of the Agoura Hills Municipal Code. Compliance with these requirements shall be verified by the City Building Official prior to issuance of a Building Permit or Grading Permit.	Require that structures are built to the standards listed and comply with the CBC and Municipal Code.	-Prior to approval of building or grading permits for future projects. -At site inspection.	-Once per project application. -At least once, as required.	PCD B&S			
GEO-1(b) Geotechnical Recommendations. Future development shall require, and comply with, all recommendations contained in site-specific geologic, geotechnical, and structural design studies prepared for subsequent development activities. Subsequent subsurface investigations shall determine the possible presence of seismically induced hazards and appropriate	Ensure that, where required, geologic, geotechnical, and structural design studies determine the presence of seismically induced hazards, as well as other factors, and	-Prior to approval of building or grading permits for future projects.	-Once per project application.	PCD B&S			

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means of mitigating such hazards. Recommendations contained in these site-specific studies shall be reviewed and approved by the City Building Official and incorporated in to final grading and structural design plans, as deemed appropriate by the City Building Official. At a minimum, any buildings considered essential facilities, as defined in the Uniform or California building codes, shall be designed to withstand upper bound earthquake ground motion. All on-site structures shall comply with applicable provisions of the 1997 Uniform Building Code and the 1998 California Building Code. The calculated design base ground motion for the site shall take into consideration the soil type, potential for liquefaction, and the most current and applicable seismic attenuation methods that are available.	appropriate means of mitigating hazards. Ensure that development adheres to recommendations of such studies as deemed appropriate by B&S. Ensure that final plans are consistent with the measure.	-At site inspection.	-At least once, as required.				
<p>GEO-2 Liquefaction Studies. Prior to construction of new development within the Specific Plan area, site-specific geologic and soils studies shall be performed. The studies shall include site-specific depth to groundwater and soil composition identification, with minimum boring depths as set forth in CDMG 1997 (California Department of Conservation, Division of Mines and Geology, 1997, Guidelines for Evaluating and Mitigating Seismic Hazards in California, Special Publication 117). Areas having liquefiable sediments shall be identified, and structures shall be properly designed to Uniform Building Code and California Building Code standards to withstand the conditions. Such studies shall be conducted and submitted for review and approval by the City prior to issuance of a Grading Permit.</p> <p>Suitable measures to reduce liquefaction include, but are not limited to:</p>	Ensure that, where required, geologic and soils studies are consistent with the mitigation measure, and that development adheres to study recommendations as well as to the CBC as deemed appropriate by B&S. Ensure that studies are adequate and that final plans are consistent with the measure.	<p>-Prior to approval of grading permits for future projects.</p> <p>-At site inspection.</p>	<p>-Once per project application.</p> <p>-At least once, as required.</p>	PCD B&S			

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<ul style="list-style-type: none"> • Specialized design of foundations by a structural engineer; • Removal or treatment of liquefiable soils to reduce the potential for liquefaction; • In-situ densification of soils; • Other alterations to ground characteristics. 							
<p>GEO-3(a) Geotechnical Evaluation. Individual developments shall provide site-specific geotechnical evaluations and geological reports that address onsite soils and slope stability hazards as part of the initial application process. Prior to approval of a specific development plan, these studies shall be submitted to the City Planning and Community Development Department and/or consultants hired by the City for review and approval as part of the initial application process. These evaluations shall determine the potential for adverse soil stability impacts and shall identify appropriate mitigation techniques. All mitigation recommendations identified in site-specific studies shall be implemented as a condition of future development. Such measures may include avoidance of development in areas found to have unmitigable soil or geologic hazards, soil or grading modifications to ensure acceptable slope stability on manufactured slopes, structural measures to ensure slope stability, drainage control facilities to collect and direct water off of slopes, removal of loose cobbles and boulders from adjacent slopes, and/or other measures deemed appropriate to ensure proper slope stability. If site-specific geologic mitigation measures are found to cause secondary environmental effects not addressed herein (excessive import or export of soil material, retaining walls, blasting, etc.), subsequent environmental analysis, may be required.</p>	<p>Ensure that, where required, site-specific geotechnical evaluations and geological reports address onsite soils and slope stability hazards, as well as other factors, and appropriate means of mitigating hazards. Ensure that development adheres to recommendations of such studies as deemed appropriate by B&S. Ensure that studies as well as final plans are reviewed and found consistent with the measure. Ensure that secondary effects of mitigation are also addressed, including subsequent environmental review if warranted.</p>	<p>-Prior to approval of permits for future projects</p> <p>-At site inspection.</p>	<p>-Once per project application.</p> <p>-At least once, as required.</p>	<p>PCD</p> <p>B&S</p>			

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GEO-3(b) Erosion Control Plan. A site-specific erosion control plan that incorporates best management practices shall be prepared by individual applicants and approved by the City prior to the granting of any grading permits for an individual development within the project area. Measures identified in such plans shall be implemented. Such measures may include slope protection measures, netting and sandbagging, landscaping and possibly hydroseeding, temporary drainage control facilities such as retention areas, etc. Landscaping shall be designed by a licensed landscape architect with final landscaping plans to be reviewed and approved by the City Building Official prior to project approval.	Require submittal and implementation of site-specific erosion control plans for future projects. Ensure that landscape plans are prepared by a licensed landscape architect and that final landscaping plans are reviewed and approved by the City Building Official.	-Prior to approval of permits for future projects -At site inspection.	-Once per project application. -At least once, as required.	PCD B&S			
GEO-3(c) City Oversight and Approval. The City Engineer or equivalent shall inspect a project after the final grading report has been filed. The project shall not be approved for construction by the City Engineer or equivalent until all hazards either caused by project grading or associated with adjoining geologic and soils conditions, such as erosion and slope instability, are mitigated to the City's specifications.	Inspect development sites after filing of final grading report. Ensure that building permits are not issued until all hazards as specified in the measure are mitigated.	After the final grading report has been filed and prior to issuance of building permits for future projects.	Once per project application.	PCD B&S			
GEO-4(a) Test Blast/Vibration Study & Blasting Plan. If a site-specific geologic, geotechnical, or structural design study deems blasting necessary for grading and excavation onsite, the applicant must perform a test blast/vibration study to evaluate the variation in vibratory ground motion intensity with respect to distance from the blast site. It must be shown that the blasting can be done safely with respect to existing improvements. A blasting plan shall be provided as part of the vibration	Require test blast/vibration studies as part of the initial application submittal to PCD for applicable future projects, consistent with the standards in the mitigation measure. The City Council and Fire Marshall, in addition to PCD, shall review and approve	With initial application / prior to approval of permits for future projects.	Once per project application.	PCD B&S			

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study, and submitted as part of the initial application submittal to the City Planning and Community Development Department, City Council and Fire Marshall for approval. Blasting permit approval would be subject to the City's discretion and may be denied. If the City were to approve the blasting plan, at a minimum it should be designed to minimize ground shaking away from the blast area. Any areas having unstable slopes or rockfall hazards shall be secured to prevent injury or property damage. If approved, the permittee shall provide sufficient supervisory control as determined by the building official during the grading operation to ensure compliance with approved plans and with the municipal code. When found necessary by the City Building Official, the permittee shall employ a qualified geologist and foundation engineer to assist in supervising the grading operation. If a blasting permit is denied by the City, the applicant shall prepare an alternative application for development which excludes the need for blasting.	blasting plans.						
GEO-5(a) Foundations and Project Infrastructure Design. As provided in mitigation measure GEO-3(a), a site specific geotechnical evaluation shall be conducted for individual projects and submitted to the City Planning and Community Development Department for review and approval as part of the initial application. If the project site is identified to be in a high expansive soil zone based on the site specific Geotechnical Investigation, the foundations and project infrastructure shall be designed by a structural engineer to withstand the existing conditions or the site shall be graded in such a manner as to address the condition. Suitable measures to reduce impacts from expansive soils could include one or more of the following	Require that, for projects in a high expansive soil zone, the foundations and project infrastructure are designed by a structural engineer to withstand the existing conditions, or that the site is graded in such a manner as to address the condition.	-Prior to approval of future projects -At site inspection.	-Once per project application. -At least once, as required.	PCD B&S			

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<p>techniques, as determined by a qualified geotechnical engineer:</p> <ul style="list-style-type: none"> • excavation of existing soils and importation of non-expansive soils; and • foundation design to accommodate certain amounts of differential expansion such as posttensional slab and/or ribbed foundations designed in accordance with Chapter 18, Division III of the UBC; imported fill shall be tested to ensure it is suitable to be used as fill. 							
<p>GEO-5(b) Soils and Foundation Report. To avoid soil-related hazards, the individual project applicants shall provide a soils/foundation report as part of the initial project application to the City Planning and Community Development Department (standard requirement).</p>	<p>Require soils/foundation reports as part of the initial application submittal to PCD for applicable future projects.</p>	<p>With initial application.</p>	<p>Once per project application.</p>	<p>PCD</p>			
<p>GEO-6(a) Settlement Related Mitigation. Future development shall comply with all recommendations contained in site-specific geologic, geotechnical, and structural design studies as required to be prepared for subsequent development activities. Subsequent subsurface investigations shall determine the required degree of compaction and the proper moisture content and appropriate means of mitigating settlement related hazards. Recommendations contained in these site-specific studies shall be reviewed and approved by the City Planning and Community Development Department and City Building Official and incorporated into final grading and structural design plans, as deemed appropriate by the City Building Official prior to issuance of a Grading Permit and/or Building Permit. At a minimum, suitable measures to reduce settlement impacts shall include, but not be limited to:</p>	<p>Ensure that future development complies with all recommendations contained in site-specific geologic, geotechnical, and structural design studies. Ensure that studies as well as final plans are reviewed and approved by PCD and B&S and found consistent with the measure.</p>	<p>-Prior to approval of future projects -At site inspection.</p>	<p>-Once per project application. -At least once, as required.</p>	<p>PCD B&S</p>			

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<ul style="list-style-type: none"> • Removal of organic material in the area of the proposed grading • Removal of non-engineered artificial fill in areas to receive engineered fill or in areas where structural support is required • Placement of a keyway at the bottom of all fill slopes a minimum depth of 3 feet and down to the bedrock with the keyway a minimum of 10 feet wide (unless otherwise determined by the site-specific geological study) • Fill soils shall be benched into the hillside • Removal of upper soils to the bedrock <p>After excavation:</p> <ul style="list-style-type: none"> • All bottoms of the excavations and areas to receive slabs shall be scarified and compacted to 90% • All fills and backfills should be placed in horizontal layers less than 8 inches in loose thickness • Soils shall be compacted to a minimum of 90% of the maximum density rendered by the latest ASTM version • Moisture content should not vary more than 2% from the optimum moisture content, although the grading process will be more easily accomplished with the soils being 1 – 2 % wetter than optimum moisture content • Any utility trenches will need to be properly backfilled as detailed above • Any import soils should be approved by a qualified geologist • Slope faces shall be compacted to at least 90% of maximum compaction 							

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GEO-6(b) Additional Environmental Review. If individual developers are unable to find a disposal site for construction cut within 12.5 miles of the Specific Plan area, or if processed soil is not suitable for fill, then individual projects may require additional environmental analysis. Individual developers must demonstrate a means for disposal of excess cut materials, within 12.5 miles of the project site, prior to approval by the City.	Require developers to demonstrate a means for disposal of excess cut materials, within 12.5 miles of the project site, prior to approval by the City. Ensure that additional environmental analysis is performed in circumstances specified in the measure.	-Prior to approval of future projects -At site inspection.	-Once per project application. -At least once, as required.	PCD B&S			
HAZARDOUS MATERIALS							
HAZ-3 Phase I ESA. As part of the initial project application submittal for a new project or for revitalization of an existing development, a project applicant shall be required to prepare a Phase I Environmental Site Assessment (ESA) to examine the potential for onsite contamination issues. For redevelopment of existing structures, the Phase I ESA shall include examination of the possible presence of asbestos containing materials and lead based paint. In the event that recognized adverse environmental conditions are identified, additional Phase II environmental testing shall be performed and recommended mitigation requirements implemented. If necessary, remediation activities (i.e. excavation and removal of contaminated soils, vapor extraction, removal of contamination source) shall be performed under the supervision of a lead oversight agency to be determined based on the nature of the issue identified. If remediation activities are required, the lead oversight agency shall provide confirmation to the City that onsite environmental issues have been mitigated to a level that is suitable for the anticipated site	Require Phase I ESAs as part of the initial application submittal to PCD for applicable future projects, with scopes as defined in the measure. Require Phase II ESAs where recommended by the results of the Phase I. Ensure that appropriate remediation is carried when required to the satisfaction of the specific oversight agency by obtaining confirmation from the agency.	-With initial application -Prior to approval of permits for future projects.	-Once per project application. -Once per project application.	PCD			

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use or reuse.							
HISTORIC AND ARCHAEOLOGICAL RESOURCES							
<p>HA-1(a) Protection of Known Cultural Resources. Prior to development, as part of the initial project application, a qualified archaeologist and Native American Monitor shall make a reasonable effort to identify archaeological resources from known archaeological sites (as listed in EIR Section 4.6.1.b) within the project area. If it can be demonstrated that a project will cause damage to a unique archaeological resource, a reasonable effort shall be made to permit any or all of these resources to be preserved in place or left in an undisturbed state. As part of the applicant's initial project application, the preferred method of protection/treatment shall be submitted to the City's Community Development Department for review and approval. Examples of that treatment, in no order of preference, may include, but are not limited to, the following:</p> <ul style="list-style-type: none"> • Planning construction to avoid archaeological sites where feasible. • Deeding archaeological sites into permanent conservation easements. • Planning parks, greenspace, or other open space to incorporate archaeological sites. • Dedication of informational booth which explains Native American cultural heritage and displays recovered artifacts from the project site. • Salvage and recordation of resources by a qualified archaeologist. These resources shall be preserved onsite in an interpretive center, designed under the review of both the Native American Heritage 	<p>Require a reasonable effort to identify known archaeological resources as part of the initial application submittal to PCD for applicable future projects.</p> <p>Ensure that applications include protection/treatment measures when warranted as described in the mitigation measure.</p> <p>Ensure compliance with the requirements of California Public Resources Code 21083.2.c.</p>	<p>With initial application / prior to approval of permits for future projects.</p>	<p>Twice per project application.</p>	<p>PCD</p>			

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<p>Commission and the City of Agoura Hills. Pursuant to Public Resources Code 21083.2.c., the project applicant shall provide a guarantee to the lead agency to pay one-half the estimated cost of mitigating the significant effects of the project on unique archaeological resources. In determining payment, the lead agency shall give due consideration to the in-kind value of project design or expenditures that are intended to permit any or all archaeological resources or California Native American culturally significant sites to be preserved in place or left in an undisturbed state. When a final decision is made to carry out or approve the project, the lead agency shall, if necessary, reduce the specified mitigation measures to those which can be funded with the money guaranteed by the project applicant plus the money voluntarily guaranteed by any other person or persons for those mitigation purposes. In order to allow time for interested persons to provide the funding guarantee referred to in this subdivision, a final decision to carry out or approve a project shall not occur sooner than 60 days after completion of this environmental impact report. For time and cost limitations refer to 21083.2(e).</p>							
<p>HA-1(b) Construction Monitoring. Initial grading activities near archaeological sites CA-LAN-1436, CA-LAN-1352, and CA-LAN-41 shall be monitored by a qualified archaeologist and Native American Monitor. If cultural resource remains are encountered during construction or land modification activities, the applicable procedures established under CEQA (CEQA Guidelines §15064.5). In this event the City 's Department of Planning and Community Development shall be notified at once and work shall stop within a 100 ft radius until a qualified archaeologist satisfactory to the City has</p>	<p>Require construction monitoring as specified in the measure for grading near the identified known sites.</p> <p>Ensure CEQA and City guidelines and the standards in the measure are followed if cultural resource remains are</p>	<p>-During grading for future projects</p> <p>-At site inspection.</p>	<p>-Once.</p> <p>-At least once, as required.</p>	PCD			

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assessed the nature, extent, and potential significance of any cultural remains. If such remains are determined to be significant, appropriate actions to mitigate impacts to the remains shall be implemented per Section 21083.2 of the Public Resources Code. Depending upon the nature of the find, mitigation could involve avoidance, documentation, or other appropriate actions, to be determined by a qualified archaeologist.	encountered during grading. Ensure compliance with the requirements of California Public Resources Code 21083.2.c.						
HA -1(c) Archaeological Discovery. If human remains are unearthed, State Health and Safety Code Section 7050.5 requires that no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to Public Resources Code Section 5097.98. If the remains are determined to be of Native American descent, the coroner has 24 hours to notify the Native American Heritage Commission (NAHC). The NAHC will then identify the person(s) thought to be the Most Likely Descendent (MLD) of the deceased Native American, who will then help determine what course of action should be taken in dealing with the remains.	Ensure compliance with State Health and Safety Code Section 7050.5 and California Public Resources Code Section 5097.98.	During grading for future projects.	Once per project.	PCD			
HYDROLOGY AND WATER QUALITY							
HYD 2 Final Drainage Plans. Individual project applicants shall be required to prepare and submit a final drainage plan, prior to issuance of a grading permit, to the City's Planning and Community Development Department and Los Angeles County Flood Control for approval. Plans shall include detailed design and hydraulic analysis of the drainage facilities that capture and convey on- and off-site runoff. Each developer shall be required to evaluate the extent of potential flood hazards present utilizing the Modified Rational Method	Require submittal of a final drainage plan, consistent with the measure, to PCD and Los Angeles County Flood Control prior to issuance of a grading permit. Ensure that any mitigation meets all interim peak flow	-Prior to issuance of a grading permit for future projects -At site inspection.	-Once per project application. -At least once, as required.	PCD			

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(or the latest model approved by Los Angeles County Flood Control) and to implement mitigation measures required to reduce such impacts to a level of insignificance. The drainage plan for each project shall include post development designs for runoff detention and on site infiltration to reduce 50-year frequency storm peak discharge to the pre development level. These drainage facilities shall meet the design requirements and capacities of the Master Plan of Drainage for the City of Agoura Hills, The Los Angeles County Department of Public Works Hydrology Manual and the Hydrology and Sedimentation Appendix, or other revised hydraulic analyses as determined by the City Engineer, and shall not increase the base flood elevation above or below the project site. Additionally, mitigation shall meet all interim peak flow standards, or the most up to date standards, as established by the LACDPW. The plans shall be subject to review and approval by the City Engineer.	standards, or the most up to date standards as established by the LACDPW and that the plans are reviewed and approved by the City Engineer.						
HYD-3(a) Hydrology Study. If any onsite open channels are altered, a channel bed erosion study shall be conducted as part of a hydrology report submitted to the City as part of the initial application submittal. The erosion study shall determine if additional grade stabilization structures are necessary for any restored areas within Medea Creek or within Lindero Canyon Creek. Recommendations of this study shall be fully implemented subject to review and approval by the City of Agoura Hills and Los Angeles County Public Works Department. Design of modifications to Medea Creek shall meet the standards of the City of Agoura Hills and Los Angeles County Public Works Department, and shall be approved by the City prior to the issuance of grading permits.	Require that a channel bed erosion study, designed as specified in the measure, is part of hydrology reports in initial application submittals of any onsite open channels are altered. Ensure that recommendations of the study are fully implemented subject to review and approval by the City and the Los Angeles County Public Works Department	With initial application / prior to issuance of grading permits for future projects.	Once per project application.	PCD			

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<p>HYD-3(b) Public Facilities Flood Protection. Any trunk sewer manholes located adjacent to Lindero Canyon Creek and Medea Creek shall be protected from peak flows laden with debris by further armoring via cement casing, piercing, or other appropriate method. A plan to protect the sewerline and exposed manholes from erosion and flooding and from construction activity shall be submitted to the Las Virgenes Municipal Water District for review, comment, and approval prior to the issuance of grading or building permits.</p>	<p>Require a plan to protect the sewerline and exposed manholes as specified in the measure for projects adjacent to the identified creeks.</p> <p>Ensure review and approval by the Las Virgenes Municipal Water District, as well as the City, prior to the issuance of grading or building permits.</p>	<p>Prior to issuance of grading permits for future projects.</p>	<p>Once per project application.</p>	<p>PCD</p>			
NOISE							
<p>N-1 Construction Hours. On-site construction activity, including blasting, or involving the use of equipment or machinery that generates noise levels in excess of the 55 dBA standard shall be limited to between the hours of 7 AM and 8 PM, Monday through Saturday pursuant to City Ordinance 9656 and City Municipal Code Section 9666.4. No construction activity shall occur between 8 PM and 7AM that generates noise in excess of the 50 dBA standard. No construction activity shall take place on Sundays or legal holidays.</p>	<p>Require that project construction schedules adhere to the days, hours and limitations expressed in the condition.</p>	<p>-Prior to approval of future projects</p> <p>-At site inspection.</p>	<p>-Once per project application.</p> <p>-At least once, as required.</p>	<p>PCD</p>			
<p>N-2(a) Rubberized Asphalt. In potentially noise impacted areas within the Specific Plan, the City shall consider and, if feasible, use rubberized asphalt paving material for street re-paving projects. Studies have demonstrated that this type of paving materials can substantially reduce roadway noise. A 1992 noise study in the City of Thousand Oaks by Acoustical Analysis</p>	<p>Ensure that, where applicable, rubberized asphalt paving material is used for street re-paving projects.</p>	<p>-Prior to approval of future projects</p> <p>-At site inspection.</p>	<p>-Once per project application.</p> <p>-At least once, as required.</p>	<p>PCD</p>			

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Associates, Inc. indicated that the use of an asphalt rubber overlay can achieve a noise reduction of from 2 to 5 dBA as compared to standard asphalt.							
N-2(b) Sound Wall. If traffic-related noise problems from U.S. 101 arise within the Specific Plan area, the City shall investigate and, if feasible, implement appropriate measures to reduce noise impacts at affected receptor locations. Such measures may include, but are not limited to, the use of a sound wall along the northern boundary of the Specific Plan area, between Roadside Drive and U.S. 101. It is estimated that a 10-foot high sound wall located adjacent to the southern edge of U.S. 101 would decrease noise levels at the property boundaries on the southern side of Roadside Drive from 78.8 dBA to 69.3 dBA (refer to Appendix E for Sound Barrier Loss Estimation Spread Sheet).	Investigate and, if feasible, implement appropriate measures, which could include a sound wall along Roadside Drive, to reduce noise impacts from Highway 101 at affected receptor locations.	If/when traffic-related noise problems from U.S. 101 arise within the Specific Plan area.	At least once depending on results of initial action.	PCD			
N-3(a) Acoustical Study. A site-specific acoustical study shall be submitted to the City Planning and Community Development Department as part of the initial application for any residential project located within the project area that is exposed to freeway or arterial traffic noise. This study shall contain specific structural and site design recommendations to be incorporated into the project design to mitigate any noise levels that exceed the City's residential exterior standard of 65 CNEL.	Require site-specific acoustical study as part of the initial application for any residential project located within the project area that is exposed to freeway or arterial traffic noise, pursuant to the standards listed.	With initial application / prior to approval of permits for future projects -At site inspection	Twice. -At least once, as required.	PCD			
N-3(b) Operating Hours. Loading dock and delivery truck (i.e. refrigerator trucks, trash and recycling pickups) and parking lot sweeping hours shall be restricted to daytime operating hours (7:00 AM to 7:00 PM). Delivery trucks entering and leaving the site shall not block driveways and shall be allowed to idle no more than 15 minutes in any half hour period.	Require that proposed loading, delivery and parking lot sweeping activities for future projects adhere to the hours and standards specified.	-Prior to approval of future projects -At site inspection.	-Once per project application. -At least once, as required.	PCD			

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N-3(c) Loading Dock Location. To the degree feasible, loading docks and delivery areas shall be located out of line of sight and/or oriented away from nearby residences.	Require that proposed loading docks and delivery areas for future projects adhere to the standards specified.	-Prior to approval of future projects -At site inspection.	-Once per project application. -At least once, as required.	PCD			
N-3(d) Ventilation Noise. Parapets that reduce noise from rooftop ventilation systems shall be installed on all project structures.	Require that projects with rooftop ventilation systems include noise-reducing parapets.	-Prior to approval of future projects -At site inspection.	-Once per project application. -At least once, as required.	PCD			
N-3(e) Parking Lot Noise. Surface-texturing materials and landscaping shrubs and trees shall be used in the parking areas to reduce parking lot related noise.	Require that proposed parking lots include the specified features.	-Prior to approval of future projects -At site inspection.	-Once per project application. -At least once, as required.	PCD			
N-3(f) Mechanical Equipment. All exterior mechanical equipment shall be oriented away from adjacent residential uses and shall be fitted with sound-rated parapets.	Require exterior mechanical equipment to be oriented away from adjacent residential uses and fitted with sound-rated parapets.	-Prior to approval of future projects -At site inspection.	-Once per project application. -At least once, as required.	PCD			
N-3(g) Interior Noise. At a minimum, all on-site structures shall include the following or equivalent to achieve an acceptable interior noise level of 45 CNEL: <ul style="list-style-type: none"> • Air conditioning or a mechanical ventilation system so that windows and doors may remain closed • Double-paned windows and sliding glass doors mounted in low air infiltration rate frames (0.5 cubic feet per minute, per ANSI specifications) • Solid core exterior doors with perimeter weather 	Ensure that proposed structures include the listed items to reduce interior noise below 45 CNEL.	-Prior to approval of future projects -At site inspection.	-Once per project application. -At least once, as required.	PCD			

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stripping and threshold seals <ul style="list-style-type: none"> • Roof and attic vents facing away from Highway 101 Incorporation of these design requirements would be expected to achieve an interior noise level reduction of 25 dB or greater.							
PUBLIC SERVICES							
PS-3(a) Fuel Modification Plan (FMP). Individual project applicants shall develop a Fuel Modification Plan for all development areas within or adjacent to wildland fire hazard areas. These plans shall be subject to review and approval by the Los Angeles County Fire Department Fuel Modification Unit. The FMP shall be submitted to the City Planning and Community Development Department for approval prior to issuance of a grading or building permit. Funding and execution of all measures required in the FMP shall be the responsibility of individual developers or land owners. Prior to approval of the FMP the City shall confirm that appropriate easements have been secured and that long-term funding mechanisms area in place to ensure successful implementation of the FMP.	Require Fuel Modification Plans for proposed development within or adjacent to wildland fire hazard areas. Ensure review and approval by the Los Angeles County Fire Department Fuel Modification Unit.	-Prior to issuance of a grading or building permit. -At site inspection.	-Once per project application. -At least once, as required.	PCD			
PS-3(b) Landscape Palette. The landscape palette for the project shall prohibit the use of highly flammable species near areas of open space.	Ensure that landscape plans prohibit the use of highly flammable vegetation near open space areas.	-Prior to approval of permits for future projects -At site inspection.	-Once per project application. -At least once, as required.	PCD			
PS-3(c) Roundabout Engineering. Further detailed	City to ensure that detailed	-Prior to	-Once for the	PCD			

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<p>engineering design shall be performed for the proposed roundabout at the intersection of Agoura Road and Kanan Road. The engineering design shall incorporate the applicable geometric features required to accommodate the forecast vehicular, bicycle and pedestrian movements, and safety personnel/emergency access. The engineering design shall incorporate the appropriate capacity and safety elements at the roundabout for both pedestrians and motorists.</p>	<p>engineering design is completed for the identified public improvement, consistent with the measure.</p> <p>Six months after completion of the roundabout, the City shall commission post – construction monitoring of operational and safety characteristics of the roundabout. This monitoring shall include but not be limited to: Monitoring of vehicle flows, delays and queuing to determine LOS; and the monitoring and assessment of pedestrian and bicycle movements during peak periods. The results of the monitoring shall be reported to the City Council as soon as practical after completion of the program. Upon review of the monitoring report, the City Council shall determine if additional monitoring is necessary and, if so, the scope and the frequency of such monitoring.</p>	<p>finalization of roundabout design.</p> <p>-Monitoring to occur once following completion of the roundabout, or as otherwise directed by City Council following review of the initial monitoring results.</p>	<p>design studies.</p> <p>-To be determined based on the results of initial monitoring.</p>				
<p>PS-3(d) Emergency Access. The proposed roundabout at the intersection of Kanan and Agoura</p>	<p>City to provide public education materials, such</p>	<p>Prior to finalization of</p>	<p>Once.</p>	<p>PCD</p>			

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Road has the potential to restrict access to safety personnel and emergency vehicles. Public education should include information on driver behavior in the event of an emergency vehicle, which is similar to the driver behavior required at conventional intersections. All approaches to the roundabout shall contain two lanes. Vehicles in queue in front of an emergency vehicle would either move to another lane or move through the roundabout to facilitate passage of the emergency vehicle. The design of the roundabout shall include a mountable apron on the island and mountable splitter islands. In the event of blockage of the circulatory roadway, these elements would provide for sufficient width within the roundabout for passage of emergency vehicles.	as signs near approach of roundabout, (other education materials may include an online tutorial). Additionally, the City shall review design and installation of mountable apron and splinter islands.	roundabout design.					
PS-4(a) Design Approval. Project plans shall be submitted to the Los Angeles County Sheriff's Department Lost Hills Substation for review and comment. All recommendations made by the Department, including, but not limited to, those pertaining to site access, site security, lighting, and requirements for onsite security, shall be incorporated into the design of the project, prior to approval of final building permits.	City to ensure LA County Sheriff's Department review of project plans consistent with the measure, and that the Sheriff's comments be incorporated into the project.	Prior to project approvals.	Once.	PCD			
PS-4(b) Roundabout Engineering. Refer to Mitigation Measure PS-3(c). This measure shall also be subject to review and approval by the Los Angeles County Sheriff's Department.	City to ensure that detailed engineering design for the Agoura/Kanan roads roundabout is reviewed and approved by the LA County Sheriff's Department.	Prior to finalization of roundabout design.	Once.	PCD			
PS-5(a) In Lieu Fees. Individual project applicants shall pay the statutory school fees in effect at the time of issuance of building permits to the appropriate school districts. If permissible, at the time the application is	Ensure statutory school fees are collected by the School District as required.	Prior to issuance of building permits.	Once per project approval.	PCD			

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processed, these fees shall include additional District costs associated with impacts to student transportation or other measures to alleviate student transportation overcrowding (e.g. pro-rata contribution to new school transportation systems, student carpooling bulletin boards, etc.)							
PS-5(b) School District Noticing. The applicant shall notify the Las Virgenes Unified School District of the expected buildout date of the project as soon as possible to allow the District to plan in advance for new students.	Ensure that applicants notify the Las Virgenes Unified School District of the expected buildout date of their projects.	Prior to issuance of building permits.	Once per project approval.	PCD			
TRANSPORTATION AND CIRCULATION							
T-2(a) Kanan Road/Canwood Street - U.S. 101 Northbound Ramps intersection (A.M. and P.M. peak hour): Additional capacity will need to be provided at this intersection to obtain acceptable operations. As part of the Kanan Interchange Projects, the future geometry for the southbound approach of the intersection includes three southbound through lanes and a separate right-turn lane. One southbound through lane is a trap lane onto the Northbound On-Ramp, and two through lanes would continue onto the overpass. Future cumulative peak hour volumes on the southbound through approach would exceed 2,000 vehicles per hour (vhp) during the A.M. peak hour and would exceed 1,700 vph during the P.M. peak hour. These volumes indicate the need for additional southbound capacity. Additional measures that would be necessary include restriping of the southbound approach to three through lanes and a shared through/right –turn lane would improve the intersection operations to LOS D during the A.M. peak hour and LOS C during the P.M. peak hour.	Ensure that funding is secured and the specified improvements are implemented.	After plan adoption as individual projects are proposed.	Ongoing.	PCD			

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<p>This mitigation would require that the Northbound on-ramp approach be moved 16 feet (4.9 m) to the west and the overpass be restriped from two southbound lanes to three southbound lanes. The southbound direction on the overpass contains 43.5 feet (13.3 m), which is sufficient to accommodate three 11.8 feet (3.6 m) wide lanes and a 4 feet (1.2 m) wide bike lane.</p> <p>Additional widening on the eastbound approach (Canwood Street) is required to provide LOS C during the A.M. peak hour. The eastbound approach would need to be widened from one left-turn lane and one right-turn lane to one left-turn lane, a shared left/right-turn lane, and a right-turn lane. The mitigated geometry is shown below and the mitigated levels of service are shown below in Tables 4.11-9 and 4.11-10.</p>							
<p>T-2(b) Palo Camado Canyon Road/U.S. 101 Northbound Ramps intersection (A.M. and P.M. peak hour): City staff have indicated that several improvement options for the intersection are being evaluated as part of the EIR underway for the Heschel West school site proposed east of Palo Camado Canyon Road within County limits. Improvement options that are evaluated include installation of a signal, widening of the overpass and/or intersection approaches, and construction of a roundabout. It is noted that the cumulative traffic forecasts derived from the Agoura Hills Traffic Model did not include any traffic volumes associated with the proposed Heschel West school site.</p> <p>The future evaluation process for the intersection and/or the U.S. 101/Palo Camado Canyon-Dorothy Drive interchange would likely be through the Caltrans process, which would evaluate all future traffic volumes (including</p>	<p>Ensure that funding is secured and the specified improvements are implemented.</p>	<p>After plan adoption as individual projects are proposed.</p>	<p>Ongoing.</p>	<p>PCD</p>			

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the Heschel West school traffic) and mitigation options. It is anticipated that the ultimate intersection and/or interchange improvements would provide for acceptable levels of service at this location during the peak hours. The project would contribute its proportionate share to any improvement that will be elected for this intersection.							
T-2(c) Reyes Adobe Road/Canwood Street intersection (P.M. peak hour): The City has programmed the widening of the northbound approach as part of the U.S. 101/Reyes Adobe interchange improvement project. After implementation of the proposed improvements, the intersection would operate at LOS A during the P.M. peak hour, thereby reducing the project's impact to a level of insignificance. It is noted that no implementation schedule has been developed for this project at this time. (The mitigated level of service is shown in the EIR in Table 4.11-10.)	None required.	n/a	n/a	n/a			
T-2(d) Reyes Adobe Road/U.S. 101 Southbound Ramps intersection (P.M. peak hour): The City has programmed the widening of this intersection as part of the U.S. 101/Reyes Adobe interchange improvement project. After construction, the intersection would operate at LOS C during the P.M. peak hour, thereby reducing the project's effect to less than significant. It is noted that no implementation schedule has been developed for this project at this time. The mitigated level of service is shown above in Table 4.11-10.	None required.	n/a	n/a	n/a			
T-2(e) Reyes Adobe Road/Agoura Road intersection (P.M. peak hour): Restriping the southbound approach to provide dual left-turn lanes and a right-turn lane, and providing additional capacity on the westbound approach would result in LOS C during the P.M. peak hour, thereby	Ensure that funding is secured and the specified improvements are implemented.	After plan adoption as individual projects are proposed.	Ongoing.	PCD			

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reducing the project's impact to less than significant. There are two receiving lanes on all three legs of this intersection. The southbound approach contains one left-turn lane and the right-turn lane which are separated by a wide striped channelization island. There is sufficient pavement width between the raised median and the western curb (43 ft) to restripe the approach to two left-turn lanes and a right-turn lane. In addition, the westbound approach should be restriped to a shared through/right-turn lane and a dedicated right-turn lane, or be widened to include an additional lane (through, through-right, and right-turn lane) to provide LOS C during the P.M. peak hour. The mitigated level of service is shown in the EIR in Table 4.11-10.							
T-2(f) Kanan Road/Canwood Street (E) intersection (P.M. peak hour): This intersection was recently reconstructed as part of the Kanan Road/U.S. 101 interchange improvement project. Kanan Road contains two northbound through lanes and a right-turn lane; the southbound approach contains a left-turn lane and three through lanes. A third northbound through lane (two through lanes and a through-right-turn lane) is required to provide LOS C during the P.M. peak hour. This mitigation measure would require some widening of the north side of the intersection for 200 ft or more to provide three receiving lanes. The mitigated level of service is shown in the EIR in Table 4.11-10.	Ensure that funding is secured and the specified improvements are implemented.	After plan adoption as individual projects are proposed.	Ongoing.	PCD			
T-2(g) Kanan Road/Roadside Drive - U.S. 101 Southbound Ramps intersection (P.M. peak hour): Additional capacity on the northbound and southbound approaches will need to be provided at this intersection to provide LOS C operations. The required improvements are outlined below:	Ensure that funding is secured and the specified improvements are implemented.	After plan adoption as individual projects are proposed.	Ongoing.	PCD			

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<p>There are three northbound receiving lanes provided on the north side of the intersection. Under the proposed intersection design, two lanes continue onto the overpass and one lane traps into the U.S. 101 Southbound On-Ramp. The northbound approach would contain one through lane and one shared through/right-turn lane. This approach should be widened to provide two through lanes and one shared through/right-turn lane.</p> <p>Under the proposed intersection design, the southbound approach would contain one left-turn lane, two through lanes and one right-turn lane. To provide LOS C during the P.M. peak hour, a second southbound left-turn lane is needed. There is sufficient roadway width provided on the north leg of the intersection and the overpass to provide dual left-turn lanes, two through lanes and a right-turn lane on the southbound approach, and retain the three northbound receiving lanes provided on the north side of the intersection. The bike lane on the southbound approach shown on the proposed intersection design may need to be eliminated. It is noted that the lane widths on the north leg (11-foot left-turn lanes, 11-foot through lanes and 12 to 13-foot right-turn lanes) would be less than the lane widths specified by Caltrans (12-foot left-turn lanes, 12-foot through lanes and 16-foot right-turn lanes), and would require approval of a design exception.</p> <p>Additionally, the east leg of the intersection (Roadside Drive) would need to be widened to the south to provide two receiving lanes.</p> <p>Implementation of the above improvements would result in LOS C (V/C 0.78). The mitigated geometry is shown below followed by the mitigated level of service as shown</p>							

Key: PCD – City of Agoura Hills Planning and Community Development Department
 B&S – City of Agoura Hills Building and Safety



Agoura Village Specific Plan Updated Final Revised and Recirculated EIR
Mitigation Monitoring and Reporting Program

Mitigation Measure/Condition of Approval	Action Required	When Monitoring to Occur	Monitoring Frequency	Responsible Agency or Party	Compliance Verification		
					Initial	Date	Comments
in Table 4.11-10.							
T-2(h) Dorothy Drive/U.S. 101 Southbound Ramps intersection (P.M. peak hour): This intersection is currently controlled by stop signs on all approaches. Signalizing this intersection would result in LOS C during the P.M. peak hour, therefore mitigating the project's impact to a level of insignificance. The mitigated levels of service are shown in the EIR in Table 4.11-10.	Ensure that funding is secured and the specified improvements are implemented.	After plan adoption as individual projects are proposed.	Ongoing.	PCD			
T-3(a) Roundabout Engineering. Refer to Mitigation Measure PS-3(c) in Section 4.10, Public Services.	Refer to Mitigation Measure PS-3(c).						
T-3(b) Agoura Road/Zone A Pedestrian Crossing. It is recommended that the final design of any intersection at the mid-block of Agoura Road (between Kanan and Cornell Road), if proposed, be configured as a roundabout or a conventional intersection. It should be designed to accommodate pedestrians, bicyclists, and should contain a traversable island allowing larger vehicles such as trucks, buses and emergency vehicles to pass through the intersection.	Include design features as described in the measure for the specified intersection.	Upon plan adoption.	Ongoing.	PCD			
T-3(c) Pedestrian Friendly Median. As the use of mid-block crosswalks may create safety issues for pedestrians, the median proposed along Agoura Road should also be designed to provide a refuge area for pedestrians using the proposed crossings on Agoura Road. Consideration should be given to making the area more pedestrian friendly.	Include design features as described in the measure for the median proposed along Agoura Road. Ensure that future improvements give consideration to making the area more pedestrian friendly.	Upon plan adoption.	Ongoing.	PCD			
T-3(d) Pedestrian Cross Walks. Pedestrian cross-walks should utilize textured and colored surface	Include design features as described in the measure	Upon plan adoption.	Ongoing.	PCD			

Key: PCD – City of Agoura Hills Planning and Community Development Department
 B&S – City of Agoura Hills Building and Safety

Agoura Village Specific Plan Updated Final Revised and Recirculated EIR
Mitigation Monitoring and Reporting Program

Mitigation Measure/Condition of Approval	Action Required	When Monitoring to Occur	Monitoring Frequency	Responsible Agency or Party	Compliance Verification		
					Initial	Date	Comments
treatments to clearly distinguish these areas for pedestrian movement. Final design must be approved by the City Engineer.	for public improvements.						
T-3(e) Individual Access. The design and control of individual access driveways will need to be determined as individual projects are analyzed. Analysis of these individual access driveways should give consideration to traffic volumes to and from each individual site within the Specific Plan and opposing traffic volumes on the adjacent roadway system.	Ensure that design of individual driveways gives consideration to traffic volumes and patterns consistent with the measure.	Prior to approval of future projects.	Once.	PCD			
T-3(f) Construction Impacts. Prior to individual project approval, short-term construction impacts shall be examined. Where necessary, a construction vehicle management plan shall be developed and implemented. This plan shall include measures to avoid conflicts with nearby businesses and other land uses (such as construction activity notification and timing so as to minimize conflicts) and to minimize the effects on the local street network.	City shall require construction vehicle management plans for projects with potential short-term traffic related construction impacts.	As part of individual project application, prior to approval.	Once.	PCD			

Key: PCD – City of Agoura Hills Planning and Community Development Department
 B&S – City of Agoura Hills Building and Safety

Appendix J

*Response to Comments on the Updated Draft Revised and
Recirculated EIR*

RESPONSES TO COMMENTS ON THE UPDATED DRAFT REVISED AND RECIRCULATED EIR

INTRODUCTION

The Agoura Village Specific Plan Final Environmental Impact Report (EIR) was certified by the City Council of Agoura Hills in 2006. Per a Writ of Mandate issued in 2007 by the Superior Court of California, County of Los Angeles, the City was directed to set aside its approval of the AVSP, amendments, zone change, and the EIR, and prepare new CEQA documentation related to more specific biological data and clarification of project alternatives. The Draft Revised and Recirculated EIR (RR EIR) was released, and the 45-day public comment period began on May 8, 2008 and closed on June 23, 2008. The document included only those changes to the original Final EIR that were required by the Writ of Mandate to meet judicial review. Those changes involved Section 2.0 Project Description, Section 4.3 Biological Resources, Section 6.0 Alternatives, and the Biological Technical Appendix. As the City has previously circulated a draft of the AVSP EIR in 2006 and responded to comments on that draft, CEQA provides for and the City requested that reviewers limit their comments only to the revised portions of the EIR being recirculated. Since the distribution of the Draft Revised and Recirculated EIR in May 2008, an additional area of the original AVSP boundary at the western end was surveyed for biological resources. This additional biological information has been added to the Draft Revised and Recirculated EIR, and the new document is referred to as the Updated Draft Revised and Recirculated EIR (Updated RR EIR). This was circulated for public comment between June 23rd and August 7th, 2008 (note – late comments were accepted through August 11th). As with the Draft Revised and Recirculated EIR, CEQA provides for and the City has requested that reviewers limit their comments only to the revised portions of the EIR being recirculated, not the 2006 EIR.

The letters in this section of the EIR include the public comments on the Draft Revised and Recirculated Environmental Impact Report (RR EIR) and the Updated Draft Revised and Recirculated Environmental Impact Report (Updated RR EIR) for the proposed Agoura Village Specific Plan Project. The comment letters included herein were submitted by public agencies, citizen groups, and private citizens. Each written comment that the City received is included in this section. Responses to these comments have been prepared to address the environmental concerns and to indicate where and how the Updated RR EIR addresses pertinent environmental issues.

The 2006 Final EIR, the Updated RR EIR and this Comments and Responses report collectively comprise the Final EIR for the Agoura Village Specific Plan Project. Any changes made to the text of the Updated RR EIR correcting information, data or intent, other than minor typographical corrections or minor working changes, are noted in the Final EIR as changes from the Updated RR EIR in underline format.

The comment letters have been numbered sequentially. If a letter includes more than one comment, the individual comments are lettered (1A, for example) and the responses that follow are lettered similarly. References to the responses to comments identify first the letter number, and second, the comment letter (6A, for example). Where comments have been duplicated within a single letter, the



reader is referred to an appropriate response number. This was done to focus the discussion and to help avoid redundancy by duplicating responses on the same topics.

COMMENTERS ON THE UPDATED DRAFT REVISED AND RECIRCULATED EIR

The commenters along with the page number on which their comment letters appear are listed below. Responses to the comment letters immediately follow each letter.

<u>Commenter on the Draft EIR</u>	<u>Page No.</u>
1. Terry Roberts, Director, Governor's Office of Planning and Research, 06/23/08	3
2. Terry Roberts, Director, Governor's Office of Planning and Research, 08/08/08	6
3. Dave Singleton, Program Analyst, Native American Heritage Commission, 05/23/08	9
4. Dave Singleton, Program Analyst, Native American Heritage Commission, 07/09/08	12
5. Roger P. Root, Assistant Field Supervisor, United States Department of Interior Fish and Wildlife Service, 08/07/08	15
6. Edmund Pert, Regional Manager, California Department of Fish and Game, 08/11/08	28
7. Neal L. Clover, Civil Engineering Assistant, Las Virgenes Municipal Water District, 06/21/08	32
8. Jacob Lieb, Program Manager, Southern California Association of Governments, 06/12/08	34
9. Nazir Lalani, Deputy Director, County of Ventura Public Works Agency Transportation Department, 06/06/08	40
10. Scott E. Franklin, 06/03/2008	43
11. Serena Friedman, (resubmittal of 04/17/2000 letter addressed to Members of the Los Angeles Regional Planning Commission) 06/05/2008	49
12. Pat Riley, 06/29/2008	54
13. Mary Altmann, Citizens for Sensitive Development, 07/24/2008	57
14. Charles W. Cohen, Weston, Benshoof, Rochefort, Rubalcava & MacCuish LLP, 08/07/08	61
15. Travis Cullen, Chief Operating Officer, Envicom Corporation 07/25/2008	64
16. Ellen & Jeffrey Naumann, 08/04/08	68
17. Mary E. Wiesbrock, Chairperson, Save Open Space, 07/16/2008	70
18. Mary E. Wiesbrock, Chairperson, Save Open Space 08/07/08	80
19. Mary E. Wiesbrock, Chairperson, Save Open Space 08/08/08	99
Comments Received at the 06/05/08 Planning Commission CEQA Hearing	111



Letter 1



STATE OF CALIFORNIA
GOVERNOR'S OFFICE of PLANNING AND RESEARCH
STATE CLEARINGHOUSE AND PLANNING UNIT



ARNOLD SCHWARZENEGGER
GOVERNOR

CYNTHIA BRYANT
DIRECTOR

June 23, 2008

RECEIVED
JUN 25 2008
BY: *A. Cook*

Allison Cook
City of Agoura Hills
30001 Ladyface Court
Agoura Hills, CA 91301

Subject: Agoura Village Specific Plan
SCH#: 2003111051

Dear Allison Cook:

The State Clearinghouse submitted the above named Revised Environmental Impact Rep to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on June 20, 2008, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

"A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

Terry Roberts
Terry Roberts
Director, State Clearinghouse

Enclosures
cc: Resources Agency

**Document Details Report
State Clearinghouse Data Base**

SCH# 2003111051
Project Title Agoura Village Specific Plan
Lead Agency Agoura Hills, City of

Type RIR Revised Environmental Impact Rep
Description Buildout of a Specific Plan to guide future development. Full buildout of the Specific Plan would include 235-293 multi-family dwelling units; up to 576,458 square feet of new office, retail, restaurant, community center, hotel; redevelopment of an existing 372,042 square feet of office and retail with the same uses and residential. This revised and recirculated EIR provides additional information regarding biological resources and alternatives. Only these revised sections are being provided for public review.

Lead Agency Contact

Name Allison Cook
Agency City of Agoura Hills
Phone (818) 597-7310
email
Address 30001 Ladyface Court
City Agoura Hills
Fax
State CA **Zip** 91301

Project Location

County Los Angeles
City Agoura Hills
Region
Lat / Long 34° 7' 30" N / 118° 45' W
Cross Streets Kanan and Cornell Roads, Kanan and Agoura Roads
Parcel No. Multiple
Township 1N **Range** 18W **Section** 24, 26 **Base**

Proximity to:

Highways 101
Airports
Railways
Waterways Medea Creek, Lindero Canyon Creek, Palo Comado Creek
Schools
Land Use General Plan: SP, CG, OS-R, BP-O/R
Zoning: SP, SP-AV, CRS-FC-AV, CRS-D-AV, OS, BP-OR-AV

Project Issues Biological Resources

Reviewing Agencies Resources Agency; Regional Water Quality Control Board, Region 4; Department of Parks and Recreation; Native American Heritage Commission; Integrated Waste Management Board; Office of Historic Preservation; Department of Fish and Game, Region 5; Department of Water Resources; California Highway Patrol; Caltrans, District 7; Cal Fire; Department of Toxic Substances Control; Santa Monica Bay Restoration

Date Received 05/07/2008 **Start of Review** 05/07/2008 **End of Review** 06/20/2008

Letter 1

COMMENTER: Terry Roberts, Director, Governor's Office of Planning and Research, State Clearinghouse

DATE: June 23, 2008

RESPONSE:

Response 1

The State Clearinghouse acknowledges receipt of the Updated RR EIR for state review and notes that it distributed the document to 12 agencies. This acknowledgement is noted. No response is necessary.



Letter 2



STATE OF CALIFORNIA
 GOVERNOR'S OFFICE of PLANNING AND RESEARCH
 STATE CLEARINGHOUSE AND PLANNING UNIT



ARNOLD SCHWARZENEGGER
 GOVERNOR

CYNTHIA BRYANT
 DIRECTOR

August 8, 2008

Allison Cook
 City of Agoura Hills
 30001 Ladyface Court
 Agoura Hills, CA 91301

Subject: Agoura Village Specific Plan
 SCH#: 2003111051

Dear Allison Cook:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on August 7, 2008, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

"A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

Terry Roberts
 Director, State Clearinghouse

Enclosures

cc: Resources Agency

Document Details Report State Clearinghouse Data Base

SCH# 2003111051
Project Title Agoura Village Specific Plan
Lead Agency Agoura Hills, City of

Type EIR Draft EIR
Description Buildout of a Specific Plan to guide future development. Full bulldout of the Specific Plan would include 235-293 multi-family dwelling units; up to 576,458 square feet of new office, retail, restaurant, community center, hotel; redevelopment of an existing 372,042 square feet of office and retail with the same uses and residential. The current EIR provides additional information regarding biological resources and alternatives. Only these revised sections are being provided for public review. Also, a prior Draft EIR was circulated recently, and submitted to SCH on May 2, 2008. This DEIR supersedes the May 2, 2008 EIR.

Lead Agency Contact

Name Allison Cook
Agency City of Agoura Hills
Phone (818) 597-7310 **Fax**
email
Address 30001 Ladyface Court
City Agoura Hills **State** CA **Zip** 91301

Project Location

County Los Angeles
City Agoura Hills
Region
Lat / Long 34° 7' 30" N / 118° 45' W
Cross Streets Kanan and Cornell Roads, Kanan and Agoura Roads
Parcel No. Multiple
Township 1N **Range** 18W **Section** 24, 26 **Base**

Proximity to:

Highways 101
Airports
Railways
Waterways Medea Creek, Lindero Canyon, Palo Comado Creeks
Schools
Land Use General Plan: SP, CG, OS-R, BP-O/R
Zoning: SP, SP-AV, CRS-FC-AV, CRS-D-AV, OS, BP-OR-AV

Project Issues Biological Resources

Reviewing Agencies Resources Agency; Department of Conservation; Department of Fish and Game, Region 5; Cal Fire; Office of Historic Preservation; Department of Parks and Recreation; Department of Water Resources; California Highway Patrol; Caltrans, District 7; Integrated Waste Management Board; Regional Water Quality Control Board, Region 4; Department of Toxic Substances Control; Native American Heritage Commission; Santa Monica Bay Restoration

Date Received 06/23/2008 **Start of Review** 06/23/2008 **End of Review** 08/07/2008

Letter 2

COMMENTER: Terry Roberts, Director, Governor's Office of Planning and Research, State Clearinghouse

DATE: August 08, 2008

RESPONSE:

Response 2

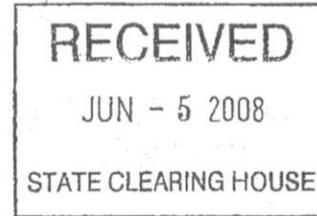
The State Clearinghouse acknowledges receipt of the Updated RR EIR for state review and notes that it distributed the document to 14 agencies. This acknowledgement is noted. No response is necessary.



Letter 3

NATIVE AMERICAN HERITAGE COMMISSION

915 CAPITOL MALL, ROOM 364
SACRAMENTO, CA 95814
(916) 653-6251
Fax (916) 657-5390
Web Site www.nahc.ca.gov
e-mail: ds_nahc@pacbell.net



May 23, 2008

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6-20-08
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Ms. Allison Cook, Senior Planner/Environmental Analyst
CITY OF AGOURA HILLS
30001 Ladyface Court
Agoura Hills, CA 91301

Re: SCH#2003111051; CEQA Notice of Completion; Revised and Recirculated Environmental Impact Report (EIR) for the Agoura Hills Specific Plan; City of Agoura Hills; Los Angeles County, California

Dear Ms. Cook:

The Native American Heritage Commission is the state agency designated to protect California's Native American Cultural Resources. The California Environmental Quality Act (CEQA) requires that any project that causes a substantial adverse change in the significance of an historical resource, that includes archaeological resources, is a 'significant effect' requiring the preparation of an Environmental Impact Report (EIR) per the California Code of Regulations §15064.5(b)(c) (CEQA guidelines). Section 15382 of the 2007 CEQA Guidelines defines a significant impact on the environment as "a substantial, or potentially substantial, adverse change in any of physical conditions within an area affected by the proposed project, including ... objects of historic or aesthetic significance." In order to comply with this provision, the lead agency is required to assess whether the project will have an adverse impact on these resources within the 'area of potential effect (APE)', and if so, to mitigate that effect. To adequately assess the project-related impacts on historical resources, the Commission recommends the following action:

- √ Contact the appropriate California Historic Resources Information Center (CHRIS) for possible 'recorded sites' in locations where the development will or might occur.. Contact information for the Information Center nearest you is available from the State Office of Historic Preservation (916/653-7278)/ <http://www.ohp.parks.ca.gov>. The record search will determine:
 - If a part or the entire APE has been previously surveyed for cultural resources.
 - If any known cultural resources have already been recorded in or adjacent to the APE.
 - If the probability is low, moderate, or high that cultural resources are located in the APE.
 - If a survey is required to determine whether previously unrecorded cultural resources are present.
- √ If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
 - The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum, and not be made available for public disclosure.
 - The final written report should be submitted within 3 months after work has been completed to the appropriate regional archaeological information center.
- √ Contact the Native American Heritage Commission (NAHC) for:
 - * A Sacred Lands File (SLF) search of the project area and information on tribal contacts in the project vicinity that may have additional cultural resource information. Please provide this office with the following citation format to assist with the Sacred Lands File search request: USGS 7.5-minute quadrangle citation with name, township, range and section.
 - The NAHC advises the use of Native American Monitors to ensure proper identification and care given cultural resources that may be discovered. The NAHC recommends that contact be made with Native American Contacts on the attached list to get their input on potential project impact (APE). In some cases, the existence of a Native American cultural resources may be known only to a local tribe(s).
- √ Lack of surface evidence of archeological resources does not preclude their subsurface existence.
 - Lead agencies should include in their mitigation plan provisions for the identification and evaluation of accidentally discovered archeological resources, per California Environmental Quality Act (CEQA) §15064.5 (f). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American, with knowledge in cultural resources, should monitor all ground-disturbing activities.
 - A culturally-affiliated Native American tribe may be the only source of information about a Sacred Site/Native American cultural resource.
 - Lead agencies should include in their mitigation plan provisions for the disposition of recovered artifacts, in consultation with culturally affiliated Native Americans.

√ Lead agencies should include provisions for discovery of Native American human remains or unmarked cemeteries in their mitigation plans.

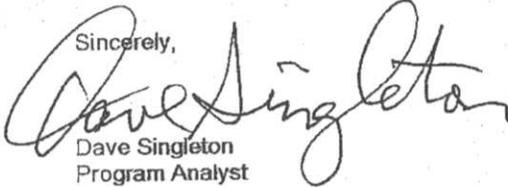
* CEQA Guidelines, Section 15064.5(d) requires the lead agency to work with the Native Americans identified by this Commission if the initial Study identifies the presence or likely presence of Native American human remains within the APE. CEQA Guidelines provide for agreements with Native American, identified by the NAHC, to assure the appropriate and dignified treatment of Native American human remains and any associated grave liens.

√ Health and Safety Code §7050.5, Public Resources Code §5097.98 and Sec. §15064.5 (d) of the California Code of Regulations (CEQA Guidelines) mandate procedures to be followed, including that construction or excavation be stopped in the event of an accidental discovery of any human remains in a location other than a dedicated cemetery until the county coroner or medical examiner can determine whether the remains are those of a Native American. Note that §7052 of the Health & Safety Code states that disturbance of Native American cemeteries is a felony.

√ Lead agencies should consider avoidance, as defined in §15370 of the California Code of Regulations (CEQA Guidelines), when significant cultural resources are discovered during the course of project planning and implementation

Please feel free to contact me at (916) 653-6251 if you have any questions.

Sincerely,



Dave Singleton
Program Analyst

Attachment: List of Native American Contacts

Cc: State Clearinghouse

Letter 3

COMMENTER: Dave Singleton, Program Analyst, Native American Heritage Commission

DATE: May 23, 2008

RESPONSE:

Response 3

The commenter states that the City is required to assess whether the proposed project would have an adverse impact on a historical and/or archaeological resource, and if so, to mitigate that effect. The commenter recommends several actions be taken to prevent impacts to historical resources.

This comment is noted. The commenter is referred to Section 4.6, *Historic and Archaeological Resources*, of the 2006 EIR, which discuss historic and archaeological resources, potential impacts and mitigation measures in detail. This section assessed whether the proposed project would have an adverse impact on a historical and/or archaeological resource, and where appropriate, prescribed mitigation measures. Additionally, as noted above in the introduction, the Updated RR EIR included only those changes to the 2006 Final EIR that were required by the Writ of Mandate to meet judicial review. Those changes involved Section 2.0 Project Description, Section 4.3 Biological Resources, Section 6.0 Alternatives, and the Biological Technical Appendix. The City has determined that pursuant to CEQA Guidelines Section 15088.5(f)(2) only those comments regarding recirculated sections of the EIR are appropriate for discussion at this time. Since no changes were ordered in Section 4.6, *Historic and Archaeological Resources*, it was not included in the Updated RR EIR. This comment pertains to other sections of the EIR not recirculated, for which the comment period closed on January 3, 2006.



Letter 4

STATE OF CALIFORNIA

Arnold Schwarzenegger, Governor

NATIVE AMERICAN HERITAGE COMMISSION

915 CAPITOL MALL, ROOM 364
SACRAMENTO, CA 95814
(916) 653-6251
Fax (916) 657-5390
Web Site www.nahc.ca.gov
e-mail: ds_nahc@pacbell.net



July 9, 2008

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RECEIVED

JUL 17 2008

STATE CLEARING HOUSE

Ms. Allison Cook, Senior Planner
CITY OF AGOURA HILLS
30001 Ladyface Court
Agoura Hills, CA 91310

Re: SCH#2003111051; CEQA Notice of Completion; Revised and Recirculated Environmental Impact Report for the Agoura Hills Specific Plan Mixed-Use Development; City of Agoura Hills; Los Angeles County, California

Dear Ms. Cook:

The Native American Heritage Commission (NAHC) is the state agency designated to protect California's Native American Cultural Resources. The California Environmental Quality Act (CEQA) requires that any project that causes a substantial adverse change in the significance of an historical resource, that includes archaeological resources, is a 'significant effect' requiring the preparation of an Environmental Impact Report (EIR) per the California Code of Regulations §15064.5(b)(c) (CEQA guidelines). Section 15382 of the 2007 CEQA Guidelines defines a significant impact on the environment as "a substantial, or potentially substantial, adverse change in any of physical conditions within an area affected by the proposed project, including ... objects of historic or aesthetic significance." In order to comply with this provision, the lead agency is required to assess whether the project will have an adverse impact on these resources within the 'area of potential effect (APE)', and if so, to mitigate that effect. To adequately assess the project-related impacts on historical resources, the Commission recommends the following action:

√ Contact the appropriate California Historic Resources Information Center (CHRIS) for possible 'recorded sites' in locations where the development will or might occur. Contact information for the Information Center nearest you is available from the State Office of Historic Preservation (916/653-7278) <http://www.ohp.parks.ca.gov>. The record search will determine:

- If a part or the entire APE has been previously surveyed for cultural resources.
- If any known cultural resources have already been recorded in or adjacent to the APE.
- If the probability is low, moderate, or high that cultural resources are located in the APE.
- If a survey is required to determine whether previously unrecorded cultural resources are present.
- √ If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
 - The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum, and not be made available for public disclosure.
 - The final written report should be submitted within 3 months after work has been completed to the appropriate regional archaeological information center.
- √ Contact the Native American Heritage Commission (NAHC) for:
 - * A Sacred Lands File (SLF) search of the project area and information on tribal contacts in the project vicinity that may have additional cultural resource information. Please provide this office with the following citation format to assist with the Sacred Lands File search request: USGS 7.5-minute quadrangle citation with name, township, range and section.
 - The NAHC advises the use of Native American Monitors, also, when professional archaeologists or the equivalent are employed by project proponents, in order to ensure proper identification and care given cultural resources that may be discovered. The NAHC recommends that contact be made with Native American Contacts on the attached list to get their input on potential project impact (APE). In some cases, the existence of a Native American cultural resources may be known only to a local tribe(s).
- √ Lack of surface evidence of archeological resources does not preclude their subsurface existence.
 - Lead agencies should include in their mitigation plan provisions for the identification and evaluation of accidentally discovered archeological resources, per California Environmental Quality Act (CEQA) §15064.5 (f). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American, with knowledge in cultural resources, should monitor all ground-disturbing activities.
 - A culturally-affiliated Native American tribe may be the only source of information about a Sacred Site/Native American cultural resource.
 - Lead agencies should include in their mitigation plan provisions for the disposition of recovered artifacts, in consultation with culturally affiliated Native Americans.

√ Lead agencies should include provisions for discovery of Native American human remains or unmarked cemeteries in their mitigation plans.

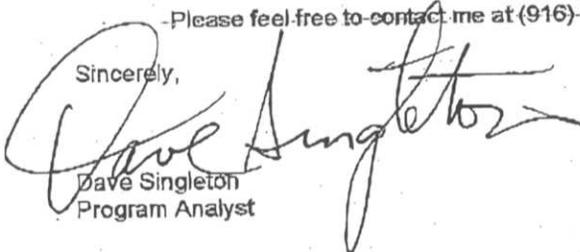
• CEQA Guidelines, Section 15064.5(d) requires the lead agency to work with the Native Americans identified by this Commission if the initial Study identifies the presence or likely presence of Native American human remains within the APE. CEQA Guidelines provide for agreements with Native American, identified by the NAHC, to assure the appropriate and dignified treatment of Native American human remains and any associated grave liens.

√ Health and Safety Code §7050.5, Public Resources Code §5097.98 and Sec. §15064.5 (d) of the California Code of Regulations (CEQA Guidelines) mandate procedures to be followed, including that construction or excavation be stopped in the event of an accidental discovery of any human remains in a location other than a dedicated cemetery until the county coroner or medical examiner can determine whether the remains are those of a Native American. Note that §7052 of the Health & Safety Code states that disturbance of Native American cemeteries is a felony.

√ Lead agencies should consider avoidance, as defined in §15370 of the California Code of Regulations (CEQA Guidelines), when significant cultural resources are discovered during the course of project planning and implementation

Please feel free to contact me at (916) 653-6251 if you have any questions:

Sincerely,



Dave Singleton
Program Analyst

Attachment: List of Native American Contacts

Cc: State Clearinghouse

Letter 4

COMMENTER: Dave Singleton, Program Analyst, Native American Heritage Commission

DATE: July 09, 2008

RESPONSE:

Response 4

The commenter states that the City is required to assess whether the proposed project would have an adverse impact on a historical and/or archaeological resource, and if so, to mitigate that effect. The commenter recommends several actions be taken to prevent impacts to historical resources.

This comment is the same form letter as dated May 23, 2008. The commenter is referred to Section 4.6, *Historic and Archaeological Resources*, of the 2006 EIR, which discusses historic and archaeological resources, potential impacts and mitigation measures in detail. This section assessed whether the proposed project would have an adverse impact on a historical and/or archaeological resource, and where appropriate, prescribed mitigation measures. Additionally, as noted above in the introduction, the Updated RR EIR included only those changes to the 2006 Final EIR that were required by the Writ of Mandate to meet judicial review. Those changes involved Section 2.0 Project Description, Section 4.3 Biological Resources, Section 6.0 Alternatives, and the Biological Technical Appendix. The City has determined that pursuant to CEQA Guidelines Section 15088.5(f)(2) only those comments regarding recirculated sections of the EIR are appropriate for discussion at this time. Since no changes were ordered in Section 4.6, *Historic and Archaeological Resources*, it was not included in the Updated RR EIR. This comment pertains to other sections of the EIR not recirculated, for which the comment period closed on January 3, 2006.



Letter 5



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Ventura Fish and Wildlife Office
2493 Portola Road, Suite B
Ventura, California 93003



IN REPLY REFER TO:
2008-FA-0068

August 7, 2008

Allison Cook, Senior Planner/Environmental Analyst
Planning and Community Development Department
City of Agoura Hills
30001 Ladyface Court
Agoura Hills, California 91301

Subject: Comments on the Updated, Revised, and Recirculated Draft Environmental Impact Report for the Agoura Village Specific Plan, City of Agoura Hills, Los Angeles County, California

Dear Ms. Cook:

This letter provides the U.S. Fish and Wildlife Service's (Service) comments on the updated, revised, and recirculated draft environmental impact report (rDEIR) for the Agoura Village Specific Plan (AVSP). We received a copy of the rDEIR in our office on June 23, 2008. The proposed project is located on 233 acres in and around the intersection of Agoura and Kanan Roads in the southern portion of the city of Agoura Hills. The rDEIR contains alternatives that are designed to guide future development in the project area. The preferred alternative in the rDEIR proposes a mix of residential, commercial, office, and restaurant uses and would result in development of 235 to 293 residential units, up to 576,458 square feet (sf) of commercial and office space, and redevelopment of 372,042 sf of existing office and retail space. Approximately 137 acres along the southern boundary of the project area is proposed as open space. The site supports a mix of developed lands, ornamental landscaping, annual grassland, perennial grassland, willow riparian woodland, oak willow woodland, mixed chaparral, and coastal sage scrub. Two federally-listed species are known to occur within the project area: the endangered Lyon's pentachaeta (*Pentachaeta lyonii*) and threatened Agoura Hills dudleya (*Dudleya cymosa* spp. *agourensis*).

The Service's responsibilities include administering the Endangered Species Act of 1973, as amended (Act), including sections 7, 9, and 10. Section 9 of the Act prohibits the taking of any federally-listed endangered or threatened species. Section 3(18) of the Act defines "take" to mean "to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct." Harm is further defined by the Service to include significant habitat modification or degradation that results in death or injury to listed species by significantly impairing essential behavioral patterns, including breeding, feeding, or sheltering. Harass is defined by the Service as intentional or negligent actions that create the likelihood of injury to a listed species by annoying it to such an extent as to significantly disrupt normal behavioral patterns which include, but are not limited to, breeding, feeding, or sheltering. The Act provides

for civil and criminal penalties for the unlawful taking of listed species. Exemptions to the prohibitions against take may be obtained through coordination with the Service in two ways. If a project is to be funded, authorized, or carried out by a Federal agency, and may affect a listed species, the Federal agency must consult with the Service pursuant to section 7(a)(2) of the Act. If a proposed project does not involve a Federal agency but may result in the take of a listed animal species, the project proponent should apply to the Service for an incidental take permit pursuant to section 10(a)(1)(B) of the Act.

As it is not our primary responsibility to comment on documents prepared pursuant to the California Environmental Quality Act (CEQA), our comments on the rDEIR for the AVSP do not constitute a full review of project impacts, nor do they represent consultation with the Service. Rather, our comments describe our concerns regarding potential impacts of the proposed project on the Lyon's pentachaeta and Agoura Hills dudleya, particularly as they relate to compliance with the Act and its implementing regulations. We previously submitted comments on the draft environmental impact report in a letter, dated January 12, 2006, to the City of Agoura Hills (City) Planning and Community Development Department. We offer the following additional comments and recommendations to aid you in the conservation of sensitive wildlife and habitats and federally listed species that are known to or could occur on the site, and to assist you in complying with pertinent Federal laws and regulations.

Comments

5A 1. Comments and concerns stated in our previous comment letter (dated January 12, 2006) regarding potential impacts to federally-listed species have not been fully addressed in the rDEIR dated June 2008. Particularly, federally-listed plant species occur and have been mapped on the project site and within the development area of the proposed project, yet direct impacts to those areas would result from implementation of all but one of the alternatives described in the rDEIR. Mitigation Measure BIO-1(a) states that if avoidance of listed plants during project-related activities is not feasible, on-site mitigation (translocation) is preferred with the preparation of a mitigation restoration plan. We do not typically support relocation of plants as a conservation measure. As noted in our 2006 comment letter, previous attempts to relocate Lyon's pentachaeta plants, seeds, and seedlings in new locations have failed (Service 1999) and, as acknowledged in the rDEIR, "Most of the attempts to re-establish Lyon's pentachaeta have failed (R. Burgess, pers. com. 2007), with the only known at least partially successful re-establishment being along Potrero Road" (p. 1-20 of the Biological Technical Appendix). Therefore, we strongly recommend avoidance of areas occupied by listed plant species and do not consider relocation of listed plants as an appropriate conservation measure because the likelihood of success is considered to be very low.

5B 2. The rDEIR still does not adequately identify and analyze indirect impacts of the proposed project to the federally-listed plant species that occur on-site. Indirect impacts associated with the edges of human development include increases in invasive, weedy plant species; trampling and soil compaction from human recreation; increases in seed predators; changes in hydrology; introduction of chemical pollutants that affect plants or pollinators; and changes in fire frequency

(Conservation Biology Institute 2000). To minimize these effects, buffers between development areas and listed plant species and appropriate land management practices should be incorporated into the project design. The proposed hiking and equestrian center would likely result in equestrian use of the open space in the project area. The federally-listed plant species are sensitive to trampling and could be impacted by equestrian and hiking activities. Even if these activities do not directly impact the listed plants (as the rdEIR predicts, p. 1-11 of the Biological Technical Appendix), the indirect effects from them (e.g., soil compaction, increase in invasive species, and alteration of hydrology) could adversely affect these species and these impacts have not been adequately addressed in the rdEIR.

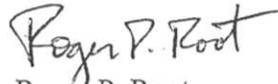
- 5C 3. Continuing impacts to Lyon's pentachaeta and its habitat throughout its range have reached a cumulative level such that we have significant concerns regarding the conservation and recovery of this annual plant species. The implementation of this project, as proposed, may preclude the conservation and recovery of Lyon's pentachaeta. We recommend that the City and applicant work with the Service at the earliest possible stage to design a project that avoids and minimizes impacts to listed species to the maximum extent feasible, and to identify suitable minimization strategies for those impacts determined to be unavoidable. We recommend that the rdEIR fully re-address potential impacts to Lyon's pentachaeta with specific attention directed towards its range-wide status and level of cumulative impacts to this species.
- 5D 4. Consideration of Alternatives under CEQA Section 15126.6(c) Selection of a Range of Reasonable Alternatives requires that "The range of potential alternatives to the proposed project shall include those that could feasibly accomplish most basic objectives of the project and could avoid or substantially lessen one or more of the significant effects." The impacts of the proposed project on wildlife and listed species could be reduced or avoided through alternative project design. Buildings, roads, and infrastructure could be sited in areas of lower concentration of biological resources. This would also include maximizing the distance of development from sensitive areas and water courses to the extent practical.
- 5E 5. While mitigation measures are proposed in the rdEIR, these measures are very generally worded, have not resulted from coordination with the Service, and do not adequately address all of the project-specific impacts (i.e., direct, indirect, and cumulative). Also, the conclusion that proposed mitigation measures for listed plant species (particularly Lyon's pentachaeta) would reduce significant effects to a level that is less than significant is predicated on the assumption that translocation efforts would be successful as there are no contingency measures included if this effort is not successful. Due to the proposed bridge crossing over Medea Creek and the restoration components of the project in Lindero Canyon and Medea Creeks, certain aspects of the project may require a Federal (i.e., Clean Water Act) permit through the U.S. Army Corps of Engineers' (Corps) regulatory program. As noted previously, section 7 of the Act requires Federal agencies to consult with the Service on any activity that they authorize, fund, or carry out and that may affect a federally-listed species.

Migratory Birds

5F For both the Agricultural Residential Cluster Subdivision and Future Development Program, we are concerned about potential impacts to migratory birds in the proposed project area. The Service has conservation responsibilities and management authority for migratory birds under the Migratory Bird Treaty Act of 1918, as amended (MBTA) (16 U.S.C. 703 et. seq.). Any land clearing or other surface disturbance associated with proposed actions should be timed to avoid potential destruction of bird nests or young of birds that breed in the area, as such destruction may be in violation of the MBTA. Under the MBTA, nests with eggs or young of migratory birds may not be damaged, nor may migratory birds be killed. If this seasonal restriction is not possible, we recommend that a qualified biologist survey the area for nests or evidence of nesting (e.g., mated pairs, territorial defense, carrying of nesting material, transporting food, etc.) prior to the commencement of land clearing activities. If nests or other evidence of nesting are observed, a protective buffer should be delineated and the entire area avoided to prevent destruction or disturbance to nests until they are no longer active.

We appreciate the opportunity to provide comments on the rdEIR for the Agoura Village Specific Plan and look forward to working with you regarding the conservation of federally-listed species at the proposed project site. If you have any questions regarding the contents of this letter, please contact Mark A. Elvin of my staff at (805) 644-1766, extension 258.

Sincerely,



Roger P. Root
Assistant Field Supervisor

cc:

Mary E. Meyer, California Department of Fish and Game

REFERENCES CITED

- City of Agoura Hills. 2008. Updated revised and recirculated draft environmental impact report for the Agoura Village specific plan, City of Agoura Hills, Los Angeles County, California. June 2008. 302 pp.
- Conservation Biology Institute. 2000. Review of potential edge effects on the San Fernando valley spineflower (*Chorizanthe parryi* var. *fernandina*). San Diego, California.
- U.S. Fish and Wildlife Service. 1999. Recovery plan for six plants from the mountains surrounding the Los Angeles Basin. Portland, Oregon. 62 pp.
- U.S. Fish and Wildlife Service. 2006. Comment letter to City of Agoura Hills regarding the updated draft revised and recirculated environmental impact report for the Agoura Village specific plan, City of Agoura Hills, Los Angeles County, California. Dated January 12, 2006.

Letter 5

COMMENTER: Roger P. Root, Assistant Field Supervisor, United States Department of the Interior Fish and Wildlife Service

DATE: August 07, 2008

RESPONSE:

The commenter notes that it is not the primary responsibility of Fish and Wildlife Service (USFWS) to comment on documents prepared pursuant to the California Environmental Quality Act (CEQA) and that comments on the Updated RR EIR do not constitute a full review of project impacts, nor do they represent consultation with the Service. Rather, comments describe USFWS concerns regarding potential impacts of the proposed project on Lyon's pentachaeta and Agoura Hills dudleya. The commenter notes that FWS previously submitted comments on the 2006 Draft EIR in a letter dated January 12, 2006.

Response 5A

The commenter states the opinion that the comments provided in the January 12, 2006 letter from USFWS regarding potential impacts of the AVSP on federally-listed plant species have not been fully addressed in the Updated RR EIR. The commenter goes on to reiterate points made in the 2006 letter written by Carl T. Benz, Assistant Field Supervisor, USFWS.

Mr. Benz's comments were addressed in the 2006 Response to Comments, which is included in the 2006 Final EIR. The current mitigation measure BIO-1(a) reflects changes made based on the comments of Mr. Benz, other commenters on the 2006 EIR, information brought to light in the biological studies of the Specific Plan area in 2007 and 2008, and comments on the Updated RR EIR.

In 2006 Carl T. Benz, Assistant Field Supervisor, United States Department of the Interior Fish and Wildlife Services, commented that that listed plant species should be avoided and that relocation, either onsite or offsite, of listed species would not likely succeed because of their specific habitat requirements. The commenter cited a US FWS failed attempt to relocate *Lyon's pentachaeta* in 2000. Therefore, the commenter noted a preference for avoidance of those areas occupied by listed plant species rather than consideration for relocation of listed plants.

The revised mitigation measure BIO-1(a) (as provided in the Updated RR EIR) requires that known locations of Lyon's pentachaeta be avoided (which is defined as a minimum of a 200 foot setback or as appropriate based on the recommendations of USFWS and/or CDFG with an active maintenance and management program), unless avoidance is not feasible. If avoidance is not feasible, a mitigation restoration plan shall be prepared by a qualified plant ecologist that identifies the number of plants to be replanted and the methods that will be used to preserve this species in the on- or off-site mitigation location. Restoration efforts shall be coordinated with applicable federal, state, and local agencies. The required level of success for Agoura Hills dudleya and Lyon's pentachaeta shall be defined at a minimum as a demonstration of five consecutive years of growth of a population equal to or greater than that which would be lost



due to the project. This level of success shall be achieved **prior** to removal of the impacted population.

Thus, the mitigation measure would require a successful restoration effort prior to commencement of any construction activities. In the event that an applicant's restoration attempt fails, they would be forced to avoid areas occupied by listed plant species. Further, the measure requires the involvement of USFWS and CDFG throughout much of the process. Based on additional comments on the Updated RR EIR mitigation measure BIO-1(a) was refined further to state:

"The required level of success for Agoura Hills dudleya and Lyon's pentachaeta shall be defined at a minimum as a demonstration of five consecutive years, or a period as deemed appropriate by the permitting agencies (USFWS and/or CDFG), of growth of a population equal to or greater than that which would be lost due to the project."

Thus, the mitigation as revised and provided for currently requires avoidance and would seem to meet the commenter's objectives and satisfy his and Mr. Benz's recommendations.

Response 5B

The commenter states that the Updated RR EIR does not adequately identify and analyze indirect impacts of the proposed project to the federally-listed plant species that occur on-site. The commenter notes that to minimize effects, buffers between development and listed plant species and appropriate land management practices (buffer areas) should be incorporated into project design.

Indirect impacts were addressed in detail in the Updated RR EIR in the Biological Technical Appendix (BTA). The BTA accompanied the Updated RR EIR to support a review of project impacts, mitigation and alternatives. The BTA provides a "complete and accurate record of the location, extent and nature of biological resources," and further meaningful review of the potential biological impacts, mitigation measures, and alternatives of the project. The BTA was included as part of the Updated RR EIR and includes an analysis of indirect impacts. Specifically, the commenter is referred to pages 1-15 through 1-21 and 3-14 through 3-15 of the BTA for detailed discussions of indirect impacts to both listed plant and wildlife species. This discussion includes an analysis of the following indirect impacts:

- Non-native, invasive plant and animal species;
- Vegetation clearing for fuel management or creation of trails;
- Trampling;
- Increased water supply due to suburban irrigation and runoff;
- Chemicals (e.g., herbicides, pesticides, fertilizers); and
- Increased fire frequency.

The commenter references a 2000 article by the Conservation Biology Institute, *Review of potential edge effects on the San Fernando Valley spineflower (SFVS)*. The Updated RR EIR BTA discusses this article in detail as SFVS is considered a corollary plant to Lyon's pentachaeta. Thus, the Updated RR EIR provided a detailed analysis of edge effects.

With regards to buffers between listed plant species and development, the Updated RR EIR mitigation measure BIO-1(a) requires a 200 foot buffer from Lyon's pentachaeta and Agoura Hills dudleya. Specifically the measure reads:

"For Lyon's pentachaeta and Agoura Hills dudleya, avoidance is defined as a minimum 200 foot setback unless an active maintenance plan is implemented for the known occurrence. With implementation of an active maintenance and management program, the buffer width may be reduced further based on review and approval by the jurisdictional agencies (USFWS and/or CDFG). For other sensitive species avoidance shall be determined based on the specific plant pursuant with the recommendations of a qualified plant ecologist, and with the coordination of USFWS and/or CDFG for state or federally listed plants. The maintenance and management plan must be approved by the appropriate jurisdictional agencies prior to issuance of a grading permit."

Mitigation measure BIO-4(e) provides for further appropriate land management practices to minimize effects between development (and human use) areas and sensitive plants and plant communities.

"Fencing. Solid barrier fencing onsite shall be prohibited around areas that border open spaces or routes of animal movement, specifically riparian areas. Fencing in these areas shall consist of "ranch style" post fencing. Fencing shall allow at least one-foot of clearance above ground to permit wildlife movement. Fencing between creekside trails and the creeks shall be designed to limit human entry into significant habitat. Such fencing or vegetative barrier shall be at least four feet in height and shall be planted with spinescent plants such as wild rose, blackberry, or other suitable native species in a dense bramble."

Further, the EIR requires that a minimum buffer zone of 50-100 feet of native vegetation shall be maintained between urban development and adjacent sensitive native habitats. Mitigation measure BIO-2(a) goes on to say:

"Further, equestrian trails shall be located no less than 10 to 20 (preferred) feet from the edge of the exterior riparian canopy."

Thus, the EIR has considered edge effects, incorporated minimization measures such as appropriate buffers, and addressed impacts related to the placement of the equestrian trails onsite. Mitigation measure AQ-4, which has not changed from the 2006 EIR, and thus was not recirculated, requires a feasibility study for an equestrian center within the Specific Plan area.

"The study shall include provisions for a maintenance plan of both the equestrian center and related trails. The maintenance plan shall include the following measures, at a minimum:

- *Organic debris/waste shall be properly disposed of or sold offsite on a regular basis,*
- *BMPs shall be instituted to prevent dust from moving offsite,*
- *BMPs (to include necessary bioswales or erosion control measures) shall be instituted to prevent organic waste, or associated nutrients from organic waste, from entering nearby water bodies."*

It is important to note that the proposed equestrian trail would extend from an existing equestrian trail terminal point along Medea Creek and extend to the southern boundary of the



project area. Lyon's pentachaeta and Agoura Hills Dudleya are not currently known to occur within or nearby the areas proposed for the equestrian trail alignment (Refer to Figure 4.3-3, Special Status Plants, of the Updated RR EIR). The equestrian center would be located within Zone G, south of Medea Creek and northwest of Cornell Road and more than 200 feet from any known occurrence of listed species. The occurrences closest to the equestrian trail would be located on the eastern, and opposite, side of Cornell Road (and outside of the project boundary). Equestrian use within the dedicated trail through the Specific Plan would not impact those known occurrences along Cornell Road.

The commenter states that even if activities do not directly impact the listed plants the indirect effects (i.e. soil compaction, increased invasive species, and alteration of hydrology) could adversely affect these species.

The equestrian trail would be sufficiently distanced from listed plants, approximately 200 feet, away from Cornell Road and substantially downslope from the rock outcrops and drainages where they occur. Although sufficiently distanced from the known locations of these plants, equestrian use along the proposed trail would also be subject to mitigation measure AQ-4, above, which would require a maintenance plan. This plan, at a minimum, would include removal of organic debris, BMPs to prevent dust from moving offsite, and erosion control measures. Thus, the location of the trail and implementation of the prescribed maintenance plan would minimize any potential indirect effects.

Response 5C

The commenter states that impacts to Lyon's pentachaeta and its habitat throughout its range have reached a level where the USFWS has significant concerns regarding the conservation and recovery of the species. The commenter states that the implementation of the proposed project may preclude the conservation and recovery of the species and recommends that the City and applicant work with the Service at the earliest possible stage to design a project that avoids and minimizes impacts to the species to the maximum extent feasible.

The commenter has reiterated points made regarding avoidance in comment 5A, above. However, as noted in Response 5A, the mitigation measure BIO-1(a) would require a successful restoration effort for Lyon's pentachaeta prior to commencement of any construction activities. In the event that an applicant's restoration attempt fails, he/she would be forced to avoid areas occupied by listed plant species. The USFWS noted in its January 12, 2006 comment letter on the Agoura Village Specific Plan Draft EIR that previous attempts in 2000 to relocate Lyon's pentachaeta plants, seeds and seedlings had failed. Therefore, the USFWS recommended avoidance rather than relocation as the appropriate conservation measure for this species. In response to this comment, the Final EIR Mitigation Measures BIO-1(a), BIO-2(b) and BIO-2(c) were amended to require the restoration plan and minimum performance criteria as described above, ensuring avoidance until, and unless, appropriate replacement was in place and successful. And, as noted above in 5A, to further address comments on the Updated RR EIR measure BIO-1(a) will be refined to state:

"The required level of success for Agoura Hills dudleya and Lyon's pentachaeta shall be defined at a minimum as a demonstration of five consecutive years, or a period as deemed appropriate by the

permitting agencies (USFWS and/or CDFG), of growth of a population equal to or greater than that which would be lost due to the project."

Measures BIO-1(a), BIO-2(b) and BIO-2(c) also require the involvement of USFWS and CDFG throughout much of the process. Specifically, mitigation measures BIO-1(a) and BIO-1(b) require coordination with USFWS and CDFG for federally or state listed species, and when applicable, the mitigation restoration plan shall be submitted to the appropriate regulatory agencies for review and approval prior to issuance of a grading permit for the area of concern. With regards to minimization measures, please refer to Response 5B above.

With regards to the commenter's concern for the conservation and recovery of the species in terms of cumulative impacts to the species, the Updated RR EIR BTA discusses the regional conservation and recovery status of the species in detail. Page 1-20 of the BTA refers to the USFWS Designation of Final Critical Habitat (USFWS, November 2006) for *Lyon's pentachaeta*, for Unit 6 located south of the Specific Plan area in the County of Los Angeles. As noted in the BTA, Unit 6 is known:

"to contain more than 3 million plants on 233 acres (and) was excluded from critical habitat designation for economic reasons. This area was in part excluded because consultation already in process regarding potential impacts of the proposed development of this area (the Triangle Ranch project) on P. lyonii is intended to ensure the continued persistence of the species within Unit 6. As part of this consultation, the landowner has proposed to preserve the majority of the P. lyonii that occurs on the property in open space, in perpetuity, and implement a management plan to ensure the continued persistence of the species. Since this consultation process ongoing with the Triangle Ranch property would involve both "take" and a decrease in the amount of available habitat for the Lyon's pentachaeta, it is surmised that the much smaller effects of the proposed Specific Plan can similarly be adequately mitigated."

Thus, the Updated RR EIR has taken into account the recovery and conservation status of the species, in part based on the determination made by the USFWS during the designation of critical habitat for the Lyon's pentachaeta. Because the designation included all areas needed to conserve the species, but did not include the Agoura Village Specific Plan area, the USFWS has already found that sufficient area is present in designated critical habitat to preserve the species with respect to cumulative impacts. Therefore, the Updated RR EIR determined that impacts to this endangered species would be reduced to a less than significant level with implementation of recommended mitigation measures BIO-1(a), BIO-2(a) and BIO-6(b) (including a contingency measure that does not allow development if a population is not re-established).

Response 5D

The commenter notes that CEQA requires that an EIR consider a range of reasonable alternatives that include those that could feasibly accomplish most basic objectives of the project and could avoid or substantially lessen one or more of the significant effects. The commenter further notes that impacts of the proposed project on wildlife and listed species could be reduced or avoided through alternative project design and that buildings, roads, and infrastructure could be sited in areas of lower concentration of biological resources.



As noted in the CEQA Section (15126.6) cited above, “an EIR shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives.” However, this section goes on to state “an EIR need not consider every conceivable alternative to a project. Rather it must consider a reasonable range of potentially feasible alternatives that will foster informed decisionmaking and public participation.”

The Updated RR EIR analyzes five reasonable alternatives, Section 6.0, *Alternatives*, which would feasibly attain most of the basic objectives of the project and would avoid or substantially lessen any of the significant effects of the project. Each alternative analysis in the EIR describes in detail the location, square footage per zone, boundaries, and development type as compared with the proposed Specific Plan. Each alternative is illustrated in a graphic which delineates the boundary and buildable square footage per zone. Additionally, a table summarizing, per zone, the total area; existing development square footage; proposed developable square footage and number of residential units; and the total combined allowable square footage and residential development is provided for each alternative. Further, each alternative was analyzed for the following impacts: aesthetics, air quality, biological resources, geology, hazards, historic and archaeological resources, hydrology and water quality, land use, noise, public services, and transportation and circulation. Thus, the EIR has considered a range of reasonable alternatives. Because the exact extent of development is not known at this time, the impact and alternatives analysis cannot be delineated exactly, but instead is delineated in accordance with the CEQA guidelines for a programmatic EIR, as described above. Additionally, an alternative proposed by the SMMC was not chosen for analysis in the EIR, but the document clearly states that the alternative was considered and rejected as it would fail to meet most of the basic objectives of the project.

It is also important to note here that the EIR is a programmatic EIR intended to identify programmatic mitigation. As defined in the CEQA guidelines, Section 15168 (a)(3), “a program EIR is an EIR which may be prepared on a series of actions that can be characterized as one large project and are related...in connection with issuance of rules, regulations, plans, or other general criteria to govern the conduct of a continuing program.” This approach was chosen pursuant to CEQA guidelines as it allows the Lead Agency to consider broad policy alternatives and program wide mitigation measures at an early time when the agency has greater flexibility to deal with basic problems or cumulative impacts. Further, as noted in CEQA Section 15146, the degree of specificity required in an EIR will correspond to the degree of specificity involved in the underlying activity which is described in the EIR. Thus, as the project is a Specific Plan the EIR attempts to provide reasonable assumptions for use in analyzing impacts of the project site design, and building, road, and infrastructure siting. As noted in the EIR, these are assumptions. Therefore, as the exact distribution of allowed uses cannot be determined at this time, the EIR’s examination of a range of potential uses and a worst case scenario based on full buildout of the Specific Plan illustrates the EIR’s efforts at full disclosure in light of factors such as the magnitude of the project at issue and the severity of its likely environmental impacts. Further, the EIR has prescribed mitigation measures which would reduce impacts on wildlife and listed species and provide guidance in siting development to areas with lower concentrations of biological resources (Refer to Mitigation Measures BIO-1(a) through BIO-6(b)). As noted in Section 15204 of the CEQA guidelines “comments are most helpful when they suggest additional specific alternatives or mitigation measures that would provide better ways

to avoid or mitigate the significant environmental effects.” Without a clear suggestion of what alternatives or mitigation measures the commenter feels should be included, this comment cannot be addressed further.

Response 5E

The commenter states his opinion that the mitigation measures provided in the Updated RR EIR do not adequately address all of the project-specific impacts (i.e. direct, indirect, and cumulative).

This comment is noted; however, the CEQA Guidelines provide the standard of adequacy on which an EIR is based (Section 15204):

An EIR should be prepared with a sufficient degree of analysis to provide decision-makers with information which enables them to make a decision which intelligently takes account of environmental consequences. An evaluation of the environmental effects of the proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in light of what is reasonably feasible. Disagreement among experts does not make an EIR inadequate, but, the EIR should summarize the main points of disagreement among the experts. The courts have looked not for perfection, but for adequacy, completeness, and a good faith effort at full disclosure.

As noted in Responses 5A – 5D above, the EIR has provided specific programmatic mitigation measures for avoidance and conservation of the listed species within the Specific Plan area in accordance with the provisions and analyses recommended through the USFWS Designation of Final Critical Habitat (USFWS, November 2006) for *Lyon's pentachaeta*. The EIR has evaluated the environmental effects of the proposed project in light of what is reasonably feasible; it has summarized the main points of any disagreement among experts; and has made a good faith effort at full disclosure. As the commenter has not provided a suggestion for an additional mitigation measure or alternative which is not already provided for in the EIR, this comment cannot be addressed further. The EIR consultant notes that the pedestrian bridge over Medea Creek is planned for a portion of the creek that is already channelized and so would not alter riparian habitat and would probably not be within Corps jurisdiction. Further, the two federal listed plants under discussion in this section are both upland species and so would not be within the Corps of Engineers jurisdictional area, and therefore Corps permit actions would not require a Section 7 consultation with specific respect to these species; such consultation may be required with respect to other species.

Response 5F

The commenter notes concern regarding potential impacts to migratory birds in the proposed project area. The commenter suggests that disturbance activities should be timed to avoid impacts to nesting birds.

This comment is noted. Mitigation measure BIO-1(c) specifically addresses impacts to nesting birds by requiring that surveys be conducted by a qualified ornithologist prior to any vegetation clearing during the bird breeding season (February 1 through August 31). If bird species are observed nesting within 500 feet of construction/grading areas, the measure requires that all construction or grading activities will be postponed or halted at the discretion of the biologist

until the nest is vacated and the juveniles have fledged. Limits of construction to avoid a nest should be established in the field with flagging and stakes or construction fencing. This distance shall be at least 300 feet for raptors and at least 100 feet for all other bird species. Construction personnel should be instructed on the sensitivity of the area. The applicant should record the results of the recommended protective measures described above to document compliance with applicable State and federal laws pertaining to the protection of native birds. Thus, the EIR has already addressed requirements of the Migratory Bird Treaty Act and incorporated appropriate minimization measures to protect nesting birds.



Letter 6



DEPARTMENT OF FISH AND GAME

http://www.dfg.ca.gov
South Coast Region
4949 Viewridge Avenue
San Diego, CA 92123
(858) 467-4201



RECEIVED
AUG 15 2008
STATE CLEARING HOUSE

August 11, 2008

Ms. Allison Cook
Senior Planner
City of Agoura Hills
Planning and Community Development Department
30001 Ladyface Court
Agoura Hills CA 91301

Clear
8-7-08
late

SN# 2003111051

Subject: Agoura Village Specific Plan Updated Draft Revised and Recirculated Environmental Impact Report (RDEIR), Case No: 06-GPA-001, 06-ZOA-001, and 06-SPA-001

Dear Ms. Cook:

A

The Department of Fish and Game (Department) regrets that we are unable to provide comments on the above referenced project in the timeframe determined by CEQA. Due to staff shortages in our mailing and document distribution center, the RDEIR was not received by our reviewing staff until early last week. Staff Environmental Scientist Kelly Schmoker contacted you by telephone on Tuesday, August 6 and requested additional time for us to complete our review. We appreciate the additional time, however, it is not enough to complete our review. The Department will complete our review and provide appropriate comments within the next three weeks.

B

Due to the presence of a state listed endangered plant species (Lyon's Pentachaeta, *Pentachaeta lyonii*) and stream channels within areas proposed for both direct and indirect development impacts, the project applicant will need to obtain a Department-issued Incidental Take Permit pursuant to Fish and Game Code Section 2081(b) and will also need to notify the Department of potential modifications to the bed, bank or channel of on-site streams, including adverse impacts to associated riparian vegetation and wildlife habitat. As such, the Department is a responsible agency for this project pursuant to the California Environmental Quality Act, Section 15096.

We appreciate your understanding in this delay. For further coordination on this project, please contact Mary Meyer, Staff Environmental Scientist at (805)640-8019 or Kelly Schmoker, Staff Environmental Scientist (626)335-4369.

Sincerely,

Edmund Pert
Regional Manager
South Coast Region

Allison Cook
August 11, 2008
Page 2 of 2

cc: Mary Meyer, Ojai
Scott P. Harris, Pasadena
Kelly Schmoker, Glendora
Jamie Jackson, Pasadena
Terri Dickerson, Oceanside
Helen Birss, Los Alamitos
HCP-Chron Department of Fish and Game
✓ State Clearinghouse, Sacramento

Mark Elvin, United States Fish and Wildlife Service
Ventura Field Office
2493 Portola Road, Suite B
Ventura CA 93003

Paul Edelman
Santa Monica Mountains Conservancy
5810 Ramirez Canyon Road
Malibu CA 90265

MEM:AgouraSPRevisedAug_2008.doc



STATE OF CALIFORNIA
 GOVERNOR'S OFFICE of PLANNING AND RESEARCH
 STATE CLEARINGHOUSE AND PLANNING UNIT



ARNOLD SCHWARZENEGGER
 GOVERNOR

CYNTHIA BRYANT
 DIRECTOR

August 15, 2008

Allison Cook
 City of Agoura Hills
 30001 Ladyface Court
 Agoura Hills, CA 91301

RECEIVED
 AUG 18 2008
 BY: *ae*

Subject: Agoura Village Specific Plan
 SCH#: 2003111051

Dear Allison Cook:

The enclosed comment (s) on your Draft EIR was (were) received by the State Clearinghouse after the end of the state review period, which closed on August 7, 2008. We are forwarding these comments to you because they provide information or raise issues that should be addressed in your final environmental document.

The California Environmental Quality Act does not require Lead Agencies to respond to late comments. However, we encourage you to incorporate these additional comments into your final environmental document and to consider them prior to taking final action on the proposed project.

Please contact the State Clearinghouse at (916) 445-0613 if you have any questions concerning the environmental review process. If you have a question regarding the above-named project, please refer to the ten-digit State Clearinghouse number (2003111051) when contacting this office.

Sincerely,

Terry Roberts

Terry Roberts
 Senior Planner, State Clearinghouse

Enclosures
 cc: Resources Agency

Letter 6

COMMENTER: Edmund Pert, Regional Manager, California Department of Fish and Game

DATE: August 11, 2008

RESPONSE:

As noted by the SCH (see letter attached), this comment was submitted after the review period for the Updated RR EIR ended. Although CEQA does not require lead agencies to respond to late comments, these comments were incorporated and considered in finalizing the environmental document.

Response 6A

The commenter notes that the Department of Fish and Game is unable to provide comments on the project within the timeframe allotted by CEQA due to staff shortages.

This comment is noted. No further response is necessary.

Response 6B

The commenter notes that due to the presence of a state listed endangered plant species (*Lyon's pentachaeta*) and stream channels within areas proposed for both direct and indirect development impacts the applicant will need to obtain a Department issued incidental Take Permit pursuant to Fish and Game Code Section 2081 (b) and will also need to notify the Department of potential modifications to the bed, bank or channel of on-site streams and riparian vegetation. As such, the department is a responsible agency for this project pursuant to CEQA.

This comment is noted. The Updated RR EIR addressed each of the commenter's points as follows: Mitigation Measure BIO-1(a) requires that CDFG be notified if any development is proposed within 200 feet (area of avoidance) of Lyon's pentachaeta; further Impact BIO-4 discusses CDFG regulatory authority over work within the stream zone (which could extend to the 100-year flood plain); Impact BIO-4 and Section 4.3.1(a) discuss CDFG jurisdiction and issuance of a Streambed Alteration Agreement; and lastly, CDFG was listed as a responsible agency in Section 2.7 of the Project Description.



Letter 7

Dedicated to Providing Quality Water & Wastewater Service

June 21, 2008

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MEMBER AGENCY OF THE
METROPOLITAN WATER
DISTRICT
SOUTHERN CALIFORNIA

City of Agoura Hills
Planning and Community
Development Department
30001 Ladyface Court
Agoura Hills, CA 91301

Attention: **Allison Cook, Senior Planner/
Environmental Analyst**

Subject: **Environmental Impact Report
Agoura Village Specific Plan (AVSP)**

Dear Ms. Cook:

The District would reiterate that our comments concerning the Agoura Specific Plan remain valid in our two letters dated December 7, 2005 and October 10, 2006. Full build out of the Specific Plan would result in the development of residential, office, retail, restaurant, community center and hotel development.

If you have any questions concerning this matter, please feel free to contact me at any time. Thank you.

Very truly yours,

Neal L. Clover
Civil Engineering Assistant

NLC:nlc

agouraspecplan0608



Letter 7

COMMENTER: Neal L. Clover, Civil Engineering Assistant, Las Virgenes Municipal Water District

DATE: June 21, 2008

RESPONSE:

Response 7

The District reiterated that its comments on the Specific Plan, provided in letters dated December 7, 2005 and October 10, 2006, remain valid. It also reiterated that full build out of the Specific Plan would result in the development of residential, office, retail, restaurant, community center and hotel development.

The December 7, 2005 letter, signed by Eugene Talmadge, which the commenter refers to was responded to in the 2006 Final EIR as Response Letter 8 in the Response to Comments. In the 2005 letter the commenter acknowledged that the Draft EIR reasonably estimated the project demand and local availability of wastewater and potable water capacity. This was noted. The commenter also advocated for strict water conservation measures and that recycled waterlines should be extended to serve the project for irrigation and water conservation purposes. The 2006 response to this comment noted that each of these points was addressed under Impact PS-2 of the EIR. The letter dated October 10, 2006 was submitted subsequent to the 2006 certification of the EIR. The letter generally reiterated the points made in the December 2005 letter.

As noted above in the introduction, the Updated RR EIR included only those changes to the 2006 Final EIR that were required by the Writ of Mandate to meet judicial review. Those changes involved Section 2.0 Project Description, Section 4.3 Biological Resources, Section 6.0 Alternatives, and the Biological Technical Appendix. No changes were necessitated in Section 4.10, *Public Services*, and it was therefore not included in the Updated RREIR.



Letter 8

SOUTHERN CALIFORNIA



ASSOCIATION OF GOVERNMENTS

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Mike Ten, South Pasadena

June 12, 2008

Ms. Allison Cook, Senior Planner
City of Agoura Hills, Planning and Community Development Dept.
30001 Ladyface Court
Agoura Hills, CA 91301
(818) 597-7310 / acook@ci.agoura-hills.ca.us

RE: SCAG Comments on the Revised and Recirculated Draft Environmental Impact Report (DEIR) for the Agoura Village Specific Plan - SCAG No. I20080273

Dear Ms. Cook

Thank you for submitting the **Revised and Recirculated Draft Environmental Impact Report (DEIR) for the Agoura Village Specific Plan - SCAG No. I20080273**, to the Southern California Association of Governments (SCAG) for review and comment. SCAG is the authorized regional agency for Inter-Governmental Review of Programs proposed for federal financial assistance and direct development activities, pursuant to Presidential Executive Order 12372 (replacing A-95 Review). Additionally, pursuant to Public Resources Code Section 21083(d) SCAG reviews Environmental Impacts Reports of projects of regional significance for consistency with regional plans per the California Environmental Quality Act Guidelines, Sections 15125(d) and 15206(a)(1). SCAG is also the designated Regional Transportation Planning Agency and as such is responsible for both preparation of the Regional Transportation Plan (RTP) and Regional Transportation Improvement Program (RTIP) under California Government Code Section 65080 and 65082. As the clearinghouse for regionally significant projects per Executive Order 12372, SCAG reviews the consistency of local plans, projects, and programs with regional plans. This activity is based on SCAG's responsibilities as a regional planning organization pursuant to state and federal laws and regulations. Guidance provided by these reviews is intended to assist local agencies and project sponsors to take actions that contribute to the attainment of regional goals and policies.

SCAG staff has reviewed this project and determined that the proposed project is regionally significant per California Environmental Quality Act (CEQA) Guidelines, Sections 15125 and/or 15206. The proposed project is intended to guide future development within a portion of the City of Agoura Hills. Full build-out of the Specific Plan would result in the development 235-293 residential units with a total of up to 576,458 square feet of building area. As requested in the Notice of Availability, SCAG staff comments have been limited to the recirculated portions of the draft, revised EIR only. Specifically, Section 2.0 Project Description, Section 4.3 Biological Resources, Section 6.0 Alternatives, and the Biological Technical Appendix. Other parts of the Agoura Village Specific Plan EIR have been previously approved.

We have evaluated this project based on the policies of SCAG's Regional Comprehensive Plan and Guide (RCPG), Regional Transportation Plan (RTP), and Compass Growth Vision (CGV) that may be applicable to your project. The RCPG, RTP and CGV can be found on the SCAG web site at: <http://scag.ca.gov/igr>. The attached detailed comments are meant to provide guidance for considering the proposed project within the context of our regional goals and policies. Please provide a copy of the Final Environmental Impact Report (FEIR) for our review. If you have any questions regarding the attached comments, please contact Christine Fernandez at (213) 236-1923. Thank you.

Sincerely,

Jacob Lieb, Program Manager
Environmental Planning Division

DOCS#146297

The Regional Council is comprised of 76 elected officials representing 187 cities, six counties, five County Transportation Commissions, and a Tribal Government representative within Southern California.

**COMMENTS ON THE REVISED AND RECIRCULATED DRAFT
ENVIRONMENTAL IMPACT REPORT (DEIR) FOR THE AGOURA
VILLAGE SPECIFIC PLAN - SCAG NO. I20080273**

PROJECT DESCRIPTION

Adoption of the Agoura Village Specific Plan (AVSP) is intended to guide future development within a portion of the City of Agoura Hills. Full buildout of the Specific Plan would result in the development 235-293 residential units; a total of up to 576,458 square feet of building area, which could include office, retail, restaurant, community center and hotel development; and redevelopment of the existing 372,042 square feet of office and retail space. Full buildout potential of the project area is 948,500 sf.

About 129 acres of the total planning area (175 acres) is currently vacant and undeveloped. Three creeks, Medea, Lindero (both are blue line streams), and Chesebro Creek flow through the western and central portions of the project area. Two tributaries flow to Medea Creek. The western tributary is located in the southwest portion of the project area and flows south just west of Kanan Road to Medea Creek. The eastern tributary is located within the south-central portion of the project area. The creeks onsite provide well-developed wetland and riparian ecosystems. The legislative actions required to approve the project include: Agoura Village Specific Plan adoption, Zoning Ordinance Amendment and Map Change, Ladyface Mountain Specific Plan Amendment, and General Plan Amendment.

The site is located in the southern portion of the City of Agoura Hills. The project area includes property on both the north and south side of Agoura Road, from about 1,400 feet west of Kanan Road to about 750 feet east of Cornell Road and includes approximately 86 acres of proposed development area and public rights-of-way. Roadside Drive and U.S. Highway 101 border much of the project to the north. Open space areas border the area along the south.

Site Size	435-175 acres with 86 acres in proposed development zones (inclusive of public infrastructure)
Current Land Use	403-129 acres vacant, 32-46 acres developed with commercial uses including retail, restaurant, office, theatres, and services and public infrastructure

CONSISTENCY WITH REGIONAL COMPREHENSIVE PLAN AND GUIDE POLICIES

The **Growth Management Chapter (GMC)** of the Regional Comprehensive Plan and Guide (RCPG) contains the following policies that are particularly applicable and should be addressed in the Final EIR.

Regional Growth Forecasts

The Final EIR should reflect the most current SCAG forecasts, which are the 2008 RTP (May 2008) Population, Household and Employment forecasts. The forecasts for your region, subregion, and cities are as follows:

Adopted SCAG Regionwide Forecasts¹

	<u>2010</u>	<u>2015</u>	<u>2020</u>	<u>2025</u>	<u>2030</u>	<u>2035</u>
Population	19,418,344	20,465,830	21,468,948	22,395,121	23,255,377	24,057,286
Households	6,086,986	6,474,074	6,840,328	7,156,645	7,449,484	7,710,722
Employment	8,349,453	8,811,406	9,183,029	9,546,773	9,913,376	10,287,125

Adopted Las Virgenes- Malibu Council of Governments (LV-MCOG) Subregion Forecasts¹

	<u>2010</u>	<u>2015</u>	<u>2020</u>	<u>2025</u>	<u>2030</u>	<u>2035</u>
--	-------------	-------------	-------------	-------------	-------------	-------------

Population	94,525	97,304	101,622	105,898	110,027	113,960
Households	32,571	33,610	35,259	36,584	37,841	38,874
Employment	316,766	326,071	339,071	351,525	363,635	374,847

Adopted LV-MCOG Unincorporated Subregion Forecasts¹

	<u>2010</u>	<u>2015</u>	<u>2020</u>	<u>2025</u>	<u>2030</u>	<u>2035</u>
Population	21,925	22,910	25,541	28,047	30,529	32,888
Households	7,241	7,526	8,452	9,174	9,872	10,447
Employment	16,723	17,077	17,304	17,570	17,854	18,126

Adopted City of Agoura Hills Forecasts¹

	<u>2010</u>	<u>2015</u>	<u>2020</u>	<u>2025</u>	<u>2030</u>	<u>2035</u>
Population	23,348	23,357	23,401	23,439	23,472	23,501
Households	7,486	7,544	7,605	7,652	7,698	7,736
Employment	11,942	12,277	12,491	12,743	13,011	13,269

1. The 2008 RTP growth forecast at the regional, county and subregional level was adopted by the Regional Council in May 2008. City totals are the sum of small area data and should be used for advisory purposes only.

GMC POLICIES RELATED TO THE RCPG GOAL TO IMPROVE THE REGIONAL QUALITY OF LIFE

The Growth Management goals to attain mobility and clean air goals and to develop urban forms that enhance quality of life, that accommodate a diversity of life styles, that preserve open space and natural resources, and that are aesthetically pleasing and preserve the character of communities, enhance the regional strategic goal of maintaining the regional quality of life. The evaluation of the proposed project in relation to the following policies would be intended to provide direction for plan implementation, and does not allude to regional mandates.

- 3.15 *Support local jurisdictions' strategies to establish mixed-use clusters and other transit-oriented developments around transit stations and along transit corridors.*
- 3.16 *Encourage developments in and around activity centers, transportation corridors, underutilized infrastructure systems, and areas needing recycling and redevelopment.*

SCAG Staff Comments: As presented in the draft, revised EIR, the Agoura Village Specific Plan is intended to create a pedestrian-oriented community that will reduce the need for auto travel through planned growth, mixed-use development, and incorporation of the natural landscape. Several areas (zones) would allow for retail and office uses as well as mixed use and standalone residences. Multiple elements to promote walk-ability through the entire project site such as a unified streetscape, storefronts lining Agoura Road, and lane reduction along Agoura road are included as part of the project [Chapter 2.4.2: Planning Components]. It would be helpful if the proposed project addressed the issue of transit accessibility since the proposed project does not seem to be situated along a transit corridor nor mention transit availability that would reduce the need for auto travel from neighboring communities. The other elements of walk-ability and mixed use are generally consistent with SCAG's regional policy of improving the regional quality of life.

- 3.18 *Encourage planned development in locations least likely to cause adverse environmental impact.*
- 3.19 *Support policies and actions that preserve open space areas identified in local, state, and federal plans.*

- 3.20 *Support the protection of vital resources such as wetlands, groundwater recharge areas, woodlands, production lands, and land containing unique and endangered plants and animals.*
- 3.23 *Encourage mitigation measures that reduce noise in certain locations, measures aimed at preservation of biological and ecological resources, measures that would reduce exposure to seismic hazards, minimize earthquake damage, and to develop emergency response and recovery plans.*

SCAG Staff Comments: Under the proposed project, a total of 89 acres of the project site (currently undeveloped) would remain undeveloped and given an open space designation in the proposed specific plan. Chapter 6.1.3 Biological Resources states, "The proposed Specific Plan would increase the acreage designated for Open Space from about 1.5 acres under the current General Plan to about 32 acres." Except for Zone F, and portions of Zone B & E, development is restricted to already disturbed areas. As mentioned in chapter 6.1.3 even with restrictions of developable areas, "full build out of the Specific Plan would impact locally and regionally significant natural communities, including Southern Arroyo Willow Riparian/Southern Willow Scrub and Valley Needlegrass Grassland." Additional impacts would include the loss of individual oak trees and stands and impacts to Coastal Sage Scrub habitat. However, a number of mitigation measures have been included to preserve open space and avoid impacts to existing biological and ecological resources in developable areas which make the proposed project generally consistent with SCAG regional policies 3.18 to 3.20 and 3.23.

OPEN SPACE AND CONSERVATION CHAPTER

The **Open Space and Conservation Chapter** goals related to the proposed project include:

- 9.01 *Provide adequate land resources to meet the outdoor recreation needs of the present and future residents in the region.*
- 9.08 *Develop well-managed viable ecosystems or known habitats of rare, threatened and endangered species, including wetlands.*

SCAG Staff Comments: See Staff comments for GMC Policies Related to the RCPG Goal to Improve the Regional Quality of Life. Mitigation measures have been included which make the proposed project generally consistent with the goals of the Open Space and Conservation Chapter. These measures include, but are not limited to, avoidance of native habitat in the developable areas, preparation of an oak tree preservation program, preparation of a riparian habitat and creek protection program, and avoidance of invasive species for landscaping.

GROWTH VISIONING

The fundamental goal of the **Compass Growth Visioning** effort is to make the SCAG region a better place to live, work and play for all residents regardless of race, ethnicity or income class. Thus, decisions regarding growth, transportation, land use, and economic development should be made to promote and sustain for future generations the region's mobility, livability and prosperity. The following "Regional Growth Principles" are proposed to provide a framework for local and regional decision making that improves the quality of life for all SCAG residents. Each principle is followed by a specific set of strategies intended to achieve this goal.

Principle 2: Foster livability in all communities.

- GV P2.2 *Promote developments, which provide a mix of uses.*
- GV P2.3 *Promote "people scaled," walkable communities.*

Principle 4: Promote sustainability for future generations.

- GV P4.1 *Preserve rural, agricultural, recreational, and environmentally sensitive areas.*

SCAG Staff Comments: See Staff comments for GMC Policies Related to the RCPG Goal to Improve the Regional Quality of Life and the Open Space and Conservation Chapter. The proposed project is generally consistent with Growth Visioning Principles GVP 2.2, GVP 2.3, and GVP 4.1.

CONCLUSION

All feasible measures needed to mitigate any potentially negative regional impacts associated with the proposed project should be implemented and monitored, as required by CEQA.

When a project is of statewide, regional, or areawide significance, transportation information generated by a required monitoring or reporting program shall be submitted to SCAG as such information becomes reasonably available, in accordance with CEQA, Public Resource Code Section 21018.7, and CEQA Guidelines Section 15097 (g).

Letter 8

COMMENTER: Jacob Lieb, Program Manager, Southern California Association of Governments

DATE: June 12, 2008

RESPONSE:

Response 8

The commenter states that the Final EIR should reflect the most current SCAG forecasts, which are the 2008 RTP (May 2008) population, Household and Employment forecasts. The commenter also suggests that it would be helpful if the project addressed the issue of transit accessibility. Lastly, the commenter notes that the other elements of walk-ability and mixed use are generally consistent with SCAG's regional policy of improving the regional quality of life.

The City of Agoura Hills has recirculated revised portions of the 2006 EIR for this project in response to the writ of mandate described in the introduction. The City has determined that pursuant to CEQA Guidelines Section 15088.5(f)(2) only those comments regarding recirculated sections of the EIR are appropriate for discussion at this time. This comment pertains to other sections of the EIR not recirculated, for which the comment period closed on January 3, 2006 and the City will not be providing a response regarding transit accessibility.

Further, pursuant with Section 15125 of the CEQA Guidelines "An EIR must include a description of the physical environmental conditions in the vicinity of the project, as they exist at the time the notice of preparation is published, or if no notice of preparation is published, at the time environmental analysis is commenced, from both a local and regional perspective. This environmental setting will normally constitute the baseline physical conditions by which a lead agency determines whether an impact is significant." Thus, as the Updated RREIR included only those changes to the 2006 Final EIR that were required by the Writ of Mandate, Section 2.0 Project Description, Section 4.3 Biological Resources, Section 6.0 Alternatives, and the Biological Technical Appendix, it is unnecessary to update population, Household and Employment forecasts. As provided for in the CEQA Guidelines, the numbers used in the Updated RR EIR represent the best available information at the time of the notice of preparation of the EIR. It is further important to note that given that the project is generally consistent with SCAG's regional policy of improving the regional quality of life, updating of the requested information would not result in any new significant environmental effects.



Letter 9



**PUBLIC WORKS AGENCY
TRANSPORTATION DEPARTMENT
Traffic, Advance Planning & Permits Division**

MEMORANDUM

RECEIVED
JUN 12 2008
BY: *A. Cook*

DATE: June 6, 2008

TO: Resource Management Agency, Planning Division
Attention: Kari Finley

FROM: Nazir Lalani, Deputy Director

SUBJECT: **REVIEW OF DOCUMENT 08-501, AGOURA VILLAGE SPECIFIC PLAN.**
Notice of Availability and Notice of Intent to a Adopt and Public Hearing Draft Revised and Recirculated Environmental Impact Report.
Southern portion of the City of Agoura Hills, on Agoura Road, Los Angeles County.
Lead Agency – **City of Agoura Hills**

*via e-mail from
Kari Finley*

The Public Works Agency -- Transportation Department has reviewed the Revised and Recirculated Draft Environmental Impact Report (EIR) for the Agoura Village Specific Plan (AVSP). The project proposes the adoption of the AVSP to guide future development within a portion of the City of Agoura Hills. Full buildout of the AVSP would result in the development of 235-293 residential units; a total of up to 576,458 SF of building area, which could include office, retail, restaurant, community center, and hotel development; and redevelopment of the existing 372,042 SF of office and retail space. The 135-acre site is located in the southern portion of the City of Agoura Hills. The project area is located around the intersection of Agoura and Kanan Roads.

We have these comments:

- A 1. We generally concur with the comments in the Mitigated Negative Declaration and Initial Study for those areas under the purview of the Transportation Department. However, no project specific impacts on County roadways were identified in the Draft EIR.
- B 2. The cumulative impact of this project, when considered with the cumulative impact of all other approved (or anticipated) development projects in the County, is potentially significant. The agreement between the City of Agoura Hills and the County of Ventura dated February 2, 1992, as attached, requires the City to condition projects to mitigate the traffic and circulation impacts. If the project cumulative impacts are not mitigated, current General Plan (GP) policy will require County opposition to this project.

Page 2-6 of the Revised and Recirculated Draft EIR, dated April 2008, provides that the project would be primarily implemented and funded by private developers owning parcels in the Specific Plan area. When developments are proposed, the City of Agoura Hills should require projects to mitigate any site specific or cumulative impacts to Ventura County Regional Road Network. To address the cumulative adverse impacts of traffic on the Regional Road Network, the projects should be required to pay a Traffic Impact Mitigation Fee (TIMF) to the County in accordance

with the Ventura County TIMF Ordinance 4246 and the County GP Policy 4.2.2. This approach is consistent with the position taken by the City of Agoura Hills in a letter dated April 25, 2002, when commenting on the Ahmanson Ranch Supplemental EIR (a copy of the letter is attached).

Our review is limited to the impacts this project may have on Ventura County's Regional Road Network.

Please call me at 654-2080 if you have questions.

email c: Allison Cook, Planning and Community Development Department, City of Agoura Hills
acook@ci.agoura-hills.ca.us

F:\transport\LandDev\Non_County\08-501 Agoura.doc

Letter 9

COMMENTER: Nazir Lalani, Director, County of Ventura Public Works Agency,
Transportation Department

DATE: June 06, 2008

RESPONSE:

Response 9A

The commenter states that the County (Ventura County) “generally concurs with the comments in the Mitigated Negative Declaration and Initial Study for those areas under the purview of the Transportation Department. However, no project specific impacts on County roadways were identified in the DEIR.”

The commenter refers to a MND and IS; however, the document circulated for public comment was an Updated Revised and Recirculated EIR. The Updated RR EIR included only those changes to the 2006 Final EIR that were required by the Writ of Mandate to meet judicial review. Those changes involved Section 2.0 Project Description, Section 4.3 Biological Resources, Section 6.0 Alternatives, and the Biological Technical Appendix. The 2006 EIR discussed traffic impacts and mitigation in Section 4.11, *Transportation and Circulation*. No changes were necessitated in Section 4.11 and it was therefore not included in the Updated RR EIR. The comment does not pertain to the recirculated sections of the EIR and therefore no further response is necessary.

Response 9B

The commenter notes that the cumulative impact of this project, when considered with the cumulative impact of all other approved (or anticipated) development projects in the County is potentially significant. Further, the commenter identifies an agreement that is in place between the City of Agoura Hills and the County of Ventura dated February 2, 1992, which requires the City to condition projects to mitigate traffic and circulation impacts. If the project cumulative impacts are not mitigated, current County of Ventura General Plan policy would require County opposition to the project.

As noted above, the City of Agoura Hills has recirculated revised portions of the 2006 EIR for this project in response to the writ of mandate described in the introduction. As such, the City has requested only those comments regarding recirculated sections of the EIR be provided. CEQA Guidelines Section 15088.5(f)(2). This comment pertains to Section 4.11, *Transportation and Circulation*, which has not changed from the 2006 Final EIR and was not recirculated. The comment period for the 2006 EIR closed on January 3, 2006.



Letter 10

Scott E. Franklin
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Urban Wildland Fire Management
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email Scott@Fireconsult.net
web page: www.fireconsult.net

June 3, 2008

Agoura Hills City Council
c/o Allison Cook
30001 Ladyface Court
Agoura, CA 91301

Via Certified Mail

RE: Agoura Village Specific Plan Environmental Impact Report ("EIR")

Council Members:

Thank you for the opportunity to comment on the Agoura Village Specific Plan EIR. My services were requested and acquired by residents who live near the project. They are concerned the EIR does not appropriately address their concerns related to the threat of wildfire in their area. They are concerned the proposed project increases their threat of wildfire, and the EIR does not address this significant threat, nor introduce any mitigation measures that would reduce this threat, in particular to emergency evacuation. The following are my comments as an expert in this field.

Agoura Village Specific Plan EIR

Agoura Village Specific Plan is a proposed development within the Wildland Urban Interface (WUI) of the Santa Monica Mountains. In addition, the project is within a "High Hazard Fire Severity Zone", as identified by the State of California and the County of Los Angeles.

6A In my study of the EIR, I found it to be completely deficient in identifying or providing mitigation measures for the catastrophic wildfire threat that has historically occurred in the Agoura/Calabasas area.

The Agoura Village Specific Plan (Final EIR March 2006) is deficient in the following ways:

- EIR fails to identify project is within a HIGH HAZARD FIRE SEVERITY ZONE. (State of California, County of Los Angeles).

- EIR fails to identify project is within a designated “HISTORICAL WILDFIRE CORRIDOR”.
- EIR fails to mention “Historical Wildfire” history of the area.
- EIR provides NO FIRE RESOURCE ELEMENT.
- EIR fails to address cumulative CATASTROPHIC WILDFIRE impact upon local residents, south of proposed development.
- EIR fails to address cumulative impact upon “NATURAL RESOURCE AREAS” directly south of proposed development.
- EIR fails to address “EMERGENCY EVACUATION” of residents south of development, associated with historical catastrophic wildfire.
- EIR fails to address or provide any mitigation, including funding, for the above identified historical catastrophic wildfire impacts.
- EIR fails to address “EMERGENCY MEDICAL RESPONSE REQUIREMENTS” for this significant urbanization impact.
- EIR fails to address required long term “VEGETATION MANAGEMENT” as required in HIGH FIRE HAZARD SEVERITY ZONES.
- EIR is deficient in identifying proposed development landscape plan that is required in a Specific Plan within a HIGH HAZARD FIRE SEVERITY ZONE.

The fact this plan is in a high fire hazard severity zone and in a historic wildfire corridor means the plan’s impact is significant in regard to fire safety. Federal, State, and local laws, in addition to the California Environmental Quality Act requires the EIR supporting this project address these issues.

Sincerely,



Scott E. Franklin

Scott Franklin Consulting

Scott E. Franklin
International Consultant
Urban Wildland Fire Management
25059 Highspring Ave.
Santa Clarita, CA 91321
(661) 254-2376
Fax (661) 254-2376
email Scott@Fireconsult.net
website <http://www.c-s.net/fireconsult>

OBJECTIVE

To provide services with regard to Urban-Wildland Fire Management planning, including vegetation, environmental impacts and land use; expert testimony concerning urban wildland fire protection, prevention, suppression and management.

PROFESSIONAL EXPERIENCE

1991-Present: Proprietor and manager of an independent consulting firm specializing in urban wildland interface -"I" Zone vegetative fuel treatment including prescribed fire, crushing and burning, strategic recycling and vegetation enhancement. Expert consultation regarding wildfire litigation.

1981-1991: Fire Captain and Vegetation Management Officer, County of Los Angeles Fire Dept. Developed and supervised Los Angeles County Prescribed Burn Program, burning over 32,000 acres of chaparral in the Areas of Santa Monica Mountains, including Bel-Air, Topanga Cyn., Santa Clarita Valley, San Gabriel Mountains, Whittier and Baldwin Hills.

1962-1981: Fire Captain, LACoFD; Fire suppression supervision and training.

1959-1962: Fire Apparatus Engineer, LACoFD; Responsible for driving specialized Wildland Fire equipment as well as structural fire apparatus.

1955-1959: Firefighter, LACoFD; working in wildland fire areas of Los Angeles County.

CERTIFICATION

Prescribed Fire Manager and Chaparral Management Instructor, California Dept. of Forestry (CDF).

BEHAVE Fire Behavior and Fuel modeling System Instructor, CDF & USDA Forest Service.

Advanced Fire Behavior, S-490; CDF & USDA.

Archaeological Site recognition; CDF.

Smoke Management Techniques, CDF.

PROFESSIONAL RECOGNITION AND AFFILIATIONS

2006-Present, San Diego County CEQA Consultant, Fire Protection Planning

2005-Present, Member Association of Environmental Professionals (AEP)

1993-94 Member, Wildfire Safety Panel, County of Los Angeles

1993-Present: Member, California Urban Forests Council.

1990-Present: Member, California Native Plant Society.

1978-82-Chairperson, California Water Commission.

1980 Member, Governor's Task force on Fire Flood Cycle.

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SELECTED PUBLICATIONS, PRESENTATIONS AND REPORTS

- 1995 Presenter, Brush Fires in California - Fuel Management, Fire Behavior and Prescribed Burning. U.C. Irvine.
- 1995 Presenter to IAWF, Chaparral Management Techniques for Development: Public and Government Perceptions. Coeur d'Alene ID.
- 1993 Presenter to IBAMA, Brazil. Wildland Fire and Management Techniques, Brasilia Brazil.
- 1992 Presenter to Assoc. of Bay Area Govnts (ABAG) Oakland Hills Fire - Liability and Fuel management Issues. Oakland, CA.
- 1990 Presenter to the University of Menendez, The Role of Fire in Mediterranean Type Ecosystems, Valencia, Spain.
- Fremontia, October 1993 Chaparral Management Techniques: An Environmental Perspective.
- California's I Zone 1996-Urban wildland Fire prevention and Mitigation :Fuel Management. Prepared for California Department of Forestry and Fire Protection, State Fire Marshal.

INNOVATIONS

- Developed Fire Service/Community participation for brush removal and hazard abatement in Los Angeles County.
- Developed Fuel Management techniques to reduce chaparral fuel loading in and around Wildland Urban Interface Communities.

AREAS OF INTEREST

- Preparation of Fire Safe planning Criteria for residential development in the wildland Urban Interface.
- Chaparral Management in an Urbanized setting, with specific attention to environmental concerns.
- Expert Assessment, Urban Wildland Fire Litigation.

REFERENCES AND TESTIMONY

- California Department of Forestry and Fire Protection
County of Los Angeles Fire Dept.
City of Los Angeles Fire Dept.

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Santa Barbara County Fire Dept.
San Bernardino City Fire Dept.
San Diego County Department of Planning and Land use
City of Laguna Beach Fire Dept
Collins Law Firm, Santa Monica, CA

Development Projects: Roger Van Wert Project Expediter (310) 850-5675
In excess of ten projects in Los Angeles County termed "High Risk"
Michael Huff, Dudek & Associates: (760) 947-5147 (City of Chula Vista, CA)
Peter Hummel, Anchor Environmental, Seattle, WA (Sedgwick Reserve, UC Santa
Barbara)
John Polito, Project Expediter, (805) 494-0764
Michael Williams, PhD, Sedgwick Reserve Director (805) 686-1941
Dr. Phil Riggan USDA-forest Service, Fire Lab, Riverside, CA

Letter 10

COMMENTER: Scott E. Franklin, International Consultant, Urban Wildland Fire Management

DATE: June 03, 2008

RESPONSE:

Response 10

The commenter states that his services were requested and acquired by residents who live near the project, due to their concern that the proposed project increases their threat from wildfire, and that the EIR does not address this significant threat, nor introduce any mitigation measures that would reduce this threat, particularly with regards to emergency evacuation.

As noted above, the City of Agoura Hills has recirculated revised portions of the 2006 EIR for this project in response to the writ of mandate described in the introduction. The City has determined that pursuant to CEQA Guidelines Section 15088.5(f)(2) only those comments regarding recirculated sections of the EIR are appropriate for discussion at this time. This comment mainly pertains to Sections 4.5, *Hazards and Hazardous Materials*, and 4.10, *Public Services and Utilities*, which have not changed from the 2006 Final EIR and were not recirculated. The comment period for the 2006 EIR closed on January 3, 2006. Note, other wildfire hazards and related impacts (i.e. fuel modification) and measures were also addressed in Sections 4.7, and 4.8 of the 2006 Final EIR. Emergency evacuation was addressed in Sections 4.5 and 4.10. As this comment pertains to impacts already addressed in portions of the EIR which were not updated or recirculated, no further response is necessary.



Letter 11

*

* ALSO *
Submitted 6/5/08
to Agoura Hills Planning
Commission

Serena Friedman, M. D.
28705 Wagon Road
Agoura, Ca. 91301

April 17, 2000

FAX SENT APRIL 17, 2000 then SENT CERTIFIED

Lee Stark
Renee Campbell - Chairperson
Members of the Los Angeles Regional Planning Commission
320 West Temple Street
Los Angeles, Ca 90012

Dear Regional Planning Board,

Please consider the enclosed information before your final vote on the North Area Plan. As you should be well aware the land south of the Ventura 101 Freeway in the area of Kanan Road and its adjacent areas are uniquely different from the vast majority of land in the North Area Plan. Zoning which may be appropriate for the City of Agoura Hills or even parts of Calabasas cannot and should not be applied to the Cornell-Kannan Corridor and to the Las Virgenes SEA Number 6 (Significant Ecologic Area). Clustered housing as is proposed to be permitted with "bonus densities" and urbanization by curbed streets, traffic lights, no side yards, and mass clustering are out of character with the intended land use within these refreshing mountain vistas, sloping terrain and virgin slopes. A recent Biota Report analysis shows Federally endangered plant species (The Lyon's pentachaeta and the Dudleya cymosa) and State and Federally threatened animals and plants (including the the Cooper's hawk, the rufous-crowned sparrow, The San Diego Desert Woodrat, whiptails, and the San Diego homed lizard to just name a few) to exist within the land within and adjacent to The Las Virgenes SEA #6. This area has been identified as the route for animal migration through the Santa Monica Mountains. Wildlife corridors and habitat linkages to maintain ecosystem stability are extremely important. Preservation of the riparian habitat is, of course, a mandate for the identified goals of preservation of the Santa Monica Mountains set more than 20 years ago when I attended the meetings of the Santa Monica Mountains Conservancy Advisory Board.



April 19, 2000

Page 2

I have a complete copy of this Biota Report, which identified the species which are endangered and has additional significant information. I can provide you with the full report and its updates on your request. In fact it would be foolish and short sighted to vote to change the permitted zoning, allowing clustered density housing within this area, with out the fullest understanding of what irreversible harm you could potentially do to this magnificent natural resource. In late February I went to personally speak to Dr. Koutnik who is the Los Angeles County resource person for information about SEA's. He offered me the 1976 SEA 6 Report, which identified plants found no where else in the Santa Monica Mountains, but the information I have supersedes this and needs to be reviewed in detail by the county. It was prepared by the very reputable Envicom Inc., in Agoura Hills. It is extraordinary in how comprehensive it is and the implications it has would affect zoning AND area planning decisions for the next century. Please contact me for a copy of this report. The Board of Supervisors, likewise, will need to thoroughly review this report before any finalization of Area Plan changes. Review of proposed buildouts in this area by the City of Agoura Hills (correspondence to James Hartl and Tabitha Lam in your Dept. of Regional Planning, dated March 10th, 1999) stated this area (next to and within Sea 6) "is seriously constrained by the SEA designation, the presence of resources ranging from rare and endangered plant species to significant archaeological deposits." In fact, they recommended reduced alternatives to high-density buildout in this area. "This alternative should ensure preservation of more of the habitat supporting rare and endangered plants, oak woodlands, and riparian areas ..." "This alternative should delete construction within the Medea Creek Riparian Corridor which may have the potential to result in riparian habitat impacts ..." and they emphasized the "environmental sensitivity" of this area. Overall North Area Plan decisions now could direct the future permit process in an "environmentally sensitive) manner for any construction in this area and along Lady Face Mountain (Kanan Road near Cornell Road) in Agoura.

TRAFFIC IMPACTS

In the letter dated 3-10-99 from Steve Craig, Environmental analyst for the City of Agoura Hills, addressing the Live Oak Project No. 97-178 he analyzed existing traffic data and concluded "with the exception of one small portion of the property the Santa

April 19, 2000

Page 3

Monica Mountains Comprehensive Plan designates the proper development density for this property as one unity per 20 to 40 acres (density dependent on environmental constraints)." The City of Agoura Hills and all of us who live in this immediate area feel the impact of traffic with permitted construction of higher than one unit per 20 to 40 acres will impact and exceed the carrying capacity of the intersections of the 101 Freeway and Agoura Road at Kanan Road and also East and West of this intersection. The data to prove this is readily available.

On 9-28-99 a Traffic Analysis was prepared for the City of Agoura Hills by Traffic Engineers Linscott, Law, and Greenspan. The existing conditions of Level of Service during AM and PM peak travel hours are level of service (LOS) D (significant delays and many vehicles have to stop) and LOS F (intersection is jammed, traffic backs up, called gridlock - standstill traffic). This data covers the intersections of Lindero Canyon Road and Agoura Road, the 101 freeway and offramps Reyes Adobe and Kanan Road, Canwood Street parallel and north of the 101 Freeway and Kanan Road as well as Kanan Road and Agoura Road, parallel to the 101 Freeway and south of it. As if that were not enough with ambient growth and with related proposed projects all nine study intersections are incrementally increased by the addition of traffic generated by these projects. Peak hour traffic consequently in 9 out of 12 intersections moves to LOS E (cars cannot get through a green light, long queues form, substantial delays take place in all directions) and LOS F (excessive delays, lines, standstill traffic, back-ups everywhere.) The remaining three intersections will still be very poor at LOS D. This does not take into consideration the massive beach traffic seasonally along Kanan Road. There is no immediate solution or mitigation measure, which could resolve this problem for the short term.

It would be very short sighted for a Regional Planning Board to not strongly consider this information and address it in revising the North Area Plan. The City of Agoura Hills and we, the residents of the Area, wish you to consider preservation of the rural streetscapes, uncurbed and unlit roads which are not excessively widened in this area and which give it its rural character compatible with preservation of open space. Agoura Hills warns in its traffic report that excessively wide streets here and widening of Kanan Road south of the 101 Freeway "will require the conversion of unnecessary open space and encourage the enhancement of infrastructure that is likely to be growth inducing.....proposed

April 19, 2000

Page 4

project(s) should be adjusted to respect the existing roadway capacity and design."

As you are aware you closed your period for public oral commentary and despite the fact that changes were made in the North Plan in the final weeks prior to this closing you did not permit me to speak at your 2-28-00 hearing. I did submit comments in a prior written correspondence. Preserving this scenic corridor and riparian habitat at Lady Face Mountains and the entry into the Santa Monica Mountains was a goal established twenty years ago. Please seriously acknowledge how your Area Plan decisions today will set allowances for the preservation of these irreplaceable resources.

Cordially yours,



Serena Friedman, M. D.
818-702-9962

also
submitted
6/5/08
to Agoura Hills City
Planning Commission

Letter 11

COMMENTER: Serena Friedman, M.D.

DATE: April 17, 2000

RESPONSE:

Response 11

The commenter submitted a letter dated April 17, 2000. The letter was addressed to the Los Angeles County Regional Planning Commission in regards to the Santa Monica Mountains North Area Plan (SMMNAP), adopted October 24, 2000 by the County of Los Angeles. The SMMNAP includes several disjunct portions of Los Angeles County excluding the City of Agoura Hills, and subsequently the Agoura Village Specific Plan area.

CEQA Guidelines (Section 15204, Focus of Review) state that “in reviewing draft EIRs, persons and public agencies should focus on the sufficiency of the document in identifying and analyzing the possible impacts on the environment and ways in which the significant effects of the project might be avoided or mitigated.” The commenter’s letter does not pertain to the environmental effects of the Agoura Village Specific Plan EIR and, therefore, no further response is necessary.

Note, Dr. Friedman also provided oral comments at a public hearing on June 5, 2008. These comments are addressed at the end of this document.



Letter 12

From: Esqteach3@aol.com [mailto:Esqteach3@aol.com]
Sent: Sunday, June 29, 2008 5:13 PM
To: Allison Cook
Subject: Agoura Village- no more apartments please. Condos and mixed use okay

Dear Ms. Cook,

I called the other day to find out about the Agoura Village development and want to thank you for the informative message you left on my voicemail. I later saw the Public Notice in the Acorn about the EIR. I have been unable to access the EIR re Agoura Village at the Agoura Hills city site, so I am afraid my comments are made without the benefit of knowing things that may already in the report; but, as a resident of Agoura Hills for 21 years, I wanted to chime in.

I am not adverse to development. I want to see the young people, many of whom were raised in Agoura and want to stay and settle here, be able to do so. I actually think the mixed use concept is an innovative, good idea because it would spread traffic use more evenly, bring some tax revenue to the city, and provide more housing.

A I strongly favor the development of condominiums rather than apartments, however. PLEASE NO MORE APARTMENTS. Individual ownership of a home or condominium brings with it a personal investment in and commitment to the community that we need. Corporate owners and apartment dwellers rarely share the same commitment to the quality of life in the city.

My other concerns would be:

- 1. Sufficient parking (2 spaces each unit plus guest parking available);
- 2. Parking shielded from street view;
- 3. Utilities be underground,;
- 4. 2 story height restriction;
- 5. Wildlife preservation and migration;
- 6. Open spaces and greenbelts provided; and
- 7. Traffic concerns.

I don't know whether you want this type of comment or more technical responses to the report, but I think these are the practical concerns of Agoura Hills residents. Thank you for listening.

Sincerely,
Pat Riley

Letter 12

COMMENTER: Pat Riley

DATE: June 29, 2008

RESPONSE:

The commenter notes that they have not been able to review the environmental document, and have provided comments without the benefit of knowing things that may already be in the report.

Response 12A

The commenter states that they are in favor of the development of condominiums rather than apartments, noting that individual ownership of a home or condominium brings with it a personal investment in and commitment to the community. This comment is noted; however, it does not pertain to the adequacy of the environmental document. Therefore, no further response is necessary.

Response 12B

The commenter notes a concern in regards to sufficient parking, parking location (shielded from street view), underground utilities, two story height restriction, and traffic concerns.

As noted above in the introduction, the Updated RR EIR included only those changes to the original Final EIR that were required by the Writ of Mandate to meet judicial review. Those changes involved Section 2.0 Project Description, Section 4.3 Biological Resources, Section 6.0 Alternatives, and the Biological Technical Appendix. The City has determined that pursuant to CEQA Guidelines Section 15088.5(f)(2) only those comments regarding recirculated sections of the EIR are appropriate for discussion at this time. The commenter's concerns were addressed in the 2006 EIR in Sections 4.1, *Aesthetics*; 4.8; *Land Use and Planning*; 4.10, *Public Services and Utilities*; and 4.11, *Traffic and Circulation*. This comment pertains to other sections of the 2006 EIR not recirculated, for which the comment period closed on (January 3, 2006) and therefore, no further response is required.

Response 12C

The commenter notes a concern in regards to wildlife preservation and migration, and open spaces and greenbelts.

The comment is noted; however, the CEQA Guidelines (Section 15204, Focus of Review) state that "in reviewing draft EIRs, persons and public agencies should focus on the sufficiency of the document in identifying and analyzing the possible impacts on the environment and ways in which the significant effects of the project might be avoided or mitigated." Section 4.3 of the Updated RR EIR discusses wildlife movement corridors and migratory species with the potential to utilize the site in detail in the environmental setting and under Impacts BIO-1 and BIO-5. This section assessed whether the proposed project would have an adverse impact on



wildlife corridors, wetlands, oak trees, sensitive communities, and sensitive species, and where appropriate, prescribed mitigation measures. Open space resources are also thoroughly characterized in Section 2.0, *Project Description*, as well as in Section 4.3, *Biological Resources*. It is noted that most of the Specific Plan area will be designated as open space (Zone G).

As the commenter does not address a specific environmental concern and does not address the adequacy of the EIR, this comment is noted, but does not require further analysis under CEQA.

Letter 13

July 24, 2008

CITY OF AGOURA HILLS
2008 JUL 17 PM 7:04
CITY CLERK

Agoura Hills Planning Commission and Planning
Director Mike Kamino
30001 Ladyface Court
Agoura Hills, CA 91301

RE: Supplemental EIR Agoura Village

Dear Agoura Hills Planning Commission:

Happy Summer. I just thought I would submit my comments as I cannot stay long at the planning commission meeting tonight.

A I trust you are in receipt of Fire Expert Scott Franklin's comments regarding the Environmental Impact Report for Agoura Village Specific Plan. Because you chose the first comment period over the holidays not last year but the year before, we were taken
B aback by the sheer massive size of the project, and could not really believe you were entertaining a project of this size, thus missed commenting on some obvious flaws in the draft EIR. I trust you will correct the errors in the report in regard to the extreme fire danger you are subjecting the surrounding neighbors to, and that you will find ways to mitigate this serious threat.

C I hope the planning commission will take a stand, as they did in Ventura County with the Ahmanson Ranch project, and vote a symbolic "no" on this harmful project. Attached are letters from our local "Acorn" newspaper regarding the Kanan 101 interchange, and how,
D you know we all thought the cloverleaf would do much more to alleviate the traffic than it did. Common sense tells you to scale down the massive size of "Agoura Village" now to avoid serious traffic problems that the EIR did not adequately address. The traffic report supposes the "fix" of the interchange did way more than it actually did.

E Just also want to point out from an economic standpoint, you are completely missing the mark on the recreation potential of this area. You are in effect *adding competing businesses* to what we already have in Agoura, rather than zoning an attraction like a water park with pools, slides, and cabanas for people who do not want to drive all the way to the beach for recreation, thus allowing and encouraging our existing restaurants, movie theatre and stores to flourish.

You are turning "our town" into an Azusa or some other non-descript freeway town destroyed and overcrowded, and in 50 years, could be blighted like the valley. You will even kill the existing popular "night life" on Agoura Road as people drive there to "escape" the valley.

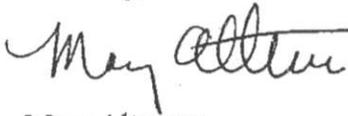
Needless to say you are also gambling with people's property values, as the reason why Agoura Hills has not lost it's value is because it is still a relatively safe community. By adding this massive development, you will be attracting the crime and degradation people hope to avoid.

If the City is in trouble financially, you must find other ways to overcome this. Destroying the place with overdevelopment in hopes of the pittance you raise in taxes is not the answer.

F Finally, we come to the issue near and dear to my heart: the fact this project is in a significant wildlife corridor in a significant biological area. I trust the agencies will comment and you will take these comments seriously this time.

All I ask is you talk to your wives and neighbors about this project. Everyone I talk to thinks you are either bought off, greedy, or insane. This isn't some crap shoot that could work or could not; this is our home. This is our town. This is important.

Sincerely,



Mary Altmann
Citizens for Sensitive Development

Letter 13

COMMENTER: Mary Altmann, Citizens for Sensitive Development

DATE: July 24, 2008

RESPONSE:

Response 13A

The commenter notes her surprise in 2006 at the size of the project.

This comment is noted.

Response 13B

The commenter refers to a letter submitted by Fire Expert Scott Franklin and notes that there are errors in the EIR regarding fire danger.

This letter was responded to under Response Letter 6.

Response 13C

The commenter states that she hopes that the Planning Commission will vote a symbolic “no” on this project and refers to such a vote made on the Ahmanson Ranch project.

This comment is noted; however, it does not address a specific environmental concern nor does it address the adequacy of the EIR. Therefore, the comment does not require further analysis under CEQA.

Response 13D

The commenter attached five articles from the local “Acorn” newspaper regarding the Kanan Road 101 interchange. The commenter states her opinion along with those from the newspaper that the Kanan/101 interchange improvement project has done less to alleviate traffic than was anticipated. Because of this, the commenter notes that Agoura Village should be scaled down now to avoid serious traffic problems that in the commenter’s opinion the EIR did not adequately address.

The City of Agoura Hills has recirculated revised portions of the 2006 EIR for this project in response to a court decision. The City has determined that pursuant to CEQA Guidelines Section 15088.5(f)(2) only those comments regarding recirculated sections of the EIR are appropriate for discussion at this time. This comment pertains to Section 4.11 of the 2006 EIR, *Transportation and Circulation*, which was not recirculated. The comment period for the 2006 DEIR closed on January 3, 2006. The comment does not pertain to the recirculated sections of the EIR and therefore no further response is necessary.



Response 13E

The commenter states her opinion that from an economic standpoint the project is “completely missing the mark on the recreational potential of this area.” Further, the commenter states an opinion that the proposed project will attract crime and degradation to the area and provides an opinion regarding the tax return to the City with respect to the project.

Section 15131 of the State CEQA Guidelines addresses how economic and social effects are to be examined in an EIR. This section indicates that economic or social information may be included in an EIR or may be presented in whatever form the agency desires. However, the analysis in the EIR is focused on the physical effects on the environment. Specifically, this section states that;

“Economic or social effects of a project shall not be treated as significant effects on the environment.....The focus of the EIR analysis shall be on the physical changes to the environment.”

Although the EIR does not treat economic or social effects of the project as significant effects, Section 5.0, *Growth Inducing Impacts*, provides a detailed examination of population, housing and job growth estimates for the City; however, as discussed in the introduction, this section has not been updated or changed and was not recirculated. No further analysis or response is required.

Response 13F

The commenter states that the project is in a significant wildlife corridor in a significant biological area.

This comment is noted. Section 4.3, *Biological Resources*, discusses the potential for habitat linkages in detail on pages 4.3-41 through 4.3-45, and 4.3-66 through 4.3-68. As stated under Impact BIO-5, “The eastern most portion of the Specific Plan area is directly adjacent to open space lands and a Los Angeles County Significant Ecological Area (SEA #6). However, the proximity of this area to existing urban uses, the small size of the project area, and the odd shape of this piece of land in the context of the larger surrounding area of open space, would make it an unlikely movement corridor for wildlife. Although there is no waterway traversing this expanse of the Specific Plan area, Cheseboro Creek traverses the developed portion of the Specific Plan area to the north. The Creek extends from the east, from Cheseboro Canyon. Also channelized, Cheseboro Creek provides no vegetative cover and would not serve as an important wildlife corridor. Overall, the Specific Plan would not disrupt the regional movement of wildlife; and therefore, is considered to have a less than significant impact with respect to wildlife corridors.” It is further noted that the Specific Plan would place most of the Specific Plan area into designated open space (Zone G).

Section 4.3 of the 2006 Final EIR also discussed existing conditions of, as well as potential impacts to, wildlife habitat (including riparian and aquatic habitats), vegetation communities, and the presence of sensitive species and communities of concern. Further, this information is supported with recent studies and additional data outlined in the Updated RR EIR and BTA.



Letter 141



(805) 230-2301
ccohen@wbcounsel.com

August 7, 2008

VIA E-MAIL

Allison Cook
Senior Planner
City of Agoura Hills
30001 Ladyface Court
Agoura Hills, CA 91301
acook@ci.agoura-hills.ca.us

Re: Agoura Village Specific Plan/Mitigation Measure BIO-1

Dear Ms. Cook:

On July 25, 2008, Envicom, on behalf of The Martin Group, submitted comments on the June 2008 Updated Revised and Recirculated Draft EIR for the Agoura Village Specific Plan (the "Draft EIR") and in particular Mitigation Measure BIO-1 (Sensitive Plant Survey and Protection Plan). This letter, also on behalf of The Martin Group, supports those comments.

Mitigation Measure BIO-1(a) provides:

The required level of success for Agoura Hills dudleya and Lyon's pentachaeta shall be defined at a minimum as a demonstration of five consecutive years of growth of a population equal to or greater than that which would be lost due to the project. This level of success shall be achieved prior to removal of the impacted population.

(emphasis added). As Envicom noted, the consequences of this mitigation measure are severe. Any property owner within the Specific Plan area will be required to wait a minimum of five years before removing existing dudleya or pentachaeta populations. Should restoration efforts not succeed the initial instance, it is possible that a development project would be required to wait more than five years before removing the dudleya or pentachaeta.

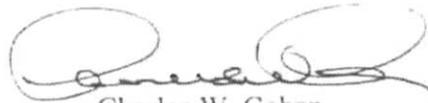
The City's current mitigation measure language already acknowledges, and appropriately so, that removal of impacted populations is potentially permissible (subject to the constraints

Allison Cook
August 7, 2008
Page 2

contained in Mitigation Measure BIO-1). Envicom's proposed amendment calls for the intended restoration and preservation presently demanded by the Draft EIR while also providing the City and Agoura Village property owners with the requisite flexibility to ensure that the objectives of the Specific Plan, if approved by the City Council, are timely accomplished. Consequently, we request that City staff consider and adopt Envicom's alternative language and revise the Draft EIR accordingly.

Thank you for your consideration.

Very truly yours,



Charles W. Cohen
WESTON, BENSHOOF,
ROCHFORD, RUBALCAVA & MacCUIISH LLP

cc: Craig Steele, Agoura Hills City Attorney
Ted Snyder, The Martin Group

Letter 14

COMMENTER: Charles W. Cohen, Weston, Benshoof, Rochefort, Rubalcava & MacCuish
LLP

DATE: August 7, 2008

RESPONSE:

Response 14

The commenter notes that on behalf of the Martin Group, Weston, Benshoof, Rochefort, Rubalcava & MacCuish LLP reiterates those points made in Envicom Corporation's July 25, 2008 comment letter. The commenter requests that the City consider and adopt Envicom's alternative language and revise the Draft EIR.

This comment is noted, and no further response is necessary. Please refer to Response 15A.



Letter 15



ENVICOM CORPORATION

Environmental Analysis & Compliance

Urban Planning & Design

Real Estate Development & Entitlement

Environmental Restoration

Real Estate Economics & Valuation

July 25, 2008

RECEIVED
JUL 28 2008
BY: *rc*

City of Agoura Hills
30001 Ladyface Court
Agoura Hills, CA 91301

Attn: Ms. Allison Cook

Subj: Comment Letter Regarding Draft Agoura Village Specific Plan EIR

Dear Ms. Cook:

The Martin Group has asked Envicom Corporation to conduct a focused review of the Updated Revised and Re-circulated Draft Agoura Village Specific Plan EIR. Our review was limited to the mitigation measures associated with potential impacts to Lyon's pentachaeta and does not include a third party technical review of the entire document. Envicom has no stake or vested interest in this project. Based on our assessment, the following presents our comments:

A

- 1) **Page 4.3-52, paragraph 2:** Mitigation measure BIO-1 (a) requires the applicant of a project that would disturb occupied areas of Lyon's pentachaeta and/or Agoura Hills dudleya to commission a qualified plant ecologist to prepare a mitigation restoration plan that would: identify the number of plants to be replanted, locate a suitable on- or off-site mitigation site, and propose methods to propagate and preserve the plants, as well as prepare a monitoring program to measure the performance of the effort. These restoration and monitoring plans are required to be coordinated with, and approved by, applicable Federal, State, and local agencies prior to issuance of a grading permit. In our professional experience, these requirements appear to be consistent with commonly applied mitigation measures for the subject species.

However, the mitigation measure also requires the applicant to achieve the restoration success criteria prior to removal of the impacted population. In a best-case scenario, the current language would require the applicant to carry the cost of the project for a minimum of five years of successful restoration and monitoring prior to disturbance of the resource.

As an alternative to the current mitigation language, we suggest a revision to the mitigation measure to read as follows:

"This level of success shall be achieved prior to the removal of the impacted population, unless either, (i) the project applicant posts a performance bond for the duration of the approved restoration plan for a period of up to five (5) years, or (ii) a permit has been issued for a restoration plan in compliance with the California Department of Fish and Game code and other applicable agencies, if any."

28328 Agoura Road
Agoura Hills, California 91301

Tel. (818) 879-4700
Fax (818) 879-4711

July 25, 2008
Letter to Ms. Allison Cook
Comment Letter Regarding Draft Agoura Village Specific Plan EIR
Page 2 of 2



In conclusion, we intend these comments to be constructive and hope they can be integrated into the Final EIR document. Should you have any questions, we are open to further discussion regarding the contents of this letter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Travis Cullen', with a large, sweeping flourish extending to the left.

Travis Cullen
Chief Operating Officer

cc: Craig Steele

Letter 15

COMMENTER: Travis Cullen, Chief Operating Officer, Envicom Corporation

DATE: July 25, 2008

RESPONSE:

The commenter notes that the Martin Group has asked Envicom Corporation to conduct a focused review of the Updated RR Draft EIR for the Agoura Village Specific Plan. The commenter notes that his comments are limited to the mitigation measures associated with potential impacts to Lyon's pentachaeta and does not include a third party technical review of the entire document.

Response 15A

The commenter notes that requirements of mitigation measure BIO-1(a) appear to be consistent with commonly applied mitigation measures for the subject species. However, the commenter offers two alternatives to the mitigation measure's success criteria. The commenter suggests the mitigation measure be revised to read as follows:

"This level of success shall be achieved prior to the removal of the impacted population, unless either (i) the project applicant posts a performance bond for the duration of the approved restoration plan for a period of up to five (5) years, or (ii) a permit has been issued for a restoration plan in compliance with the California Department of Fish and Game code and other applicable agencies, if any."

With regard to the posting of a performance bond, this alternative does not guarantee success and replacement of the Lyon's pentachaeta. Under this alternative scenario, take would be allowed before a successful replacement population may be established. Although funding would be set aside to establish a replacement population, there is no guarantee that such replacement effort will be successful. Although such measures are acceptable for more readily replacable species and communities (i.e. wetlands) which have proven to be replacable and an industry standard for replacement has been established, such proven methods do not exist for Lyon's pentachaeta, which has been shown to be more difficult to replace. Because success cannot be proven/guaranteed under this alternative mitigation measure, it would not sufficiently mitigate the level of impact to less than significant. For this reason, this alternative has not been included under mitigation measure BIO-1(a) as requested.

The second suggested modification to mitigation measure BIO-1(a) would allow the appropriate permitting agencies (California Department of Fish and Game or U.S. Fish and Wildlife Service) discretion in establishing the appropriate success criteria or period for proving restoration success prior to removal of Lyon's pentachaeta. As the agencies would have approval authority over the maintenance and management program, the mitigation restoration plan, and any necessary "take" authorizations, it is appropriate to provide the agencies with direct control (and knowledge) of the species to issue judgement over the required level of protection and/or restoration success.



Therefore Mitigation Measure BIO-1(a) has been revised to read in full as follows (revision is underlined) :

BIO-1(a) Sensitive Plant Survey and Protection Plan. Prior to approval of individual development applications within the residual natural areas of Zones A south, B, E, and F, surveys for sensitive plant species, including but not limited to Agoura Hills dudleya and Lyon’s pentachaeta, should be performed by a qualified plant ecologist. These surveys shall be performed during the blooming period (April - June). If a sensitive species is found, avoidance shall be required unless the applicant provides substantial documentation that avoidance would not be feasible or would compromise the objectives of the Specific Plan. For Lyon’s pentachaeta and Agoura Hills dudleya, avoidance is defined as a minimum 200 foot setback unless an active maintenance plan is implemented for the known occurrence. With implementation of an active maintenance and management program, the buffer width may be reduced further based on review and approval by the jurisdictional agencies (USFWS and/or CDFG). For other sensitive species avoidance shall be determined based on the specific plant pursuant with the recommendations of a qualified plant ecologist, and with the coordination of USFWS and/or CDFG for state or federally listed plants. The maintenance and management plan must be approved by the appropriate jurisdictional agencies prior to issuance of a grading permit.

If avoidance is not feasible, on-site mitigation is preferred if suitable, unoccupied, habitat is present that can be isolated from human disturbance. Otherwise, an offsite location would be considered; the Ladyface Mountain Specific Plan area may contain appropriate habitat and may be a preferred location. A mitigation restoration plan shall be prepared by a qualified plant ecologist that identifies the number of plants to be replanted and the methods that will be used to preserve this species in the on- or off-site mitigation location. The plan shall also include a monitoring program so that the success of the effort can be measured. Restoration efforts shall be coordinated with applicable federal, state, and local agencies. The required level of success for Agoura Hills dudleya and Lyon’s pentachaeta shall be defined at a minimum as a demonstration of five consecutive years, or a period as deemed appropriate by the permitting agencies (USFWS and/or CDFG), of growth of a population equal to or greater than that which would be lost due to the project. This level of success shall be achieved prior to removal of the impacted population. Success criteria for other sensitive species will be determined on an individual basis pursuant with the recommendations of a qualified plant ecologist, and with the coordination of USFWS and/or CDFG for state or federally listed plants. When applicable the mitigation restoration plan shall be submitted to the appropriate regulatory agencies for review and approval, with the approved plan then submitted to the City of Agoura Hills prior to issuance of a grading permit for the area of concern.

Letter 16

From: Ellen Naumann [mailto:ellen@leimarketing.com]
Sent: Monday, August 04, 2008 3:32 PM
To: Allison Cook
Subject: Updated Draft Revised and Recirculated EIR

Dear Ms. Cook,

We are against any further development on the proposed project site located in the southern portion of the City of Agoura Hills. Please note our opposition in your records.

Thank you,
Ellen & Jeffrey Naumann
29825 Vista Del Arroyo
Agoura Hills, CA 91301
O. 818-706-3143

Letter 16

COMMENTER: Ellen and Jeffrey Naumann

DATE: August 4, 2008

RESPONSE:

Response 16

The commenters note that they are against any further development on the proposed project site located in the southern portion of the City of Agoura Hills.

This comment is noted; however, it does not pertain to the adequacy of the environmental document. Therefore, no further response is necessary.



Letter 17



Save Open Space ✧ P. O. Box 1284 ✧ Agoura, CA 91376

July 16, 2008

RE: Supplemental EIR Agoura Village

Agoura Hills Planning Commission and Planning Director Mike Kamino
30001 Ladyface Court
Agoura Hills, CA 91301

RECEIVED
JUL 16 2008
BY: Az/mk

Dear Agoura Hills Planning Commission:

A

Save Open Space/Santa Monica Mountains (SOS) has not been notified concerning the Supplemental EIR on Agoura Village and scheduled hearings. SOS officially was involved in the hearings and commented extensively on Agoura Village. SOS should have been on the mailing list. According to fair notification procedures of CEQA, please give us at least a 10-day notice on any Planning Commission hearing on Agoura Village? Would you please send SOS a copy of the new supplemental document? I just heard of this hearing yesterday from a friend. I was not aware that the supplemental EIR was even available. SOS needs at least 45 days to properly comment in a timely matter.

B

Also, SOS requests that the item be put first on the agenda. Agoura Village appears to be one of the largest ever developments in Agoura Hills. Agoura Village's total square footage is several times the square footage of the huge COSTCO complex in Westlake Village. Due to its massive size and significant biological impacts in an area that is the gateway to the Santa Monica Mountains NRA, the Agoura Village Specific Plan warrants being put first on any Planning Commission/City Council agenda.

In addition, please reschedule this week's hearing and send out notices to all groups and individuals who turned in comments and testified on the earlier hearings on Agoura Village. Please respond to these requests by SOS in writing.

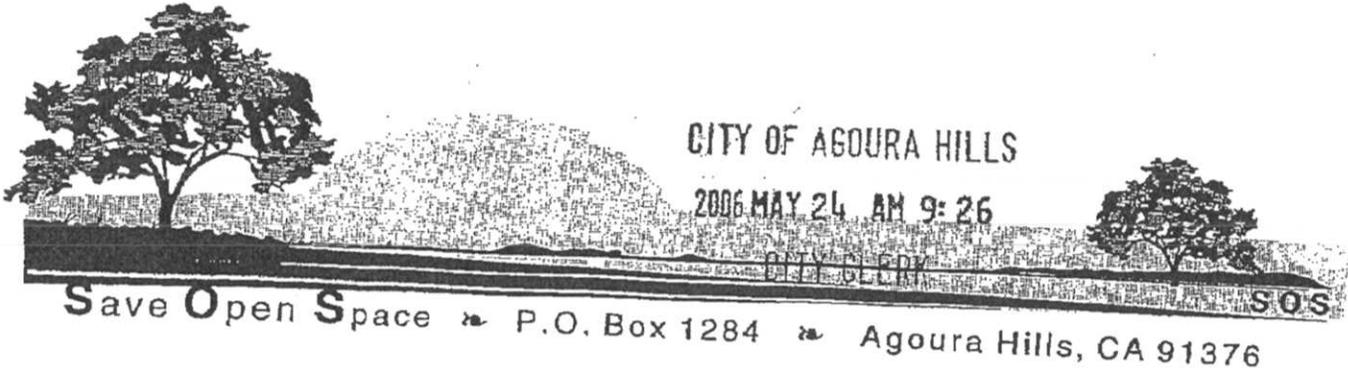
C

Did the new biological survey/Supplemental EIR only cover the western end of AVSP? We would like in writing the defined scope of the new biological survey as given to the biological consultants. Also, Area G's biological is inadequate in that it misses that it is part of a Los Angeles County Significant Ecological Area.

Thank you for your kind attention.

Mary E. Wiesbrock
Mary E. Wiesbrock, Chair

Enc.: 2006 SOS comments demonstrate that SOS has a high interest in this project and should be on the mailing list.



Save Open Space • P.O. Box 1284 • Agoura Hills, CA 91376

May 23, 2006

Agoura Hills City Council
30001 Ladyface Court
Agoura Hills, CA 91301

RE: Agoura Village Specific Plan

Dear City Council Members:

Save Open Space, a regional organization concerned with open space values and general plans, has reviewed the Final Environmental Impact Report (FEIR) for the project known as the Agoura Village Specific Plan. These are our comments we hope you take into consideration before any action is made to approve this large zone change.

Project Overview

The proposed Agoura Village Specific Plan encompasses 135 acres, of which 103 acres are vacant (DEIR, p.2-7). Full buildout of the Specific Plan would result in the development of between 235 and 293 residential units and a total of up to 576,458 square feet of new office retail, restaurant, community center, hotel and building area; and redevelopment of the existing 372,042 square feet of office and retail space with higher density development within the same footprint.

Significance of Project Site

The project area is a major gateway to the Santa Monica Mountains National Recreation area. The project area south of Agoura Road, on the east and west side of Kanan Rd contribute to an east-west habitat linkage across Kanan Rd. The site is also significant because it is part of Lady Face Mountain core habitat. The project site is part of the Malibu Creek watershed, which supports numerous

sensitive species. The a portion of the project site is also known as "Cornell Corners", a favorite place for biologists to log rare and endangered species of plants and flowers.

Need for Avoidance of Significant Adverse Impacts

Of primary concern is the FEIR does not place adequate emphasis on avoidance of significant adverse environmental impacts. The FEIR states the biological impacts are considered significant, but mitigable. The overall significance after mitigation is considered less than significant. Given the regional importance of the location of the project site, the numerous sensitive biological resources on the site, and the potential for numerous significant adverse impacts to biological resources, it appears that these impacts are not being seriously taken into consideration.

To list only three endangered plant species to take into consideration in the final phases of the EIR, rather than all rare and sensitive plants, appears to be a reckless way of dealing with the resources on the site. Please change the language of the zone change to conditions yet unforeseen, for example, if a project must be scaled back to avoid a significant environmental impact. The City is not giving itself a way to protect these critical resources once the zoning is approved. Now is the ideal time to set limits on development to avoid significant adverse impacts, rather than deferring the assessment of impacts and potential mitigation to later CEQA documents for individual projects.

Alternatives

We urge the City Council to take into consideration any alternative that will reduce the impacts of this development. The reduced buildout density without residential development would be considered environmentally superior, and should be entertained by the council as a viable option. Or the alternative of only residential with no commercial should be explored. It is troubling to our organization that this plan has been in the planning stages for years, with a series of workshops for the public, with no mention of this extremely high density. Then this final version comes out, with a drastically higher density than previously expected by the stated vision of the plan. It is being whisked through the EIR process without adequate public input or comment. Please consider holding a workshop for concerned citizens to digest and comment on this too dense of a project before your final vote. You are making a decision which will forever alter this Santa Monica Mountain gateway. We cannot afford to be wrong, and underestimate the impacts that will effect us all and live on for generations to come.

Other Considerations

The traffic still seems to be an area of concern for many residents. The roundabout is a concern for firefighters, emergency workers, police, and drivers in trucks and/or with trailers. How will emergency workers clear the roundabout to get through on heavy traffic days?

The proposed project would generate 17,593 daily primary trips, and 804/1,633 primary trips during AM/PM peak (see Table 4.11-4, Page 4.11-11 of EIR. It is estimated that 1,176 vehicle trips would travel on the SR-101 during the peak hour. To think of an added 1,176 vehicle trips during the peak hour alone is daunting.

On summer weekends the traffic backs up all the way near Troutdale on Kanan Rd. How will the effects of this large project be mitigated to avoid making matters worse? Mitigation for the traffic appears to be doubtful, due to the funding sources for the massive improvements required have not been identified nor does there seem to be any firm commitments for these improvements. Without mitigation, the traffic impacts will be much greater than stated in the EIR.

The removal of the Symphony Development site (zone B) from the protection of the Lady Face Specific Plan is disturbing. When was this decision made? Who was consulted? To remove these safeguards from zoning is a dangerous proposition for the creek, and the wildlife effected by the encroachment of development. It is wrong for the City now to undo the good work done by previous councils. The Lady Face Specific Plan provides an essential buffer zone for the wildlife.

In summation, we feel the EIR does not meaningfully address the many issues raised by the United States (U.S.) Department of the Interior, U.S. Fish and Wildlife Service, U.S. National Parks Service, U.S. Department of Fish and Game, the Santa Monica Mountains Conservancy, Los Angeles County Regional Planning, and citizens at large. We respectfully request the Agoura City Council to direct staff to reconsider the entire project in a public forum. This decision is too great to be made hastily, at the developer's request.

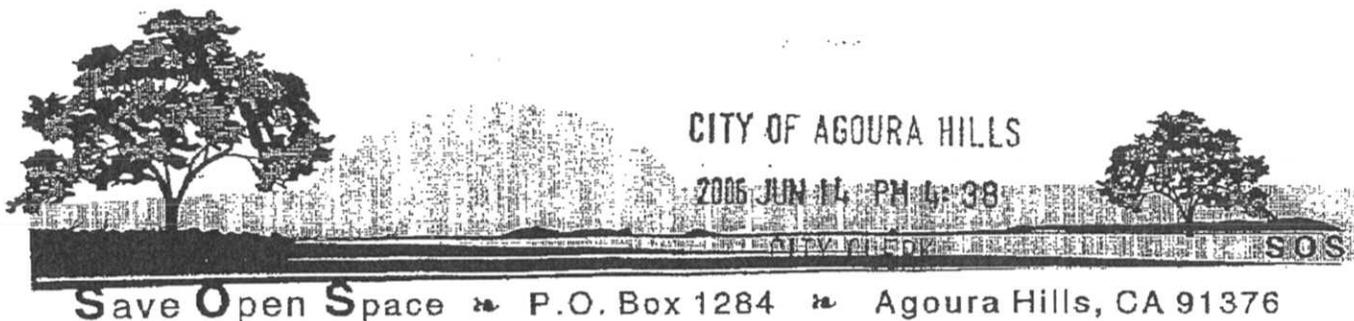
Some of our members who reside in Agoura were asking about the survey regarding how residents feel about development that was sent out last August or so. The City of Agoura website said the results would be shared with the community in April. What are those results? We believe many people share the values of open space, less traffic, and less pollution. Please release the results of

this survey before you make this monumental decision, and let the people of Agoura have a say in this matter.

Millions of people will be forever effected by your decision here. Please make it wisely, and with the utmost consideration for your constituents and the environment.

Sincerely, *Mary E. Wiesbrock*

Mary E. Wiesbrock, Chair



Re: Agoura Village

June 14, 2006

Dear Agoura Hills City Council:

This project as proposed is inconsistent with the Agoura Hills General Plan, which dictates a height limit of 35 ft. SOS requests that you not approve this project with buildings higher than 35 ft. One suggestion is to eliminate the floors that are business office. The buildings should just have retail on the bottom floor and residential on the top. Then these buildings will be consistent with the laws of the City of Agoura Hills. The Business office component is not revenue producing so this type of use is not needed. In addition, the increased square footage of the business office produces more unwanted traffic.

The height needs to be reduced now before it becomes a permanent part of this Specific Plan. Why not reduce the buildings now before the unwanted and inconsistent heights of 45 ft become a permanent part of this Specific Plan? These tall buildings are not what the residents of Agoura Hills desire in their community. That is why there is a 35 ft high limit in our city. In addition, the 45-foot high buildings create a precedent for future developers. It makes no sense to have to amend the Specific Plan later down the road when it contains a component, which the residents whom you represent oppose. SOS also opposes these tall buildings which violate the General Plan and planning documents of the City of Agoura Hills.

Please scale down the height of the buildings, as this is the Kanan Road entrance to the Santa Monica Mountains National Recreation Area. Tall buildings will detract from this scenic. This proposed project violates the intent of Santa Monica Mountains Scenic Parkways &

Mursted -

Scenic Corridor Plan. (Map Enclosed) and the Santa Monica Mountains Comprehensive Plan.

Please "reopen" the public hearing to make appropriate changes and vote to:

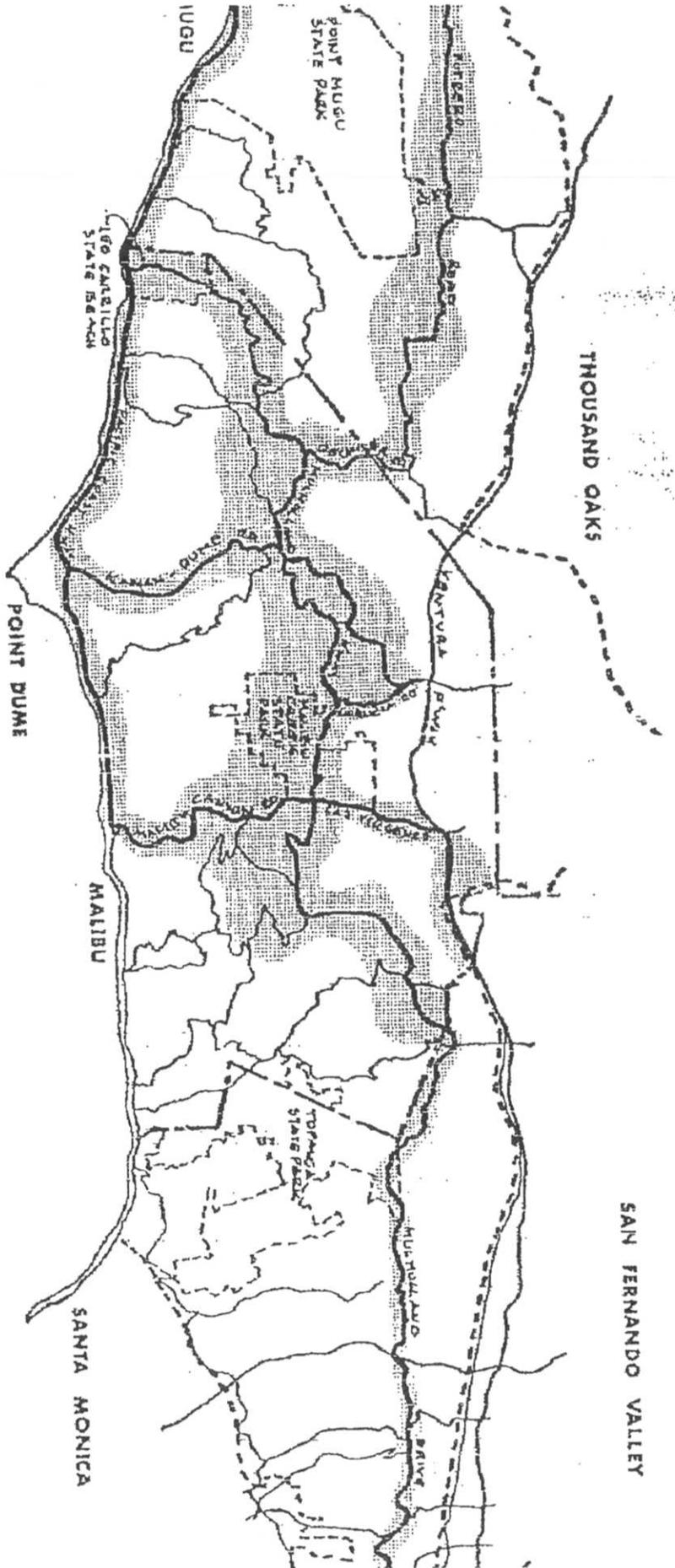
- 1) eliminate the 45 ft tall buildings,**
- 2) scale down the overall density which will really mitigate traffic**
- 3) require the funding for a full traffic light with turn arrows in every direction at this intersection of Agoura and Kanan Roads,**
- 4) follow the requests of Paul Edelman of the Santa Monica Mountains Conservancy and Melanie Beck of the National Park Service.**

Please incorporate by reference the Agoura Hills General Plan, all the City of Agoura Hills' planning documents and the Santa Monica Mountains Comprehensive Plan and its maps.

Thank you for your kind attention.

Mary E. Wiesbrock
Mary E. Wiesbrock

Enclosure: Scenic Parkways Map of Santa Monica Mountains Comprehensive Plan



State of California
 ANTA MONICA MOUNTAINS
 COMPREHENSIVE PLANNING
 COMMISSION

COMPREHENSIVE
 MAP No. 5
 SCENIC PARKWAYS &



Letter 17

COMMENTER: Mary E. Wiesbrock, Chair, Save Open Space

DATE: July 16, 2008

RESPONSE:

Response 17A

The commenter states that “Save Open Space/Santa Monica Mountains” (SOS) was not notified concerning the Supplemental EIR on Agoura Village and scheduled hearings. The commenter notes that SOS was involved in the 2006 hearings and commented extensively during the 2006 EIR process. The commenter attached two letters commenting on the original EIR (dated May 23, 2006 and June 14, 2006) which were provided to the City Council after the close of the EIR comment period on January 3, 2006.

CEQA Guidelines Section 15087, Public Review of Draft EIR, states that

“The public notice shall be given as provided under Section 15105 (a sample form is provided in Appendix L). Notice shall be mailed to the last known name and address of all organizations and individuals who have previously requested such notice in writing, and shall also be given by at least one of the following procedures:

- (1) Publication at least one time by the public agency in a newspaper of general circulation in the area affected by the proposed project. If more than one area is affected, the notice shall be published in the newspaper of largest circulation from among the newspapers of general circulation in those areas.
- (2) Posting of notice by the public agency on and off the site in the area where the project is to be located.
- (3) Direct mailing to the owners and occupants of property contiguous to the parcel or parcels on which the project is located. Owners of such property shall be identified as shown on the latest equalized assessment roll.

The City developed a mailing and distribution list of approximately 200 recipients for the Agoura Village Specific Plan EIR consisting of appropriate agencies, relevant Home Owner’s Associations, land owners and tenants within the Agoura Village Specific Plan area, and individuals or groups commenting on the EIR (orally or in writing) during the public comment period. In addition to distributing direct notices to these individuals/groups, the City provided public noticing for the Updated RR EIR in several formats: a digital copy of the Updated RR EIR was posted on the front page of the City of Agoura Hills website at www.ci.agoura-hills.ca.us; a notice of public hearings was also posted on the City website in the same form and time as notice for other regularly conducted public hearings (pursuant with CEQA Guidelines Section 15202, Public Hearings); a notice of availability was also published in the Acorn and Star newspapers and posted at City Hall, the City Recreation Center, and the City Library; and the Updated RR EIR was made available at the Agoura Hills Library and at the Planning and Community Development Department.



Response 17B

Commenter requests specific timing for consideration on the Planning Commission agenda.

Comment does not pertain to the adequacy of the Updated RR EIR; no further response is necessary.

Response 17C

Commenter questions what the scope of the updated biological surveys were and states that consideration of Area G's biological sensitivity is inadequate as the EIR misses that it is in a Los Angeles County Significant Ecological Area (SEA).

The scope of the biological analyses is detailed in the Biological Technical Appendix (BTA) attached to the Revised and Recirculated EIR. The EIR specifically addresses the location of the Significant Ecological Area on page 4.3-40 in Section 4.3, *Biological Resources*. The SEA does not include the Agoura Village Specific Plan, but is located adjacent to Zone G along the southwestern portion of the Plan area. This is discussed in detail in the BTA.



Letter 18



Save Open Space ♦ P. O. Box 1284 ♦ Agoura, CA 91376

RECEIVED
AUG 08 2008
BY: *ae*

Re: Agoura Village comments

August 7, 2008

Agoura Hills Planning Commission and City Council
3001 Ladyface Court
Agoura Hills, Ca 91301

Dear Planning Commissioners and City Council:

A The EIR for Agoura Village (AV) remains uncertified per the Writ of Mandate. Changes by decision makers can be made to make this Agoura Village Specific Plan (AVSP) better.

New Issues for 2008/Issues not Known

B1 Traffic
There are new issues of significance that were not present in 2005. The first is traffic. At 3:30 in the afternoon (not at the peak traffic hours as studied in the uncertified 2005 EIR), one has to wait through 3 light changes to turn from Agoura Road to go north on Kanan. This constitutes a new unidentified gridlock situation. (F) This is because of summer beach traffic. This intersection must function at an acceptable level because of Coastal Act law. This is a major beach access point for the entire Conejo area. Kanan Road provides the most direct cross-mountain link between the Malibu coastline and the Conejo Valley. A recent Appellate Court decision supporting public access applies to vehicular public beach access. The AVSP as proposed would adversely affect public access to the coast via Kanan Road.

B If a round-about is put in, it must be of huge circumference and take in more of the private land at this intersection to be able to handle this ever increasing beach traffic. The AV map needs to be changed to reflect this new required taking.

There is a constant stream of cars coming from the beach at beach traffic hours, which are not peak traffic hours. Under this new traffic issue, the total amount of estimated grading needs to be known in order to estimate the number of truck trips impacting this now gridlocked intersection. This new fact that there are peak hours in the summer for beach goes that makes this existing intersection an F level.

B2 It also becomes absolutely necessary for a developer requirement to fund an overhead walkway to move pedestrians safely over this intersection to the existing restaurants in the northwest area. This overhead pedestrian walkway should be depicted in the new maps in this updated and revised EIR.

B3 Bicycle Route

Another issue of new significance is that this area has become a major bicycle route. It has been planned to be as depicted as such in the Santa Monica Mountains Comprehensive Plan Map (Enclosure #1). Now in 2008, Agoura Road has become a major recreational bicycle route. The Agoura Village Specific Plan can be made better by moving back the buildings fronting Agoura Road, which will preserve the scenic quality of Agoura Road and allow safe bicycle lanes on the Agoura frontage road. The street side parking which is incompatible for bicycles should be moved into the areas labeled "additional mixed use development" (back side of zones A and B) Providing these areas for parking will eliminate the need for the "may be" parking garage which will change suburban Agoura Hills character into dense Los Angeles city type development. The street side buildings should also be moved back from Agoura Road in order to protect the scenic views from Agoura Road. Agoura Road is designated as such in Agoura Hills General Plan Scenic Highway Element. (See enclosure #2)

B4 B5 B6 Density Bonus

Another new issue of significance is the recent approval of the density bonus for middle to low-income housing. (Depending on city's definition of what constitutes low income). One of these landowners was at that hearing to support this new allowable bonus in number of housing units. The Project Description of a max of 293 units then changes. These changes bring changes in the traffic estimates. Multifamily residential units can generate up to 5 to 7 new trips a day per unit. All the changes in project effects including air quality, traffic, student generation, water usage, etc must be analyzed by applying this new density bonus recently approved by the city.

B7 Water Supply for Existing Customers

Now, in 2008 there are two new water issues. There is the drought and Delta cases which have impacted our water supplies. This new information impacts on whether existing customers will have an adequate supply. It may not be possible provide adequate water to this huge massive AV development as proposed. This new information of significance must be analyzed. Will there be enough water for this AV project at this huge density of more than one half million new square feet of commercial and way over 300 new residential units? (With the new density bonus factored in)

Agencies Notified List Needed

C Were the appropriate agencies notified of this AV recirculated EIR? Please list in this new EIR document which agencies were notified of this new draft EIR. The following agencies have a stake in the happenings in the Santa Monica Mountains Zone per state law: California Fish and Game, Santa Monica Mountains National Park Service, Santa Monica Mountains Conservancy, and Native Plant Society. There are two federally

listed plant species. Federal agencies requiring to be notified include the federal Fish and Wildlife and Army Corp of Engineers. The wetland issues involve jurisdiction of the California Department of Fish and Game and the Army Corp. Were all these agencies notified? The notification list should be a part of this updated EIR.

Project Description

D The two new parcels added by the errata process in 2005 are located west along Kanan Road. The impacts of these buildings-, which as part of the AVSP can go over the 35-foot height limit of the Agoura Hills General Plan -need to be analyzed for view shed impacts in relation to keeping Kanan Road as a local and secondary county scenic highway. Safe bicycle lanes must also be part of the plan all along Kanan Road as depicted in the Santa Monica Mountains Comprehensive Plan.

E As a pedestrian community serving Agoura Hills residents, there is a complete lack of enough walking paths to ~~for~~ fill this project goal. Sidewalks and walking paths must be depicted all around this AV complex. These walkways can not be required later if they are not a part of this plan. A walking path all around AV needs to be an integral part of AV. Existing culverts in the creeks must be required to be removed and the dirt paths opened up to walkers unless flood conditions are present. The existing chanelized creeks (Chesebro, Lindero, and Media) must have development conditions which shall keep these creeks in their natural state and which shall require sufficient 700 foot to 1000-foot buffers in Media and Lindero creek areas in order to protect the Southwestern Pond Turtle.

G The AV plan is inadequate in that it is not shown where there is adequate parking for the over one half million square feet of building. The maps in the EIR must reflect the parking.

Refer to EdG
If the restaurants and entertainment facilities are to be successful, AV needs to be a place where all the Agoura Hills residents will want to visit as a town center. AV needs to add walking paths around the entire complex and incorporate walking paths to the existing creeks areas that are not sensitive habitat for the Southwestern Pond turtle. This positive addition to the AV project will be complying with the new 2008 nationwide mandate to increase exercise activities for the entire family. These walking paths will serve to make this a successful pedestrian center getting people out of their cars for a meal and enjoyable recreational walk. These walkways need to be put in the AV SP and the area depicted on maps because it will be very difficult to require the walking areas to be set aside later. Right now, it appears that the maps do not show set aside walking paths.

H The project name needs to be reconsidered. This corner was previously called Malibu Junction and Cornell Corners. The project name should reflect that three different creeks are included in the AV boundaries. The project name should also compliment the fact that this scenic corner with the Lady Face Mountain backdrop is the Gateway to the Santa Monica Mountains National Recreation Area. A few suggestions include Creekside Corners and/or Creekside Junction. With 3 different creeks all within the Agoura Village

SP boundaries, the name should reflect this noteworthy environmental feature. At the same time, the name should capitalize on the fact that this is the gateway to a national recreation area.

Biological

I
J
The AV project area (Zones E and G-E) includes a Significant Ecological Area #6 "Las Virgenes". (Enclosures #3 Maps) This SEA #6 needs to be discussed in relation to its identified biological resources like California juniper. These are the only 2 California Junipers in our entire Santa Monica Mountains area. It appears that AVSP does not go all the way to the ridgeline. If so, Zones G, E and G-E should be expanded to include all the way to the scenic ridge top. It also appears that there is a notched area left out. The notched area on the map should continue all the way to this ridge top. Years ago that landowner expressed a desire to sell this hard to develop property as parkland because of its steepness. This steep notched area addition should be designated as open space, scenic ridgeline, and biological resource area.

K
The impacts to the biological can not be analyzed without evaluating the AV project total amount of grading. An analysis of the grading and its impacts on the biological needs to be a part of this EIR.

L
M
The riparian buffer mitigation measure protection plan appears to be too flexible. The decision makers and agencies will support redesign to avoid endangered/sensitive plant and animal species/habitat. It is up to the decision makers/responsible agencies to ask the project be redesigned with adequate buffers to protect the native plants and animals. As written the mitigation measures allow the developer/applicant to decide not to redesign to avoid biological resources, and/or to leave only a 20 foot buffer. This would make biological impacts on plants/plant communities and animals to be a Class I impact. Oak trees are protected in the city's oak tree ordinance. Applicants/developers are not allowed to remove more than 10% of the oaks onsite of any given development. City officials need to be able to require project design to avoid oak trees. It appears that the mitigation measures are inadequate in this area.

N
A 700 to 1000 foot riparian buffer is needed to protect the Southwestern Pond turtle. The female migrates 700 to 1000 feet to lay eggs on land areas. This 700 to 1000 feet setback is necessary to protect the pond turtle. If the 700 to 1000 foot riparian buffer is not required as mitigation to protect these turtles and their reproduction needs, then this is a Class I impact requiring a mandatory finding of significance. Also, putting in the 700 to 1000 foot buffer will be protecting the most significant natural topographic feature of the AV SP, the beautiful creeks which run through it.

O
The open space wildlife corridor as depicted in the Agoura Hills General Plan needs to be mentioned. (Enclosure #4) This corridor follows Media Creek and is an additional layer of protection. This information added to this biological analysis of riparian corridor will aide in setting aside the 700 to 1000 foot riparian buffer as needed for the continued existence of the Southwestern Pond turtle. Also, the 700 to 1000-foot riparian buffers

enhance the natural topographic features of our town center making it a more desirable place to visit.

Alternatives

A real reduced project alternative needs to be discussed. A real reduced project alternative will significantly reduce impacts to the pond turtle, riparian areas, and now the new traffic and water issues.

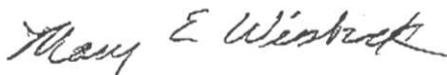
By reducing the AVSP commercial from 580,000 to 240,000 sq feet, there will be less building footprint. Reduced building footprints will reduce the impervious surface required for the buildings and parking. This will mean less run off to impact the Southwestern Pond Turtle and the creek ecosystems.

More business office is not needed in Agoura Hills and it is a drain on our services. The mixed-use buildings should have the bottom level be retail and the top level should be residential. There is no need to add business office on top, which results in taller buildings, which will block scenic views from, designated scenic roads. There is no need to allow these buildings to be 45 ft tall and break the city General Plan of 35 feet. This reduction in building square footage will reduce the impacts to the Southwestern Pond Turtle and the creek ecosystems. With the economy changes and Countrywide being absorbed by Bank of America, there will most likely be a glut of office buildings in our area. Office buildings do not generate good revenues for our city.

By truly reducing the AVSP to one half the commercial density, there will be less traffic and resulting less impact on air quality. Fewer cars will be idling at the Kanan/Agoura Road intersection as they wait to get into the traffic circle and/or idle at the traffic lights. Reducing the air quality impacts by one half will reduce the air quality impacts on the creek ecosystems.

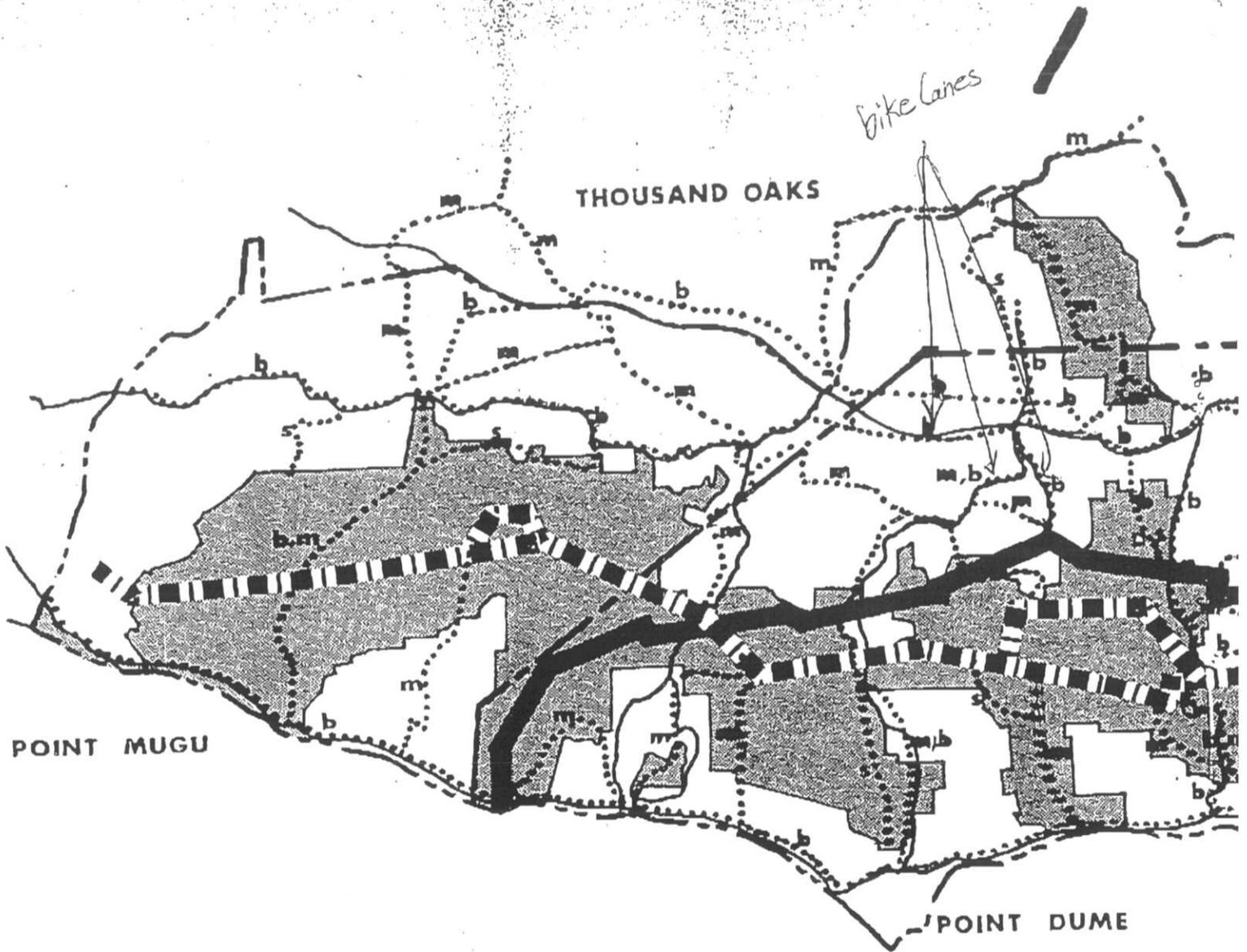
By reducing the AVSP, vertical wise, and bringing the height limit back into compliance to the General Plan's 35 foot height limit, there will be considerably less building square footage generating more parking required. This will also reduce impervious surface runoff impact into the creeks.

Thank you for the opportunity to comment. Hopefully you as decision makers will incorporate these ideas into making this a better project for our city. Community residents want to have a nice town center to visit, shop, and enjoy recreational activities. If you allow AV to be built with its proposed massive density, then too much traffic will be the result. Unfortunately AV will then become a place that the community avoids.



Mary E. Wiesbrock, Chair

Enc.



State of California
SANTA MONICA MOUNTAINS
COMPREHENSIVE PLANNING
COMMISSION

-  PRIMARY COUNTY SCENIC HIGHWAY
-  SECONDARY COUNTY SCENIC HIGHWAY
-  LOCAL SCENIC HIGHWAY

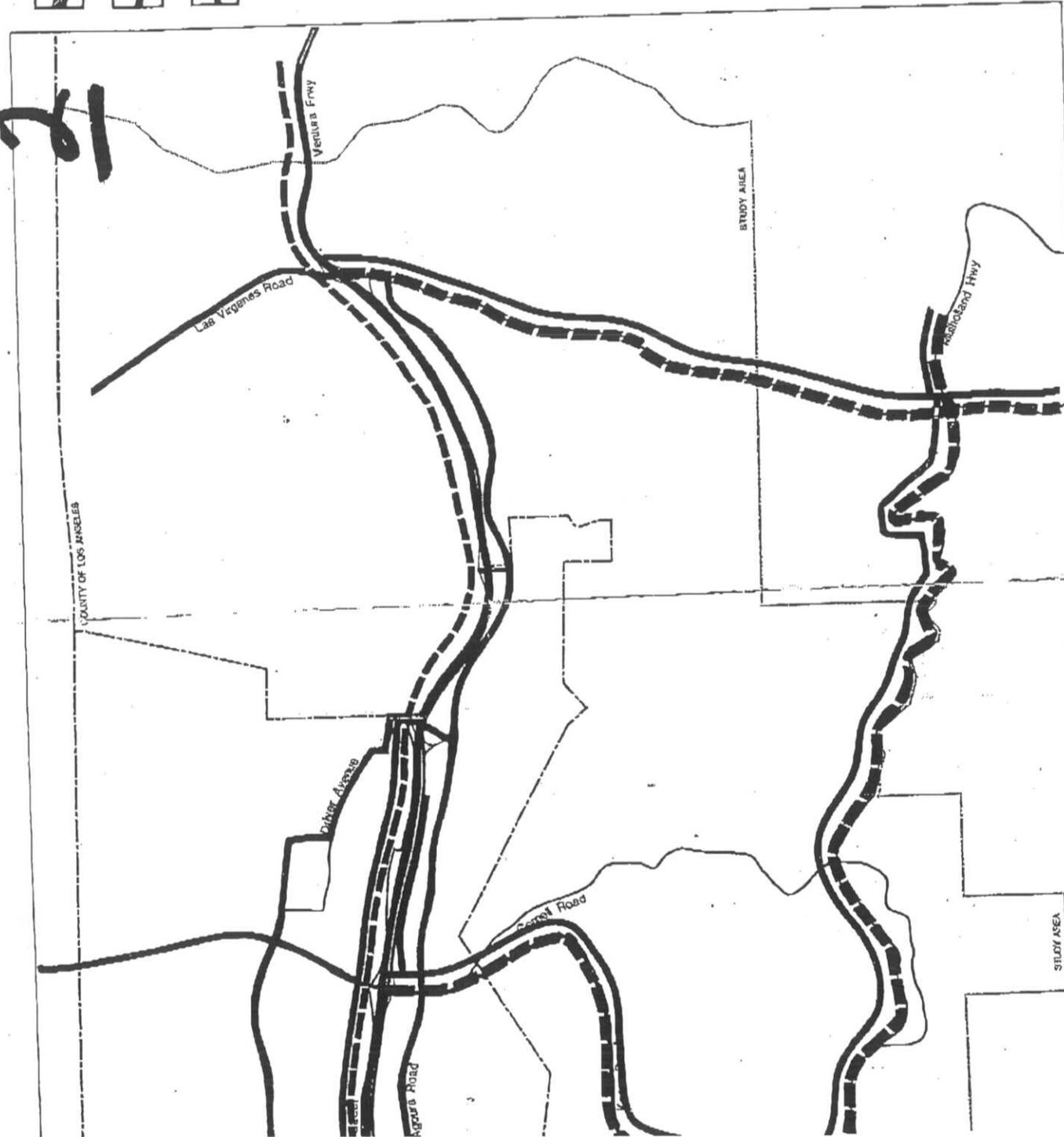


Figure 10.1
SCENIC HIGHWAYS


 Bartov, Ashman & Associates
 Williams Kuebelbeck Associates
 Leighton B. Associates
 with
 Bartov, Ashman & Associates
 Williams Kuebelbeck Associates
 Leighton B. Associates

100 Acres
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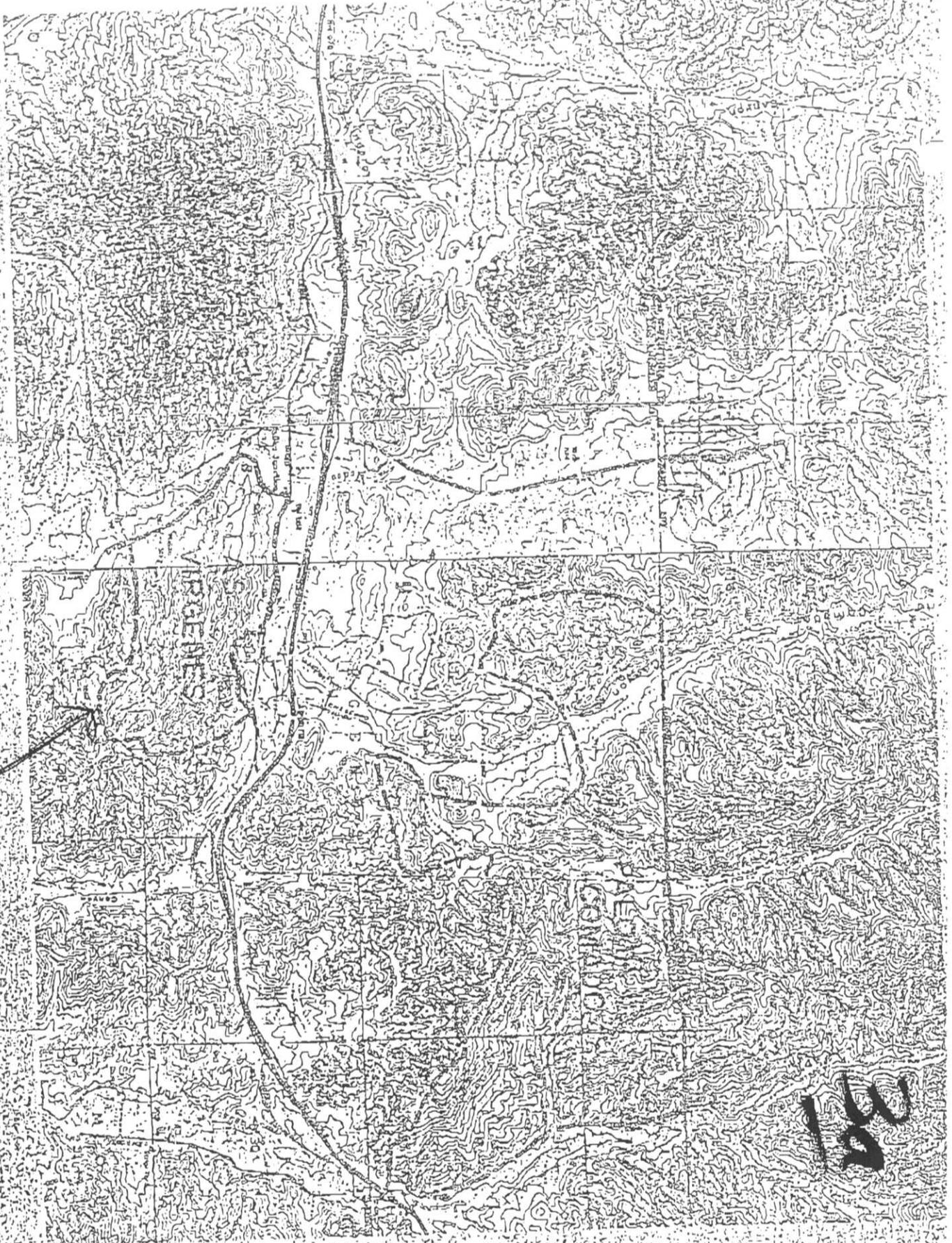
0 2000 4000 8000 10000 Feet
 0 1000 2000 3000 Meters
 0 5 10 20 40 Miles - Rounding 2.5 MPH
 0 1 2 3 4 Minutes - Driving 25 MPH

North

AL

SIGNIFICANT ECOLOGICAL AREAS

LAS VIRGENES MUNICIPAL WATER DISTRICT

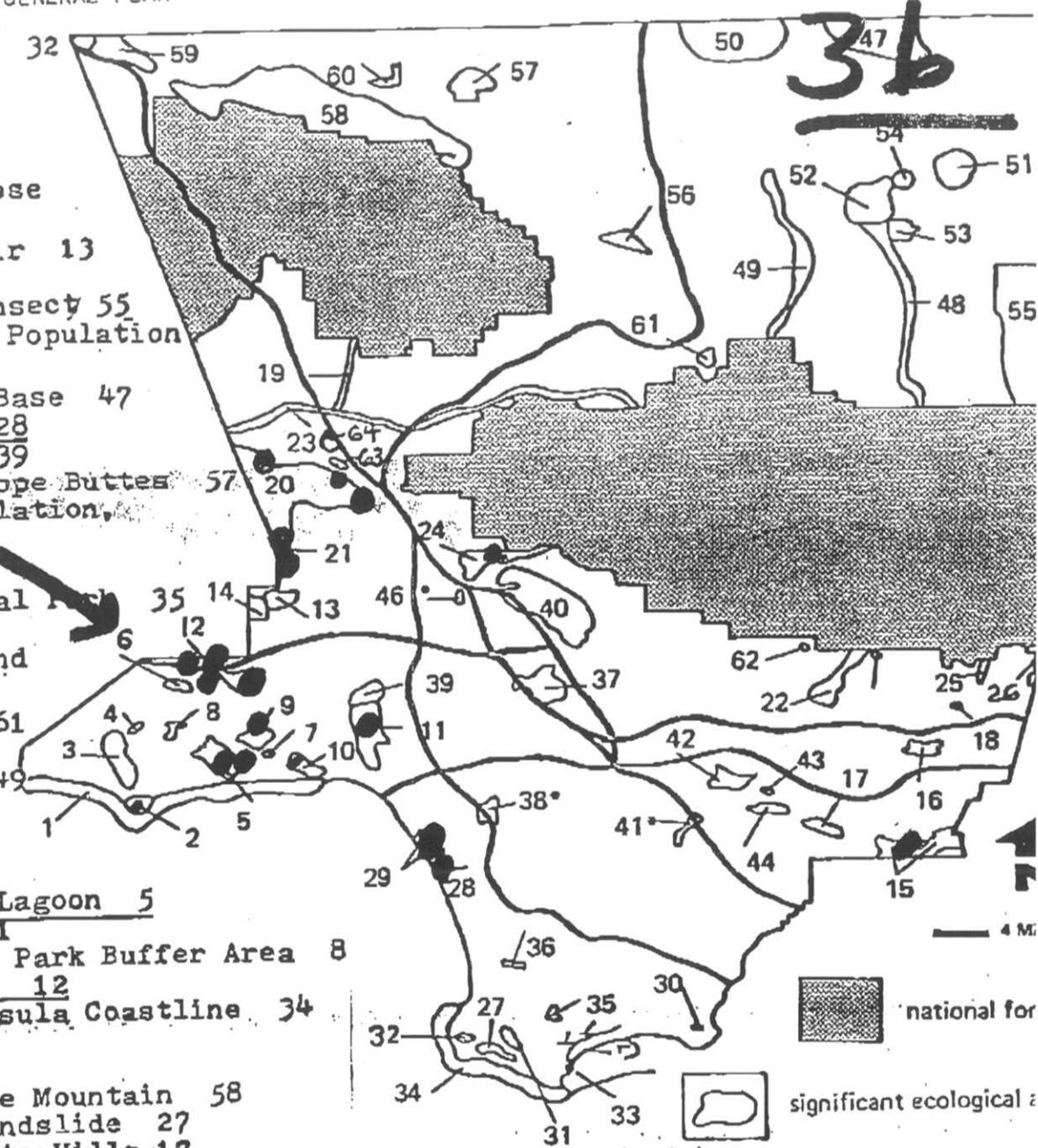


20

SIGNIFICANT ECOLOGICAL AREAS IN LOS ANGELES COUNTY

MAP OF SIGNIFICANT ECOLOGICAL AREAS
IN LOS ANGELES COUNTY GENERAL PLAN

- Agua Amarga Canyon 32
- Alamitos Bay 30
- Alpine Butte 52
- Ballona Creek 29
- Big Rock Wash 48
- Buzzard Peak/San Jose Hills 16
- Chatsworth Reservoir 13
- Cold Creek 9
- Desert-Montane Transect 55
- Dudleya Densiflora Population Glendora 45
- Edwards Air Force Base 47
- El Segundo Dunes 28
- Encino Reservoir 39
- Fairmont and Antelope Buttes 57
- Galium Grande Population, Monrovia 62
- Griffith Park 17
- Harbor Lake Regional Park Hepatic Gulch 6
- Joshua Tree Woodland Habitat 60
- Kentucky Springs 61
- Las Virgenes 6
- Little Rock Wash 49
- Looney Butte 53
- Lyons Canyon 63
- Madrona Marsh 36
- Malibu Canyon and Lagoon 5
- Malibu Coastline 1
- Malibu Creek State Park Buffer Area 8
- Malibu Comado Canyon 12
- Malibu Verdes Peninsula Coastline 34
- Point Dume 2
- Portugal Ridge/Liebre Mountain 58
- Portuguese Bend Landslide 27
- Powder Canyon/Puente Hills 17
- San Joaquin College Wildlife Sanctuary 56
- Rolling Hills Canyons 31
- Sage Lake 50
- Saddleback Butte State Park 51
- San Antonio Canyon Mouth 26
- San Dimas Canyon 25
- San Francisquito Canyon 19
- Santa Clara River 23
- Santa Fe Dam Floodplain 22
- Santa Susana Mountains 20
- Santa Susana Pass 21
- Sierra Hills 14
- Stamore and Turnbull Canyon 44



- Tehachapi Foothills 59
- Temescal-Rustic-Sullivan Canyons 11
- Terminal Island 33
- Tonner Canyon/Chino Hills 15
- Tujunga Valley/Hansen Dam 24
- Tuna Canyon 10
- Upper La Sierra Canyon 4
- Valley Oaks Savannah, Newhall 64
- Verdugo Mountains 40
- Way Hill 18
- Whittier Narrows 42
- Zuma Canyon 3

● PROPOSED OR APPROVED DEVELOPMENT OR SANITARY LANDFILL (PARTIAL LIS)

Note: SEA 38, SEA 41, and Sea 46 have been designated as open space and not as an SEA. The precise boundary for SEA 29 will be determined by the local Coastal Plan program.

Letter 18

COMMENTER: Mary E. Wiesbrock, Chair, Save Open Space

DATE: August 7, 2008

RESPONSE:

Response 18A

The commenter states that the Agoura Village Specific Plan EIR remains uncertified per the Writ of Mandate and that changes may still be made to make the Specific Plan better.

This comment is noted; however, it does not pertain to the adequacy of the environmental document. Therefore, no further response is necessary.

Response 18B

The commenter states that there are new issues of significance that were not present in 2005. These issues relate to the following:

1. Traffic levels at the Agoura and Kanan Road interchange
2. Pedestrian access, location of sidewalks, and the need for an pedestrian bridge across Agoura Road
3. Bicycle access and incompatible street side parking
4. Parking
5. Aesthetics
6. Density bonuses for middle to low-income housing
7. Water supply

As noted above, the City of Agoura Hills has recirculated revised portions of the 2006 EIR for this project in response to a court decision. Pursuant to CEQA Guidelines Section 15088.5(f)(2), only those comments regarding recirculated sections of the EIR are appropriate for discussion at this time. The points noted above pertain to sections of the 2006 EIR which have not changed and were not recirculated. The comment period for the 2006 EIR closed on January 3, 2006.

Although the commenter has expressed her opinion that “new issues of significance” have been identified, each of these issues was addressed in the 2006 EIR. The commenter has provided no new substantial information, data, or references to support the points raised and any new issues of significance. Section 15204(c) of the CEQA Guidelines, which provides guidance on the focus of public review, states that:

“Reviewers should explain the basis for their comments, and should submit data or references offering facts, reasonable assumptions based on facts, or expert opinion supported by facts in support of the comments. Pursuant to Section 15064, an effect shall not be considered significant in the absence of substantial evidence.”



The following identifies the appropriate sections of the 2006 EIR which address the commenter's points.

1. Traffic - Section 4.11, *Transportation and Circulation*, Section 4.8, *Land Use and Planning* (Impacts T-3 and LU-3)
2. Pedestrian access - Section 4.11, *Transportation and Circulation*, Section 4.8, *Land Use and Planning* (Impacts T-3 and LU-3)
3. Bicycle access - Section 4.11, *Transportation and Circulation*, Section 4.8, *Land Use and Planning* (Impacts T-3 and LU-3)
4. Parking - Section 4.11, *Transportation and Circulation*
5. Aesthetics - Section 4.1, *Aesthetics*
6. Density bonuses - Section 4.8, *Land Use and Planning* (Impact LU-2)
7. Water supply - Section 4.10, *Public Services and Utilities* (Impact PS-2)

As the comment does not pertain to the recirculated sections of the EIR, no further response is necessary.

Response 18C

The commenter asks whether or not the appropriate agencies were notified of the Updated RR EIR and requests a list of those agencies notified.

This comment is noted; however, it does not pertain to the adequacy of the environmental document. Please refer to Response Letter 17 for a complete discussion regarding noticing for the Updated RR EIR. The commenter should also refer to Response Letters 1 and 2 which provide a list of those state agencies who received the EIR through the State Clearinghouse distribution process. CEQA does not require that an agency's distribution list be included as part of the EIR (see *State CEQA Guidelines* Sections 15120 to 15132), and it has not been included herein. However, the City's distribution list for this project is available at the Planning and Community Development Department upon request.

Response 18D

The commenter mistakenly states that two new parcels were added to the Specific Plan area through the errata process in 2005. The commenter further notes that these additional parcels would allow for exceedances of the General Plan height limit.

No parcels were added to the AVSP as part of the errata process in 2005. Regarding building height, upon adoption, the "Specific Plan" designation would become the underlying General Plan designation for the project area and would allow 2-3 story buildings (hotel use and in some cases mixed-use buildings if the top floor is residential only up to a maximum height of 45 feet).

As noted above, the City of Agoura Hills has recirculated revised portions of the 2006 EIR for this project in response to a court decision. Pursuant to CEQA Guidelines Section 15088.5(f)(2), only those comments regarding recirculated sections of the EIR are appropriate for discussion at this time. This comment pertains to Sections 4.1, *Aesthetics*, and 4.8, *Land Use and Planning*, of the 2006 EIR which have not changed and were not recirculated. The comment period for the 2006 EIR closed on January 3, 2006. The comment does not pertain to the recirculated sections of the EIR and therefore no further response is necessary.



Response 18E

The commenter states her opinion that the project does not include enough walking paths to satisfy the pedestrian community goals outlined for the project. The commenter further states that sidewalks should be shown all around the AVSP project plan and should include a walkway within existing culverts through the creeks.

This comment is in regards to the proposed project and does not pertain to the adequacy of the environmental document. Design requirements regarding pedestrian access for development under the Specific Plan are located in Chapters 3, 4, and 5 of the Specific Plan. No further response is necessary.

Response 18F

The commenter states that existing channelized creeks must have development conditions which shall keep the creeks in their natural state and which shall require sufficient 700 foot – 1,000 foot buffers in Media and Lindero creeks in order to protect the Southwestern Pond Turtle.

As discussed in the BTA in the Updated RR EIR, the nesting site of southwestern pond turtles can be up to 1300 ft from the aquatic site (Storer 1930), but the majority of nests located to date are within 650 ft (D. Holland, pers. comm.). However, at localities with less gradient, soil moisture gradients and soil type may cause nesting sites to be located at a significantly greater distance than where the majority are located. Slopes of the nest sites range up to 60%, but most nests are on slopes < 25%. Hatchlings require shallow water habitat in their first year with dense submergent or short emergent vegetation. Suitable oviposition sites must have the proper thermal and hydric environment for incubation of the eggs. Nests also are typically located on a slope that is unshaded that may be at least in part south-facing, probably to ensure that substrate temperatures will be high enough to incubate the eggs (Rathbun et al. 1993).

Slopes surrounding the creeks within the Specific Plan can generally be characterized as having slopes steeper than 25%, with some areas of exception. Suitable nesting habitat is not found along the channelized portions of the creeks; therefore no buffer is necessary. Suitable nesting habitat does not occur for extensive distances within the development portion of the Specific Plan area, as these areas have been subject to disturbance for many years. As stated in the BTA, suitable habitat is found in the protected open space portion of the Specific Plan (Zone G) and for a limited distance within Zone B. The 50-100 foot native vegetation buffer (refer to Figure 4.3-4 of the Updated RR EIR) provided for under mitigation measure BIO-2(a) protects most of the suitable nesting habitat in the development area. This mitigation measure, in conjunction with measure BIO-1(b), would minimize potential impacts to southwestern pond turtles and their nesting habitat.

Response 18G

The commenter states that the AVSP is inadequate because it does not show where there is adequate parking for the one-half million square feet of building. The commenter states that the maps in the EIR must reflect the parking proposed.



As described in Section 2.0, Project Description, the Specific Plan provides a framework that would guide future development within the project area. The EIR cannot presume to exactly forecast the size and extent of future development. Therefore, the Agoura Village Specific Plan is intended to contain flexibility to accommodate a broad range of densities that may be proposed for the project area, to include, but not be limited to, densities that would accommodate either option of a hotel or residential use. As such, the analysis of environmental impacts considered a “worst case” scenario, or maximum build out as allowed under the Specific Plan, in order to capture the maximum reasonably likely impact of the project. Thus, at this time the exact location and configuration of parking is not known, but will be examined on a project-by-project basis for its consistency with the Specific Plan. The total required parking for the maximum buildout scenario was examined in the EIR. The commenter is referred to Section 4.11, *Transportation and Circulation* and Section 4.8, *Land Use and Planning* for this analysis. As this comment pertains to sections of the 2006 EIR which have not changed and were not recirculated, no further response is necessary.

Response 18H

The commenter states her opinion that the project name needs to be reconsidered.

This comment is noted; however, it does not pertain to the adequacy of the environmental document. Therefore, no further response is necessary.

Response 18I

The commenter mistakenly states that the project area (Zones E and G-E) includes Significant Ecological Area #6 and notes the need for discussion of species located within the SEA #6, such as *Juniperus californica*, the California Juniper.

As noted in the environmental setting of Section 4.3, *Biological Resources*, and shown in Figure 4.3-6, the Specific Plan area is located adjacent to the Las Virgenes SEA #6. The project site is directly adjacent to, but does not overlap with SEA #6. Further, the Updated RR EIR provides a discussion of SEA #6 and specific plants known to occur there, including *Juniperus californica*, the California Juniper. Impacts to the California Juniper were addressed under Impact BIO-1.

Response 18J

The commenter states her opinion that Zones G, E, and G-E should be expanded to the scenic ridge top and that this area should be designated as open space.

This comment, along with 18E and 18A, pertain to the AVSP and not the EIR. It is common during the CEQA review process for commentors to provide comments on the project (in this case the AVSP) that is being evaluated and to express their opinions as to the ways in which the project should be modified or improved and as to whether or not a project should be approved or denied. While these comments are important to inform decision makers of the range of public opinion that exists on any particular project, the comments often times do not pertain to the adequacy of the EIR or the EIR analysis. In these cases, the comments are noted and become part of the public record. CEQA requires responses to comments related to the adequacy of the

EIR but does not require response to comments pertaining to an opinion on the project itself. Therefore, this comment is noted; however, no further response is necessary.

Response 18K

The commenter states that biological impacts cannot be analyzed without evaluating the AVSP project total amount of grading and that an analysis of grading and its impacts on biology needs to be a part of the EIR.

As described in Section 2.0, Project Description, the Specific Plan provides a framework that would guide future development within the project area. The EIR cannot presume to exactly forecast the size and extent of future development. Therefore, the Agoura Village Specific Plan is intended to contain flexibility to accommodate a broad range of densities that may be proposed for the project area, to include, but not be limited to, densities that would accommodate either option of a hotel or residential use. As such, the analysis of environmental impacts considered a “worst case” scenario, or maximum build out as allowed under the Specific Plan, in order to capture the maximum, reasonably likely, impact of the project. Assumptions made for each analysis are included within the EIR. In addition, each project specific application will likely require stand-alone CEQA documentation that would be prepared as part of the individual project entitlement process. To the extent that the projects are consistent with the Specific Plan and the Program EIR, subsequent environmental documents would be able to focus on project specific issues not already addressed in the Program EIR. The reader is referred to Section 4.2, *Air Quality*, for a discussion of grading estimates and analysis. Impact AQ-1 provides an estimate of cubic yards of grading for the “worst case” scenario of full buildout.

Further, potential impacts to biological resources were analyzed in Section 4.3, *Biological Resources*, of the Updated RR EIR using the “worst case” scenario as described above, including the likely extent of grading that would be associated with the planned land uses. Specifically, the commenter should refer to Impacts BIO-1 through BIO-6. No further comment is necessary.

Response 18L

The commenter states her opinion that the riparian buffer mitigation measure protection plan appears to be too flexible. The commenter feels that developers and/or applicants would only use the minimum 20 foot buffer and this would equate to a Class I impact.

This comment is noted; however, under mitigation measure BIO-2(a) a minimum buffer zone of 50-100 feet of native vegetation shall be maintained between urban development and adjacent sensitive native habitats. This includes those areas located along the unchannelized portions of Medea and Lindero Canyon Creeks within the Specific Plan boundaries. Thus, the minimum buffer between riparian habitats and development is 50 feet, not 20 feet. A 20 foot buffer is as close as the equestrian trail would be allowed to the edge of riparian canopy, not commercial and residential development.

Additionally, mitigation measure BIO-2(c) requires that a riparian habitat and creek protection program be prepared by a qualified biologist (with acceptance by the City Planning and Community Development Department) and include specific measures as dictated by CDFG.



The protection program shall be submitted for review as part of the application process with the City Planning and Community Development Department. In addition, the final plans shall be subject to review and approval by the City Planning and Community Development Department prior to the issuance of a Grading Permit. This additional level of planning and coordination among agencies, in addition to BIO-2(a), provides for greater agency communication and decision sharing, to the overall benefit of the species and habitat. Thus, the EIR has examined riparian protection and minimization measures for protecting riparian habitat.

Response 18M

The commenter notes that oak trees are protected in the City's oak tree ordinance. The commenter states her opinion that oak tree mitigation measures are inadequate.

Impact BIO-3 discusses impacts to oak trees in detail. The analysis references past studies conducted within the Specific Plan area and recent studies performed in 2007 and 2008. Using the worst case scenario (as discussed above in 18G), the Specific Plan could eliminate all oaks in the development zones, which would total 110 valley oaks, 39 coast live oaks, and 54 scrub oaks, or about 44% of those inventoried. The majority of the scrub oaks associated with the scrub oak chaparral in Zone F and the west end of Zone B are also assumed would be lost under this scenario, totaling approximately 1,141 scrub oak shrubs. With respect to just valley oaks and coast live oaks, 59% of the valley oaks and 18% of the coast live oaks identified would be removed if no trees are preserved in the developable zones. The Updated RR EIR considers this a significant loss of overstory, shrub and understory plants and identifies impacts to oak trees within the Specific Plan area as significant, but mitigable. Applicable oak tree protection policies are discussed and mitigation measures provided to minimize impacts to a less than significant level. Impact BIO-3 clearly states that the City would need to approve a variance for oak tree removals if individual projects would remove more than 10% of the oaks onsite for any given development.

Response 18N

The commenter states that a 700 to 1,000 foot riparian buffer is needed to protect southwestern pond turtle. The commenter states females migrate up to 700- 1,000 feet to lay eggs and that an equal setback is necessary to protect the species' nesting habitat. The commenter states her opinion that a buffer less than 700 feet would be considered Class I.

Please see response 18F above. While pond turtles may be capable of using areas up to 1,300 feet from their aquatic home, it does not follow that they will use unsuitable habitat located within that distance. As discussed in the BTA in the Updated RR EIR, suitable nesting sites are located in Zones B and G adjacent to both creeks. Slopes surrounding the creeks within the Specific Plan can generally be characterized as being steeper than 25%, except for some limited areas, and this steepness limits the dispersal of turtles into adjacent lands. The 50-100 foot native vegetation buffer (refer to Figure 4.3-4 of the Updated RR EIR) provided for under mitigation measure BIO-2(a) along with the open space designation of Zone G protects nearly all of the suitable nesting habitat. This mitigation measure, in conjunction with measure BIO-1(b), would minimize potential impacts to southwestern pond turtle and their nesting habitat.

Response 18O

The commenter states that the open space wildlife corridor as depicted in the Agoura Hills General Plan needs to be mentioned.

Wildlife movement corridors, movement pathways, and habitat linkages are discussed in detail in Section 4.3.1 (f) of the Updated RR EIR. Further, Impact BIO-5 analyzes the potential impacts of the proposed project on wildlife corridors. The analysis provides a detailed discussion of potential impacts and concludes that the Specific Plan would not disrupt the regional movement of wildlife; and therefore, is considered to have a less than significant impact with respect to wildlife corridors. Although the commenter feels the General Plan depiction of wildlife corridors should have been included in the EIR, more recent and scientifically based data was used instead. The General Plan shows only the corridor east of Palo Comado Canyon Road, which is not within or relatively near the AVSP. Because of the outdated nature of the General Plan (approved in 1992) discussion of wildlife corridors in the EIR referenced more recent documents such as the following:

South Coast Wildlands. 2008. South Coast Missing Linkages: A Wildland Network for the South Coast Ecoregion. Produced in cooperation with partners in the South Coast Missing Linkages Initiative.

Ng, Sandra J., Jim W. Dole, Raymond M. Sauvajot, Seth P.D. Riley, and Thomas J. Valone. (March 2003). *Use of Highway Undercrossings by Wildlife in Southern California*. Biological Conservation.

California Wilderness Coalition (2001). *Missing Linkages: Restoring Connectivity to the California Landscape*. Retrieved March 25, 2005, from <http://www.calwild.org/resources/pubs/linkages/>.

Further, CEQA states that “lead agencies need only respond to significant environmental issues and do not need to provide all information requested by reviewers, as long as a good faith effort at full disclosure is made in the EIR.” Thus, the EIR has provided a good faith effort at disclosing the impacts related to wildlife movement corridors.

Response 18P

The commenter states that a reduced alternative limiting commercial development to 240,000 square feet should be analyzed; and that such an alternative would reduce impervious surfaces necessary for buildings and parking and would further reduce runoff.

This comment is noted; however, several reduced buildout scenarios were examined as alternatives in the EIR. Of the five alternatives examined, two looked at reducing commercial development from 576,458 (the project as proposed) to 342,108 (Alternative 2: Reduced SP Area) and 326,158 (Alternative 5: Reduced Project Size).

Alternative 2

As noted in Section 6.0, *Alternatives*, this alternative would be identical to the proposed project except that it would exclude all Zones west of Kanan Road (Zones B, D west, F and G).



Removal of the area west of the intersection of Agoura and Kanan Roads would reduce the overall Specific Plan area by roughly 25 acres of developable area. Although this alternative would not include development of the area south and west of the intersection of Kanan and Agoura Roads, this area could be developed in the future, in accordance with the Ladyface Mountain Specific Plan. This alternative does not fulfill the project objectives, as it lacks the roundabout, which is considered a key element of the Specific Plan, and due to its significant reduction in residential and commercial use. This substantial reduction in development potential would likely reduce the economic viability of development projects (making it more difficult to encourage private sector investment and revitalization) leading to the possible infeasibility of creating a vibrant village that is successful and self-sustaining. Further, this alternative would not avoid any Class I impacts or reduce Class II impacts to Class III.

Alternative 5

This alternative is a reduced version of the Specific Plan and would be developed with a lower density and without a residential component. Development at a lower density would reduce the overall building square footage for the proposed development by about 250,300 square feet. Specifically, new commercial/retail/office development within each zone would be developed at a lower FAR (0.25) as compared with the Specific Plan new development FAR (0.35). This alternative does not have a residential component and allows for minimal redevelopment. Thus, this alternative would not accomplish the project objectives of achieving a mixed use “Village” type of development. The primary component in achieving a successful “Village” is to establish sufficient retail and other commercial square footage development in a concentrated area with a complementary residential component to support the commercial uses. The substantially lower commercial square footage (inhibiting revitalization of the area and the promotion of private sector involvement that would foster commercial sales activity), combined with the elimination of residences, would severely challenge the ability to achieve a successful “Village.” This alternative would substantially reduce traffic related impacts and would decrease air quality and noise related impacts. The alternative would also likely free up more open space, reduce demand on local infrastructure, impact fewer biological resources, such as oak trees, onsite, and eliminate two unavoidable and significant impacts related to land use. Although this project would have an overall lower level of environmental impact, as compared with the proposed Specific Plan, this alternative would not meet the basic objectives of the project as described above.

As each of these alternatives analyzed a significant decrease in commercial development of 41%-44% and could not meet the project objectives due to lack of sufficient commercial square footage, it is reasonable to conclude that reducing the commercial buildout further, 65% reduction, would also not meet the project objectives. As it may be reasonably concluded that this alternative would not meet the project objectives, additional analysis of this scenario, limiting commercial development to 240,000 square feet, is not warranted. It is further noted that a reduction in square footage of allowed development does not necessarily mean that the square footage of surface area disturbed would be changed; instead, the future developer could opt to construct single story structures over the same development footprint rather than multi-story structures as discussed in the Specific Plan.

Response 18Q



The commenter states her opinion that more business offices are not needed in Agoura Hills and that they are a drain on the City's services. Further, the commenter notes that mixed-use buildings should have the bottom level dedicated for retail and the top level for residential.

This comment is noted; however, it does not pertain to the adequacy of the environmental document. Therefore, no further response is necessary. The commenter is referenced to Chapter 4 of the Specific Plan for a discussion of mixed uses and requirements in the Agoura Village Specific Plan.



Letter 19

CITY OF AGOURA HILLS

2008 AUG 11 PM 9:02

CITY CLERK

CITY OF AGOURA HILLS

2008 AUG 11 PM 9:02

CITY CLERK SOS

Save Open Space ♦ P. O. Box 1284 ♦ Agoura, CA 91376

Re: Agoura Village comments

August 7, 2008

Agoura Hills Planning Commission and City Council
3001 Ladyface Court
Agoura Hills, Ca 91301

Dear Planning Commissioners and City Council:

A The EIR for Agoura Village (AV) remains uncertified per the Writ of Mandate. Changes by decision makers can be made to make this Agoura Village Specific Plan (AVSP) better.

New Issues for 2008/Issues not Known

Traffic

B1 There are new issues of significance that were not present in 2005. The first is traffic. At 3:30 in the afternoon (not at the peak traffic hours as studied in the uncertified 2005 EIR), one has to wait through 3 light changes to turn from Agoura Road to go north on Kanan. This constitutes a new unidentified gridlock situation. (F) This is because of summer beach traffic. This intersection must function at an acceptable level because of Coastal Act law. This is a major beach access point for the entire Conejo area. Kanan Road provides the most direct cross-mountain link between the Malibu coastline and the Conejo Valley. A recent Appellate Court decision supporting public access applies to vehicular public beach access. The AVSP as proposed would adversely affect public access to the coast via Kanan Road.

If a round-about is put in, it must be of huge circumference and take in more of the private land at this intersection to be able to handle this ever increasing beach traffic. The AV map needs to be changed to reflect this new required taking.

There is a constant stream of cars coming from the beach at beach traffic hours, which are not peak traffic hours. Under this new traffic issue, the total amount of estimated grading needs to be known in order to estimate the number of truck trips impacting this now grid locked intersection. This new fact that there are peak hours in the summer for beach goers that makes this existing intersection an F level.

B2 It also becomes absolutely necessary for a developer requirement to fund an overhead walkway to move pedestrians safely over this intersection to the existing restaurants in the northwest area. This overhead pedestrian walkway should be depicted in the new maps in this updated and revised EIR.

B3 Bicycle Route

Another issue of new significance is that this area has become a major bicycle route. It has been planned to be as depicted as such in the Santa Monica Mountains Comprehensive Plan Map (Enclosure #1). Now in 2008, Agoura Road has become a major recreational bicycle route. The Agoura Village Specific Plan can be made better by moving back the buildings fronting Agoura Road, which will preserve the scenic quality of Agoura Road and allow safe bicycle lanes on the Agoura frontage road. The street side parking which is incompatible for bicycles should be moved into the areas labeled "additional mixed use development" (back side of zones A and B) Providing these areas for parking will eliminate the need for the "may be" parking garage which will change suburban Agoura Hills character into dense Los Angeles city type development. The street side buildings should also be moved back from Agoura Road in order to protect the scenic views from Agoura Road. Agoura Road is designated as such in Agoura Hills General Plan Scenic Highway Element. (See enclosure #2)

B6 Density Bonus

Another new issue of significance is the recent approval of the density bonus for middle to low-income housing. (Depending on city's definition of what constitutes low income). One of these landowners was at that hearing to support this new allowable bonus in number of housing units. The Project Description of a max of 293 units then changes. These changes bring changes in the traffic estimates. Multifamily residential units can generate up to 5 to 7 new trips a day per unit. All the changes in project effects including air quality, traffic, student generation, water usage, etc must be analyzed by applying this new density bonus recently approved by the city.

B7 Water Supply for Existing Customers

Now, in 2008 there are two new water issues. There is the drought and Delta cases which have impacted our water supplies. This new information impacts on whether existing customers will have an adequate supply. It may not be possible provide adequate water to this huge massive AV development as proposed. This new information of significance must be analyzed. Will there be enough water for this AV project at this huge density of more than one half million new square feet of commercial and way over 300 new residential units? (With the new density bonus factored in)

Agencies Notified List Needed

C Were the appropriate agencies notified of this AV recirculated EIR? Please list in this new EIR document which agencies were notified of this new draft EIR. The following agencies have a stake in the happenings in the Santa Monica Mountains Zone per state law: California Fish and Game, Santa Monica Mountains National Park Service, Santa Monica Mountains Conservancy, and Native Plant Society. There are two federally

listed plant species. Federal agencies requiring to be notified include the federal Fish and Wildlife and Army Corp of Engineers. The wetland issues involve jurisdiction of the California Department of Fish and Game and the Army Corp. Were all these agencies notified? The notification list should be a part of this updated EIR.

Project Description

D As a pedestrian community serving Agoura Hills residents, there is a complete lack of enough walking paths to for fill this project goal. Sidewalks and walking paths must be depicted all around this AV complex. These walkways can not be required later if they are not a part of this plan. A walking path all around AV needs to be an integral part of AV. Existing culverts in the creeks must be required to be removed and the dirt paths opened up to walkers unless flood conditions are present. The existing chanelized creeks (Chesebro, Lindero, and Media) must have development conditions which shall keep these creeks in their natural state and which shall require sufficient 700 foot to 1000-foot buffers in Media and Lindero creek areas in order to protect the Southwestern Pond Turtle.

F The AV plan is inadequate in that it is not shown where there is adequate parking for the over one half million square feet of building. The maps in the EIR must reflect the parking.

Refer to DAF
If the restaurants and entertainment facilities are to be successful, AV needs to be a place where all the Agoura Hills residents will want to visit as a town center. AV needs to add walking paths around the entire complex and incorporate walking paths to the existing creeks areas that are not sensitive habitat for the Southwestern Pond turtle. This positive addition to the AV project will be complying with the new 2008 nationwide mandate to increase exercise activities for the entire family. These walking paths will serve to make this a successful pedestrian center getting people out of their cars for a meal and enjoyable recreational walk. These walkways need to be put in the AV SP and the area depicted on maps because it will be very difficult to require the walking areas to be set aside later. Right now, it appears that the maps do not show set aside walking paths.

G The project name needs to be reconsidered. This corner was previously called Malibu Junction and Cornell Corners. The project name should reflect that three different creeks are included in the AV boundaries. The project name should also compliment the fact that this scenic corner with the Lady Face Mountain backdrop is the Gateway to the Santa Monica Mountains National Recreation Area. A few suggestions include Creekside Corners and/or Creekside Junction. With 3 different creeks all within the Agoura Village SP boundaries, the name should reflect this noteworthy environmental feature. At the same time, the name should capitalize on the fact that this is the gateway to a national recreation area.

Biological

H The AV project area (Zones E and G-E) includes a Significant Ecological Area #6 "Las Virgenes". (Enclosures #3 Maps) This SEA #6 needs to be discussed in relation to its identified biological resources like California juniper. These are the only 2 California Junipers in our entire Santa Monica Mountains area. It appears that AVSP does not go all the way to the ridgeline. If so, Zones G, E and G-E should be expanded to include all the way to the scenic ridge top. It also appears that there is a notched area left out. The notched area on the map should continue all the way to this ridge top. Years ago that landowner expressed a desire to sell this hard to develop property as parkland because of its steepness. This steep notched area addition should be designated as open space, scenic ridgeline, and biological resource area.

J The impacts to the biological can not be analyzed without evaluating the AV project total amount of grading. An analysis of the grading and its impacts on the biological needs to be a part of this EIR.

K The riparian buffer mitigation measure protection plan appears to be too flexible. The decision makers and agencies will support redesign to avoid endangered/sensitive plant and animal species/habitat. It is up to the decision makers/responsible agencies to ask the project be redesigned with adequate buffers to protect the native plants and animals. As written the mitigation measures allow the developer/applicant to decide not to redesign to avoid biological resources, and/or to leave only a 20 foot buffer. This would make biological impacts on plants/plant communities and animals to be a Class I impact. Oak trees are protected in the city's oak tree ordinance. Applicants/developers are not allowed to remove more than 10% of the oaks onsite of any given development. City officials need to be able to require project design to avoid oak trees. It appears that the mitigation measures are inadequate in this area.

L
M A 700 to 1000 foot riparian buffer is needed to protect the Southwestern Pond turtle. The female migrates 700 to 1000 feet to lay eggs on land areas. This 700 to 1000 feet setback is necessary to protect the pond turtle. If the 700 to 1000 foot riparian buffer is not required as mitigation to protect these turtles and their reproduction needs, then this is a Class I impact requiring a mandatory finding of significance. Also, putting in the 700 to 1000 foot buffer will be protecting the most significant natural topographic feature of the AV SP, the beautiful creeks which run through it.

N The open space wildlife corridor as depicted in the Agoura Hills General Plan needs to be mentioned. (Enclosure #4) This corridor follows Media Creek and is an additional layer of protection. This information added to this biological analysis of riparian corridor will aide in setting aside the 700 to 1000 foot riparian buffer as needed for the continued existence of the Southwestern Pond turtle. Also, the 700 to 1000-foot riparian buffers enhance the natural topographic features of our town center making it a more desirable place to visit.

A real reduced project alternative needs to be discussed. A real reduced project alternative will significantly reduce impacts to the pond turtle, riparian areas, and now the new traffic and water issues.

By reducing the AVSP commercial from 580,000 to 240,000 sq feet, there will be less building footprint. Reduced building footprints will reduce the impervious surface required for the buildings and parking. This will mean less run off to impact the Southwestern Pond Turtle and the creek ecosystems.

More business office is not needed in Agoura Hills and it is a drain on our services. The mixed-use buildings should have the bottom level be retail and the top level should be residential. There is no need to add business office on top, which results in taller buildings, which will block scenic views from, designated scenic roads. There is no need to allow these buildings to be 45 ft tall and break the city General Plan of 35 feet. This reduction in building square footage will reduce the impacts to the Southwestern Pond Turtle and the creek ecosystems. With the economy changes and Countrywide being absorbed by Bank of America, there will most likely be a glut of office buildings in our area. Office buildings do not generate good revenues for our city.

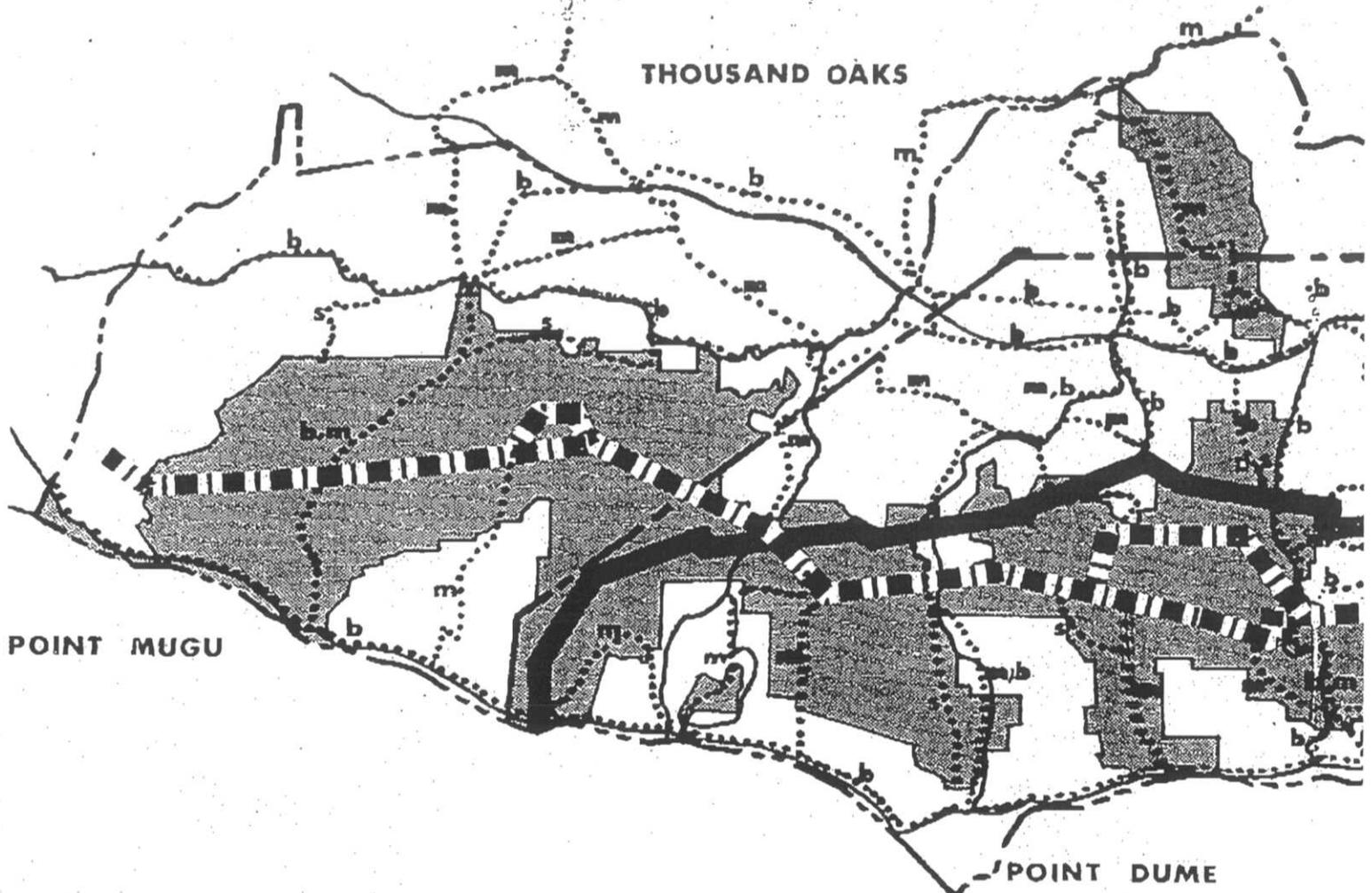
By truly reducing the AVSP to one half the commercial density, there will be less traffic and resulting less impact on air quality. Fewer cars will be idling at the Kanan/Agoura Road intersection as they wait to get into the traffic circle and/or idle at the traffic lights. Reducing the air quality impacts by one half will reduce the air quality impacts on the creek ecosystems.

By reducing the AVSP, vertical wise, and bringing the height limit back into compliance to the General Plan's 35 foot height limit, there will be considerably less building square footage generating more parking required. This will also reduce impervious surface runoff impact into the creeks.

Thank you for the opportunity to comment. Hopefully you as decision makers will incorporate these ideas into making this a better project for our city. Community residents want to have a nice town center to visit, shop, and enjoy recreational activities. If you allow AV to be built with its proposed massive density, then too much traffic will be the result. Unfortunately AV will then become a place that the community avoids.

Mary E. Wiesbrock, Chair

Enc.

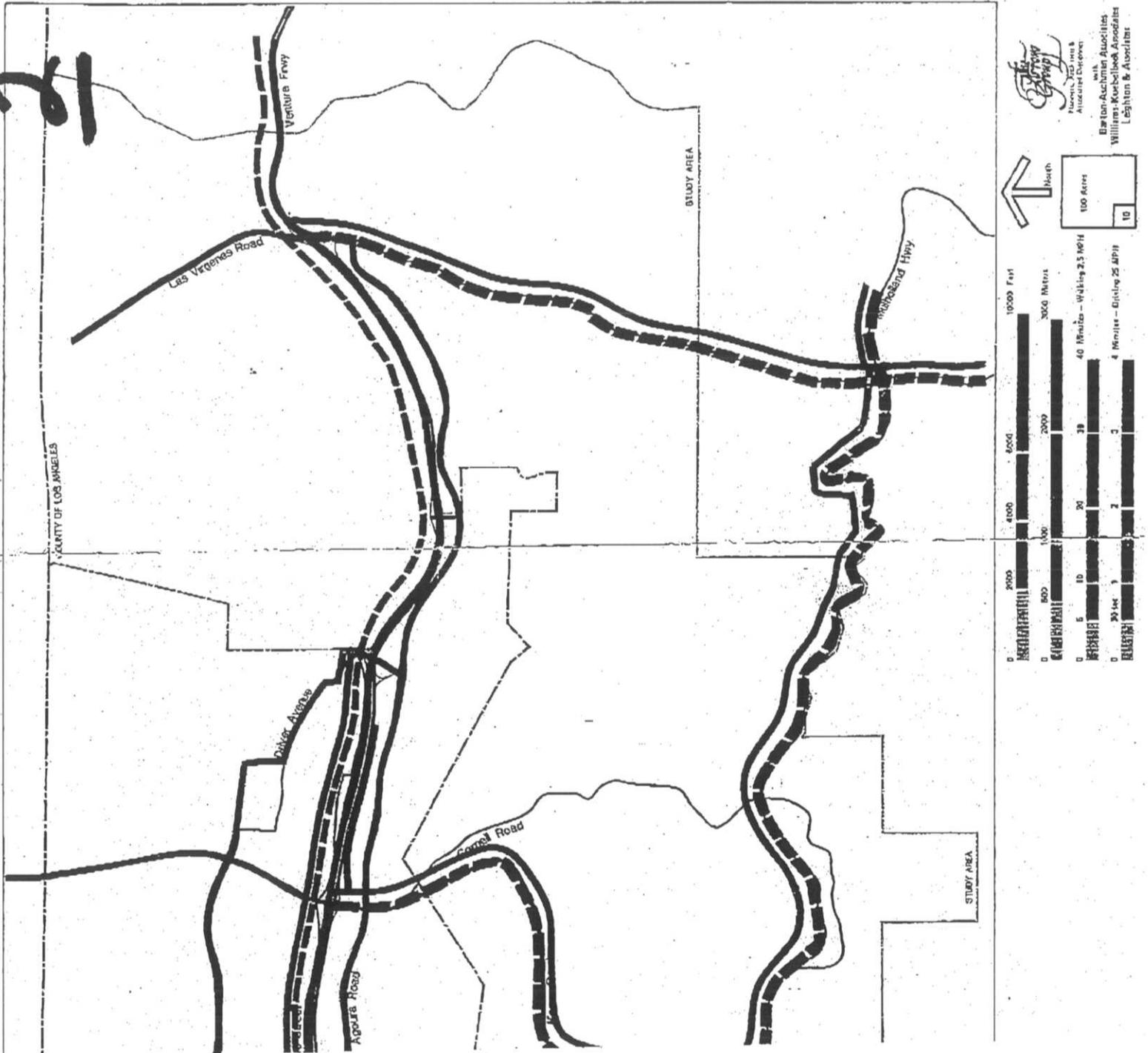


**State of California
 SANTA MONICA MOUNTAINS
 COMPREHENSIVE PLANNING
 COMMISSION**

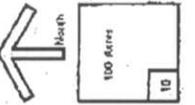
b = bicycle

-  PRIMARY COUNTY SCENIC HIGHWAY
-  SECONDARY COUNTY SCENIC HIGHWAY
-  LOCAL SCENIC HIGHWAY

Figure 10.1
SCENIC HIGHWAYS



Barlow-Aschman Associates
 Planning, Design &
 Architectural Services
 with
 Bartlett Associates
 Williams-Kuebelbeck Associates
 Leighton & Associates

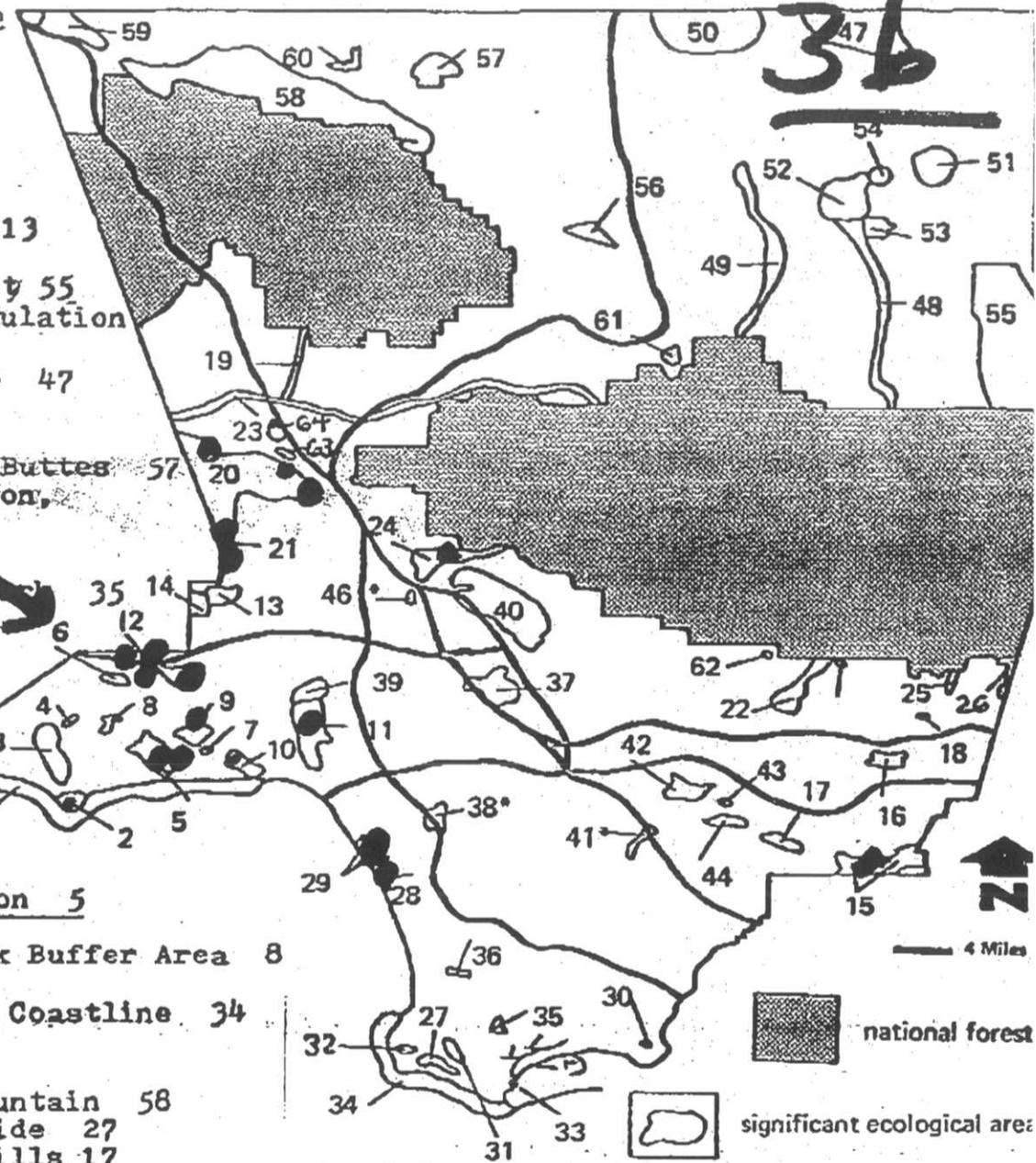


0	2000	4000	6000	8000	10000 Feet
0	800	1600	2400	3200	4000 Meters
0	5	10	20	30	40 Minutes - Walking 2.5 MPH
0	20	40	60	80	Minutes - Driving 25 MPH

SIGNIFICANT ECOLOGICAL AREAS IN LOS ANGELES COUNTY

MAP OF SIGNIFICANT ECOLOGICAL AREAS
IN LOS ANGELES COUNTY GENERAL PLAN

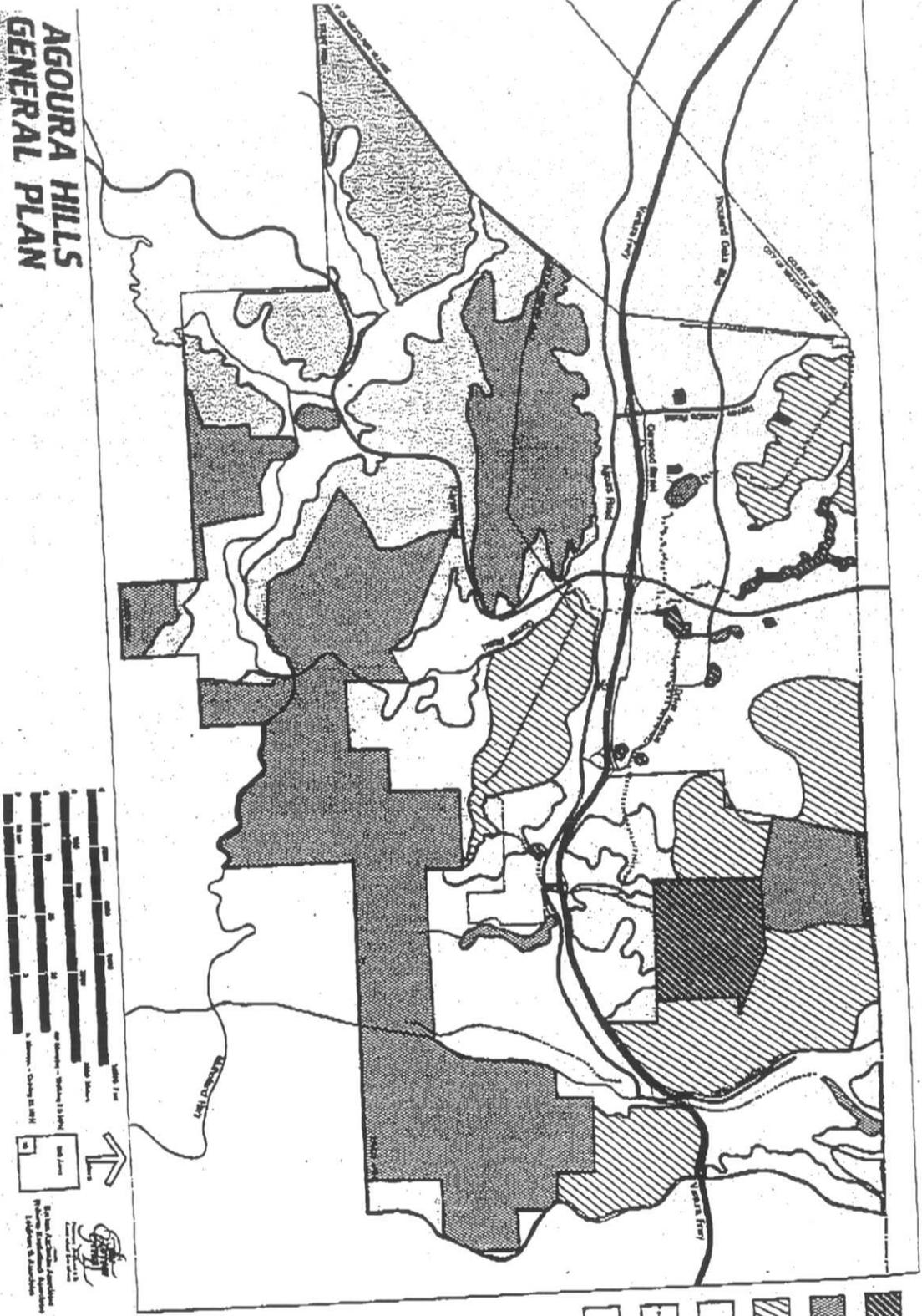
- Agua Amarga Canyon 32
- Alamitos Bay 30
- Alpine Butte 52
- Ballona Creek 29
- Big Rock Wash 48
- Buzzard Peak/San Jose Hills 16
- Cathart Reservoir 13
- Chico Creek 9
- Desert-Montane Transect 55
- Eudleya Densiflora Population Glendora 45
- Edwards Air Force Base 47
- El Segundo Dunes 28
- Chino Reservoir 39
- Fairmont and Antelope Buttes 57
- Galium Grande Population, Monrovia 62
- Griffith Park 7
- Harbor Lake Regional Hepatic Gulch
- Joshua Tree Woodland Habitat 60
- Kentucky Springs 61
- Las Virgenes 6
- Little Rock Wash 49
- Lojovoy Butte 53
- Monterey Canyon 63
- Monterey Marsh 36
- Palmdale Canyon and Lagoon 5
- Palmdale Coastline 1
- Palmdale Creek State Park Buffer Area 8
- Palmdale Comado Canyon 12
- Los Verdes Peninsula Coastline 34
- Palmdale Butte 54
- Point Dume 2
- Portugal Ridge/Liebre Mountain 58
- Portuguese Bend Landslide 27
- Power Canyon/Puente Hills 17
- Point Hondo College Wildlife Sanctuary
- Porter Ridge 56
- Palmdale Hills Canyons 31
- Samond Lake 50
- Palmdale Butte State Park 51
- San Antonio Canyon Mouth 26
- San Dimas Canyon 25
- San Francisquito Canyon 19
- Santa Clara River 23
- Santa Fe Dam Floodplain 22
- Santa Susana Mountains 20
- Santa Susana Pass 21
- San Jacinto Hills 14
- Sanmore and Turnbull Canyon 44



- Tehachapi Foothills 59
 - Temescal-Rustic-Sullivan Canyons 11
 - Terminal Island 33
 - Tonner Canyon/Chino Hills 15
 - Tujunga Valley/Hansen Dam 24
 - Tuna Canyon 10
 - Upper La Sierra Canyon 4
 - Valley Oaks Savannah, Newhall 64
 - Verdugo Mountains 40
 - Way Hill 18
 - Whittier Narrows 42
 - Zuma Canyon 3
- national forest
 significant ecological area
 PROPOSED OR APPROVED DEVELOPMENT OR SANITARY LANDFILL (PARTIAL LIST!)

Note: SEA 38, SEA 41, and Sea 46 have been designated as open space and not as an SEA. The precise boundary for SEA 29 will be determined in the Local Coastal Plan program.

AGOURA HILLS GENERAL PLAN



Scale 1" = 1000'

North Arrow

City of Agoura Hills

Agoura Hills Planning Commission

Agoura Hills City Council

Agoura Hills City Manager

Agoura Hills City Clerk

Agoura Hills City Treasurer

Agoura Hills City Attorney

Agoura Hills City Auditor

Agoura Hills City Engineer

Agoura Hills City Planner

Agoura Hills City Historian

Agoura Hills City Librarian

Agoura Hills City Parks and Recreation

Agoura Hills City Public Works

Agoura Hills City Police Department

Agoura Hills City Fire Department

Agoura Hills City Sheriff's Office

Agoura Hills City Health Department

Agoura Hills City Social Services

Agoura Hills City Housing and Community Development

Agoura Hills City Economic Development

Agoura Hills City Cultural Arts

Agoura Hills City Senior Center

Agoura Hills City Youth Center

Agoura Hills City Community Center

Agoura Hills City Library

Agoura Hills City Museum

Agoura Hills City Art Center

Agoura Hills City Theater

Agoura Hills City Concert Hall

Agoura Hills City Sports Center

Agoura Hills City Golf Course

Agoura Hills City Tennis Center

Agoura Hills City Swimming Pool

Agoura Hills City Ice Skating Rink

Agoura Hills City Skate Park

Agoura Hills City Dog Park

Agoura Hills City Community Garden

Agoura Hills City Farmers Market

Agoura Hills City Public Market

Agoura Hills City Public Library

Agoura Hills City Public Art

Agoura Hills City Public Space

Agoura Hills City Public Works

Agoura Hills City Police Department

Agoura Hills City Fire Department

Agoura Hills City Sheriff's Office

Agoura Hills City Health Department

Agoura Hills City Social Services

Agoura Hills City Housing and Community Development

Agoura Hills City Economic Development

Agoura Hills City Cultural Arts

Agoura Hills City Senior Center

Agoura Hills City Youth Center

Agoura Hills City Community Center

Agoura Hills City Library

Agoura Hills City Museum

Agoura Hills City Art Center

Agoura Hills City Theater

Agoura Hills City Concert Hall

Agoura Hills City Sports Center

Agoura Hills City Golf Course

Agoura Hills City Tennis Center

Agoura Hills City Swimming Pool

Agoura Hills City Ice Skating Rink

Agoura Hills City Skate Park

Agoura Hills City Dog Park

Agoura Hills City Community Garden

Agoura Hills City Farmers Market

Agoura Hills City Public Market

Agoura Hills City Public Library

Agoura Hills City Public Art

Agoura Hills City Public Space

Figure 7.4
OPEN SPACE STRATEGY

- DEVELOPED OPEN SPACE
- NATURAL OPEN SPACE
- OPEN SPACE-TDR
- RURAL RESIDENTIAL
- OPEN SPACE CORRIDOR
- HISTORIC OAK TREE

7.12

4

Letter 19

COMMENTER: Mary E. Wiesbrock, Chair, Save Open Space

DATE: August 8, 2008

RESPONSE:

Response 19A

Refer to Response Letter 18A

Response 19B

Refer to Response Letter 18B

Response 19C

Refer to Response Letter 18C

Response 19D

Refer to Response Letter 18E

Response 19E

Refer to Response Letter 18F

Response 19F

Refer to Response Letter 18G

Response 19G

Refer to Response Letter 18H

Response 19H

Refer to Response Letter 18I

Response 19I

Refer to Response Letter 18J

Response 19J



Refer to Response Letter 18K

Response 19K

Refer to Response Letter 18L

Response 19L

Refer to Response Letter 18M

Response 19M

Refer to Response Letter 18N

Response 19N

Refer to Response Letter 18O

Response 19O

Refer to Response Letter 18P

Response 19P

Refer to Response Letter 18Q



**Transcribed Oral Comments
Planning Commission CEQA Hearing
June 5, 2008**

From: Serena Friedman

(Also at this hearing, provided also a letter dated 4/17/00 from her to the L.A. County Regional Planning Commission regarding the County's North Area Plan, which she read from in her oral comments).

I live off Cornell Road and am speaking on behalf of the Cornell Ranchos homes HOA, 13 homes in Agoura. Cornell is a winding, unlit, uncurbed, curved roadway surrounded by low density homes, horses, open space, and the scenic Santa Monica Mountains corridor. At the original hearing of formation of the City of Agoura Hills, the City wished to preserve the resources of the area of the Area Plan. The City wished to preserve the wildlife corridor, topographic features, open space, riparian, biological flora and resources, ecosystem, rural character of the area, viewshed of the Santa Monica Mountains scenic corridor is to be protected and SEA 6, preservation of endangered species in Medea Creek. I have a report which questions the accuracy and completeness of the biology resources assessment, including Cooper's hawk, San Diego desert whiptail, a sparrow and a lizard and red legged frog. Of interest, it was prepared by very reputable Envicom and Dr. Koutnik is a resources person for SEAs. The endangered species in your report is not all-inclusive. CEQA requires that. All projects and potential buildout must be evaluated under CEQA. The hydrology impacts that can be... The California Natural Diversity Database also indicates some species you have not indicated. The impact of the project on two creeks that empty into the ocean in the riparian ecosystem isn't complete enough per CEQA law. Like to remind you of the flood hazard in 1992 - Cornell Road was flooded. If all the proposed buildout occurs, it will have hazardous and dangerous consequences and affect the wildlife corridor linkage along Medea Creek used by many animals, such as deer, bobcats and others. There's a danger for fire evacuation and egress limitations not just for humans but for the animals we're trying to protect. This is complicated by traffic impacts of high density proposals, gridlock, well documented at Kanan Road interchange. I have a traffic study documenting LOS D and E at that intersection. Also issues of destroying scenic corridor because of 35-foot height you are allowing the building to violate your City restrictions. I summarize with one sentence. We must protect this wildlife corridor, biotic resources in the Medea Creek, riparian resources in SEA 6. I don't believe the mitigation measures adequately take care of that and beg to differ that a decision to approve this project.

Comments Received at June 5, 2008 Planning Commission Hearing on the Agoura Village Specific Plan EIR

The City of Agoura Hills Planning Commission held a public hearing to accept comments on the Updated RR EIR on June 5, 2008. The comments received at that hearing and responses thereto are included below.

1. Serena Friedman, Cornell Ranchos Homes HOA:

Comment: At the original hearing of formation of the City of Agoura Hills, the City wished to preserve the resources of the area of the Area Plan. The City wished to preserve the wildlife corridor, topographic features, open space, riparian, biological flora and resources, ecosystem, rural character of the area, viewshed of the Santa Monica Mountains scenic corridor is to be protected and SEA 6, preservation of endangered species in Medea Creek.

Response: This comment is noted. It does not pertain to the adequacy of the EIR and no further response is necessary.

Comment: The commenter notes that she has a report which questions the accuracy and completeness of the biological resources assessment, including Cooper's hawk, San Diego desert whiptail, a sparrow and a lizard and red legged frog. Further, the commenter states her opinion that the endangered species in the report is not all-inclusive.

Response: The commenter notes that she has a report discussing the validity of the biological resources assessment provided in the Updated RR EIR; however, this report has not been provided to the City nor was a source cited in the comment letter. Without this information a specific reply cannot be made.

Section 15204 of the CEQA Guidelines states that the standard of adequacy on which an EIR is based as:

"An EIR should be prepared with a sufficient degree of analysis to provide decision-makers with information which enables them to make a decision which intelligently takes account of environmental consequences. An evaluation of the environmental effects of the proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in light of what is reasonably feasible. Disagreement among experts does not make an EIR inadequate, but, the EIR should summarize the main points of disagreement among the experts. The courts have looked not for perfection, but for adequacy, completeness, and a good faith effort at full disclosure."

Thus, the EIR need not be "all-inclusive" according to CEQA; however, it must be sufficient in light of what is reasonably feasible. As shown below, an exhaustive effort has been made to incorporate relevant and up-to-date information available for the Specific Plan area. As stated in the setting of



Section 4.3, *Biological Resources*, the EIR biological resources analysis was developed using:

“Several regional biological resource studies that have been prepared that address the general biological resource values within the Specific Plan boundaries and general vicinity. These studies include EIRs completed for the Ladyface Mountain Specific Plan, the Creekside Center EIR, and the City’s General Plan EIR. These reports are incorporated by reference and are available for review at Agoura Hills City Hall. Additionally, a site specific Biological Assessment (Rincon Consultants, Inc., 2003) and a preliminary oak tree report (TREES, etc., 2004) were used for this analysis. These two studies were included in Appendix B of the 2006 EIR. Aerial photography was also used to further evaluate biological conditions onsite. Rincon Consultants conducted technical biological studies in the spring and summer of 2007 and 2008 while under contract to the City of Agoura Hills. The purpose of these surveys was to update the earlier studies cited above and provide additional focused survey information for sensitive species and communities.”

Additionally, as noted in the Updated RR EIR, “A list of special status plant and animal species that could potentially occur on-site was developed based on review of the California Natural Diversity Database (CNDDDB), previous studies from the vicinity of the site, and general knowledge of the area.” Further, the EIR incorporated comments from public agencies and private citizens submitted throughout the development of the 2006 EIR.

The commenter’s concern regarding the specific species listed above is unclear; as the study referred to was not provided and as some species mentioned were included in the EIR analysis. It is unclear whether the commenter feels they were inappropriately included or excluded. Cooper’s hawk was observed onsite in 2007. This observation was discussed in the Updated RR EIR. In regards to the commenter’s mention of the San Diego desert whiptail, there is no such whiptail recognized in California. Thus it is unclear what the commenter is referring to; however, the Updated RR EIR discussed habitat suitability onsite for two species of lizard which the commenter may be referring to, the coastal western whiptail and the San Diego horned lizard. The Updated RR EIR notes coastal western whiptail inhabits a variety of habitats including sage scrub, grasslands, washes, and oak woodlands and that “CNDDDB records show occurrences throughout the Santa Monica Mountains south of the US Highway 101. Habitat is present within the project area to support this subspecies. Individuals were observed within the Specific Plan area during field surveys in 1993. Three different whiptails were observed during the 2007 surveys at the same location on different survey days (two on one day, one larger one the second day) on the west side of Kanan Road at the edge of Zone G (Figure 4.3-4). Two additional individuals were observed in 2008 within Zone F. The project site is in a zone of overlap between two subspecies and it is unknown which subspecies was present as identification requires extensive study, generally including comparing the animal to museum specimens. This animal prefers dense vegetation and it may occur throughout the project area within mixed



chaparral and coastal sage scrub. It is noted that this animal was formerly listed by CDFG as a 'species of special concern,' but in the latest publication of Special Animals (CDFG, February 2008), it no longer has that status, nor is it on the CDFG 'Watch List.' "

The Updated RR EIR also discussed the Southern California rufous-crowned sparrow (WL) in detail. An adult was seen with food (indicative of nesting) just south of Cornell Road and outside the project area (Figure 4.3-4). Another adult was seen on the southern edge of Zone A South near the steep cliffs indicated in yellow on Figure 4.3-4. As the particular species of sparrow the commenter is concerned about is not mentioned, it is difficult to address her concerns; however, the Southern California rufous-crowned sparrow was discussed in the EIR.

Lastly, the California red-legged frog was also discussed in detail in the Updated RR EIR. This species was specifically surveyed for and not located within the Specific Plan area. Mitigation measures BIO-2(a) and BIO-2(c) were included in the EIR, and would minimize impacts to potential red-legged frog habitat onsite. Further, mitigation measure BIO-1(b) would require surveys for sensitive wildlife species, such as the California red-legged frog and the species mentioned above, prior to beginning construction and/or commencement of any disturbance activities.

As noted in CEQA Guidelines, Section 15204, reviewers "should focus on the sufficiency of the document in identifying and analyzing the possible impacts on the environment and ways in which the significant effects of the project might be avoided or mitigated. Comments are most helpful when they suggest additional specific alternatives or mitigation measures that would provide better ways to avoid or mitigate the significant environmental effects." Due to the unclear and non-specific nature in identifying possible impacts or suggesting specific alternatives and or mitigation measures, and because the commenter did not provide the study referred to, it is not possible to address this comment any further.

Comment: The commenter noted that the CNDDDB indicates some species which were not included in the EIR.

Response: All species indicated in the CNDDDB were incorporated into the EIR with detailed descriptions of the species habitat requirements and potential for presence within the Specific Plan area with the exception of one species, the slender mariposa lily. The slender mariposa lily, *Calochortus clavatus var. gracilis*, was included in the CNDDDB search provided in the BTA as occurring almost 5 miles east southeast of the site, but was not discussed in detail in the Updated RR EIR. To address this comment the Final EIR has been revised to reflect this species' potential onsite with inclusion of a detailed description of its habitat requirements. Although the species was not included in the list of species potentially occurring within the Specific Plan area, this is a readily identifiable and obvious species during the flowering period, which is when the site was

surveyed in 2007 and 2008. If this species had been present it would most likely have been detected during these recent surveys, similar to the other *Calochortus* species found at the site. The lack of discussion of this species as potentially occurring with the project area does not change the level of significance for impacts to sensitive plant species. As a CNPS List 1B.2 species, it is a special status plant that has been addressed generically under Impact BIO-1 and mitigated for per mitigation measure BIO-1(a). The lack of discussion of this particular species (which was not observed during any of the field botanical surveys) in the EIR does not present any new significant impacts or require additional mitigation. This species will nonetheless be added to the Final EIR under Table 4.3-1 as having potential to occur in the study area.

Comment: The commenter states that the impact of the project on two creeks is not adequately addressed in accordance with CEQA and that buildout of the proposed project could generate flood hazards which may impact wildlife using the creeks.

Response: This comment is noted; however, Section 4.3 of the Updated RR EIR discusses wildlife movement corridors and migratory species with the potential to utilize the site in detail in the environmental setting and under Impacts BIO-1 and BIO-5. This section assessed whether the proposed project would have an adverse impact on a wildlife corridors, wetlands, oak trees, sensitive communities, and sensitive species, and where appropriate, prescribed mitigation measures. Open space resources are also thoroughly characterized in Section 2.0, *Project Description*, as well as in Section 4.3, *Biological Resources*.

Further, Section 4.7, *Hydrology and Water Quality*, of the 2006 EIR discusses potential impacts and mitigation measures related to hydrology, water quality, and site flood hazards. This section assessed whether the proposed project would have an adverse impact on the existing drainage pattern of the Specific Plan area, and where appropriate, prescribed mitigation measures. Additionally, as noted above in the introduction, the Updated RR EIR included only those changes to the original Final EIR that were required by the Writ of Mandate to meet judicial review. Those changes involved Section 2.0 Project Description, Section 4.3 Biological Resources, Section 6.0 Alternatives, and the Biological Technical Appendix. As noted above, pursuant to CEQA Guidelines Section 15088.5(f)(2), this document responds only to comments regarding those recirculated sections of the DEIR. No changes were necessitated in Section 4.7, *Hydrology and Water Quality*, and it was therefore not included in the Updated RREIR. This comment pertains to other sections of the EIR not recirculated, for which the comment period closed on January 3, 2006.

Comment: The commenter notes her concern regarding the danger from fire evacuation and egress limitations not just for humans but for animals as well. The commenter feels this is complicated by traffic impacts at the Kanan Road interchange and mentions a traffic study documenting LOS D and E at that intersection.



Response: The City of Agoura Hills has recirculated portions of the draft EIR for this project in response to the writ of mandate described in the introduction. As noted above, pursuant to CEQA Guidelines Section 15088.5(f)(2), this document responds only to comments regarding those recirculated sections of the DEIR. Emergency evacuation for humans is addressed in Sections 4.5, *Hazards and Hazardous Materials*, 4.10, *Public Services and Utilities*, and 4.11, *Traffic and Circulation*, which have not changed from the 2006 Final EIR and were not recirculated. The comment period for the 2006 EIR closed on January 3, 2006. With regards to vehicular traffic, such impacts were addressed in portions of the EIR which were not updated or recirculated, no further comment is necessary. With regards to animal evacuation, it is unclear whether the commenter is concerned about animals moving into the project site, or having less area to move to in the event of a fire. The project site is located adjacent to open space and is directly linked to the Santa Monica Mountains National Recreation Area (SMMNRA). In the event of wildfire, highly mobile animals will flee before the fire into adjacent suitable habitat, and in many cases, even into suburban areas. Less mobile animals will either expire or hide below ground until the fire passes by. In either event, the proposed project would have little effect on the movement of wildlife during a wildfire.

Comment: The commenter notes concern regarding impacts to scenic corridors in relation to 35-foot building heights.

Response: As noted above, this comment pertains to Sections 4.1, *Aesthetics*, and 4.8, *Land Use and Planning*, which have not changed from the 2006 Final EIR and were not recirculated. The comment period for the 2006 EIR closed on January 3, 2006. As this comment pertains to impacts addressed in portions of the EIR which were not updated or recirculated, no further comment is necessary.

City of Agoura Hills

**Agoura Village Specific Plan
Environmental Impact Report**

*Biological
Technical
Appendix*

*July 2007
Revised June 2008*

AGOURA VILLAGE SPECIFIC PLAN
Environmental Impact Report

Biological Technical Appendix

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July 2007
Revised June 2008

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Agoura Village Specific Plan EIR Biological Technical Appendix

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SECTION I - INTRODUCTION

The following Biological Technical Appendix (BTA) was prepared by Rincon Consultants to assist the City of Agoura Hills in responding to a Writ of Mandate issued by the Superior Court of California, County of Los Angeles in the case of Mary Altmann vs. City of Agoura Hills. The Writ was granted on April 20, 2007, directing that the City set aside its approval of the Agoura Village Specific Plan (AVSP), its associated Environmental Impact Report (EIR), and zoning amendment. The Writ commanded that for the project to go forward the City must “prepare a new EIR or conduct some other appropriate environmental review” which must include “timely biological data, support re-planting through appropriate expert evidence, and provide a more complete discussion of why a reduced specific plan alternative does not meet project objectives.”

The following additional surveys and analyses were prepared in an effort to “locate and describe the biological resources in the AVSP area” as they currently exist and establish baseline conditions in sufficient detail as to provide an adequate foundation upon which to measure potential impacts and alternatives of the project. The analysis will accompany the 2006 EIR as a Biological Technical Appendix (BTA) to support a review of project impacts, mitigation and alternatives. The BTA is intended to provide a “complete and accurate record of the location, extent and nature of biological resources,” and further meaningful review of the potential biological impacts, mitigation measures, and alternatives of the project.

This document provides a description of the methods and results of focused special-status plant, plant community, lichen, and wildlife surveys, as well as an oak tree study. These studies were conducted within the Agoura Village Specific Plan during the months of May, June, and July of 2007 and May and June of 2008. The results of these surveys are analyzed in subsequent sections of this Biological Technical Appendix and compared with the findings of the 2006 AVSP EIR. Each section discusses the baseline conditions and findings of recent surveys, provides up-to-date survey and data analysis, and evaluates the effectiveness of AVSP EIR mitigation measures and alternatives.

Project Location

The 233 acre Specific Plan area is located in the City of Agoura Hills, in western Los Angeles County. Agoura Hills is located along U.S. Highway 101, about 30 miles west of downtown Los Angeles and 4 miles east of the Ventura and Los Angeles County boundary. The Specific Plan area is located around the intersection of Agoura and Kanan Roads and involves property on both the north and south side of Agoura Road, from about 2,400 feet west of Kanan Road to about 750 feet east of Cornell Road. Roadside Drive and U.S. Highway 101 border much of the Plan Area to the north. Figure I-1 shows the regional location of the Specific Plan area, while Figure I-2 shows the area within its local context. The biological study area concentrated on those undeveloped portions of the Specific Plan Area proposed for future development.

Project Characteristics

The proposed project involves adoption of a Specific Plan (the Agoura Village Specific Plan) to guide future development of approximately 96 acres in the southern portion of the City in and



around the intersection of Agoura Road and Kanan Road. The project would be primarily implemented and funded by private developers owning parcels in the Specific Plan area.

Full buildout of the proposed Specific Plan would involve a mixed-use “village” development comprised of residential, office, commercial retail, entertainment and restaurant uses within the project area. As a planning document, the Specific Plan provides a framework that would guide future development within the project area. Based on land use designations and development standards within the Specific Plan, full buildout of the Plan is projected to involve new development of between 235 and 293 residential units; a total of up to 576,458 square feet of new office, retail, restaurant, community center, and hotel building area, including revitalization of the existing 372,042 square feet of office and retail space. Total new commercial development within the study area is estimated at 576,458 square feet (includes new development on vacant land and potential increased square footage in currently developed areas that may be revitalized). Therefore, full buildout under the Specific Plan, a maximum of up to 948,500 sf and up to 293 residential units may be situated in the Specific Plan area. Figure I-3 divides the project area into six zones (Zones A-F) and Table I-1 outlines the potential buildout that could occur within each zone under the proposed Specific Plan.

It is important to note that the approval of the Agoura Village Specific Plan and certification of the FEIR by the City Council on June 14, 2006 included a change to the zone area map, consistent with implementation of Mitigation Measure BIO-1(A) in the FEIR, that shifts the line of Zone G (now G-B) to the north side of Lindero Canyon Creek. This map change was reflected in the Final AVSP, which was revised per the June 14, 2006 City Council hearing (as identified in the errata sheet for the AVSP and provided to the City Council). The adjustment to the boundary of Zones G and B is reflected in Figure I-4, incorporating the southern half of Lindero Canyon Creek into Zone G. This change in the project description is reflected throughout this document and analysis. Please note also that most illustrations in the Specific Plan, the 2006 FEIR, and the Draft Revised and Recirculated EIR truncated the Specific Plan Area to focus on the developable zones and core of the Specific Plan consistent with the intent of Section 15126.6(a) of the *State CEQA Guidelines* to “identify and focus on the significant environmental effects of the project.” The southern boundary of Zone G-B was truncated and shown in illustrations in the EIR with a hatched line to indicate that the Specific Plan boundary extended southward to the City’s southern limits. Due to its size, showing this parcel (which is now open space recently acquired by the Santa Monica Mountains Conservancy) in full would have lowered the resolution of the illustrations unless unnecessarily large and bulky figures were produced. In addition, the Specific Plan (see Figure 1.2 of the Specific Plan) focuses on the central portion of the Plan Area and did not illustrate the extent of the western boundary, which includes two parcels that extend westward from Kanan Road approximately 2,400 feet. For consistency with the Specific Plan Area legal description approved with the AVSP in June of 2006, which includes the two parcels west of Kanan Road in their entirety, Figure I-4 illustrates the full extent of the Specific Plan. The total amount of development permitted under the Specific Plan for the individual Development Zones remains the same as described in the Specific Plan and previously described in the 2006 EIR.



Table I Maximum Buildout Potential for the Agoura Village Specific Plan

Project Zone	*Total Developable Area of Zone (sf)	Developable Envelope (sf)	Allowable Land Uses per Zone	Existing Development (sf)	New Development Potential (sf) ²	Full Buildout Potential (sf)	Full Residential Buildout (DU) ⁷
A South	600,000	340,000	Retail / Office / Restaurant / Community Center/ Hotel ⁴	-	119,000	119,000	118
A North	250,000	250,000	Retail / Office / Restaurant	58,192 ³	29,308	87,500	19
B	700,000	350,000	Retail / Office / Restaurant/Hotel ⁸	-	122,500	122,500	112
C	135,000	135,000	Service Commercial / Office	43,750 ⁵	3,500	47,250	
D West	210,000	210,000	Retail / Office / Restaurant	36,900 ⁶	36,600	73,500	
D East	1,100,000	890,000	Retail / Office / Restaurant	233,200 ³	78,300	311,500	
E	320,000	320,000	Office / Restaurant	-	112,000 ⁵	112,000	44
F	315,000	215,000	Office	-	75,250 ⁷	75,250	
G		-	Open Space	-	-	-	-
TOTAL	3,630,000	2,710,000		372,042	576,458	948,500	293

* Does not include area that is currently or will be public infrastructure or that is not considered developable (creeks, slope >30%, etc.).
¹ Developable envelope depicts only the buildable area within each zone. Does not include designated open space areas; ² Based on a FAR = .35 (net); ³ Currently at a FAR = .25; ⁴ Total s.f. includes a 100-120 room approximately 70K s.f. Hotel.; ⁵ Currently at an approximate FAR of .30; ⁶ Currently at an approximate FAR of .20; ⁷ Includes 25% density bonus for contributions to transportation improvement, Agoura Village shared improvement, and/or in-lieu parking fees, ⁸ Option to locate 50 stand alone residential units in place of 100 -120 room approx. 70,000 s.f. Hotel.



Biological Survey Team

Duane Vander Pluym, D.ESE served as the Principal Biologist for this survey effort and was responsible for overall project management and review. Dr. Vander Pluym holds a baccalaureate and masters in Biology from the University of California, Riverside, and a Doctorate of Environmental Science and Engineering from UCLA. His primary expertise is in general environmental analysis, biology, and ecosystem analysis, with extended knowledge in the fields of noise, air quality, traffic and circulation, hydrology, aesthetics, risk analysis, and water quality. He is familiar with both CEQA and NEPA regulations, state and federal Endangered Species Acts requirements, Army Corps of Engineers 404 jurisdictional wetlands analysis, California Fish and Game regulations, and the preparation and implementation of compliance documents under the Federal Endangered Species Act Sections 7 and 10, and the California Fish and Game Code Section 2080, et. seq. and programmatic permitting under Clean Water Act Sections 404 and 401, and Fish and Game Code Section 1600, et. seq. He has over 25 years of experience in the biological and environmental profession and has worked as a consulting biologist to the County of Ventura for more than 15 years.

The other biological survey team members are listed below in alphabetical order.

Julie Broughton, PhD. (candidate) is a Senior Botanist who is currently completing her Ph.D. studies at the University of California, Santa Barbara in Paleobotany through the Geological Sciences department (completion date September 2006). She also holds a Bachelor of Science degree in Ecology and Evolution. She has extensive biological research experience throughout Central California and participated in a national plant data collection project of California County Flora for the USDA Natural Resources Conservation Service while working at the Santa Barbara Botanic Garden. Ms. Broughton has presented lectures at several societies and organizations throughout her career.

John Davis, IV serves as an Associate Environmental Scientist/Biologist for Rincon Consultants with expertise in water quality sampling and rangeland best management practices; quantitative analysis and interpretation of long-term watershed and vegetation land use experiments; design, implementation, and monitoring of restoration and revegetation projects; biological surveys, wetland delineations, and habitat assessments; and environmental construction monitoring and coordination. John has an M.S. in Biology from Cal Poly State University, San Luis Obispo and a B.S. in Ecology from San Diego State University. John has over nine years of relevant work experience, and has conducted watershed monitoring and plant and animal surveys throughout Southern and Central California. While working as a water quality specialist with the California Regional Water Quality Control Board, he collected water quality samples, monitored revegetation, analyzed yearly bank stability and sediment deposition, and benthic macro-invertebrate biodiversity from twenty creek locations. He has also managed a ten year database and performed advanced statistics to determine the effects of rangeland best management practices on water quality and conducted Long-Term Vegetation Trend Analysis using point line transects at Fort Hunter-Liggett. John is permitted by the U.S. Fish and Wildlife Service (USFWS) to perform protocol surveys for the federally endangered Morro Shoulderband Snail (MSS) and federally Listed Vernal Pool Branchiopods (LVPB – fairy and tadpole shrimps). He has also conducted USFWS protocol surveys for California Red-legged Frog and Arroyo Toad.



John Dreher serves as a biological scientist and project manager with specific expertise in environmental regulatory compliance and restoration ecology. He has a BS in Environmental Studies from UCSB and more than 5 years of experience in biological consulting. His responsibilities include research and field surveys for endangered species, habitat evaluation, general biological surveys, resource constraints analysis, construction and mitigation monitoring, regulatory compliance, and the preparation of biological reports and environmental documents for compliance with both NEPA and CEQA. John has experience in conducting biological surveys relating to flora, fauna, endangered species, and habitat assessment, and in the preparation of permit acquisition packages for Army Corps of Engineers Section 404 permits, Section 401 Certification from the Regional Water Quality Control Board, and California Department of Fish and Game Streambed Alteration Agreements. John has monitored construction for compliance with regulatory agencies, specifically for the avoidance and minimization of impacts to sensitive biological, paleontological and archaeological resources. Mr. Dreher has conducted US Fish and Wildlife protocol surveys for arroyo toad, California red-legged frog, desert tortoise and burrowing owl, and has been authorized by US Fish and Wildlife to handle, monitor, and survey for desert tortoise.

Nancy Fox-Fernandez currently works as an Associate Biologist for biological, environmental, and land use planning studies. She is near completion of an M.S. degree in Natural Resources with a focus in Wildlife from Humboldt State University, with particular experience in ornithology. Her expertise is in the fields of endangered species management and behavior, wildlife and habitat ecology, resource management, regulatory compliance, and the preparation of biological reports and environmental documents for compliance with both NEPA and CEQA. She has completed training in NEPA, CEQA, environmental impacts, and interagency consultation for the Endangered Species Act. Ms. Fox-Fernandez has over 3 years of professional experience in the management of projects, agency coordination, field biology, analytical methods, and the preparation of biological and environmental documents. Ms. Fox-Fernandez's field experience in Northern, Central, and Southern California has included assessments of desert, coastal sage scrub, chaparral, woodland, riparian, mudflat, and invasive species studies, wetland and jurisdictional water delineations, and special-status species surveys, among other activities. She is currently obtaining experience to conduct protocol surveys for Least Bell's Vireo and California Gnatcatcher, and has completed training regarding survey techniques for Southwestern Willow Flycatcher.

Lacrisa Cook, MESM works as an Environmental Scientist/Biologist with expertise in the areas of ecology, resource management, threatened and endangered species, and CEQA and NEPA documentation. Ms. Rizo Patron holds a Master's of Environmental Science and Management degree with an emphasis in Conservation Planning from the University of California at Santa Barbara, and a baccalaureate in Biology (Chemistry Minor) at Georgia Southern University. She has wide ranging biological, ecological, business, and land-use planning experience in the government, academic, non-profit, and private sectors. While working with the Los Padres National Forest, she conducted surveys for California Red-Legged Frog and Arroyo Toad, including eggmass surveys, habitat characterization, human-impact monitoring, and night surveys. She conducted data analysis to evaluate land management impacts on reproductive health of California Red-Legged Frogs in the LPNF and developed a web-based relational database to unify resources data for Region Five California Forests.

Michelle B. Tollett, holds a Bachelor's of Arts (BA) in Biological Sciences from the University of Montana where she studied Environmental Science, Botanical Science and Chemistry of Medicinal Plants. She serves as a biological scientist and project manager for Rincon

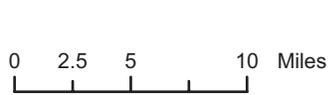
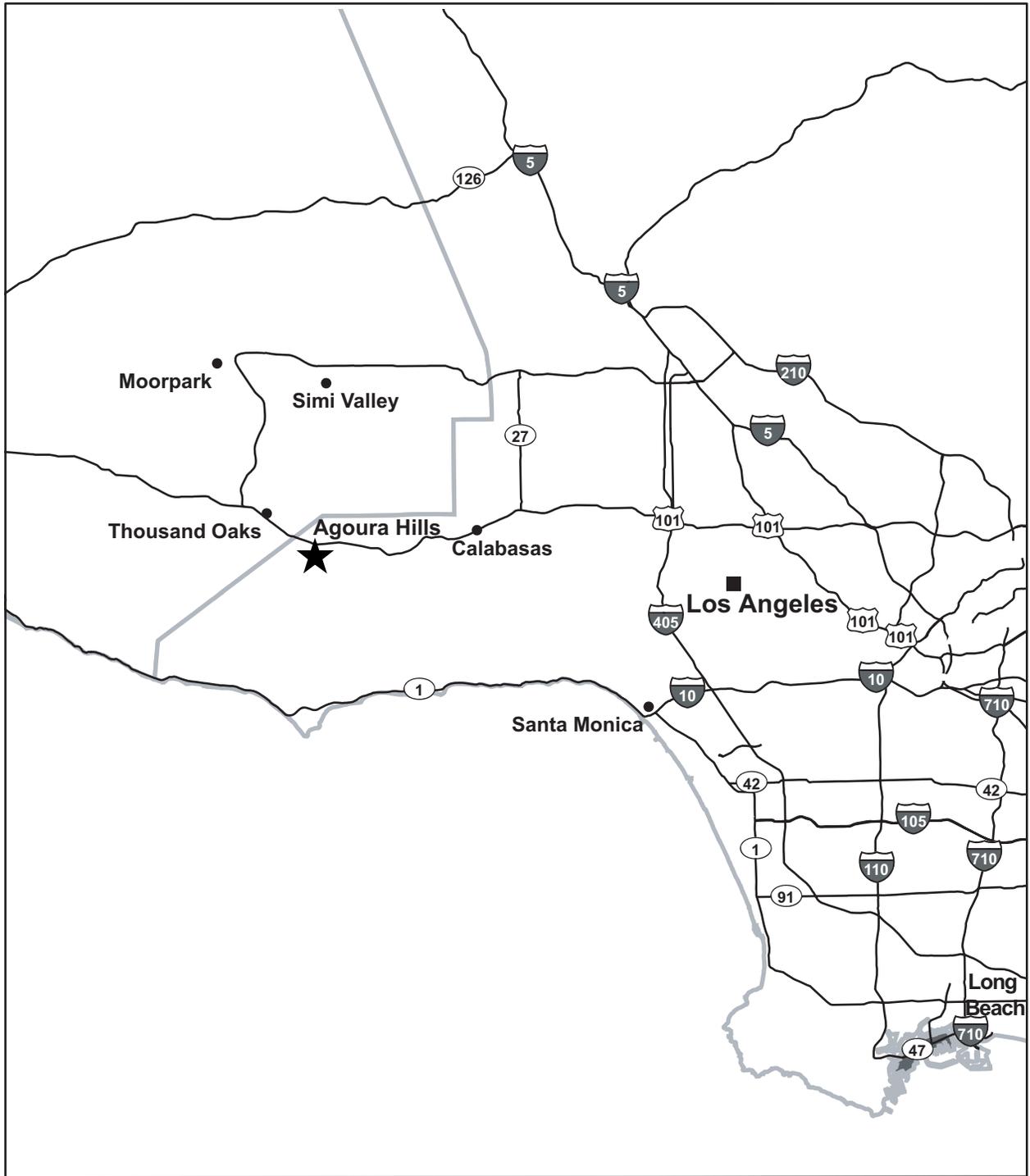


Consultants with specific expertise in environmental regulatory compliance, storm water program management, hazardous materials management, environmental education, and biological consulting. She has completed Wetland Delineation Training, Erosion and Sediment Control training and GIS mapping classes. She has assisted both public and private clients in implementing federal and state mandates. Her responsibilities include research and field surveys for threatened and endangered species, habitat evaluation, general biological surveys, invasive species control, construction and mitigation monitoring, regulatory compliance, and the preparation of biological reports and environmental documents for compliance with both NEPA and CEQA.

Jennifer Turner, MS (candidate) serves as an Associate Biologist who is currently completing her Master's of Natural Resources with an emphasis in Wildlife from Humboldt State University. Her particular concentration is in ornithology and bird/habitat relationships. She also has a baccalaureate in Biology (Chemistry Minor) that focused on ecological studies. Jennifer's expertise is in the fields of endangered species management and behavior, wildlife and habitat ecology, and resource management. She has over 10 years of experience working in the biological field including work in California and Hawaii, and has worked on monitoring and recovery projects for several federally threatened and endangered species. She has worked collaboratively with government, academic, and non-profit agencies and with private landowners. Her responsibilities include general biological surveys, research and field surveys for threatened and endangered species, habitat evaluation, resource constraints analysis, construction and mitigation monitoring, regulatory compliance, and the preparation of biological resource reports. Jennifer has experience in conducting biological surveys relating to flora, fauna, endangered species, and habitat assessment. She is currently obtaining experience to conduct protocol surveys for California Gnatcatcher.

David Vander Pluym works as a technical biological aide with particular expertise in ornithology. He holds a baccalaureate degree from the Ecology and Evolutionary Biology program at the University of California, Santa Cruz. He has been observing birds for more than 12 years and his expertise in bird identification was confirmed by being selected by the Cornell Lab of Ornithology as one of the volunteers to search for the ivory-billed woodpecker in eastern Arkansas as part of the 2005-2006 search team. Under the guidance of the UCSC Natural History Museum's director, he has also designed and completed bird surveys on the UCSC campus open space lands to map bird diversity and density. He has completed numerous breeding bird surveys, and also serves as a leader for *Shearwater Journeys*, a tour company that arranges chartered boat trips in search of birds in central and northern California offshore waters. He has routinely banded birds for studies in northern California and is a sub-regional editor for Northern California for *North American Birds* magazine. Mr. Vander Pluym was also trained in southwestern willow flycatcher identification and protocol surveys in 2002. He has also been trained in the identification of other wildlife, with recent experience in the identification of red-legged frog and arroyo toad.



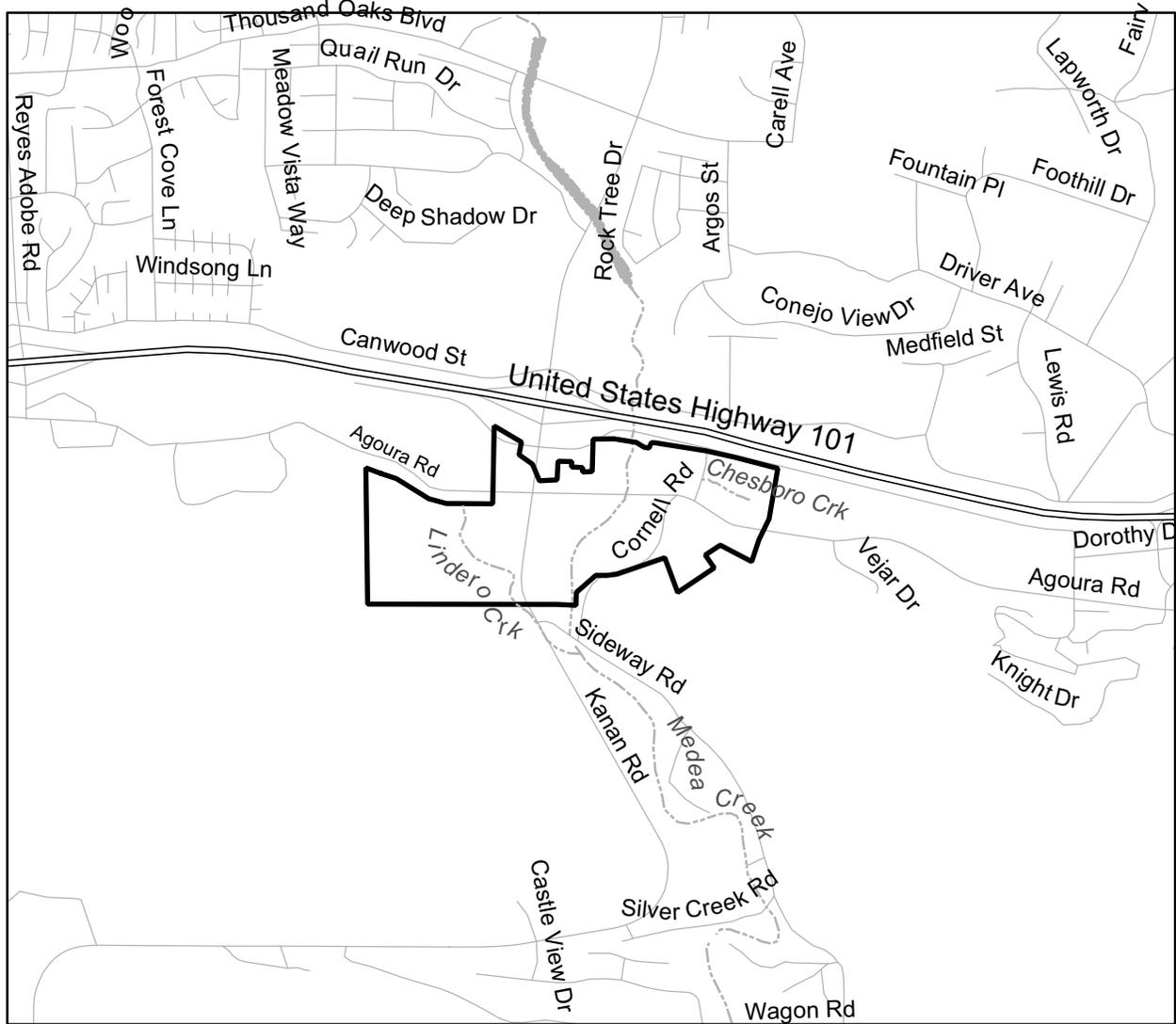


- Cities
- ★ Project Location

Regional Location

Figure I-1





Source: US Bureau of the Census TIGER 2000 data.

 Project Location



0 0.25 0.5 Miles

Project Vicinity

Figure I-2

