

**BIOLOGICAL RESOURCES
ASSESSMENT AND IMPACTS ANALYSIS
FOR THE WEBER PROPERTY, 2053
RAMBLA PACIFICO, MALIBU, LOS
ANGELES COUNTY, CALIFORNIA**



Prepared for:

**CALIFORNIA COASTAL COMMISSION
and
D.I.D.M. DEVELOPMENT CORPORATION**

On behalf of:

CHARLES L. WEBER

February 2008 (revised March 2008)

Mission Statement

*To provide quality environmental consulting
services with integrity that protect and
enhance the human and natural environment*

Biological Resources Assessment and Impacts Analysis for the Weber Property, 2053 Rambla Pacifico, Malibu, Los Angeles County, California

Prepared for:

California Coastal Commission

South Central Coast Area Office
89 South California Street, Suite 200
Ventura, California 93001
Contact: Steve Hudson; Phone: 805/585-1800

and

D.I.D.M. Development Corporation

23939 Deville Way
Malibu, California 90265
Contact: Esther Ruiz; Phone: 866/669-6736

On behalf of:

Charles L. Weber, Property Owner

4422 Oak Place
Thousand Oaks, California 91362
310/457-7956

Prepared by:

David Magney Environmental Consulting

P.O. Box 1346
Ojai, CA 93024-1346
Contact: David L. Magney; 805/646-6045

14 February 2008
Revised 7 March 2008

This document should be cited as:

David Magney Environmental Consulting. 2008. Biological Resources Assessment and Impacts Analysis for the Weber Property, 2053 Rambla Pacifico, Malibu, Los Angeles County, California. 14 February 2008, revised 7 March 2008. (PN 08-0001) Ojai, California. Prepared for California Coastal Commission, Ventura, California, and D.I.D.M. Development Corp., Malibu, California. Prepared on behalf of Charles L. Weber, Thousand Oaks, California.

TABLE OF CONTENTS

	<u>Page</u>
SECTION I. INTRODUCTION.....	1
BACKGROUND	1
PROJECT PURPOSE AND SCOPE.....	1
PROJECT LOCATION	2
SECTION II. EXISTING CONDITIONS.....	7
FLORA.....	7
FAUNA.....	10
HABITATS.....	13
Chaparral Habitats	15
Mixed [Ceanothus] Chaparral	16
Mixed Chaparral – Disturbed.....	17
Laurel Sumac Chaparral.....	17
Chamise Chaparral	17
Scrub Habitats.....	18
Coastal Sage Scrub.....	18
Coastal Sage Scrub – Grassland.....	19
Woodland Habitat.....	19
Coast Live Oak Woodland	19
Riparian Habitat.....	19
Riparian Scrub.....	20
Disturbed Areas	21
Graded Areas.....	21
SECTION III. SENSITIVE BIOLOGICAL RESOURCES.....	24
ENVIRONMENTALLY SENSITIVE HABITAT AREA (ESHA).....	24
SPECIAL-STATUS RESOURCES DEFINITIONS	26
CNDDDB SEARCH RESULTS	29
Special-Status Plants.....	31
Special-Status Wildlife	31
Special-Status Habitats	46
SECTION IV. IMPACTS ANALYSIS.....	47
SECTION V. CONCLUSIONS.....	50
SECTION VI. ACKNOWLEDGEMENTS.....	52
SECTION VII. CITATIONS.....	53
REFERENCES CITED.....	53

PERSONAL COMMUNICATIONS	54
APPENDICES.....	55
APPENDIX A - CDFG NOTIFICATION NO. 1600-2004-0337-R5.....	A1
APPENDIX B - WDID IDENTIFICATION NO. 419C327885	B1

LIST OF TABLES

	<u>Page</u>
1. Plant Species of the Weber Property, 9 January 2008.....	8
2. Wildlife Species of the Weber Property, 9 January 2008.....	10
3. Existing Habitats and Land Cover on the Weber Property and Expected Impacts	13
4. Definitions of Special-Status Species.....	27
5. California Native Plant Society Rare Plants List.....	27
6. California Native Plant Society List Threat Code Extensions	28
7. California Natural Diversity Database Element Ranking System.....	28
8. Special-Status Plants Potentially Occurring Onsite.....	32
9. Additional CNPS-Listed Plants Potentially Occurring Onsite	35
10. Special-Status Wildlife Potentially Occurring Onsite	37
11. CNDDDB Special Animal List and Locally Rare Species Potentially Occurring Onsite.	43
12. CNDDDB Special-Status Habitats Potentially Occurring Onsite	46
13. Existing Habitats and Land Cover on the Weber Property and Expected Impacts	47

LIST OF FIGURES

	<u>Page</u>
1. General Project Site Location Map	3
2. Map of Project Site and Proposed Facilities.....	4
3. Map of Malibu Coastal Zone ESHA	5
4. Map of Riparian ESHA on Weber Property.....	6
5. Map of Vegetation and Land Cover Types on the Weber Property	14
6. Map of Disturbed Areas at Weber Project Site	23
7. Map of Chaparral-Coastal Scrub ESHA in the Malibu-Carbon Canyon Region	25
8. Map of Special-Status Species and Sensitive Habitats.....	30
9. Distribution Map of Peninsular Shoulderband Snail.....	45
10. Map of Project Impacts to Natural Vegetation.....	48

LIST OF PHOTOGRAPHS

	<u>Page</u>
1. View south of existing driveway and Rambla Pacifico	2
2. San Diego Desert Woodrat nest on Weber property site	12
3. Peninsula Shoulderband Snail on Weber property site	12
4. View west of Chaparral with Coastal Sage Scrub in foreground.....	15
5. Riparian habitat on tributary of Carbon Canyon Creek	21
6. View northwest of existing building pad at end of driveway	22

SECTION I. INTRODUCTION

BACKGROUND

David Magney Environmental Consulting (DMEC) was contracted to conduct this biological resources assessment and impacts analysis for the subject property and proposed project at the request of D.I.D.M. Development Corporation, agent for property owner Charles L. Weber. The site and grading plans were prepared by LC Engineering Group, Inc., of Thousand Oaks, California, and the landscape architect is Steven A. Ormenyi and Associates of Woodland Hills, California. Nearly the entire project site's natural vegetation was burned by a wildfire during late 2007.

An application to California Department of Fish and Game (CDFG) for a Streambed Alteration Agreement (SAA) for access road construction over two drainages was submitted on 16 August 2004. CDFG failed to act on the application within sixty days and as a result no SAA is required for the project as it is described in the original application (CDFG Notification No. 1600-2004-0337-R5, attached as Appendix A). The State Water Resources Control Board processed the Notice of Intent to Comply with the Terms of the General Permit for Storm Water Discharges Associated with Construction Activity on 1 June 2004 (WDID Identification No. 419C327885, attached as Appendix B).

PROJECT PURPOSE AND SCOPE

The proposed project involves the construction of a single-family residence, garage with housekeeping quarters, studio, pool and spa, driveway with motor court and fire department turn-around area, and agricultural planting area for grapes and avocados. The parcel is 10.67 acres in size (GIS analysis indicates 10.45 acres), with the proposed building pad covering 0.43 acre and the new driveway 0.35 acre, for a total impervious area of 0.78 acre after development. The total footprint of the structures to be built is approximately 0.17 acre, with the combined existing disturbed area and new grading for the project estimated to be 2.42 acres. The agricultural planting area is proposed to be approximately 1.24 acres in size, which is proposed to be hand cleared of natural vegetation. The applicant is proposing to recontour the upper portion of an existing driveway (0.29 acre) and replant it with native vegetation, and to restore native vegetation on approximately 0.93 acre disturbed by construction, not including the recontoured/revegetated abandoned driveway. The total area to be revegetated is approximately 1.22 acres. The fuel modification zone is estimated to be 5.28 acres¹ and includes landscaping, non-building structures, and the driveway.

¹ Acreage values derived from site and grading plans prepared by LC Engineering Group, Inc., Thousand Oaks, CA, and from GIS analysis conducted by DMEC.

PROJECT LOCATION

The project site is located in the Santa Monica Mountains in western Los Angeles County (Figure 1, General Project Site Location Map). The Weber property (project site) is located at 2053 Rambla Pacifico, Malibu, Los Angeles County, California (APN 4453-0004-039). The project site is immediately southwest of the intersection of Rambla Pacifico and Las Flores Canyon Road (*Photo 1, View south of existing driveway and Rambla Pacifico*), north of and outside the City of Malibu in Los Angeles County, as shown on Figure 2, Map of Project Site and Proposed Facilities. The site is in the Malibu Beach Quadrangle (USGS 7.5-minute Series) at the approximate geographic coordinates of 34.06121°N latitude and 118.64062°W longitude, located in the N½ S½ SE¼ SW¼ Section 22 T1S R17W, San Bernardino Base Line.

The Weber property is in the Carbon Canyon watershed at an elevation of approximately 1,400 feet (425 meters) above mean sea level. The Weber parcel is approximately 10.5 acres in size, “L”-shaped, with the major portion of the parcel trending east-west, as illustrated in Figure 2, Map of Project Site and Proposed Facilities.

The project site, and all of Carbon Canyon, is within the Coastal Zone, as depicted in Figure 3, Map of Malibu Coastal Zone ESHA. The Weber property includes riparian ESHA as delineated by the Los Angeles County Regional Planning for the Malibu Coastal Zone, which is shown on Figure 3 for the entire Malibu Coastal Zone. It is specifically shown to occur on the Weber parcel on Figure 4, Map of Riparian ESHA on Weber Property.



Photo 1. View south of existing driveway and Rambla Pacifico

Figure 1. General Project Site Location Map

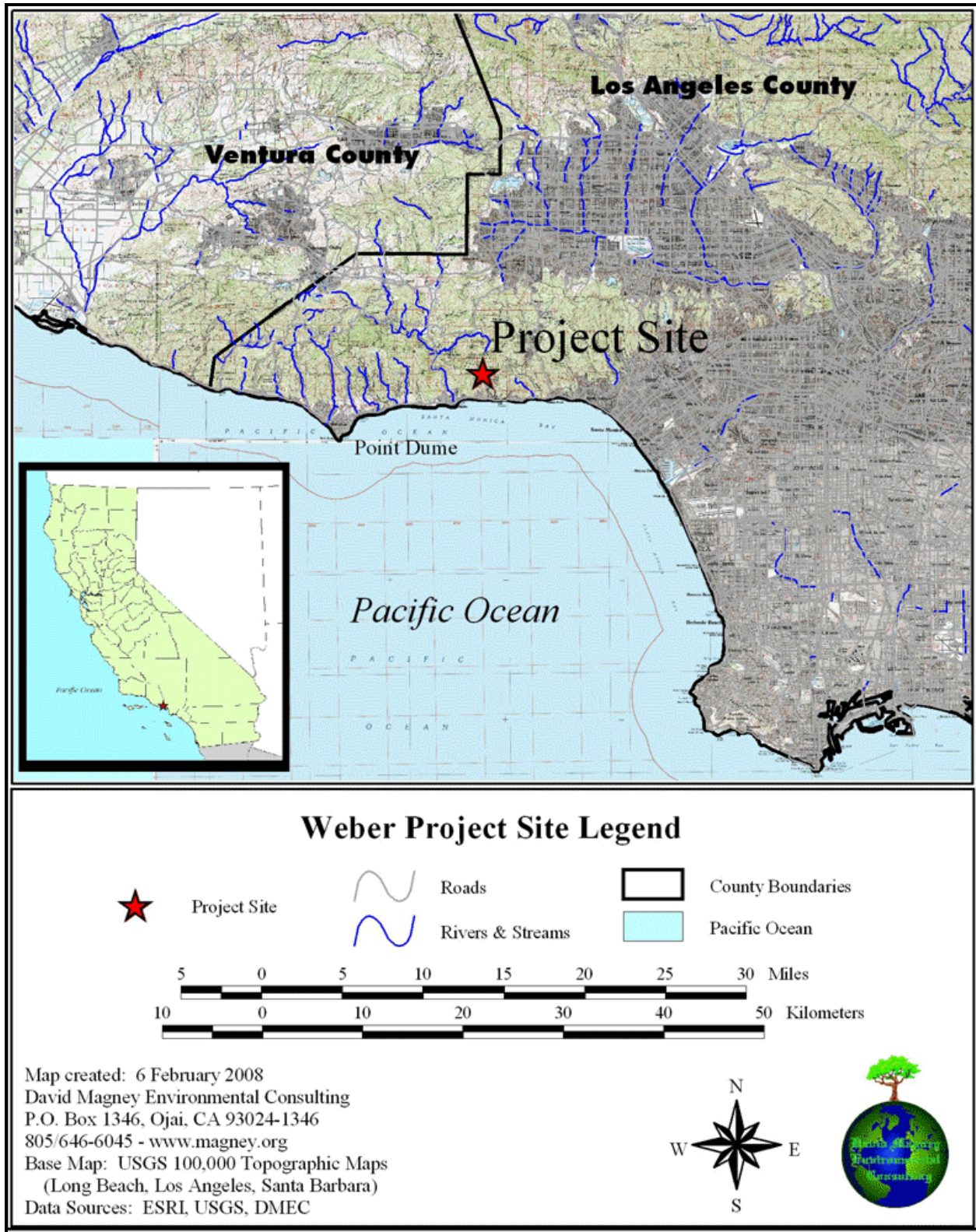


Figure 2. Map of Project Site and Proposed Facilities

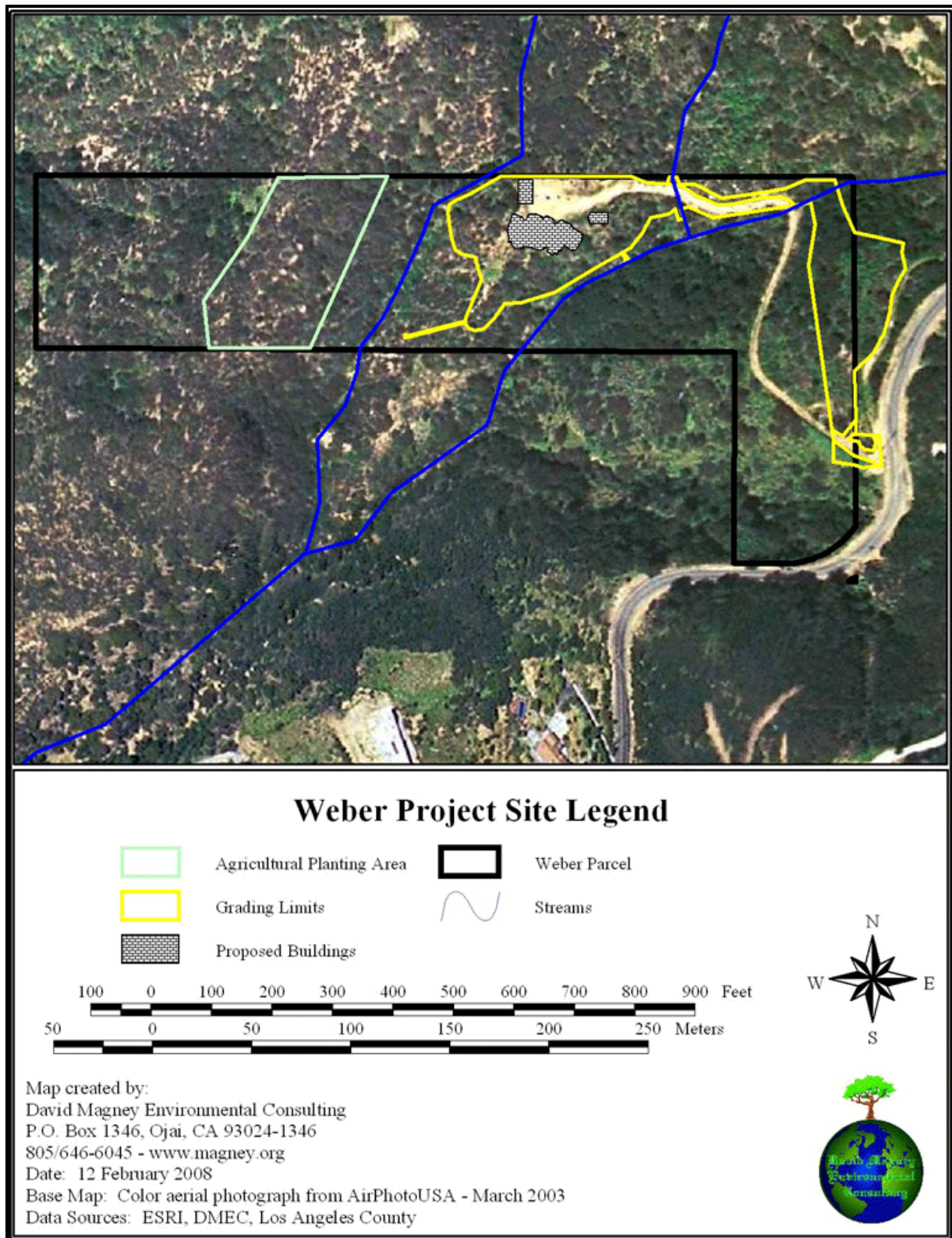
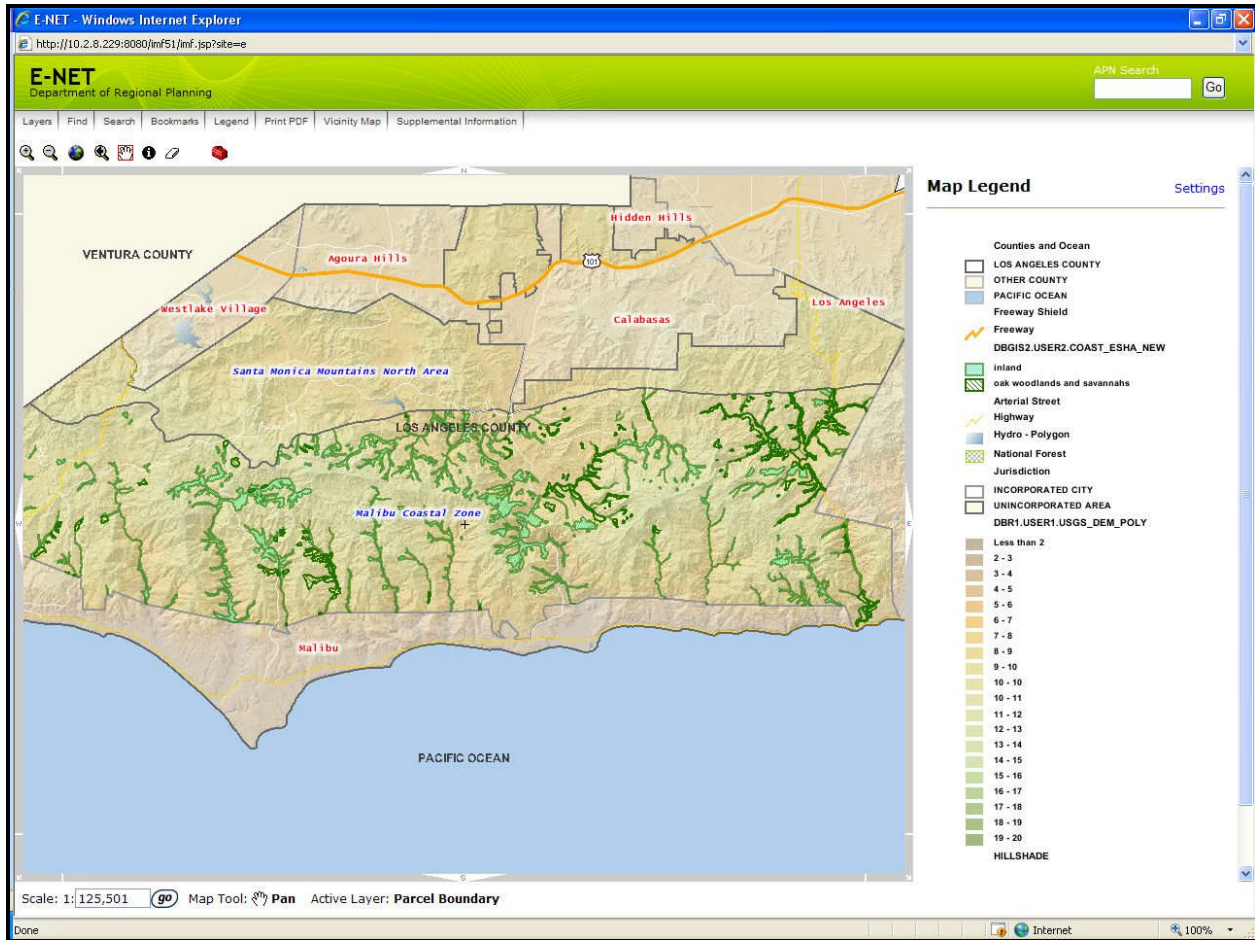
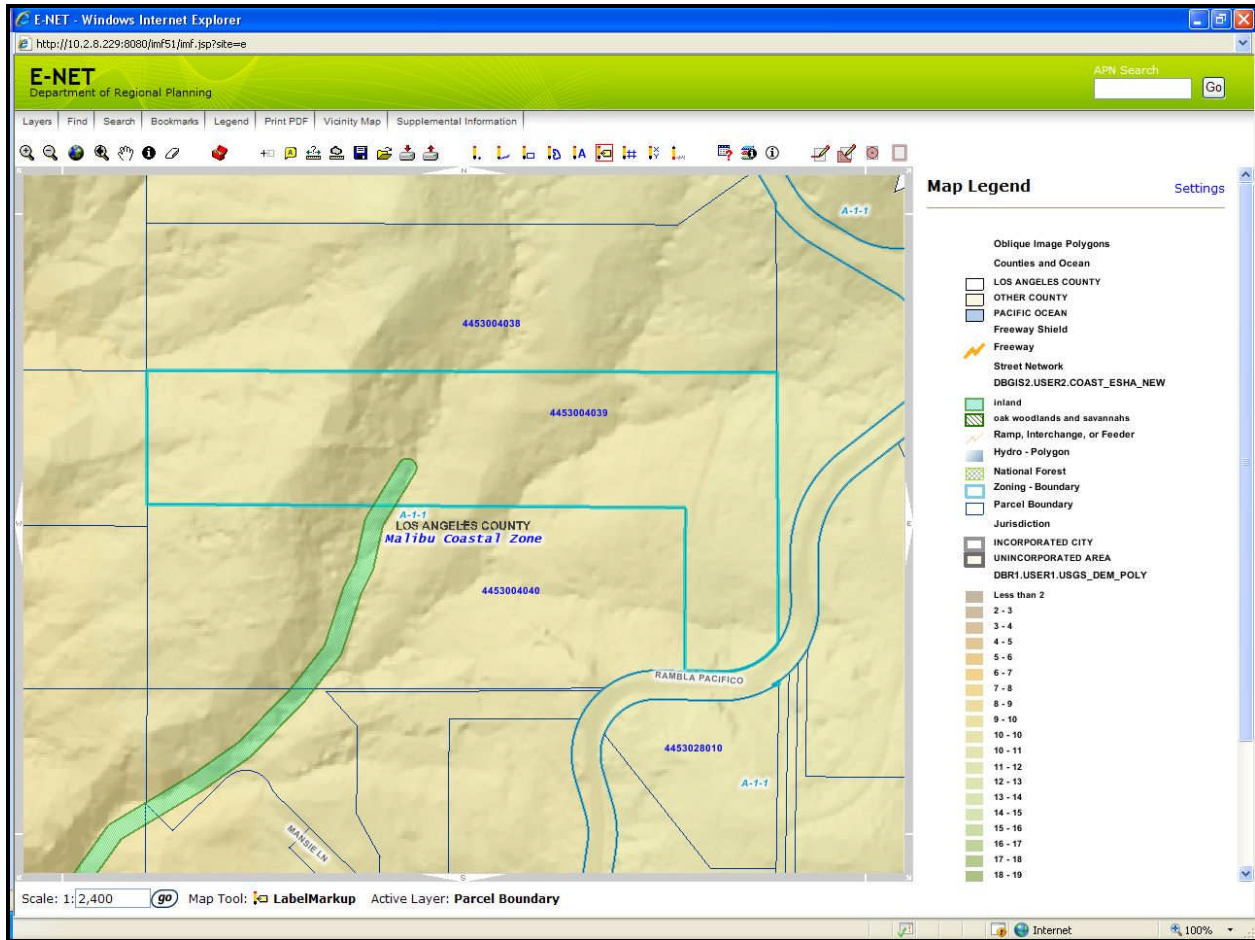


Figure 3. Map of Malibu Coastal Zone ESHA²



² Map obtained from Nick Franchino, GIS Manager, Los Angeles Regional Planning, Nfranchino@planning.lacounty.gov, dated 30 January 2008.

Figure 4. Map of Riparian ESHA on Weber Property



SECTION II. EXISTING CONDITIONS

DMEC biologists David Magney and Stephen Hoskinson conducted a survey of the project site on 9 January 2008. The Weber property was surveyed by walking over the site and the immediately surrounding areas and recording observations of plants, wildlife, and habitats, with locations tracked by GPS. Focused protocol-level surveys for special-status and listed species were not conducted. The flora, fauna, and habitats observed are described in the following sections.

FLORA

A total of seventy-five (75) vascular plant species, one bryophyte species, two lichen species, and one fungus species were observed onsite, for a total flora of seventy-nine (79) taxa. Of these, fifty-four (54, or 72%) of the vascular plants are native species and twenty-one (21, or 28%) are nonnative or exotic species. The proportions of native and nonnative taxa onsite are similar to the 75% native:25% nonnative for other regions of California and for the entire flora of California (Hickman 1993). However, the time of the field survey (mid-winter) and the recent wildfire onsite certainly limits the number of taxa that are observable compared to what would be detected during spring or early summer seasons.

Eighteen (18) of the 21 exotic species observed are listed by the California Invasive Plant Council (Cal-IPC) (2006, 2007) as invasive and a threat to wildlands. The 74 vascular plants, 1 moss, 2 lichens, and 1 fungus that were observed are listed below in Table 1, Plant Species of the Weber Property, 9 January 2008.

Table 1. Plant Species of the Weber Property, 9 January 2008.

Scientific Name ³	Common Name	Habit ⁴	WIS ⁵	Family ⁶
VASCULAR PLANTS				
<i>Acourtia microcephala</i>	Sacapellote	PH	-	Asteraceae
<i>Adenostoma fasciculatum</i>	Chamise	S	-	Rosaceae
<i>Artemisia californica</i>	California Sagebrush	S	-	Asteraceae
<i>Artemisia douglasiana</i>	Mugwort	PH	FACW	Asteraceae
<i>Asclepias fascicularis</i>	Narrowleaf Milkweed	PH	FAC	Apocynaceae
<i>Baccharis pilularis</i> var. <i>consanguinea</i>	Coyote Brush	S	(FAC-)	Asteraceae
<i>Baccharis salicifolia</i>	Mulefat	S	FACW	Asteraceae
<i>Brickellia californica</i>	California Brickellbush	S	FACU	Asteraceae
<i>Bromus madritensis</i> ssp. <i>rubens</i>*	Red Brome	AG	NI	Poaceae
<i>Calochortus</i> sp.	Mariposa Lily	PG		Liliaceae
<i>Calystegia macrostegia</i> var. ?	Morning-glory	PV	-	Convolvulaceae
<i>Ceanothus megacarpus</i> var. <i>megacarpus</i>	Bigpod Ceanothus	S	-	Rhamnaceae
<i>Ceanothus oliganthus</i> var. <i>oliganthus</i>	Hoary Ceanothus	S	-	Rhamnaceae
<i>Ceanothus spinosus</i>	Greenbark Ceanothus	S	-	Rhamnaceae
<i>Centaurea melitensis</i>*	Tocalote	AH	-	Asteraceae
<i>Chenopodium</i> sp.	a goosefoot	AH	?	Chenopodiaceae
<i>Chlorogalum pomeridianum</i>	Soap Lily	PG	-	Liliaceae
<i>Clematis lasiantha</i>	Pipestem Clematis	PV	-	Ranunculaceae
<i>Conyza</i> cf. <i>bonariensis</i> *	Flax-leaved Fleabane	AH	-	Asteraceae
<i>Cortaderia jubata</i>* +	Jubata [Pampas] Grass	PG	-	Poaceae
<i>Cynodon dactylon</i>*	Bermuda Grass	PG	FAC	Poaceae
<i>Dichelostemma capitatum</i>	Blue Dicks	PH	-	Liliaceae
<i>Emmenanthe penduliflora</i>	Whispering Bells	AH	-	Boraginaceae
<i>Eriogonum cinereum</i>	Ashleaf Buckwheat	S	-	Polygonaceae
<i>Eriogonum fasciculatum</i> var. <i>foliolosum</i>	Leafy California Buckwheat	S	-	Polygonaceae
<i>Eriophyllum confertiflorum</i>	Golden Yarrow	S	-	Asteraceae
<i>Erodium cicutarium</i>*	Redstem Filaree	AH	-	Geraniaceae
<i>Erucastrum [Hirschfeldia] incana</i>*	Summer Mustard	PH	-	Brassicaceae

³ * = Introduced plant species that have become naturalized. + = escaped ornamental species. **Bold type** indicates plants listed by the California Invasive Plant Council (Cal-IPC) (2006, 2007) as invasive and a threat to wildlands. Scientific names of the plant species follow Hickman (1993) and Flora of North America Committee (2001-2007). Brackets [] indicate updated nomenclature, with old name in brackets.

⁴ Habit definitions: AG = annual graminoid; AH = annual herb; AV = annual vine; F = Fern; PG = perennial graminoid; PH = perennial herb; PV = perennial vine; S = shrub; T = tree; CrL = crustose lichen.

⁵ WIS = Wetland Indicator Status. The following code definitions are according to Reed (1988):
 OBL = obligate wetland species, occurs almost always in wetlands (>99% probability).
 FACW = facultative wetland species, usually found in wetlands (67-99% probability).
 FAC = facultative species, equally likely to occur in wetlands or nonwetlands (34-66% probability).
 FACU = facultative upland species, usually found in nonwetlands (67-99% probability).
 UPL = obligate upland species in this region (99% probability), occurs in wetlands in another region
 NI = no indicator status has been assigned due to a lack of information.
 + or - symbols are modifiers that indicate greater or lesser affinity for wetland habitats.
 * = tentative assignment to that indicator status by Reed (1988).
 () = Parentheses indicate a wetland status suggested by David L. Magney based on extensive field observations.

⁶ Family taxonomy follows Flora of North America Committee (1993-2007).

Scientific Name ³	Common Name	Habit ⁴	WIS ⁵	Family ⁶
<i>Eucalyptus camaldulensis</i> * +	River Red Gum	T	-	Myrtaceae
<i>Euphorbia cf. peplus</i> *	Petty Spurge	AH	-	Euphorbiaceae
<i>Foeniculum vulgare</i> *	Sweet Fennel	PH	FACU	Apiaceae
<i>Galium</i> sp.	a bedstraw	PH	-	Rubiaceae
<i>Galium angustifolium</i>	Narrow-leaved Bedstraw	PH	-	Rubiaceae
<i>Gazania linearis</i> * +	Gazania	PH	-	Asteraceae
<i>Hazardia squarrosa</i> var. ?	Sawtooth Goldenbush	S	-	Asteraceae
<i>Hesperoyucca whipplei</i>	Our Lord's Candle	S	-	Agavaceae
<i>Heteromeles salicifolia</i> [<i>arbutifolia</i>]	Toyon	S	-	Rosaceae
<i>Heterotheca grandiflora</i>	Telegraph Weed	PH	-	Asteraceae
<i>Leymus condensatus</i>	Giant Wildrye	PG	FACU	Poaceae
<i>Lomatium</i> sp.	Lomatium	PH		Apiaceae
<i>Lotus scoparius</i>	Deerweed	PH	-	Fabaceae
<i>Lupinus hirsutissimus</i>	Stinging Lupine	AH	-	Fabaceae
<i>Malacothamnus fasciculatus</i>	Chaparral Bushmallow	S	-	Malvaceae
<i>Malacothrix saxatilis</i> var. <i>tenuifolia</i>	Tenuate-leaved Cliff-aster	PH	-	Asteraceae
<i>Malosma laurina</i>	Laurelleaf Sumac	S	-	Anacardiaceae
<i>Marah fabaceus</i> or <i>macrocarpus</i>	Man-root	PV	-	Cucurbitaceae
<i>Medicago polymorpha</i> *	Burclover	AH	-	Fabaceae
<i>Mimulus longiflorus/aurantiacus</i>	Bush Monkeyflower	S	-	Phrymaceae
<i>Mirabilis laevis</i> var. <i>crassifolia</i>	California Wishbone Bush	PH	-	Nyctaginaceae
<i>Nassella</i> sp.	Needlegrass	PG	-	Poaceae
<i>Nicotiana glauca</i> *	Tree tobacco	S	FAC	Solanaceae
<i>Paeonia californica</i>	California Peony	PH	-	Paeniaceae
<i>Pellaea andromedifolia</i>	Coffee Fern	PF	-	Pteridaceae
<i>Pennisetum clandestinum</i> *	Kikuyu Grass	PG	-	Poaceae
<i>Pennisetum setaceum</i> *	Purple Fountaingrass	PG	-	Poaceae
<i>Picris echioides</i> *	Bristly Ox-tongue	AH	(FAC)	Asteraceae
<i>Piptatherum miliaceum</i> *	Smilo Grass	PG	(FACU-)	Poaceae
<i>Prunus</i> sp.+	Ornamental fruit tree	T	.	Rosaceae
<i>Pseudognaphalium microcephalum</i>	White Everlasting	AH	-	Asteraceae
<i>Quercus agrifolia</i> var. <i>agrifolia</i>	Coast Live Oak	T	-	Fagaceae
<i>Ricinus communis</i> *	Castor Bean	S	FACU	Euphorbiaceae
<i>Rumex crispus</i> *	Curly Dock	PH	FACW-	Polygonaceae
<i>Salix lasiolepis</i>	Arroyo Willow	T	FACW	Salicaceae
<i>Salsola tragus</i> *	Russian Thistle	AH	FACU+	Chenopodiaceae
<i>Salvia mellifera</i>	Black Sage	S	-	Lamiaceae
<i>Salvia spathacea</i>	Hummingbird Sage	PH	-	Lamiaceae
<i>Sambucus mexicana</i>	Blue Elderberry	S	FAC	Caprifoliaceae
<i>Sanicula crassicaulis</i>	Pacific Sanicle	PH	-	Apiaceae
<i>Schinus molle</i> *	Peruvian Pepper Tree	T	-	Anacardiaceae
<i>Solanum</i> sp.	a nightshade	PH	-	Solanaceae
<i>Spartium junceum</i> *	Spanish Broom	S	-	Fabaceae
<i>Stachys bullata</i>	California Hedge Nettle	PH	-	Lamiaceae
<i>Toxicodendron diversilobum</i>	Western Poison Oak	S/V	(FACU)	Anacardiaceae
<i>Trifolium</i> sp.*	Clover	AH	.	Fabaceae
<i>Venegasia carpesioides</i>	Canyon Sunflower	PH	-	Asteraceae

Scientific Name ³	Common Name	Habit ⁴	WIS ⁵	Family ⁶
NONVASCULAR PLANTS				
<i>Bryophytes - Mosses</i>				
	A moss		.	
<i>Lichens</i>				
<i>Lecanora varia</i>	Rim Lichen	CrL	-	Lecanoraceae
<i>Lepraria incana</i>	Dust Lichen	CrL	-	Stereocaulaceae
<i>Fungi - Mushrooms</i>				
<i>Agaricus cf californicus</i>	California Agaricus	F	-	Agaricaceae

FAUNA

A total of fourteen (14) vertebrate wildlife species were observed onsite, including one amphibian, one reptile, five birds, and seven mammals. One special-status species was present, *Neotoma lepida intermedia* (San Diego Desert Woodrat), which is listed by CDFG as a Species of Special Concern. Seventeen (17) invertebrate species were found, including 1 mollusk, 1 annelid, 2 crustaceans, 8 arachnids, and 5 insects, some of which are unidentified. One species on the CNDDDB Special Animals list was observed, *Helminthoglypta traskii* ssp. *traskii* (Peninsular Shoulderband Snail). The thirty-one (31) total species observed are listed below in Table 2, Wildlife Species of the Weber Property, 9 January 2008. Photographs of the San Diego Desert Woodrat nest (*Photo 2*) and a Peninsular Shoulderband Snail (*Photo 3*) observed onsite are presented below.

Table 2. Wildlife Species of the Weber Property, 9 January 2008.

Scientific Name ⁷	Common Name	Order/Family	Evidence
VERTEBRATES			
<i>Amphibians – Class Amphibia</i>			
<i>Batrachoseps nigriventris</i>	Black-bellied Slender Salamander	Order Caudata: Family Plethodontidae	Observed
<i>Reptiles – Class Reptilia</i>			
<i>Elgaria multicarinatus</i>	Southern Alligator Lizard	Order Squamata: Family Anguillidae	Observed
<i>Birds – Class Aves</i>			
<i>Buteo jamaicensis</i>	Red-tailed Hawk	Order Falconiformes: Family Accipitridae	Observed
<i>Cathartes aura</i>	Turkey Vulture	Order Falconiformes: Family Cathartidae	Observed
<i>Falco sparverius</i>	American Kestrel	Order Falconiformes: Family Falconidae	Observed
<i>Corvus corax</i>	Common Raven	Order Passeriformes: Family Corvidae	Observed
<i>Junco hyemalis</i>	Dark-eyed Junco	Order Passeriformes: Family	Observed

⁷ An asterisk (*) indicates introduced, non-native species. **Bold type** indicates special-status species.

Scientific Name ⁷	Common Name	Order/Family	Evidence
		Emberizidae	
Mammals – Class Mammalia			
<i>Odocoileus hemionus</i>	Mule Deer	Order Artiodactyla: Family Cervidae	Tracks
<i>Procyon lotor</i>	Raccoon	Order Carnivora: Family Procyonidae	Tracks
<i>Neotoma lepida intermedia</i>	San Diego Desert Woodrat	Order Rodentia: Family Muridae	Nest
<i>Thomomys bottae</i>	Botta's Pocket Gopher	Order Rodentia: Family Geomyidae	Burrows
<i>Sylvilagus</i> sp.	Cottontail Rabbit	Order Lagomorpha: Family Leporidae	Skull, scat
<i>Peromyscus maculatus</i>	Deer Mouse	Order Rodentia	Nest
<i>Neotoma fuscipes</i>	Long-eared Woodrat	Order Rodentia	Skull, scat
INVERTEBRATES			
Mollusks – Class Gastropoda			
<i>Helminthoglypta traskii</i> ssp. <i>traskii</i>	Peninsular Shoulderband Snail	Family Helminthoglyptidae	Observed
Annelids – Class Oligochaeta			
<i>Lumbricus</i> sp.	Nightcrawler Earthworm	Family Lumbricidae	Observed
Crustaceans – Class Crustacea			
<i>Armadillium vulgare</i>	Common Pill Bug	Order Isopoda	Observed
<i>Porcellio laevis</i>	Dooryard Sow Bug	Order Isopoda	Observed
Arachnids – Class Arachnida			
<i>Bothriocyrtum californicum</i>	California Trapdoor Spider	Order Araneae: Family Ctenizidae	Nest
<i>Dysdera crocata</i>	Sow Bug Killer	Order Araneae: Family Dysderidae	Observed
<i>Lycosa tarantula</i>	Wolf Spider	Order Araneae: Family Lycosidae	Observed
<i>Agelenopsis</i> sp.	Grass Spider	Order Araneae: Family Agelenidae	Funnel web
<i>Pholcus</i> sp.	Pholcid spider	Order Araneae: Family	Observed
<i>Mimetus</i> sp.	Pirate Spider	Order Araneae: Family Mimetidae	Observed
Unknown	Mites – aquatic	Subclass Acari	Observed
Unknown	Harvestman	Order Opiliones	Observed
Insects – Class Insecta			
<i>Allacrotelsa spinulata</i>	Spinulate Silverfish	Order Zygentoma: Family Lepismatidae	Observed
<i>Cratidus osculans</i>	Wooly Darkling Beetle	Order Coleoptera: Family Tenebrionidae	Observed
<i>Eleodes</i> sp.	Stink Beetle	Order Coleoptera: Family Tenebrionidae	Observed
<i>Pristonychus complanatus</i>	Black Ground Beetle	Order Coleoptera: Family Carabidae	Observed
<i>Stenopelmatus fuscus</i>	Striped Jerusalem Cricket	Order Orthoptera: Family Stenopelmatidae	Observed



Photo 2. San Diego Desert Woodrat nest on Weber property site



Photo 3. Peninsular Shoulderband Snail on Weber property site

HABITATS

A total of nine (9) habitat and land cover types were identified on the Weber property site and adjacent areas, which are listed in Table 3, Existing Habitats and Land Cover on the Weber Property and Expected Impacts. Table 3 provides the area in acres for each habitat and land cover and the acreage of each habitat that is considered ESHA under CCC guidelines. In addition, the estimated acreage of expected project impacts on the site, within ESHA on the site, and off of the project site (no ESHA is expected to be impacted offsite) is listed. The western portion of the site is just within the eastern boundary of 2,843 acres of contiguous ESHA (illustrated in Figure 7, Map of Chaparral-Coastal Scrub ESHA in the Malibu-Carbon Canyon Region) and contains designated Riparian ESHA (illustrated in Figure 4, Map of Riparian ESHA on Weber Property). Each habitat and land cover type is described below.

Table 3. Existing Habitats and Land Cover on the Weber Property and Expected Impacts

Existing Habitats and Land Cover Observed	Total Onsite Acres	Onsite ESHA Acres	Onsite Impact Acres	Onsite ESHA Impact Acres ⁸	Offsite Impact Acres (No ESHA)	Total Impact Acres
Mixed Chaparral	6.41	3.28	2.38	0.73	1.38	3.76
Mixed Chaparral – Disturbed	0.10	0	0.10	0	0	0.10
Chamise Chaparral	0.76	0.76	0.51	0.51	0.01	0.52
Laurel Sumac Chaparral	1.16	0	0.93	0	0.35	1.28
Riparian Scrub	0.24	0.24	0.12	0.12	0	0.12
Coastal Sage Scrub	0.23	0	0.15	0	0.49	0.64
Coastal Sage Scrub – Grassland	0.38	0	0.02	0	0.06	0.08
Coast Live Oak Woodland	0.58	0.58	0	0	0	0
Graded Areas	0.59	N/a	N/a	N/a	N/a	N/a
Acreage Totals	10.45	4.86	4.21	1.36	2.29	6.50

The natural vegetation and land cover types present onsite were mapped and are shown on Figure 5, Map of Vegetation and Land Cover Types on the Weber Property. Two of the vegetation types are shown in *Photo 4, View west of Chaparral with Coastal Sage Scrub in foreground.*

⁸ Impacts to onsite ESHA are as follows: 1) 0.73 acre Mixed Chaparral and 0.51 acre Chamise Chaparral (total 1.24 acre) impacted by agricultural planting west of the riparian area; and 2) 0.12 acre Riparian Scrub impacted by fuel modification.

Figure 5. Map of Vegetation and Land Cover Types on the Weber Property

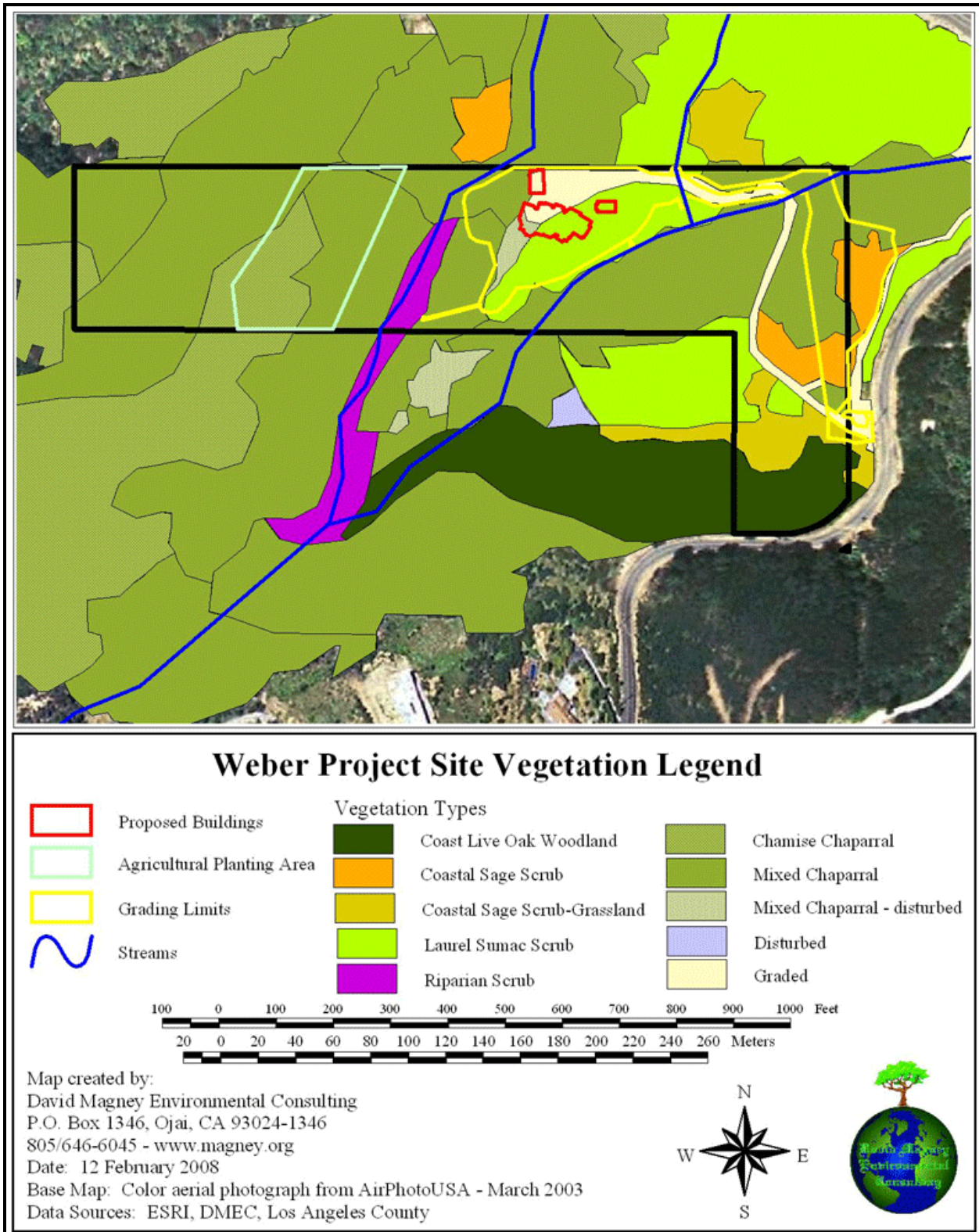




Photo 4. View west of Chaparral with Coastal Sage Scrub in foreground

Chaparral Habitats

Chaparral is a type of shrubland that is dominated by evergreen shrubs with small, thick, leathery, dark green, sclerophyllous leaves. The shrubs of chaparral are relatively tall and dense, and are adapted to periodic wildfires by stump sprouting or by germination from a dormant seed bank. These evergreen shrubs are also adapted to drought by deep extensive root systems, while their small thick leaf structure prevents permanent damage from moisture loss (Zedler et al. 1997). Many typical Coastal Sage Scrub species also grow intermixed as associates with chaparral species. Chaparral typically occurs on moderate to steep south-facing slopes with dry, rocky, shallow soils, becoming more abundant with higher elevations where temperatures are lower and moisture supplies are more ample.

Chaparral, as a general category, is the dominant and prominent vegetation type onsite and in the region, occupying approximately 7.27 acres of the Weber parcel.

The Chaparral plant communities observed onsite are Mixed [Ceanothus] Chaparral (*Ceanothus* Alliance), Mixed Chaparral – Disturbed, Laurel Sumac Chaparral (*Malosma laurina* Alliance), and Chamise Chaparral (*Adenostoma fasciculatum* Alliance).

Mixed [Ceanothus] Chaparral

Mixed [Ceanothus] Chaparral (*Ceanothus* Alliance) is a plant community co-dominated by two or three species of *Ceanothus* (*Ceanothus* spp.). The *Ceanothus* species recorded for the Weber property survey are: Bigpod Ceanothus (*C. megacarpus* var. *megacarpus*), Hoary Ceanothus (*C. oliganthus* var. *oliganthus*), and Greenbark Ceanothus (*C. spinosus*). These tall, evergreen shrubs are described below (Hickman 1993):

- ◆ *Ceanothus megacarpus* var. *megacarpus*: gray-/red-brown, tomentose (gray) twigs; elliptic/obovate, firm, one-ribbed, notch-tipped, entire, alternate leaves; upper leaf surface flat, glabrous, dull green; lower canescent between veins; warty stipules; white/pale lavender flowers in raceme inflorescence; prominent horns near fruit tip; dry shrubby, generally southerly facing slopes and canyons near coast; <750 meters in elevation.
- ◆ *Ceanothus oliganthus* var. *oliganthus*: round, warty or smooth twigs; ovate, elliptic (oblong), 3-ribbed, gland-toothed margined, alternate leaves (upper surface dark green, hairy; lower pale green with hairy veins); deep blue or purple flowers; interrupted panicle- or raceme-like inflorescence; fruit smooth or rough, lobed, (hairy); dry shrubby, generally southerly facing slopes; below 1,300 meters in elevation.
- ◆ *Ceanothus spinosus*: thorny, rigid, olive green, glabrous twigs; elliptic to oblong, one-ribbed, firm, thick, glabrous, obtuse- or notch-tipped, entire-margined, alternate leaves (upper surface green; lower pale green with hairy midrib); pale blue to white flowers in panicle-like inflorescence; barely lobed, smooth fruit (minute valve crest); dry (but often shaded or north-facing) slopes; below 900 meters.

Together, these species of *Ceanothus* are observed as forming a continuous (dense) tall canopy over a sparse ground layer. Mixed *Ceanothus* Chaparral is recorded onsite on west and southerly facing slopes. The co-dominant/important canopy contributors of Mixed *Ceanothus* Chaparral include: Chamise (*Adenostoma fasciculatum*), California Sagebrush (*Artemisia californica*), and Toyon (*Heteromeles [arbutifolia] salicifolia*). The Mixed *Ceanothus* plant associations are:

- Mixed *Ceanothus*-California Sagebrush Chaparral (*C. megacarpus* and *C. spinosus*)
- Mixed *Ceanothus*-Laurel Sumac-Chamise Chaparral (all 3 species of *Ceanothus*)
- Mixed *Ceanothus*-Toyon Chaparral (*C. megacarpus* and *C. spinosus*)

Other Mixed *Ceanothus* shrub canopy associates onsite include: California Buckwheat (*Eriogonum fasciculatum* var. *foliolosum*), Sawtooth Goldenbush (*Hazardia squarrosa*), Deerweed (*Lotus scoparius*), Chaparral Mallow (*Malacothamnus fasciculatus*), Bush Monkeyflower (*Mimulus aurantiacus*), Coast Live Oak (*Quercus agrifolia*), Black Sage (*Salvia mellifera*), Blue Elderberry (*Sambucus mexicana*), and Our Lord's Candle (*Hesperoyucca whipplei*).

Mixed *Ceanothus* Chaparral occupies approximately 6.41 acres of the Weber parcel.

Mixed Chaparral – Disturbed

Mixed Chaparral – Disturbed, is identical in characteristics and species to Mixed Chaparral described above; however, it has been disturbed by human activities, primarily from minor grading or brush clearing. Left alone, it will recover to natural undisturbed conditions in time.

Mixed Chaparral – Disturbed, occupies approximately 0.24 acre of the Weber parcel.

Laurel Sumac Chaparral

Laurel Sumac Chaparral (*Malosma laurina* Alliance) is dominated by *Malosma laurina* (Laurel Sumac), which is a large shrub known to occur predominantly in chaparral and scrub communities. This evergreen shrub has a deep, extensive root system that penetrates deep moisture reserves during summer drought and has thick, curved, bright green leaves with reddish leaf margins, main veins, and petioles. The leaves are folded at the leaf margin.

Laurel Sumac Scrub forms an open canopy over lower-growing shrubs with a sparse ground layer. This series prefers steep north- and south-facing slopes with shallow coarse soils at elevations below 400 meters. *Malosma laurina* is frost sensitive and does not grow where heavy frosts occur, such as in the higher elevations of the Transverse Ranges, and is a good indicator of frost-free areas.

Laurel Sumac Chaparral occupies approximately 1.16 acres of the Weber parcel.

Chamise Chaparral

Chamise Chaparral (*Adenostoma fasciculatum* Alliance) is dominated by the evergreen shrub, *Adenostoma fasciculatum* (Chamise), which is the most abundant species in the non-desert shrublands of California. This species is a burlled and many-branched shrub that has gray-brown trunk bark, clustered small linear leaves, and tiny white flowers. It is adapted to California's Mediterranean climate by a dual root system that has both deep and shallow roots. Chamise individuals recover from fire by both resprouting and seedling recruitment. (Zedler et al. 1997.)

Adenostoma fasciculatum Alliance forms an intermittent to continuous canopy less than three meters tall, growing over a sparse herbaceous layer, especially in older stands. *Adenostoma fasciculatum* is usually associated with all slope aspects, but is commonly found on the drier south- and west-facing slopes and ridges, growing in very shallow soils (mafic-derived). *Adenostoma fasciculatum* Alliance classifications must have at least 60% cover by Chamise. (Sawyer and Keeler-Wolf 1995.)

Chamise Chaparral occupies approximately 0.76 acre of the Weber parcel.

Scrub Habitats

Scrub Habitats is a general type of vegetation that is dominated by evergreen and deciduous shrubs with small to large, thick, leathery, to soft and grayish-green leaves. The shrubs of scrublands are relatively low and open (sometimes dense), and are pre-adapted to periodic wildfires by stump sprouting or by germination from a dormant seed bank. These shrubs are also adapted to drought by deep extensive root systems, while their small thick leaf structure, gray color, waxy or hairy coating, or drought deciduousness prevents permanent damage from moisture loss (Zedler et al. 1997). Many typical chaparral species also grow intermixed as associates with scrubland species. Scrublands typically occurs on moderate to steep slopes with dry, rocky, shallow soils, becoming more abundant with higher elevations where temperatures are lower and moisture supplies are more ample.

Scrublands, as a general category, is a subdominant vegetation type onsite and in the region, occupying approximately 0.70 acre of the Weber parcel. Scrublands onsite consist of Coastal Sage Scrub and Coastal Sage Scrub – Grassland plant communities.

Coastal Sage Scrub

Coastal Sage Scrub is a shrubland dominated by facultative drought-deciduous, low-growing, soft-leaved, and grayish-green (malacophyllus) shrubs and subshrubs. Coastal Sage Scrub plant series typically exhibit a patchy distribution, often in close association with areas inhabited by chaparral habitats. Due to stand variations, Coastal Sage Scrub is often considered part of a collection of species-specific plant series (Sawyer and Keeler-Wolf 1995).

Southern California's coastline, foothills, and western slopes were once covered by Coastal Sage Scrub, but are now largely developed. Unlike plant relatives found in the mountains and deserts, Coastal Sage Scrub species have adapted to an ecosystem that rarely freezes in the winter and only occasionally experience temperatures over 90 degrees F during the dry California summer. Coastal Sage Scrub plants can store moisture and reduce moisture loss during the prolonged hot, dry months between April and October. The plants either conserve water by specialized leaf structures or dormancy. Tough leathery, wax-covered leaves prevent water from escaping through leaf pores. Minute white hairs keep leaf temperatures down by reflecting sunlight and reduce moisture loss by slowing dry winds. Some leaves are very reduced in size, appearing as spines, as on cacti. Other plants drop their leaves during summer months, while other species will dry up and go dormant by middle summer. Root systems can be extensive, sometimes exceeding 30 feet. The roots anchor the plants, hold soil in place, and reduce runoff during winter and spring rains. Fire is also a healthy and necessary component of its life cycle. Shrubs respond to recurrent fires by resprouting from crown and roots and by producing fire-resistant seeds that are fire-dependent for germination.

Coastal Sage Scrub at the project site is represented by relatively small patches of vegetation on open sites within the dominant chaparral vegetation. It is characterized by California Sagebrush (*Artemisia californica*) and sages (*Salvia leucophylla* and *S. mellifera*). Understory species consist of Needlegrass species (*Nassella* spp.) and a variety of herbaceous annual and perennial

species. Giant Wildrye (*Leymus condensatus*) is a common subdominant onsite and in the region.

Coastal Sage Scrub – Grassland

Coastal Sage Scrub – Grassland is virtually identical to Coastal Sage Scrub as described above, but with sparser cover that is dominated by grassland species.

Woodland Habitat

Woodland describes a vegetation type dominated by woody trees and tall shrub species, forming an intermittent canopy over a variety of low shrubs and a variable grassy ground layer. Some woodland may not consist of any shrub canopy, and may only form a canopy over annual or perennial grasslands. The understory of a woodland is typically directly related to the density of the woodland and the cover of its canopy.

Coast Live Oak Woodland

Coast Live Oak Woodland (*Quercus agrifolia* Alliance) is dominated by *Quercus agrifolia* var. *agrifolia*, which is a broad-leaved, evergreen, wide-topped tree with furrowed, dark gray bark and spine-toothed, convex, dark green leaves. Coast Live Oak is the most widely distributed species of the evergreen oaks, and it is capable of achieving large size and old age (Zedler et al. 1997). *Quercus agrifolia* Alliance occurs predominantly on steep north-facing slopes and on raised stream banks and terraces at elevations below 1,200 meters. It forms a continuous to open 30-meter-tall canopy, growing over an understory of occasional shrubs and a variable ground layer. *Quercus agrifolia* Alliance requires sandstone or shale-derived soils. (Sawyer & Keeler-Wolf 1995.)

Coast Live Oak Woodland occupies approximately 0.58 acre of the Weber parcel, concentrated on a north-facing slope outside the development envelope.

Riparian Habitat

Riparian habitat consists of woody vegetation occurring along the banks of streams, sometimes covering the stream. The definition of riparian is streamside. The project site contains one intermittent and two ephemeral streams, tributary to Carbon Canyon Creek. The two ephemeral streams, flowing from the east side of the project site, are tributary to the intermittent stream flowing across the Weber parcel north to south. Flowing water was present in the intermittent stream while the two ephemeral tributaries contains surface water that was generally not flowing, but present intermittently as shallow pools and saturated substrate.

Riparian vegetation in the Santa Monica Mountains and southern California is dominated by winter-deciduous trees and shrubs, and upland and hydrophytic perennial and annual plants, depending on their relative topographic position along the streambank.

Riparian habitats onsite consist of Riparian Scrub, as described below.

Riparian Scrub

Riparian Scrub (Mulefat-Arroyo Willow Alliance) forms streamside vegetation habitat that is dominated by Mulefat (*Baccharis salicifolia*) and (*Salix lasiolepis*). These two dominant shrub species are hydrophytes, plants that are adapted to growing in inundated or saturated soil conditions, at least on a seasonal basis.

Mulefat is a broad-leaved evergreen shrub. Its leaves are linear shaped, sometimes sparsely toothed on the margins, usually towards the tip. Arroyo Willow is a broad-leaved winter-deciduous shrub or small tree with yellow to brown tomentose stems. It has oblong or elliptic leaves (upper surface shiny dark green, lower surface white tomentose), and produces glabrous ovaries. Mulefat and Arroyo Willow are abundant species of shores, marshes, meadows, springs, and bluffs (Hickman 1993). Reed (1988) lists Mulefat with a wetland indicator of FAC, a facultative species, which has an equal probability of occurring in wetlands or not. Arroyo Willow has been assigned a wetland indicator status of FACW, or a facultative wetland species, which is usually found in wetlands.

Sawyer & Keeler-Wolf (1995) describe this plant community as Mulefat-Arroyo Willow Alliance in which *Baccharis salicifolia* and *Salix lasiolepis* are equally dominant shrubs. This series forms a discontinuous canopy that grows over a sparse herbaceous layer onsite, all of which was burned in late 2007. Mulefat-Arroyo Willow Alliance occurs in seasonally flooded or saturated, fresh water, wetland habitats, such as floodplains and low- and high-gradient depositions along rivers and streams, at elevations between sea level and 1,800 meters.

Riparian Scrub occupies approximately 0.24 acre of the Weber parcel, and is more extensive downslope/downstream (*Photo 5, Riparian habitat on tributary of Carbon Canyon Creek*).



Photo 5. Riparian habitat (burned) on tributary of Carbon Canyon Creek

Disturbed Areas

Disturbed areas consist of lands that have been affected by some sort of physical disturbance, such as grading, brush clearing, landslides, etc. While wildfires temporarily change the density and height of natural vegetation, such a disturbance is not included here. Nearly the entire project site's natural vegetation was burned by a wildfire during late 2007. Grading and brush clearing activities have also occurred onsite over the years.

Graded Areas

Graded areas consist of land that has been actively graded by heavy equipment, removing all natural vegetation and changing the local topography. The Weber parcel, and adjacent parcels to the north, have been graded to different degrees in the past to create roads and building pads (*Photo 1, View south of existing driveway and Rambla Pacifico, and Photo 6, View north of existing building pad at end of driveway*). Small areas have also been graded more recently to accommodate scientific investigation, primarily to determine slope stability. Figure 6, Map of

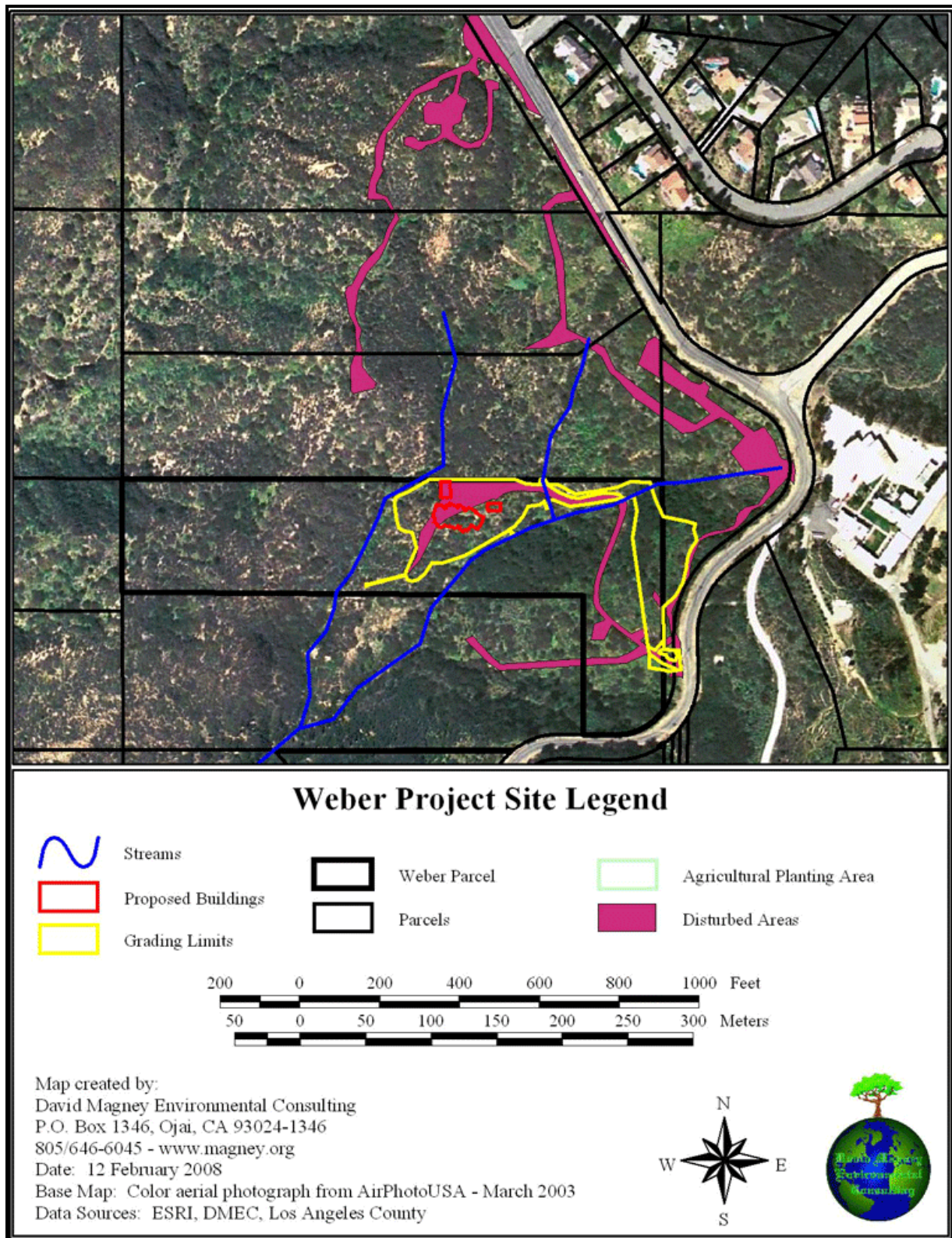
Graded Areas at the Weber Project Site, illustrates the areas onsite that have been graded recently and in the past (to over 20 years ago⁹).



Photo 6. View northwest of existing building pad at end of driveway

⁹ Personal communication: Dean Isaacson, developer, telephone conversation regarding history of grading activities of the Weber and adjacent parcels, 16 January 2008.

Figure 6. Map of Disturbed Areas at Weber Project Site



SECTION III. SENSITIVE BIOLOGICAL RESOURCES

Sensitive biological resources consist of natural vegetation or habitats that are rare or support rare or sensitive species and special-status species of plants or wildlife. Each of these categories of sensitive biological resources is described in detail below.

ENVIRONMENTALLY SENSITIVE HABITAT AREA (ESHA)

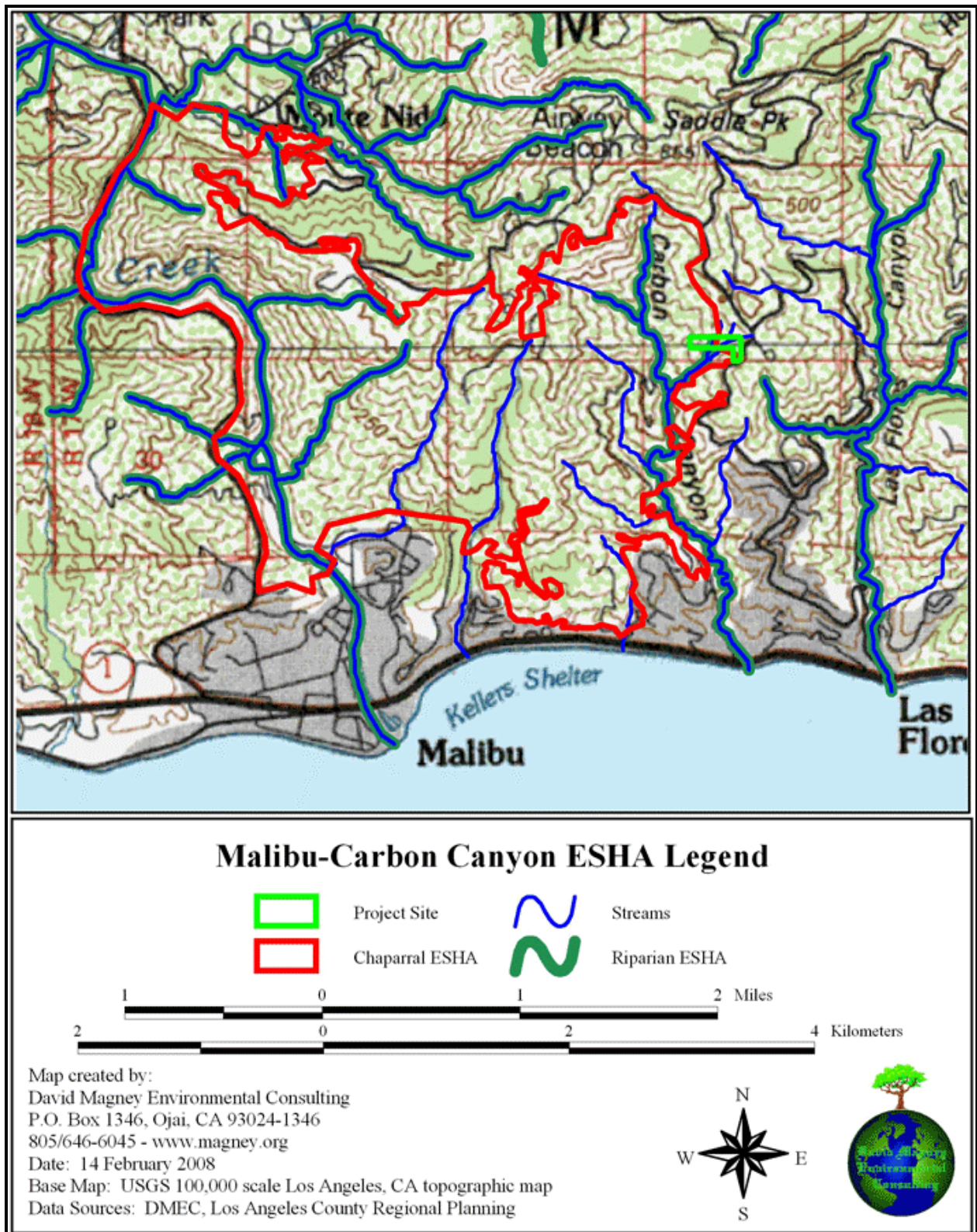
The Coastal Act defines Environmentally Sensitive Habitat Area (ESHA) as “any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments” (Section 30107.5). There are three elements important in defining ESHA:

- 1) a geographic area can be designated as ESHA either because of the presence of individual species of plants or animals or because of the presence of a particular habitat;
- 2) in order for an area to be designated as ESHA, the species or habitat must be either rare or it must be especially valuable; and
- 3) the area must be easily disturbed or degraded by human activities.

The CCC considers the Mediterranean Ecosystem in the Santa Mountains to be rare and especially valuable because of its relatively pristine character, physical complexity, and resultant biological diversity. Therefore, areas of undeveloped native habitat in the Santa Monica Mountains that are large and relatively unfragmented may meet the definition of ESHA by virtue of their valuable roles in that ecosystem, regardless of their relative rarity throughout the state. This is the only place in the coastal zone where the CCC has recognized Chaparral as meeting the definition of ESHA. Due to the essential role that plant communities play in maintaining the biodiversity of the Santa Monica Mountains, the historical losses and current rarity of these habitats in Southern California, and their extreme sensitivity to disturbance, the native Riparian, Coastal Sage Scrub, and Oak Woodland habitats in the Santa Monica Mountains also meet the definition of ESHA under the Coastal Act (Dixon 2003).

The western portion of the site is just within the eastern boundary of 2,733 acres of contiguous ESHA as defined by the CCC (Dixon 2003) and mapped by DMEC in Figure 7, Map of Chaparral-Coastal Scrub ESHA in the Malibu-Carbon Canyon Region.

Figure 7. Map of Chaparral-Coastal Scrub ESHA in the Malibu-Carbon Canyon Region



SPECIAL-STATUS RESOURCES DEFINITIONS

Special-status habitats are vegetation types, associations, or sub-associations that support concentrations of special-status plant or wildlife species, are of relatively limited distribution, or are of particular value to wildlife.

Special-status species are plants and animals that are at least one of the following:

Listed as Endangered or Threatened under Federal or California Endangered Species Acts,

Listed as Rare under the California Native Plant Protection Act, or

Considered rare (but not formally listed) by resource agencies, professional organizations (e.g. Audubon Society, California Native Plant Society [CNPS], The Wildlife Society), and the scientific community.

Listed species are those taxa that are formally listed as Endangered or Threatened by the federal government (e.g. USFWS), pursuant to the Federal Endangered Species Act (ESA) or as Endangered, Threatened, or Tare (for plants only) by the State of California (i.e. California Fish and Game Commission), pursuant to the California Endangered Species Act (CESA) or the California Native Plant Protection Act, or those formally adopted by a local (e.g. county or city government) agency as of local concern or rare, or similar status. Special-status species are defined in Table 4, Definitions of Special-Status Species.

The CNPS' *Inventory of Rare and Endangered Plants of California* (CNPS 2001, 2007) categorizes rare California plants into one of five lists (1A, 1B, 2, 3, and 4) representing five levels of species status, one of which is assigned to a sensitive species to indicate its status of rarity or endangerment and distribution. Most taxa also receive a threat code extension following the List (e.g. 1B.1, 2.3), which replaces the R-E-D Code previously used by CNPS. Table 5, California Native Plant Society Rare Plants List, provides a definition for each List code number, and Table 6, California Native Plant Society List Threat Code Extensions, defines the CNPS List Threat Code Extensions that indicates the level of endangerment within California.

The California Natural Diversity Database (CNDDDB) Element Ranking system provides a numeric global and state-ranking system for all special-status species tracked by the CNDDDB. The global rank (G-rank) is a reflection of the overall condition of an element (species or natural community) throughout its global range. The state rank (S-rank) is assigned much the same way as the global rank, except state ranks in California often also contain a threat designation attached to the S-rank. This Element Ranking system is defined below in Table 7, California Natural Diversity Database Element Ranking System.

Table 4. Definitions of Special-Status Species

<ul style="list-style-type: none"> ○ Plants and animals legally protected under the California and Federal Endangered Species Acts or under other regulations. 	
<ul style="list-style-type: none"> ○ Plants and animals considered sufficiently rare by the scientific community to qualify for such listing; or 	
<ul style="list-style-type: none"> ○ Plants and animals considered to be sensitive because they are unique, declining regionally or locally, or are at the extent of their natural range. 	
Special-Status Plant Species	Special-Status Animal Species
<ul style="list-style-type: none"> ○ Plants listed or proposed for listing as threatened or endangered under the Federal Endangered Species Act (50 CFR 17.12 for listed plants and various notices in <i>Federal Register</i> for proposed species). ○ Plants that are Category 1 or 2 candidates for possible future listing as threatened or endangered under the Federal Endangered Species Act (55 CFR 6184, February 21, 1990). ○ Plants that meet the definitions of rare or endangered species under the CEQA (<i>State CEQA Guidelines</i>, Section 15380). ○ Plants considered by CNPS to be "rare, threatened, or endangered" in California (Lists 1B and 2 in CNPS 2001). ○ Plants listed by CNPS as plants needing more information and plants of limited distribution (Lists 3 & 4 in CNPS 2001). ○ Plants listed by CNPS as locally rare (Lake 2004, Magney 2007a, Wilken 2003). ○ Plants listed or proposed for listing by the State of California as threatened or endangered under the California Endangered Species Act (14 CCR 670.5). ○ Plants listed under the California Native Plant Protection Act (California Fish and Game Code 1900 et seq.). ○ Plants considered sensitive by other federal agencies (i.e. U.S. Forest Service, Bureau of Land Management) or state and local agencies or jurisdictions. ○ Plants considered sensitive or unique by the scientific community; occurs at natural range limits (<i>State CEQA Guidelines</i>, Appendix G). 	<ul style="list-style-type: none"> ○ Animals listed/proposed for listing as threatened/endangered under the Federal Endangered Species Act (50 CFR 17.11 for listed animals and various notices in <i>Federal Register</i> for proposed species). ○ Animals that are Category 1 or 2 candidates for possible future listing as threatened or endangered under Federal Endangered Species Act (54 CFR 554). ○ Animals that meet the definitions of rare or endangered species under the CEQA (<i>State CEQA Guidelines</i>, Section 15380). ○ Animals listed or proposed for listing by the State of California as threatened and endangered under the California Endangered Species Act (14 CCR 670.5). ○ Animal species of special concern (SSC) to the CDFG. ○ Animal species that are fully protected in California (California Fish & Game Code, Sections 3511 [birds], 4700 [mammals], 5050 [reptiles, amphibians]). ○ Animals considered rare or sensitive locally by a local agency or scientific community (<i>State CEQA Guidelines</i>, Appendix G)

Table 5. California Native Plant Society Rare Plants List (CNPS List)

CNPS List	Definition
1A	Presumed Extinct in California
1B	Rare, Threatened, or Endangered in California and elsewhere
2	Rare, Threatened, or Endangered in California, but more common elsewhere
3	Need more information (a Review List)
4	Plants of Limited Distribution (a Watch List)

Table 6. California Native Plant Society List Threat Code Extensions

CNPS Threat Code Extension	Definition
x.1	Seriously endangered in California (over 80% of occurrences threatened / high degree and immediacy of threat)
x.2	Fairly endangered in California (20-80% occurrences threatened)
x.3	Not very endangered in California (<20% of occurrences threatened)

Table 7. California Natural Diversity Database Element Ranking System

Global Ranking (G)	
G1	Less than 6 viable element occurrences (pops for species), OR less than 1,000 individuals, OR <809.4 hectares (ha) (2,000 acres [ac]).
G2	6 to 20 element occurrences OR 809.4 to 4,047 ha (2,000 to 10,000 ac).
G3	21 to 100 element occurrences OR 3,000 to 10,000 individuals OR 4,047 to 20,235 ha (10,000 to 50,000 ac).
G4	Apparently secure; rank lower than G3, factors exist to cause some concern (i.e. there is some threat, or somewhat narrow habitat).
G5	Population, or stand, demonstrably secure to ineradicable due to being commonly found in the world.
GH	All sites are historic ; the element has not been seen for at least 20 years, but suitable habitat still exists.
GX	All sites are extirpated ; this element is extinct in the wild.
GXC	Extinct in the wild; exists in cultivation.
G1Q	The element is very rare, but there is a taxonomic question associated with it.
<p>Subspecies Level: Subspecies receive a T-rank attached to the G-rank. With the subspecies, the G-rank reflects the condition of the entire <u>species</u>, whereas the T-rank reflects the global situation of just the <u>subspecies</u> or <u>variety</u>. For example: <i>Chorizanthe robusta</i> var. <i>hartwegii</i> is ranked G2T1. The G-rank refers to the whole species range (<i>Chorizanthe robusta</i>), whereas the T-rank refers only to the global condition of the variety (var. <i>hartwegii</i>).</p>	
State Ranking (S)	
S1	Less than 6 element occurrences OR less than 1,000 individuals OR less than 809.4 ha (2,000 ac). S1.1 = very threatened S1.2 = threatened S1.3 = no current threats known
S2	6 to 20 element occurrences OR 3,000 individuals OR 809.4 to 4,047 ha (2,000 to 10,000 ac). S2.1 = very threatened S2.2 = threatened S2.3 = no current threats known..
S3	21 to 100 element occurrences OR 3,000 to 10,000 individuals OR 4,047 to 20,235 ha (10,000 to 50,000 ac). S3.1 = very threatened S3.2 = threatened S3.3 = no current threats known
S4	Apparently secure within California; this rank is clearly lower than S3 but factors exist to cause some concern (i.e. there is some threat, or somewhat narrow habitat). NO THREAT RANK.

S5	Demonstrably secure to ineradicable in California. NO THREAT RANK.
SH	All California sites are historic ; the element has not been seen for at least 20 years, but suitable habitat still exists.
SX	All California sites are extirpated ; this element is extinct in the wild.
Notes	
<p>1. Other considerations used when ranking a species or natural community include the pattern of distribution of the element on the landscape, fragmentation of the population/stands, and historical extent as compared to its modern range. It is important to take an aerial view when ranking sensitive elements rather than simply counting element occurrences.</p>	
<p>2. Uncertainty about the rank of an element is expressed in two major ways: by expressing the rank as a range of values (e.g. S2S3 means the rank is somewhere between S2 and S3), and by adding a ? to the rank (e.g. S2?). This represents more certainty than S2S3, but less than S2.</p>	

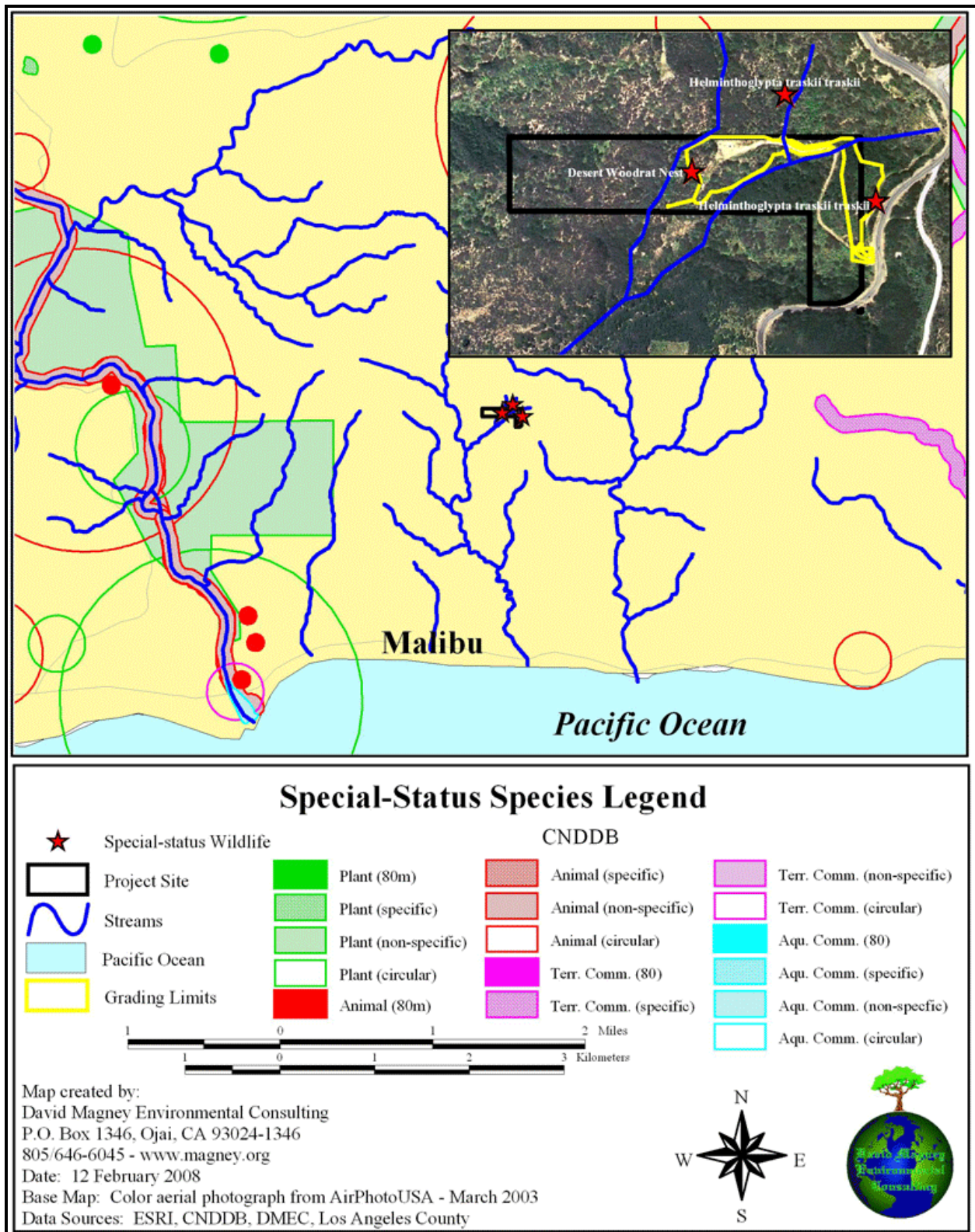
CNDDDB SEARCH RESULTS

This section addresses the special-status biological resources observed, reported, or having the potential to occur on the project site. These resources include plant and wildlife species that have been afforded special-status and/or recognition by federal and state resource agencies, as well as private conservation organizations. In general, the principal reason an individual taxon (i.e. species, subspecies, or variety) is given such recognition is the documented or perceived decline or limitations of its population size, geographic range, and/or distribution resulting in most cases from habitat loss.

DMEC conducted a search of CDFG’s CNDDDB RareFind3 (CDFG 2008a) for the Malibu Beach, California USGS Quadrangle (in which the project site is found), and for the five surrounding quadrangles, including Calabasas, Canoga Park, Point Dume, Thousand Oaks, and Topanga. DMEC conducted this database search to account for special-status species tracked by CNDDDB in the area and with potential to occur at the project site. Seventy-two (72) special-status elements were reported by CNDDDB, including twenty-nine (29) plant species, thirty-five (35) wildlife species, and eight (8) habitats. Figure 8, Map of Special-Status Species and Sensitive Habitats, illustrates the local distribution of each of three categories, plants, wildlife, and habitats, including those species observed onsite or adjacent to the Weber parcel.

DMEC also conducted a search of CNPS’s *Inventory of Rare and Endangered Plants of California* (CNPS 2001, 2008) to account for CNPS-listed plants not tracked on the CNDDDB database with potential to occur in the vicinity of the proposed project site. The CNDDDB Special Animals List (CNDDDB 2007) was also referenced to account for other listed animal species.

Figure 8. Map of Special-Status Species and Sensitive Habitats



Special-Status Plants

A total of twenty-nine (29) special-status plant species tracked by CNDDDB are known or reported in the vicinity of the Weber property site and have the potential to occur onsite. Table 8, Special-Status Plants Potentially Occurring Onsite, summarizes the CNDDDB reports for the 29 special-status plant species tracked for the six quads, and provides each species' scientific and common names, status, habitat requirements, and likelihood of occurrence. CNPS's *Inventories of Rare and Endangered Plants of California* lists ten (10) additional vascular plants potentially occurring onsite that are shown in Table 9, Additional CNPS-Listed Plants Potentially Occurring Onsite.

No special-status plant species were observed onsite; however, one small population of *Calochortus*, species unknown, was found just north of the Weber parcel. It is most likely Catalina Mariposa Lily (*Calochortus catalinae*), a CNPS List 4 species. It is not expected to be impacted by the proposed project

Special-Status Wildlife

A total of thirty-five (35) special-status plant species tracked by CNDDDB are known or reported in the vicinity of the Weber property site and have the potential to occur onsite. Table 10, Special-Status Wildlife Potentially Occurring Onsite, summarizes the CNDDDB reports for the 35 special-status wildlife species tracked for the six quads, and provides each species' scientific and common names, status, habitat requirements, and likelihood of occurrence. Table 11, CNDDDB Special Animal List and Locally Rare Species Potentially Occurring Onsite, lists 7 wildlife species on the CNDDDB Special Animals List or that are locally rare that have potential to occur onsite. In addition to the species listed in Tables 10 and 11, it should be noted that all raptors, raptor nests (active or inactive), and other active bird nests are protected under Fish and Game Code Section 3503.

Two special-status wildlife species were observed onsite, or immediately adjacent to the Weber parcel: San Diego Desert Woodrat (*Neotoma lepida* ssp. *intermedia*) and Peninsular Shoulderband Snail (*Helminthoglypta traskii* ssp. *traskii*). San Diego Desert Woodrat occurs in coastal scrub in Southern California from San Diego County to San Luis Obispo County. It prefers moderate to dense canopies, and is particularly abundant in rock outcrops and rocky cliffs and slopes. Peninsular Shoulderband Snail occurs in chaparral and coastal scrub in coastal Southern California. It is known from Ventura, Los Angeles, Orange, and San Diego Counties, and Baja California del Norte (Figure 9, Distribution Map of Peninsular Shoulderband Snail).

Table 8. Special Status Plants Potentially Occurring Onsite

Scientific Name	Common Name	G Rank ¹⁰	S Rank	Fed	CA	CNPS	Habitat Requirements	Likelihood of Occurrence ¹¹
<i>Astragalus brauntonii</i>	Braunton's Milkvetch	G2	S2.1	E	-	1B.1	Closed-cone coniferous forest, chaparral, coastal scrub, valley and foothill grassland. Recent burns or disturbed areas; in stiff gravelly clay soils overlying granite or limestone. 4-640m. Reported at Malibu Lagoon.	Possible [HP]
<i>Astragalus pycnostachyus</i> var. <i>lanosissimus</i>	Ventura Marsh Milkvetch	G2T1	S1.1	E	E	1B.1	Coastal salt marsh. Within reach of high tide or protected by barrier beaches, more rarely near seeps on sandy bluffs. 1-35m.	Unlikely [HA]
<i>Astragalus tener</i> var. <i>titi</i>	Coastal Dunes Milkvetch	G1T1	S1.1	E	E	1B.1	Coastal bluff scrub, coastal dunes. Moist, sandy depressions of bluffs or dunes along and near the Pacific Ocean; one site on a clay terrace. 1-50m.	Unlikely [HA]
<i>Atriplex coulteri</i>	Coulter's Saltbush	G2	S2.2	-	-	1B.2	Coastal bluff scrub, coastal dunes, coastal scrub, valley and foothill grassland. Ocean bluffs, ridgetops, as well as alkaline low places. 10-440m.	Possible [HP]
<i>Atriplex parishii</i>	Parish's Brittlebush	G1G2	S1.1	-	-	1B.1	Alkali meadows, vernal pools, chenopod scrub, playas. Usually on drying alkali flats with fine soils. 4-140m.	Unlikely [HA]

¹⁰ See Tables 4 through 7 above for descriptions of rank and status categories. Federal (Fed or F) and State (CA or S) status listings: E = Endangered; SC = Species of Concern.

¹¹ Likelihood of occurrence based on species' habitat requirements, presence of required habitat onsite, and reported occurrences:

Observed [P] = Species has been observed onsite [Present];

Likely [HP] = Required habitat present onsite and the species has been reported in the vicinity [Habitat Present];

Possible [HP] = Marginal habitat onsite and/or required habitat present nearby, with no reported occurrences nearby [Habitat Present];

Unlikely [HA] = Required habitat not reported onsite, nor is it found nearby [Habitat Absent].

Scientific Name	Common Name	G Rank ¹⁰	S Rank	Fed	CA	CNPS	Habitat Requirements	Likelihood of Occurrence ¹¹
<i>Baccharis malibuensis</i>	Malibu Baccharis	G1	S1.1	-	-	1B.1	Coastal scrub, chaparral, cismontane woodland. In Conejo volcanic substrates, often on exposed roadcuts. Sometimes occupies oak woodland habitat. 150-260m.	Unlikely [HA]
<i>California macrophylla</i>	Round-Leaved Filaree	G3	S3.1	-	-	1B.1	Cismontane woodland, valley and foothill grassland. Clay soils. 15-1200m.	Unlikely [HA]
<i>Calochortus clavatus</i> var. <i>gracilis</i>	Slender Mariposa Lily	G4T1	S1.1?	-	-	1B.2	Chaparral, coastal scrub. Shaded foothill canyons; often on grassy slopes within other habitat. 420-760m	Possible [HP]
<i>Calochortus plummerae</i>	Plummer's Mariposa Lily	G3	S3.2	-	-	1B.2	Coastal scrub, chaparral, valley and foothill grassland, cismontane woodland, lower montane coniferous forest. Occurs on rocky and sandy sites, usually of granitic or alluvial material. Can be very common after fire. 90-1610m.	Likely [HP]
<i>Centromadia parryi</i> ssp. <i>australis</i>	Southern Tarplant	G4T2	S2.1	-	-	1B.1	Marshes and swamps (margins), valley and foothill grassland. Often in disturbed sites near the coast at marsh edges; also in alkaline soils sometimes with saltgrass.	Unlikely [HA]
<i>Chorizanthe parryi</i> var. <i>fernandina</i>	San Fernando Valley Spineflower	G2T1	S1.1	C	E	1B.1	Coastal scrub. Sandy soils. 3-1,035m.	Unlikely [HA]
<i>Chorizanthe parryi</i> var. <i>parryi</i>	Parry's Spineflower	G2T2	S2.1	-	-	3.2	Coastal scrub, chaparral. Dry slopes and flats, sometimes at interface of 2 vegetation types (e.g. chaparral and oak woodland). Dry, sandy soils. 40-1,705m.	Possible [HP]
<i>Cordylanthus maritimus</i> ssp. <i>maritimus</i>	Salt Marsh Bird's-Beak	G4?T2	S2.1	E	E	1B.2	Coastal salt marsh, coastal dunes. Limited to the higher zones of the salt marsh habitat. 0-30m.	Unlikely [HA]
<i>Deinandra minthornii</i>	Santa Susana Tarplant	G2	S2.2	-	R	1B.2	Chaparral, coastal scrub. On sandstone outcrops and crevices, in shrubland. 280-760m.	Unlikely [HA]
<i>Delphinium parryi</i> ssp. <i>blochmaniae</i>	Dune Larkspur	G4T2	S2.2	-	-	1B.2	Chaparral, coastal dunes (maritime). On rocky areas and dunes. 30-375m.	Possible [HP]

Scientific Name	Common Name	G Rank ¹⁰	S Rank	Fed	CA	CNPS	Habitat Requirements	Likelihood of Occurrence ¹¹
<i>Dithyrea maritima</i>	Beach Spectaclepod	G2	S2.1	-	T	1B.1	Coastal dunes, coastal scrub. Formerly more widespread in coastal habitats in So. Calif. Sea shores, on sand dunes, and sandy places near the shore. 3-50m.	Unlikely [HA]
<i>Dudleya blochmaniae</i> ssp. <i>blochmaniae</i>	Blochman's Dudleya	G2T2	S2.1	-	-	1B.1	Coastal scrub, coastal bluff scrub, valley and foothill grassland. Open, rocky slopes; often in shallow clays over serpentine or in rocky areas w/little soil. 5-450m.	Possible [HP]
<i>Dudleya cymosa</i> ssp. <i>agourensis</i>	Agoura Hills Dudleya	G5T1	S1.2	T	-	1B.2	Chaparral, cismontane woodland. Rocky, volcanic breccia. 200-500m.	Possible [HP]
<i>Dudleya cymosa</i> ssp. <i>marcescens</i>	Marcescent Dudleya	G5T2	S2.2	T	R	1B.2	Chaparral. On sheer rock surfaces and rocky volcanic cliffs. 180-520m.	Unlikely [HA]
<i>Dudleya cymosa</i> ssp. <i>ovatifolia</i>	Santa Monica Mountains Dudleya	G5T2	S2.2	T	-	1B.2	Chaparral, coastal scrub. In canyons on sedimentary conglomerates; primarily north-facing slopes. 210-500m.	Possible [HP]
<i>Dudleya multicaulis</i>	Many-Stemmed Dudleya	G2	S2.1	-	-	1B.2	Chaparral, coastal scrub, valley and foothill grassland. In heavy, often clayey soils or grassy slopes. 0-790m.	Possible [HP]
<i>Dudleya parva</i>	Conejo Dudleya	G2	S2.1	T	-	1B.2	Coastal scrub, valley and foothill grassland. In clayey or volcanic soils on rocky slopes and grassy hillsides. 60-450m.	Unlikely [HA]
<i>Eriogonum crocatum</i>	Conejo Buckwheat	G2	S2.1	-	R	1B.2	Chaparral, coastal scrub, valley and foothill grassland. Conejo volcanic outcrops; rocky sites. 50-580m.	Unlikely [HA]
<i>Nama stenocarpum</i>	Mud Nama	G4G5	S1S2	-	-	2.2	Marshes and swamps. Lake shores, river banks, intermittently wet areas. 5-500m.	Unlikely [HA]
<i>Nolina cismontana</i>	Chaparral Nolina	G1	S1.1	-	-	1B.2	Chaparral, coastal scrub. Primarily on sandstone and shale substrates; also known from gabbro. 140-1,275m.	Possible [HP]
<i>Orcuttia californica</i>	California Orcutt Grass	G2	S2.1	E	E	1B.1	Vernal pools. 15-660m.	Unlikely [HA]

Scientific Name	Common Name	G Rank ¹⁰	S Rank	Fed	CA	CNPS	Habitat Requirements	Likelihood of Occurrence ¹¹
<i>Pentachaeta lyonii</i>	Lyon's Pentachaeta	G1	S1.1	E	E	1B.1	Chaparral, valley and foothill grassland. Edges of clearings in chaparral, usually at the ecotone between grassland and chaparral or edges of firebreaks. 30-630m.	Possible [HP]
<i>Sidalcea neomexicana</i>	Salt Spring Checkerbloom	G4?	S2S3	-	-	2.2	Alkali playas, brackish marshes, chaparral, coastal scrub, lower montane coniferous forest, Mojavean desert scrub. Alkali springs and marshes. 0-1,500m.	Unlikely [HA]
<i>Thelypteris puberula</i> var. <i>sonorensis</i>	Sonoran Maiden Fern	G5T3	S2.2?	-	-	2.2	Meadows and seeps. Along streams, seepage areas. 50-550m.	Unlikely [HA]

Table 9. Additional CNPS-Listed Plants Potentially Occurring Onsite

Scientific Name	Common Name	G Rank	S Rank	Fed	CA	CNPS	Habitat Requirements	Likelihood of Occurrence
<i>Baccharis plummerae</i> ssp. <i>plummerae</i>	Plummer's Baccharis	G3T3	S3.2	-	-	4.3	Broadleaved upland forest, chaparral, cismontane woodland, coastal scrub. Rocky areas. 5-425 m.	Possible [HP]
<i>Calochortus catalinae</i>	Catalina Mariposa Lily	G3	S3.2	-	-	4.2	Chaparral, cismontane woodland, coastal scrub, valley and foothill grassland. 15-700 m.	Likely [HP]
<i>Calochortus clavatus</i> var. <i>clavatus</i>	Club-haired Mariposa Lily	G4T3	S3.3	-	-	4.3	Chaparral, cismontane woodland, coastal scrub, valley and foothill grassland. Usually serpentinite, clay, rocky sites. 75-1,300 m.	Possible [HP]
<i>Calystegia peirsonii</i>	Pierson's Morning-glory	G3	S3.2	-	-	4.2	Chaparral, chenopod scrub, cismontane woodland, coastal scrub, lower montane coniferous forest, valley and foothill grassland. 30-1,500 m.	Possible [HP]
<i>Camissonia lewisii</i>	Lewis's Evening-primrose	G2G3	S1S3	-	-	3	Coastal bluff scrub, cismontane woodland, coastal dunes, coastal scrub, valley and foothill grassland. Sandy or clay soils. 0-300 m.	Possible [HP]
<i>Cercocarpus betuloides</i> var. <i>blanchae</i>	Island Mountain-mahogany	G5T3	S3.3	-	-	4.3	Closed-cone coniferous forest, chaparral. 30-600 m.	Possible [HP]

Scientific Name	Common Name	G Rank	S Rank	Fed	CA	CNPS	Habitat Requirements	Likelihood of Occurrence
<i>Dichondra occidentalis</i>	Western Dichondra	G4?	S3.2	-	-	4.2	Chaparral, cismontane woodland, coastal scrub, valley and foothill grassland. 50-500 m.	Likely [HP]
<i>Muhlenbergia californica</i>	California Muhly	G3	S3.3	-	-	4.3	Chaparral, coastal scrub, lower montane coniferous forest, meadows and seeps. Mesic, seeps and streambanks. 100-2,000 m.	Possible [HP]
<i>Phacelia cicutaria</i> var. <i>hubbyi</i>	Hubby's Phacelia	G4G5T3	S3.2	-	-	4.2	Chaparral, valley and foothill grassland. Gravelly or rocky slopes. 0-1,000 m.	Likely [HP]
<i>Phacelia ramosissima</i> var. <i>austrolitoralis</i>	South Coast Branching Phacelia	G5?T3	S3.2	-	-	4.2	Sand dunes, salt marshes, coastal bluff scrub. 0-300 m.	Possible [HP]

Table 10. Special Status Wildlife Potentially Occurring Onsite

Scientific Name	Common Name	G Rank ¹²	S Rank	Fed	CA	CDFG	Habitat Requirements	Likelihood of Occurrence ¹³
<i>Amphibians</i>								
<i>Bufo californicus</i>	Arroyo Toad	G2G3	S2S3	E	-	SC	Semi-arid regions near washes or intermittent streams, including valley-foothill and desert riparian, desert wash, etc. Rivers with sandy banks, willows, cottonwoods, and sycamores; loose, gravelly areas of streams in drier parts of range.	Unlikely [HA]
<i>Rana aurora ssp. draytonii</i>	California Red-Legged Frog	G4T2T3	S2S3	T	-	SC	Lowlands & foothills in or near permanent sources of deep water with dense, shrubby or emergent riparian vegetation. Requires 11-20 weeks of permanent water for larval development. Must have access to aestivation habitat.	Unlikely [HA]
<i>Reptiles</i>								
<i>Actinemys marmorata ssp. pallida</i>	Southwestern Pond Turtle	G3G4T2 T3Q	S2	-	-	SC	Inhabits permanent or nearly permanent bodies of water in many habitat types; below 6000 ft elev. Require basking sites such as partially submerged logs, vegetation mats, or open mud banks. Need suitable nesting sites.	Unlikely [HA]

¹² See Tables 2 through 5 in Section 2.6 above for descriptions of rank and status categories. Federal (Fed or F) and State (CA or S) status listings: E = Endangered; T = Threatened; R = Rare; C = Candidate; SC = Species of Special Concern.

¹³ Likelihood of occurrence based on species' habitat requirements, presence of required habitat onsite, and reported occurrences:

Observed [P] = Species has been observed onsite [Present];

Likely [HP] = Required habitat present onsite and the species has been reported in the vicinity [Habitat Present];

Possible [HP] = Marginal habitat onsite and/or required habitat present nearby, with no reported occurrences nearby [Habitat Present];

Unlikely [HA] = Required habitat not reported onsite, nor is it found nearby [Habitat Absent].

Scientific Name	Common Name	G Rank ¹²	S Rank	Fed	CA	CDFG	Habitat Requirements	Likelihood of Occurrence ¹³
<i>Aspidoscelis tigris</i> ssp. <i>stejnegeri</i>	Coastal Western Whiptail	G5T3T4	S2S3	-	-	-	Found in deserts & semiarid areas with sparse vegetation and open areas. Also found in woodland & riparian areas. Ground may be firm soil, sandy, or rocky.	Likely [HP]
<i>Diadophis punctatus</i> ssp. <i>modestus</i>	San Bernardino Ringneck Snake	G5T2T3	S2?	-	-	-	Most common in open, relatively rocky areas. Often in somewhat moist microhabitats near intermittent streams. Avoids moving through open or barren areas by restricting movements to areas of surface litter or herbaceous vegetation.	Possible [HP]
<i>Lampropeltis zonata</i> (<i>pulchra</i>)	California Mountain Kingsnake (San Diego Population)	G4G5	S1S2	-	-	SC	Restricted to the San Gabriel and San Jacinto Mtns, of Southern California. Inhabits a variety of habitats, including valley-foothill hardwood, coniferous, chaparral, riparian, and wet meadows. Reported in vicinity at Stunts Ranch and Cold Creek Preserve.	Possible [HP]
<i>Phrynosoma coronatum</i> (<i>blainvillii</i> population)	Coast (San Diego) Horned Lizard	G4G5	S3S4	-	-	SC	Inhabits coastal sage scrub and chaparral in arid and semi-arid climate conditions. Prefers friable, rocky, or shallow sandy soils.	Likely [HP]
<i>Phrynosoma coronatum</i> (<i>frontale</i> population)	Coast (California) Horned Lizard	G4G5	S3S4	-	-	SC	Frequents a wide variety of habitats, most common in lowlands along sandy washes with scattered low bushes. Open areas for sunning, bushes for cover, patches of loose soil for burial, & abundant supply of ants & other insects.	Possible [HP]
<i>Thamnophis hammondi</i>	Two-Striped Garter Snake	G3	S2	-	-	SC	Coastal California from vicinity of Salinas to northwest Baja California. From sea to about 7,000 ft elevation. Highly aquatic, found in or near permanent fresh water. Often along streams with rocky beds and riparian growth.	Unlikely [HA]

Scientific Name	Common Name	G Rank ¹²	S Rank	Fed	CA	CDFG	Habitat Requirements	Likelihood of Occurrence ¹³
<i>Birds</i>								
<i>Accipiter cooperii</i>	Cooper's Hawk	G5	S3	-	-	SC	Woodland, chiefly of open, interrupted or marginal type. Nest sites mainly in riparian growths of deciduous trees, as in canyon bottoms on river floodplains; also, live oaks.	Possible [HP]
<i>Agelaius tricolor</i>	Tricolored Blackbird	G2G3	S2	-	-	SC	Highly colonial species, most numerous in Central Valley & vicinity. Largely endemic to California. Requires open water, protected nesting substrate, & foraging area with insect prey within a few km of the colony.	Unlikely [HA]
<i>Aimophila ruficeps</i> ssp. <i>canescens</i>	Southern California Rufous-Crowned Sparrow	G5T2T4	S2S3	-	-	SC	Resident in Southern California coastal sage scrub and sparse mixed chaparral. Frequents relatively steep, often rocky hillsides with grass & forb patches.	Possible [HP]
<i>Aquila chrysaetos</i>	Golden Eagle	G5	S3	-	-	SC	Rolling foothills, mountain areas, sage-juniper flats, & desert. Cliff-walled canyons provide nesting habitat in most parts of range; also, large trees in open areas.	Unlikely [HA]
<i>Athene cunicularia</i>	Burrowing Owl	G4	S2	-	-	SC	Open, dry annual or perennial grasslands, deserts & scrublands characterized by low-growing vegetation. Subterranean nester, dependent upon burrowing mammals, most notably, the California Ground Squirrel.	Unlikely [HA]
<i>Poliptila californica</i> ssp. <i>californica</i>	Coastal California Gnatcatcher	G3T2	S2	T	-	SC	Obligate, permanent resident of coastal sage scrub below 2,500 ft in Southern California. Low, coastal sage scrub in arid washes, on mesas & slopes. Not all areas classified as coastal sage scrub are occupied.	Unlikely [HA]

Scientific Name	Common Name	G Rank ¹²	S Rank	Fed	CA	CDFG	Habitat Requirements	Likelihood of Occurrence ¹³
<i>Riparia riparia</i>	Bank Swallow	G5	S2S3	-	T	-	Colonial nester; nests primarily in riparian and other lowland habitats west of the desert. Requires vertical banks/cliffs with fine-textured/sandy soils near streams, rivers, lakes, ocean to dig nesting hole.	Unlikely [HA]
Mammals								
<i>Antrozous pallidus</i>	Pallid Bat	G5	S3	-	-	SC	Deserts, grasslands, shrublands, woodlands & forests. Most common in open, dry habitats with rocky areas for roosting. Roosts must protect bats from high temperatures. Very sensitive to disturbance of roosting sites.	Possible [HP]
<i>Euderma maculatum</i>	Spotted Bat	G4	S2S3	-	-	SC	Occupies a wide variety of habitats from arid deserts and grasslands through mixed conifer forests. Feeds over water and along washes. Feeds almost entirely on moths. Needs rock crevices in cliffs or caves for roosting.	Possible [HP]
<i>Eumops perotis</i> ssp. <i>californicus</i>	Western Mastiff Bat	G5T4	S3?	-	-	SC	Many open, semi-arid to arid habitats, including conifer & deciduous woodlands, coastal scrub, grasslands, chaparral etc. Roosts in crevices in cliff faces, high buildings, trees & tunnels.	Possible [HP]
<i>Lasiurus blossevillii</i>	Western Red Bat	G5	S3?	-	-	-	Roosts primarily in trees, 2-40 ft above ground, from sea level up through mixed conifer forests. Prefers habitat edges & mosaics with trees that are protected from above & open below with open areas for foraging.	Possible [HP]
<i>Lasiurus cinereus</i>	Hoary Bat	G5	S4?	-	-	SC	Prefers open habitats or habitat mosaics, with access to trees for cover & open areas or habitat edges for feeding. Roosts in dense foliage of medium to large trees. Feeds primarily on moths. Requires water.	Possible [HP]

Scientific Name	Common Name	G Rank ¹²	S Rank	Fed	CA	CDFG	Habitat Requirements	Likelihood of Occurrence ¹³
<i>Macrotus californicus</i>	California Leaf-Nosed Bat	G4	S2S3	-	-	SC	Desert riparian, desert wash, desert scrub, desert succulent scrub, alkali scrub and palm oasis habitats. Needs rocky, rugged terrain with mines or caves for roosting.	Unlikely [HA]
<i>Myotis ciliolabrum</i>	Western Small-Footed Myotis	G5	S2S3	-	-	-	Wide range of habitats mostly arid wooded & brushy uplands near water. Seeks cover in caves, buildings, mines & crevices. Prefers open stands in forests and woodlands. Requires drinking water. Feeds on a wide variety of small flying insects.	Possible [HP]
<i>Myotis yumanensis</i>	Yuma Myotis	G5	S4?	-	-	-	Optimal habitats are open forests and woodlands with sources of water over which to feed. Distribution is closely tied to bodies of water. Maternity colonies in caves, mines, buildings or crevices.	Unlikely [HA]
<i>Neotoma lepida</i> ssp. <i>intermedia</i>	San Diego Desert Woodrat	G5T3?	S3?	-	-	SC	Coastal scrub of Southern California from San Diego County to San Luis Obispo County. Moderate to dense canopies preferred. They are particularly abundant in rock outcrops & rocky cliffs & slopes.	Observed [P]
<i>Taxidea taxus</i>	American Badger	G5	S4	-	-	SC	Most abundant in drier open stages of most shrub, forest, and herbaceous habitats, with friable soils. Need sufficient food, friable soils, and open, uncultivated ground. Prey on burrowing rodents. Dig burrows.	Possible [HP]
Fish								
<i>Eucyclogobius newberryi</i>	Tidewater Goby	G3	S2S3	E	-	SC	Brackish water habitats along the Calif. coast from Agua Hedionda Lagoon, San Diego Co., to the mouth of the Smith River. Found in shallow lagoons and lower stream reaches, they need fairly still but not stagnant water & high oxygen levels.	Unlikely [HA]

Weber Property Bioresources

Project No. 08-0001

February 2008

Page 42 of 59

Scientific Name	Common Name	G Rank ¹²	S Rank	Fed	CA	CDFG	Habitat Requirements	Likelihood of Occurrence ¹³
<i>Gila orcuttii</i>	Arroyo Chub	G2	S2	-	-	SC	Los Angeles basin south coastal streams. Slow water stream sections with mud or sand bottoms. Feeds heavily on aquatic vegetation & associated invertebrates.	Unlikely [HA]
<i>Oncorhynchus mykiss</i> <i>ssp. irideus</i>	Southern Steelhead - Southern California ESU	G5T2Q	S2	E	-	SC	Fed listing refers to populations from Santa Maria river south to southern extent of range (San Mateo Creek in San Diego Co.). Southern Steelhead likely have greater physiological tolerances to warmer water & more variable conditions.	Unlikely [HA]
<i>Invertebrates</i>								
<i>Aglaothorax [Nebula] longipennis</i>	Santa Monica Shieldback Katydid	G1G2	S1S2	-	-	-	Occur nocturnally in chaparral and canyon stream bottom vegetation, in the Santa Monica Mtns, of Southern California. Inhabit introduced iceplant and native chaparral plants.	Possible [HP]
<i>Cicindela hirticollis</i> <i>ssp. gravida</i>	Sandy Beach Tiger Beetle	G5T2	S1	-	-	-	Inhabits areas adjacent to non-brackish water along the coast of California from San Francisco Bay to northern Mexico. Clean, dry, light-colored sand in the upper zone. Subterranean larvae prefer moist sand not affected by wave action.	Unlikely [HA]
<i>Coelus globosus</i>	Globose Dune Beetle	G1	S1	-	-	-	Inhabitant of coastal sand dune habitat, from Bodega Head in Sonoma County south to Ensenada, Mexico. Inhabits foredunes and sand hummocks; it burrows beneath the sand surface and is most common beneath dune vegetation.	Unlikely [HA]
<i>Danaus plexippus</i>	Monarch Butterfly	G5	S3	-	-	-	Winter roost sites extend along the coast from northern Mendocino to Baja California, Mexico. Roosts located in wind-protected tree groves (Eucalyptus, Monterey Pine, Monterey Cypress), with nectar and water sources nearby.	Unlikely [HA]

Scientific Name	Common Name	G Rank ¹²	S Rank	Fed	CA	CDFG	Habitat Requirements	Likelihood of Occurrence ¹³
<i>Socalchemmis gertschi</i>	Gertsch's Socalchemmis Spider	G1	S1	-	-	-	Known from only 2 localities in Los Angeles County: Brentwood (type locality) and Topanga Canyon.	Possible [HP]
<i>Trimerotropis occidentiloides</i>	Santa Monica Grasshopper	G1G2	S1S2	-	-	-	Known only from the Santa Monica Mountains. Found on bare hillsides and along dirt trails in chaparral.	Possible [HP]

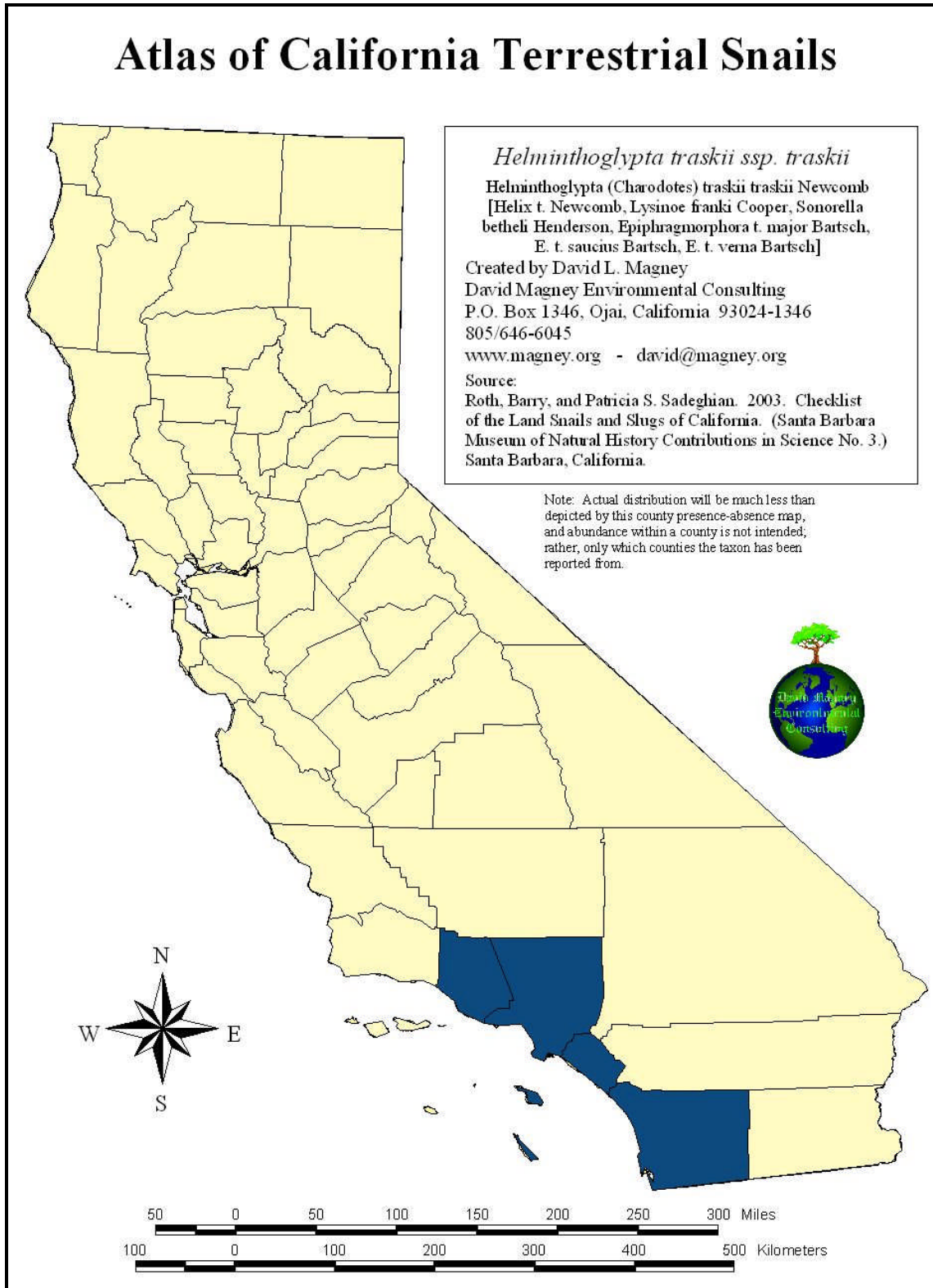
Table 11. CNDDDB Special Animal List and Locally Rare Species Potentially Occurring Onsite

Scientific Name	Common Name	G Rank	S Rank	Fed	CA	CDFG	Habitat Requirements	Likelihood of Occurrence
CNDDDB SPECIAL ANIMALS LIST SPECIES								
Birds								
<i>Contopus cooperi</i>	Olive-sided Flycatcher	G4	S4	-	-	-	May winter in Southern California coastal areas. Known in Santa Monica Mountains National Recreation Area.	Possible [HP]
<i>Picoides nuttalli</i>	Nuttall's Woodpecker	G5	-	-	-	-	Chaparral and oak woodland in canyons. Known in Santa Monica Mountains National Recreation Area. Nest sites are of concern to CDFG.	Possible [HP]
<i>Selasphorus sasin</i>	Allen's Hummingbird	G5	-	-	-	-	Feed on nectar from flowers. Known in Santa Monica Mountains National Recreation Area.	Possible [HP]
Invertebrates								
<i>Helminthoglypta traskii</i> ssp. <i>traskii</i>	Peninsular or Trask Shoulderband Snail	G1G2T2	S1	-	-	-	Chaparral and Coastal Scrub habitats of coastal southern California. Known from Ventura, Los Angeles, Orange, and San Diego Counties, and Baja California del Norte.	Observed [P]

Scientific Name	Common Name	G Rank	S Rank	Fed	CA	CDFG	Habitat Requirements	Likelihood of Occurrence
LOCALLY RARE SPECIES								
Mammals								
<i>Puma concolor</i>	Mountain Lion	-	-	-	-	-	Scrub and woodland habitats. Only a few left in Santa Monica Mountains.	Possible [HP]
Invertebrates								
<i>Haplotrema caelatum</i>	Slotted Lancetooth Snail	G1N1 ¹⁴	-	-	-	-	Riparian areas. Endemic to coastal Southern California. Known from Santa Barbara, Ventura, Los Angeles, and San Diego Counties.	Possible [HP]
<i>Tinema monikensis</i>	Santa Monica Mountains Walking Stick	-	-	-	-	-	Chaparral. Endemic to Santa Monica Mountains.	Likely [HP]

¹⁴ G-Rank “N1” represent a national rank devised by NatureServe, with N1 defined as “critically imperiled nationally”.

Figure 9. Distribution Map of Peninsular Shoulderband Snail



Special-Status Habitats

Table 12, CNDDDB Special-Status Habitats Potentially Occurring Onsite, summarizes the CNDDDB search for sensitive habitat types reported for the six quads surrounding and including the project site. Table 12 provides the habitat's name, status, and whether it was observed onsite. There were no special-status habitats observed on the Weber property site.

Table 12. CNDDDB Special-Status Habitats Potentially Occurring Onsite

CNDDDB Sensitive Habitats (Holland 1986, CDFG 2003)	G Rank ¹⁵	S Rank	Fed	CA	Presence Onsite ¹⁶
California Walnut Woodland	G2	S2.1	-	-	Not observed
Southern California Coastal Lagoon	G?	SNR	-	-	Not observed
Southern California Steelhead Stream	G?	SNR	-	-	Not observed
Southern Coast Live Oak Riparian Forest	G4	S4	-	-	Not observed
Southern Coastal Salt Marsh	G2	S2.1	-	-	Not observed
Southern Sycamore Alder Riparian Woodland	G4	S4	-	-	Not observed
Valley Needlegrass Grassland	G1	S3.1	-	-	Not observed
Valley Oak Woodland	G3	S2.1	-	-	Not observed

¹⁵ See Tables 4 through 7 above for descriptions of rank and status categories. Federal (Fed or F) and State (CA or S) status listings: E = Endangered; T = Threatened; R = Rare; C = Candidate; SC = Species of Concern.

¹⁶ Observed [P] = Habitat present onsite [Present]; Not Observed = Habitat not present onsite though some constituents of the habitat may be present as noted; [CH] = Project footprint is within a Critical Habitat unit.

SECTION IV. IMPACTS ANALYSIS

The proposed development of the Weber parcel will result in impacts to biological resources. Natural vegetation will be impacted by grading a new section of the driveway at the eastern end of the parcel, including grading on a portion of the adjacent parcel. Additional impacts to natural vegetation will occur as a result of fuel modification within 200 feet of the three proposed structures, and removal of vegetation for agricultural plantings, avocado and grapevines. The total direct impacts from these activities are summarized in Table 13, Existing Habitats and Land Cover on the Weber Property and Expected Impacts.

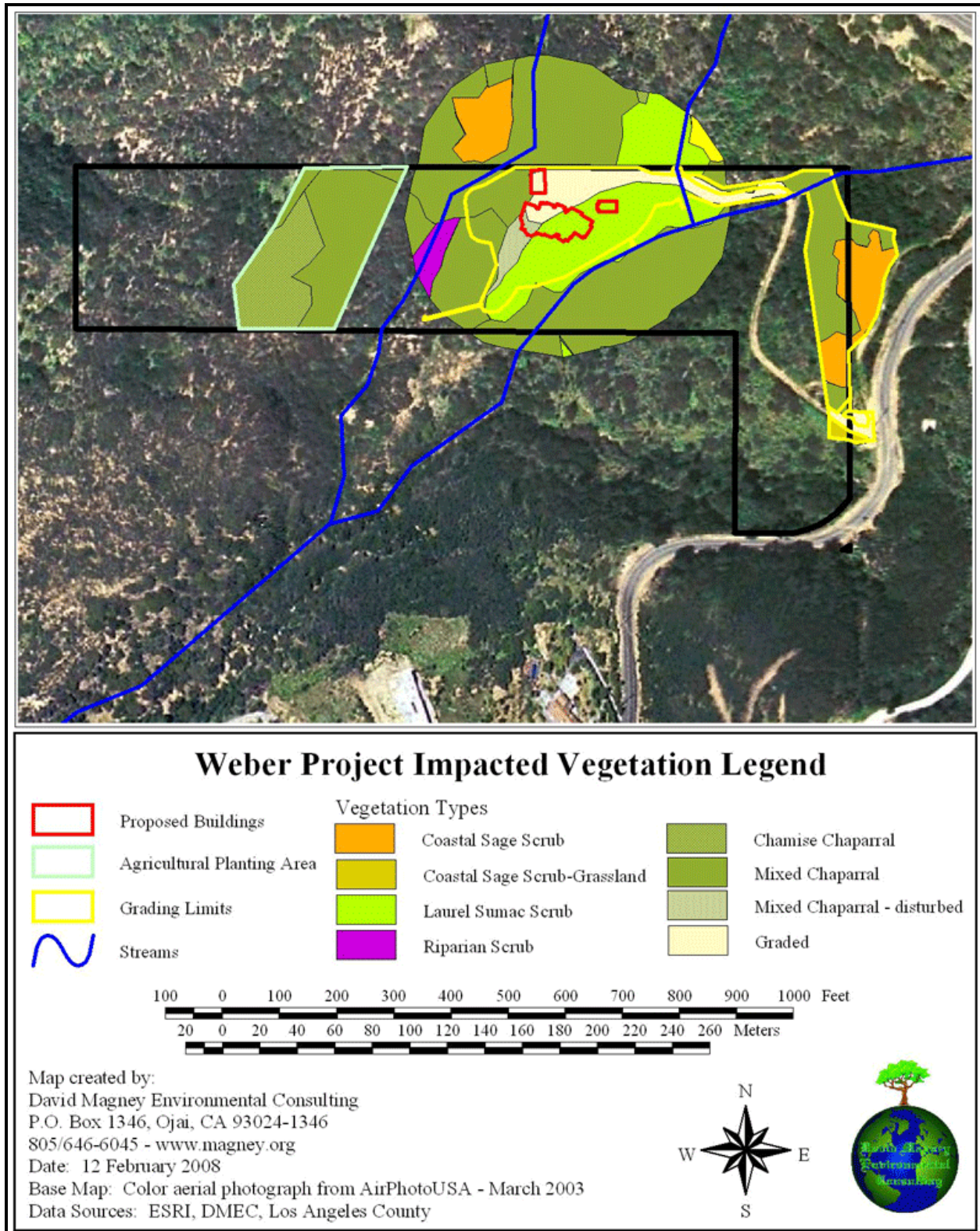
Table 13. Existing Habitats and Land Cover on the Weber Property and Expected Impacts

Existing Habitats and Land Cover Observed	Total Onsite Acres	Onsite ESHA Acres	Onsite Impact Acres	Onsite ESHA Impact Acres ¹⁷	Offsite Impact Acres (No ESHA)	Total Impact Acres
Mixed Ceanothus Chaparral	6.41	3.28	2.38	0.73	1.38	3.76
Mixed Ceanothus Chaparral – Disturbed	0.10	0	0.10	0	0	0.10
Chamise Chaparral	0.76	0.76	0.51	0.51	0.01	0.52
Laurel Sumac Scrub	1.16	0	0.93	0	0.35	1.28
Riparian Scrub	0.24	0.24	0.12	0.12	0	0.12
Coastal Sage Scrub	0.23	0	0.15	0	0.49	0.64
Coastal Sage Scrub – Grassland	0.38	0	0.02	0	0.06	0.08
Coast Live Oak Woodland	0.58	0.58	0	0	0	0
Graded Areas	0.59	N/A	N/A	N/A	N/A	N/A
Acreage Totals	10.45	4.86	4.21	1.36	2.29	6.50

The natural vegetation impacted by the proposed development is shown on Figure 10, Map of Project Impacts to Natural Vegetation.

¹⁷ Impacts to onsite ESHA are as follows: 1) 0.73 acre Mixed Ceanothus Chaparral and 0.51 acre Chamise Chaparral (total 1.24 acre) impacted by agricultural planting west of the riparian area; and 2) 0.12 acre Riparian Scrub impacted by fuel modification.

Figure 10. Map of Project Impacts to Natural Vegetation



Special-status species known or expected to be impacted by the proposed project including the Peninsular Shoulderband Snail (*Helminthoglypta traskii* ssp. *traskii*) and San Diego Desert Woodrat. Habitat for these species will be impacted as a result of grading for the new driveway segment and from fuel modification.

A total of 6.5 acres will be disturbed by grading, and brush clearing activities for agricultural conversion and fuel modification around the buildings. Much of the graded area associated with the new segment of the driveway will be revegetated after grading, and the abandoned segment of the existing driveway will also be recontoured and revegetated.

Sensitive habitat expected to be impacted includes riparian and chaparral ESHA, impacted as a result of fuel modification, with an impact to approximately 1.36 acres of ESHA habitat.

SECTION V. CONCLUSIONS

The proposed single-family residential development, and associated driveway and agricultural plot, would result in the disturbance, temporary and permanent, impact to 6.5 acres of natural vegetation, a portion of which would be revegetated with native plants. The existing building pad would be used, and a portion of an existing dirt road would be used. A new segment of the access driveway is required to replace an unstable portion of the existing access driveway. The various project elements are summarized below, with area footprint, in acres.

Feature	Description	Area (acres)
Building Pad	Includes buildings and facilities	0.43
New Driveway	Driveway excluding area previously graded	0.35
Buildings	Main house, guest house, garage	0.17
Impervious surface	Total impervious surface after completion	0.78
Agricultural Area	Agricultural planting area	1.24
Fuel modification zone	Fuel hazard clearance zone around all buildings, with the Zone C thinning zone (last 100 feet) portion in parenthesis	5.28 (3.13)
ESHA Impacted	Chaparral and small area of riparian ESHA	1.36
Restored driveway	Abandoned portion of existing driveway to be recontoured and revegetated	0.29
Vegetation Impacted	Total area of existing natural vegetation, most burned in 2007, to be at least temporarily impacted	6.5
Revegetation	Total area to be revegetated onsite	1.22
Net area impacted	Area (permanently) altered after mitigation	5.28

A small area of ESHA would be impacted by agricultural clearing and fire hazard fuel modification, totaling approximately 1.36 acres. See Table 13 and compare Figures 4, 7, and 10. Basically the riparian and chaparral vegetation west of the existing graded pad qualify or have been mapped as ESHA.

Vegetation removal and grading would impact approximately 6 acres of suitable habitat for the Peninsular Shoulderband Snail, a portion of which would be restored through onsite revegetation. The vegetation only thinned for fuel hazard modification (Zone C) would not eliminate this species habitat, but possibly degrade it.

A small area of habitat (open chaparral and coastal scrub) for the San Diego Desert Woodrat would be disturbed as a result of brush clearance for fire hazard control; however, suitable

habitat for this special-status species would not likely be significantly impacted since it prefers open scrub habitat.

Significant impacts to natural vegetation, ESHA, and special-status species will be mitigated through revegetation of disturbed habitats not needed for the proposed project, payment to the Coastal Commission's in-lieu mitigation fund, and onsite monitoring by a qualified biologist prior to and during grading activities to translocate any special-status species found onsite.

Landscaping around the residence will utilize native plants indigenous to the Carbon Canyon area/Santa Monica Mountains. No invasive exotic plants will be used in any landscaping.

The applicant proposes to abandon a portion of the existing access driveway. This unused portion of the driveway will be recontoured and revegetated, totaling approximately 0.29 acre. The graded portions for the new driveway segment will be recontoured and revegetated, measuring approximately 0.93 acre. The proposed building pad and driveway will total approximately 2.02 acres.

Total impact to natural vegetation is approximately 6.5 acres. The total area to be revegetated onsite is approximately 1.22 acres. The net project impact to natural vegetation will be 5.28 acres; however, much (approximately 3.13 acres – 239,930 sq. ft.) of this area is related to fuel modification in Zone C, 100-foot deep zone starting 100 feet from all buildings, will result in vegetation thinning rather than total vegetation removal, which will retain some habitat functionality and value. Zones A and B of the fuel modification zone would occupy approximately 2.08 acres, less the buildings, and impact approximately 1.8 acres of existing natural vegetation. Much of the landscaping in Zones A and B will be planted with native species indigenous to the Santa Monica Mountains.

SECTION VI. ACKNOWLEDGEMENTS

This report was written by David Magney and Stephen Hoskinson. Graphics were created by Mr. Magney.

Dean Isaacson and Esther Ruiz of D.I.D.M. Development Corporation provided guidance and assistance with the project description and providing current project plans and drawings.

Nick Franchino, Los Angeles County Regional Planning GIS Manager, provided maps of riparian ESHA for the Santa Monica Mountains. John Dixon, California Coastal Commission Biologist, provided guidance and information about chaparral and coastal scrub ESHA in the Coastal Zone of the Santa Monica Mountains.

Paul Valentich-Scott and Eric Hochberg, staff with the Santa Barbara Museum of Natural History, Invertebrate Collection, provided assistance with identification of *Helminthoglypta traskii* ssp. *traskii*.

SECTION VII. CITATIONS

REFERENCES CITED

- California Invasive Plant Council. 2006. *California Invasive Plant Inventory*. February. Berkeley, California. <http://www.cal-ipc.org/ip/inventory/pdf/Inventory2006.pdf>.
- California Invasive Plant Council. 2007. New Weeds Added to Cal-IPC Inventory. February. Berkeley, California. <http://www.cal-ipc.org/ip/inventory/pdf/WebUpdate2007.pdf>.
- California Natural Diversity Database (CNDDDB). 2003. List of California Terrestrial Natural Communities Recognized by The California Natural Diversity Database. California Department of Fish and Game, Biogeographic Data Branch, The Vegetation Classification and Mapping Program, Sacramento, California. September 2003 edition. Available at: <http://www.dfg.ca.gov/biogeodata/vegcamp/pdfs/natcomlist.pdf>.
- California Natural Diversity Database (CNDDDB). 2007. Special Animals. February. (Quarterly publication, mimeo.) California Department of Fish and Game, Biogeographic Data Branch, Sacramento, California.
- California Natural Diversity Database (CNDDDB). 2008. Special Plants, Bryophytes, and Lichens List. January. California Department of Fish and Game, Biogeographic Data Branch, Sacramento, California. <http://www.dfg.ca.gov/biogeodata/cnddb/pdfs/SPPlants.pdf>.
- California Natural Diversity Database (CNDDDB). 2006. Special Animals. February. (Quarterly publication, mimeo.) California Department of Fish and Game, Biogeographic Data Branch, Sacramento, California.
- California Native Plant Society. 2001. *Inventory of Rare and Endangered Plants of California*. Sixth edition. (Special Publication No. 1.) Rare Plant Scientific Advisory Committee, David Tibor, Convening Editor, Sacramento, California. September.
- California Native Plant Society (CNPS). 2008. *Inventory of Rare and Endangered Plants of California*. Online edition v7-08a. (Special Publication No. 1.) Rare Plant Scientific Advisory Committee, David Tibor, Convening Editor, Sacramento, California. January.
- Dixon, John. 2003. Designation of ESHA in the Santa Monica Mountains. Memorandum to Ventura Staff dated 25 March 2003. California Coastal Commission, San Francisco, California.
- Flora of North America Editorial Committee, eds. 1993-2007. *Flora of North America North of Mexico*. 14+ vols. New York and Oxford. Vol. 1, 1993; vol. 2, 1993; vol. 3, 1997; vol. 4, 2003; vol. 5, 2005; vol. 19, 2006; vol. 20, 2006; vol. 21, 2006; vol. 22, 2000; vol. 23, 2002; vol. 25, 2003; vol. 26, 2002; vol. 27, 2007.
- Hickman, J., ed. 1993. *The Jepson Manual: Higher Plants of California*. University of California Press, Berkeley, California.
- Holland, R.F. 1986. Preliminary Description of the Terrestrial Natural Communities of California. California Department of Fish and Game, Sacramento, California.

- Reed, P.B., Jr. 1988. National List of Plant Species that Occur in Wetlands: California (Region 0). (Biological Report 88[26.10].) U.S. Fish and Wildlife Service, Ft. Collins, Colorado.
- Sawyer, J.O., and T. Keeler-Wolf. 1995. *A Manual of California Vegetation*. California Native Plant Society, Sacramento, California.
- Zedler, P., S. DeSimone, J. Giessow, D. Lawson, J. Else, and S. Bliss. 1997. The Plant Communities of Camp Pendleton Marine Corps Base, California. February. San Diego State University, Department of Biology, Ecology Program, San Diego, California.

PERSONAL COMMUNICATIONS

- Franchino, Nick, GIS Manager, Los Angeles Regional Planning, Nfranchino@planning.lacounty.gov, dated 30 January 2008, regarding ESHA maps of Malibu Coastal Zone and Weber parcel.
- Isaacson, Dean, developer, personal communication: 16 January 2008 telephone conversation regarding history of grading activities of the Weber and adjacent parcels.

APPENDICES

APPENDIX A

CDFG Notification No. 1600-2004-0337-R5

APPENDIX B

WDID Identification No. 419C327885

APPENDIX A

CDFG Notification No. 1600-2004-0337-R5

State of California - The Resources Agency

ARNOLD SCHWARZENEGGER, *Governor*



DEPARTMENT OF FISH AND GAME
1508 North Harding Avenue
Pasadena, CA 91104
(626) 797-3170



RECEIVED NOV 08 2004

October 16, 2004

Mr. Charles Weber
6416 Lunita Road, #108
Malibu, CA 90265



Re: Lake or Streambed Alteration Notification
Notification No: 1600-2004-0337-R5
Project: Access Road Construction Over Two Drainages
Water: Unnamed Tributaries to Carbon Canyon Drainage
County: Los Angeles

Dear Mr. Weber:

The Department of Fish and Game (Department) received your Notification and deemed it complete on 8/16/04.

The purpose of this letter is to inform you that the Department failed to meet our deadline for the project you described in the above-referenced notification. As a result, and as explained in greater detail below, you do not need a Lake or Streambed Alteration Agreement from the Department of Fish and Game to complete the project you described in your notification.

Under the Fish and Game Code section 1602, (a) (4) (D) the Department had a total of 60 days to act on your notification by submitting to you project conditions the Department believes are necessary to protect existing fish and wildlife resources. This means that **from the date of this letter**, by law you may go forward with your project without an Agreement from the Department .

If you decide to complete the project as described in your notification, please keep a copy of this letter and the Notification available at the project site. The project described in the Notification includes not only the project impacts, but also includes all of your proposed minimization and mitigation measures.

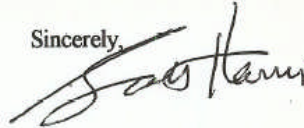
Your project must terminate no later than 5 years from the date of this letter. Your project is described as the construction of a new access road across two ephemeral drainages with will

Mr. Charles Weber
October 16, 2004
Page 2

result in a permanent impact of less than 0.10 acre to unvegetated ephemeral drainages located at 2053 Rambla Pacifico Road in Malibu, Los Angeles County. If the project changes so that it differs from the one described in the original notification, including but not limited to working outside the specified work period dates, you will need to submit a new notification to the Department for that project.

If you have any questions regarding this matter, please contact «name, title» at the above address or telephone number.

Sincerely,



Scott Harris
Associate Wildlife Biologist

APPENDIX B

WDID Identification No. 419C327885



Linda S. Adams
*Secretary for
Environmental
Protection*

State Water Resources Control Board



Arnold Schwarzenegger
Governor

Division of Water Quality

1001 I Street • Sacramento, California 95814 • (916) 341-5538
Mailing Address: P.O. Box 1977 • Sacramento, California • 95812-1977
FAX (916) 341-5543 • Internet Address: <http://www.waterboards.ca.gov/stormwtr/index.html>
Email Address: stormwater@waterboards.ca.gov

Date Processed: 6/1/2004

Charles Weber
6416 Lunita Rd
Malibu, CA 90265

RECEIPT OF YOUR NOTICE OF INTENT

The State Water Resources Control Board (State Water Board) has received and processed your NOTICE OF INTENT TO COMPLY WITH THE TERMS OF THE GENERAL PERMIT FOR STORM WATER DISCHARGES ASSOCIATED WITH CONSTRUCTION ACTIVITY. Accordingly, you are required to comply with the permit requirements.

The WDID identification number: **4 19C327885**. Please use this number in any future communications regarding this permit.

SITE DESCRIPTION

OWNER: Charles Weber

DEVELOPER: Charles Weber

COUNTY: Los Angeles

SITE ADDRESS: 2035 Rambla Pacifico
Malibu, CA

COMMENCEMENT DATE: 9/10/2004

EST. COMPLETION DATE: 9/10/2006

When construction is complete or ownership has been transferred, dischargers are required to notify the Regional Water Board by submitting a Notice of Termination (NOT). All State and local requirements must be met in accordance with Special Provision No. 7 of the General Permit. If you do not notify the State Water Board that construction activity has been completed, you will continue to be invoiced for the annual fee each **April**.

If you have any questions regarding permit requirements, please contact your Regional Water Board at (213) 576-6600. Please visit the storm water web page at www.waterboards.ca.gov/stormwtr/index.html to obtain storm water related information and forms.

Sincerely,

Storm Water Section
Division of Water Quality

California Environmental Protection Agency

<http://water101.waterboards.ca.gov/stormwater/search/ConSearch.asp?Receipt=c327885&search=>

1/3/2008