

MEMORANDUM

To: Michael Klein – City of Calabasas
From: Michael Cady
Subject: Peer-Review of the Biological Resources Report for 24226 Dry Canyon Cold Creek Road
Date: May 25, 2020

This memorandum provides the results of a third-party peer review of the Biological Assessment (BA) (dated October 13, 2017, Revised April 6, 2020) prepared by Forde Biological Consultants and a site visit conducted by Dudek biologist Tracy Park on March 5, 2020 for the property located at 24226 Dry Canyon Cold Creek Road in Calabasas, California. Michael Klein, Senior Planner for the City of Calabasas, was present during the site visit. The BA was revised following an initial peer review memorandum by Dudek dated March 6, 2020.

1 Dudek's Literature Search

The following data sources were reviewed to assist with peer-review efforts:

- California Department of Fish and Wildlife (CDFW) California Natural Diversity Database (CNDDDB; CDFW 2020a);
- California Native Plant Society (CNPS) Inventory of Rare and Endangered Plants (CNPS 2020);
- U.S. Fish and Wildlife Services (USFWS) National Wetlands Inventory (USFWS 2018);
- CDFW CNDDDB Special Animals List (CDFW 2020b);
- eBird (eBird 2020);
- CalHerps (Nafis 2016); and
- U.S. Geological Survey (USGS) Watershed Boundary Dataset and National Hydrography Dataset (2020).

2 Peer-Review Results

2.1 Peer-Review of Project Location and Description

Dudek's site visit and desktop review confirmed the location and physical setting description of the BA. However, the Dudek biologist was informed by Mr. Klein that changes have been made to the site plan and project elements since submission of the BA. Therefore, the BA should be updated to include these modifications.

2.2 Peer-Review of Watersheds Section

Dudek's literature review found that the property is located in the Cold Creek-Malibu Creek watershed (Hydrologic Unit Code [HUC] scale 12: 1807010401) within the larger Malibu Creek watershed (HUC scale 10: 1807010401), which are comprised of approximately 27 square miles and 110 square miles, respectively (USGS 2020).

2.3 Peer-Review of Streams and Wetlands Section

Dudek's literature review and site visit confirmed the presence of a creek on site as indicated by the National Wetlands Inventory, its bank-to-bank width, and its ephemeral nature. Based on the proposed site plan the project footprint would not overlap within the creek or mapped riparian vegetation communities. Therefore, the project is not expected to impact potential jurisdictional wetlands or waters of the U.S. and state.

2.4 Peer-Review of Plant Community Alliances Section

Dudek's initial literature review and site visit confirmed that four plant communities occur within the property. However, Dudek recommended that changes be made to the following community designations based upon the observed composition during the site visit: Arroyo Willow Thicket (*Salix lasiolepis* shrubland alliance) and Mulefat-California sagebrush (*Baccharis salicifolia*-*Artemisia californica* shrubland alliance). Forde Biological Consultants revised the communities to Goodding's Willow - Red Willow Woodland (*Salix gooddingii*-*Salix laevigata* Woodland Alliance) and Mulefat Thicket (*Baccharis salicifolia* shrubland Alliance), which is consistent with Dudek's determinations.

2.5 Peer-Review of Special-Status Species Section

Dudek's literature review is typically based on 9-quadrangle search for larger projects or a single- or two-quadrangle search for smaller projects. Because the project lies along the southern edge of the USGS Calabasas 7.5-minute quadrangle, Dudek added the USGS Malibu Beach 7.5-minute quadrangle (includes southern portion of project footprint) for the database queries. Based upon Dudek's literature review, the following special-status wildlife species recognized on the CDFW Special Animals List has a moderate potential to occur: California legless lizard (*Anniella* spp.; CDFW Species of Special Concern). This species has the potential to occur in the drainage within the center of the property, which is not expected to be impacted by the proposed project. Forde Biological Consultants added this species with a similar determination of the potential to occur.

No special-status species were observed during Dudek's site visit. Although the BA identified one special-status plant species, southern California black walnut (*Juglans californica*; California Rare Plant Rank 4.2), along the drainage, this species was not observed during the site visit. No other special-status plant species were observed or have a moderate or higher potential to occur.

2.6 Peer-Review of Nesting Birds Section

Dudek's literature review and site visit confirms the findings of the Nesting Birds section of the BA. The property has vegetation that could provide nesting habitat for birds protected under the Migratory Bird Treaty Act (16 USC 703-712) and California Fish and Game Code Sections 3503, 3503.5, and 3513.

2.7 Peer-Review of Connectivity – Linkages and Corridors Section

Dudek's literature review and site visit confirms the findings of the Connectivity – Linkages and Corridors section of the BA. The property does not occur within an area identified as a regional or local linkage; however, the drainage on site could provide habitat for local wildlife movement.

2.8 Peer-Review of Native Tree Protection Policies Section

Dudek's literature review and site visit confirms the findings of the Native Tree Protection Policies section of the BA. Coast live oaks (*Quercus agrifolia*) and scrub oaks (*Quercus berberidifolia*) protected under the City of Calabasas Oak Tree Ordinance (17.32.010) were observed during Dudek's site visit as mapped in the BA. The removal or encroachment on any of the trees would require compliance with the ordinance.

2.9 Peer-Review of Impact Analysis

The impact analysis provides an accurate depiction of the proposed projects potential impacts to sensitive biological resources.

2.9 Peer-Review of Recommendations, Avoidance Strategies, and Mitigation Measures

The provided measures are adequate to avoid and minimize potential impacts from project construction to sensitive biological resources.

3 Peer-Review of Conclusion

The BA provides an adequate description of the existing conditions, presence of sensitive biological resources, impact analysis, and recommendations for avoidance and mitigation measures.

References

- CDFW (California Department of Fish and Wildlife). 2020a. California Natural Diversity Database (CNDDDB). RareFind 5.2.14 (Commercial Subscription). Sacramento, California: CDFW, Biogeographic Data Branch. Accessed March 2020. <https://map.dfg.ca.gov/rarefind/view/RareFind.aspx>.
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- CNPS (California Native Plant Society). 2020. Inventory of Rare and Endangered Plants (online edition, v8-03 0.45). Sacramento, California: California Native Plant Society. Accessed March 2020. www.rareplants.cnps.org.
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