

MITIGATED NEGATIVE DECLARATION

A. PROJECT DESCRIPTION:

Entitlement: Coastal Planned Development (PD) Permit for Escario Residence, Case No. PL17-0104

Applicant: Christian Escario

Location: 10753 Yerba Buena Road, Malibu, CA 90265

Assessor's Parcel No.: 700-0-060-010

Parcel Size: 40 acres

General Plan Designation: Open Space

Zoning Designation: COS-10 ac-sdf/M (Coastal Open Space, 10-acre minimum lot size, slope density formula, Santa Monica Mountains Overlay Zone)

Responsible and/or Trustee Agencies: California Department of Fish and Wildlife

Project Description: The Applicant requests a Major Modification to Coastal Planned Development (PD) Permit Case No. 1609 to construct the following: a new 25-foot high, 2,160-square foot (sq. ft.) single-story single-family dwelling, a 6,240 sq. ft. garage with a 6,240 sq. ft. garage basement (totaling 12,480 sq. ft.), and associated retaining walls. Total area for the proposed building pad is 9,989 sq. ft. A new water well is proposed to provide domestic water and an existing water well (SWN 01S20W22D01S) will be used as a back-up well. The project also includes installation of a new septic system (1,500-gallon septic tank with an alternative treatment technology) and one 100,000-gallon water tank (43.3 feet in diameter and 14.5 feet in height).

Estimated earthwork includes 2,001 cubic yards of cut for the single-family dwelling, 3,004 cubic yards of cut for the basement and 140 cubic yards of fill. The water tank pad will require an additional 25 cubic yards of fill. The proposed project will be located in areas that were previously cleared of native vegetation and in the same general footprint as the existing home that was destroyed by the Woolsey Fire.

Onsite existing dirt roads will be maintained and a small section including a 40-foot radius fire turnaround will be improved to comply with the Ventura County



Fire Code and the Ventura County Fire Protection District access standards. Total area of Fire Department turnaround and access road is 14,029 sq. ft.

The proposed project will be constructed in phases. Phase One includes the well drilling and test. Phase Two includes the grading and construction of the proposed project. If the well test demonstrates that it can support the proposed residential use of the property, Phase Two will proceed. If the well test fails to provide water, the Coastal PD Permit will be modified to restore temporarily disturbed ESHA and to identify a new water source/location.

The proposed project will permanently remove approximately 0.414 acres of Environmentally Sensitive Habitat Areas (ESHA) related to the construction of the home and the required 100-foot fuel modification zone. An additional 2.430 acres of ESHA was cleared without a Coastal PD permit for a total of 2.85 acres. The permanent loss of 2.85 acres of sensitive plant communities that constitute ESHA will be mitigated at a 2:1 mitigation to impact ratio (5.70 acres of mitigation to offset 2.85 acres of loss of ESHA).

B. STATEMENT OF ENVIRONMENTAL FINDINGS:

State law requires the Resource Management Agency, Planning Division, as the lead agency for the proposed project, to prepare an Initial Study (environmental analysis) to determine if the proposed project could significantly affect the environment. Based on the findings contained in the attached Initial Study, it has been determined that the proposed project may have a significant effect on the environment; however, mitigation measures are available that would reduce the impacts to less than significant levels. Therefore, a Mitigated Negative Declaration has been prepared and the applicant has agreed to implement the mitigation measures.

C. LISTING OF POTENTIALLY SIGNIFICANT ENVIRONMENTAL IMPACTS IDENTIFIED:

1. Section 4A, Biological Resources, Species: The Initial Study found that the proposed project would have significant impacts to special-status wildlife species. Impacts will be less than significant with the implementation of Mitigation Measures BIO-1 and BIO-2, which require pre-construction surveys and relocation of special-status species (if necessary) and installation of temporary fencing around the development envelope during construction.
2. Section 4B, Biological Resources, Ecological Communities – Sensitive Plant Communities: The Initial Study found that the proposed project would have potentially significant impacts to sensitive plant communities that are considered Environmentally Sensitive Habitat Areas (ESHA). Impacts will be less than significant with the implementation of Mitigation Measures BIO-2 and BIO-3, which require construction exclusion fencing and prohibition of invasive plants and seeds in a landscape plan and erosion control seed mix.

3. Section 4D, Biological Resources, Ecological Communities- ESHA: The Initial Study found that the proposed project would have potentially significant impacts to ESHA. Impacts will be less than significant with the implementation of Mitigation Measures BIO-4 and BIO-5, which require the following: compensatory mitigation for the loss of ESHA that was caused by previous clearing and will be caused by the proposed development and an approved fuel modification plan that minimizes impacts to ESHA from fuel modification activities. Mitigation measures BIO-2 and BIO-3 identified to mitigate potentially significant impacts to sensitive plant communities for Section 4B would also mitigate potentially significant impacts for Section 4D.
4. Section 4E, Biological Resources, Habitat Connectivity: The Initial Study found that the proposed project would have significant impacts to wildlife movement and habitat connectivity. To avoid future barriers to wildlife movement, Mitigation Measures BIO-6 and BIO-7 require fencing outside the development footprint to be permeable to wildlife and submittal of a lighting plan.
5. Section 4F, Biological Resources: The Initial Study found that the proposed project would have a potentially significant impact to biological resources. Impacts will be less than significant with the implementation of Mitigation Measures BIO-1 through BIO-7.

D. PUBLIC REVIEW:

Legal Notice Method: Direct mailing to property owners within 300 feet of the property on which the proposed project is located, and a legal notice in the *Ventura County Star*.

Document Posting Period: January 15, 2020 through February 14, 2020

Public Review: The Initial Study/Mitigated Negative Declaration is available for public review online at <https://vcrma.org/divisions/planning> (select "CEQA Environmental Review") or at the County of Ventura, Resource Management Agency, Planning Division, 800 South Victoria Avenue, Ventura, California, from 8:00 am to 5:00 pm, Monday through Friday.

Comments: The public is encouraged to submit written comments regarding this Initial Study/Mitigated Negative Declaration no later than 5:00 p.m. on the last day of the document posting period to Noe Torres, the case planner, at the County of Ventura Resource Management Agency, Planning Division, 800 South Victoria Avenue L#1740, Ventura, CA 93009. You may also e-mail the case planner at Noe.Torres@ventura.org.

D. CONSIDERATION AND APPROVAL OF THE MITIGATED NEGATIVE DECLARATION:

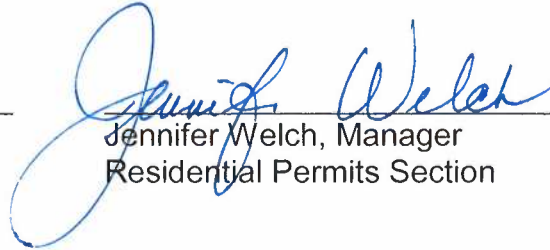
Prior to approving the project, the decision-making body of the Lead Agency must consider this Mitigated Negative Declaration and all comments received on the Mitigated Negative Declaration. That body may approve the Mitigated Negative Declaration if it finds that all the significant effects have been identified and that the proposed mitigation measures will reduce those effects to less than significant levels.

Prepared by:

Reviewed for Release to the Public by:



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