



CALIFORNIA
NATIVE PLANT SOCIETY

Los Angeles /Santa Monica Mountains Chapter

15811 Leadwell Street
Van Nuys, California 91406-3113

February 19, 2019

Glenn Mitchitsch
City of Calabasas
Community Development Department
Planning Division
100 Civic Center Way, 1st Floor
Calabasas, CA 91302

VIA EMAIL: <mailto:gmitchitsch@cityofcalabasas.com>; info@cityofcalabasas.com

**RE: WEST VILLAGE
4790 LAS VIRGENES ROAD
APNs 206-907-8009 & 206-907-8011
DEIR PUBLIC COMMENT**

Dear Mr. Mitchitsch:

Thank you for the opportunity to publicly comment on the proposed West Village project. California Native Plant Society is a 55-year old statewide science and policy-based organization that works closely with governance, planners, scientists, and policy-makers. Our mission is to promote smart land use planning to judiciously conserve the state's natural resources, and advocate for the horticultural use of California native plant materials. The Los Angeles / Santa Monica Mountains chapter has been seminal in the Santa Monica Mountains and San Fernando Valley with land use planning, biological research, restoration, conservation, public education and outreach.

We appreciate the consideration given to the scoping comments submitted for West Village. Several were clearly addressed not only in the comments section of the DEIR and incorporated in the document. Below are our categorical comments.

2.4.3 Grading

CNPS appreciates that less than 50% of the property is subject to grading as proposed in this project. The DEIR offers no assurances about protections for areas that are to remain undisturbed during both the construction and finished phases of the development. Soil disturbance destroys soil microbial

communities essential to sustain plan communities, introduces and encourages flammable invasive weeds, and can permanently alter soil structure, health, and chemistry.

We as well are concerned that the DEIR fails to discuss why remediation is necessary, does not offer more than one geological engineering perspective, and lacks information about the known history and current geological character of the slide.

2.4.4 Landscaping

We question the rationale for proposing a mostly non-native plant palette. Albeit two native tree species are suggested, exotic trees and understory materials are predominant. There is every aesthetic and biological reason to landscape with California native plants for the multiple benefits over exotics they afford such as water savings, pollinator services, low pestilence, important biological connectivity with the adjacent wildlands, no need for fertilization, plants that can be chosen for color throughout the year, increasing choice and availability through wholesalers.

2.4.8 Open Space

The DEIR should reflect investigations, initial conversations, and commitments by willing entities that will enter into perpetual agreement of a conservation easement, its tenets, and long-term monitoring requirements at West Village. The lack of detail in this section suggests a lack of commitment and assurance to preserving the open space.

4.3 Biological Resources

Surveys

CNPS is concerned with many aspects of decisions made to biological surveys. No focused ones were conducted for coast horned lizard or coastal whiptail, even though the plant communities and area are documented to support these two species. There are neither plant nor animal survey results lists provided in the DEIR except for presence/absence of special species. There is no mention of arthropods being included in surveys.

We requested in scoping comments a certified botanist be employed for vegetation surveys at the site. The DEIR states this was not obliged because CEQA Guidelines do not require it. The DEIR gives names of surveyors who conducted vegetation and wildlife investigations. However, it fails to share qualifications of these individuals.

CNPS questions the integrity of data from many of the biological surveys associated with West Village, as enumerated below:

- Lack of methodology used
- April 30, 2010 – Habitat assessment, rare plant survey – Conducted by one individual for 77 acres. This is inadequate staffing for a large parcel that hosts multiple habitat types
- June 9, 2010 – Rare plant survey – Conducted by one person. This is inadequate staffing for a large parcel that hosts potential for numerous special plants
- April 12, 2012 – Jurisdictional delineation update – This survey was conducted in an extreme low precipitation year that failed to be indicative of normal existing wetland conditions
- Other rare plant surveys were conducted during extreme drought years in 2013, 2015, and 2017. The 2015 and 2017 survey information does not list the names or numbers of personnel on each survey
- The DEIR fails to list the specific plant species targeted during each survey. Presence/absence is dependent on the individual species and time of year surveyed

- The DEIR states that surveyors who worked on the several gnatcatcher and least Bell's vireo surveys as well looked for special species plants and found none. Incidental observances are not proper survey methodology and should not be documented as such. The years of the bird surveys: 2013, 2015, and 2017 were extremely low rainfall that were not indicative of a existing plant populations

Habitat types and project designs

Habitat surveys at West Village identified 13 habitat types, two of which are considered non-native and ruderal. Almost half of the total acreage (45.8%) is determined to be the non-native habitat, ostensibly a result of prior modern human disturbance that resulted in vegetative type change. CNPS questions the rationale as to why the development is not proposed for within the area of documented disturbance since it is large enough for the proposed structural footprint, located near Las Virgenes Road, and relatively flat for buildability. The DEIR does not discuss reasons why the development is designed to entrench undisturbed wildlands.

City Oak Tree Ordinance / oak tree mitigation

The Ordinance is clear that protection and preservation is the primary element of the local law. The DEIR fails to analyze avoidance steps or design elements that would incorporate the existing old growth oaks into the plan instead of the 'clean palette' approach to construction. Of 42 trees slated for removal, 25 are of heritage status, meaning that their importance and value are considerably higher.

The biotic, economic, climate, and social values that mature oaks and their associated habitat bring cannot be understated. The proposed 1:1 mitigation for take of the trees, even combined with the proposed landscaping tree elements, are not adequately analyzed in the DEIR considering the 100+ years it will take to fully realize and recover the valuable services that will be lost by removal of the existing trees and adjoining habitat.

BIO-6 employs incorrect science in establishment of oak plantings. First, fertilization methodology is undescribed. Oaks and most California native plants can have deleterious response to conventional fertilization. Second, there is no irrigation methodology or duration for establishment of oaks. Improper or long-term irrigation can induce disease, pestilence, or death. Third, there are no structural design elements or analyses associated with impervious surfaces and soil compaction near oaks, which hamper their access to naturally occurring nutrients, water, and root oxygenation.

Special status species

CNPS appreciates that special plant alliances were investigated as part of the field surveys. Of concern is that the DEIR states that almost 30% of special status species known to occur onsite will be destroyed. There is inadequate analysis with regard to avoidance, prevention of destruction, and rationale as to why these plants will be taken.

We believe the rare plant surveys may not be indicative of species that are found on the property. Lack of precipitation is the primary factor, nearby documented populations, along with other reasons stated under Surveys comments above. CNPS field surveys conducted on other parcels in the vicinity of West Village during the West Village investigations showed a paucity of vegetation and absence of most annual special species. We disagree with the rationale used in the DEIS that states the following special plants have low probability of occurrence, which begs further onsite investigation:

- *Astragalus brauntonii*
- *California marophylla*
- All three *Calocortus* species

- *Chorizanthe parryi* var. *parryi*
- *Camissoniopsis lewisi*
- *Deinandra minthornii*
- *Lasthenia glabrata* ssp. *Coulter*
- *Monardella hypoleuca* ssp. *Hypoleuca*
- *Navarretia ojaiensis*
- *Phacelia ramosissima* var. *austrolitoralis*
- *Thelypteris puberula* var. *sonorensis*

Mitigation for mariposa lily and purple sage scrub

CNPS appreciates the project proponent and City's commitment to cultivating locally sourced genotypic plant material to use in onsite plantings. Use of these plants will help ensure durability, longer term survival, resistance to pests, and best type for ecosystem services including and not limited as pollinators and forage.

Wildlife corridors

The existing City wildlife linkage will be narrowed by at least 25% due to the development footprint of West Village. The DEIR fails to analyze impacts of this compression to connectivity in the watershed, plant communities, and both on-site and migratory wildlife.

CNPS finds the section about the wildlife corridor to be inaccurate and minimized. In as much as the West Village site may not be within the Santa Monica Mountains/Sierra Madre Connection, it and the adjacent open space areas are well documented as important feeder sites for nurseries, breeding, plant and animal connectivity. The area was part of the adjacent Significant Ecological Area prior to City incorporation and is testament to the biological contributions of the site and vicinity to the watershed and habitat connectivity. The DEIR fails to expound on this.

In lieu fee programs

CNPS finds the DEIR to be deficient in discussing the option of participating in one of three named *In Lieu Fee Programs* instead of onsite mitigation. First, there are ample acreage, habitat types, variety of hydro and geological opportunities on the West Village property. Second, sites maintained by the Ojai Land Conservancy are wholly inappropriate for banking due to the lack of similarities in site, soils, aspect, elevation, and other growing conditions to those at the proposed development.

Impacts

The DEIR analysis states that permanent disturbance would occur only within the development footprint. CNPS disagrees in that the science is clear that all ground disturbance activities, especially from heavy machinery and grading, either permanently scar or alter soils, plant communities, biota, and introduce invasive and non-native species. The DEIR should thus correctly state that nearly 50% of the site, which is the area to be modified, will be permanently disturbed.

4.5 Greenhouse Gas Emissions/Climate Change

CNPS questions why this section of the DEIR only analyzes emissions and carbon release by end-of-pipe sources related to the project. Ample scientific data and information related to emerging climate change science show that 47-49% of all emissions are generated by structures, as well as their energy use. Albeit the project proponent proposes to employ green building standards, there is still no analysis of the offset to emissions by these standards.

We question the wisdom of the design of the project to apply green building standards only to the residential structures. There is no explanation in the DEIR as to why these design elements will not be incorporated in the commercial buildings.

Additionally, current science show that removal of intact native plant communities and related soil disturbance destroy the carbon capture function for these biotic mechanisms and contribute to atmospheric carbon.

4.6 Hydrology and Water Quality

CNPS questions why the project proponent and City failed to use one of many hydrological consulting firms recommended by State Water Resources Control Board. United Civil, Inc. is not based in California and may not have the experience and background knowledge specific to the Transverse Ranges, the hydrology which is complex due to plate tectonics, geology, and biota. The 15-page state-generated spreadsheet regularly updated lists numerous hydrologists in Southern California.

The DEIR fails to describe encroachment of the seeps and other riparian by construction and post-construction activities. It as well alludes there might be disturbance and take of habitat and biotic resources in these areas, suggesting that restoration will be conducted. CNPS believes the analyses under fails to include avoidance. A CNPS representative at the scoping meeting recalls the speakers stating that part of the planned recreational development component of West Village proposed to include trails within sensitive areas that include the special water features. This statement is not addressed in the DEIR.

The jurisdictional areas on site should be avoided. Their functions in the watershed cannot be recreated once destroyed.

4.11 Tribal Cultural Resources

CNPS questions the comprehensiveness of documenting cultural resources at the site. Particular concern includes the lack of pre-historic and recent historic use, in addition to Native American settlement and activities at the site. There is a clear biological and historic nexus as to why the area and property that is West Village attracted and retained use over thousands of years.

The AB52 tribal consultation failed to address the importance of the immediate area for historic inter-tribal use of no less than four tribes. The consult as well should have inquired about more comprehensive tribal land use, including and not limited to ethnobotanical, foraging, and hunting sites.

Summary

Much investment has been given by the project proponent and City of Calabasas to the West Village project over several years. CNPS is appreciative that some public comment from the scoping period is considered and incorporated in the DEIR. For several reasons, we believe the document to be deficient in the listed categories contained in this comment letter.

Conclusion

California Native Plant Society respectfully submits our West Village DEIR comments to the City of Calabasas. We impress the need to revisit numerous elements of the document, conduct proper investigations, individual and cumulative analyses, and rewrite several sections of this proposed project far in advance of publishing the Final Environmental Impact Report.

Sincerely,

A handwritten signature in black ink on a light-colored background. The signature is cursive and reads "Snowdy Dodson".

Snowdy Dodson
Co-President
Los Angeles / Santa Monica Mountains Chapter
California Native Plant Society

Cc: Gary Brown, Santa Monica Mountains National Recreation Area
Valerie Carrillo Zara, Los Angeles Regional Water Quality Control Board
Betty Courtney, California Department of Fish & Wildlife
Paul Edelman, Mountains Restoration and Conservation Authority
Kim Lamorie, Las Virgenes Homeowners Federation
L.B. Nye, Los Angeles Regional Water Quality Control Board
Linda Parks, Santa Monica Mountains Conservancy
Paulette Luhui Isha Waiya, Wishtoyo Foundation