



## Memorandum

**TO:** Joe Decruyenaere, County Biologist  
**CC:** Eddie Makabi  
**FROM:** Daryl Koutnik, Principal Biologist, PCR Services  
**RE:** **540 THRIFT ROAD BIOLOGICAL ASSESSMENT SUPPLEMENT**  
(County Project R2013-01846; RCUP201300093)

**DATE:** August 12, 2013

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This memorandum serves to supplement the May 14, 2009 540 Thrift Road Biological Assessment<sup>1</sup> (**Appendix 1**) and the 2012 Update<sup>2</sup> (**Appendix 2**) both prepared by Cooper Ecological Monitoring for a proposed single-family residence located at 540 Thrift Road on a 0.24 acre parcel (APN 4464-012-016 and 4464-012-039; “project site”) located in unincorporated Malibu, Los Angeles County, California. PCR biologist Daryl Koutnik conducted a site visit on July 24, 2013 to evaluate the existing site conditions and determine if any changes to the previous conditions documented in the 2009 Biological Assessment have occurred.

The project site is located northeast of the intersection of Kanan Road and Latigo Canyon Road within an existing small-lot subdivision of the Santa Monica Mountains. Within the neighborhood, the project site is just east of the intersection of Thrift and Birdella Roads. The project site is fenced on three sides and is open only along the Thrift Road frontage (for approximately 75 feet). Two residential structures exist to the south and southwest of the project site. The two parcels to the east of the project site are partially developed with a swimming pool and water slide. The parcel to the west of the project site is currently undeveloped at the north end where the oak trees grow but contains a propane tank used by the residential structure on the south end of the property. **Figures 1 and 2, Site Photographs**, depict conditions at the project site. The project site is located within the Zuma Canyon Significant Ecological Area (SEA) Buffer.

The overall site conditions are as described in both the 2009 Biological Assessment and the 2012 Update memorandum. The majority of the project site is a stand of 18 oak trees within the flat northern roughly three-quarters of the project site. The oak trees on the project site contribute to an oak woodland extending a short distance in both the west and east directions. This on-site oak resource most closely fits the terminology of the May 2011 Los Angeles County Oak Woodlands Conservation Management Plan described as severely degraded, since there is no evidence of natural regeneration, the natural condition has been drastically altered by the surrounding residential developments, and the understory consists of sparse poison oak (*Toxicodendron diversilobum*) and a single cluster of canyon sunflower (*Venegasia carpesioides*). Herbaceous annual vegetation, especially grasses, is present during

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<sup>1</sup> Cooper Ecological Monitoring, Inc. May 19, 2009. Biological Assessment, 540 Thrift Road, Malibu, California. Prepared for Steven Paek.

<sup>2</sup> Cooper Ecological Monitoring, Inc. July 23, 2012. Update for 540 Thrift Rd. Memorandum to Jared Nygren, Department of Regional Planning.

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late winter and spring, as reported in the 2009 Biological Assessment. The sparse understory is assumed to be a consequence of poison oak control and fuel modification for the residences to the south. Many of the oak trees exhibit trunk damage caused by a fire that burned in 1982. The oak tree report prepared by Trees, Etc. assesses the health of the on-site trees as fair to poor.

The southern portion of the project site is a moderate slope with oaks on the western side and sparse chaparral on the eastern side. The southern property line separates the parcel from the two existing single-family residences to the south. The hillside immediately north of the project site (across the street from 540 Thrift Road) was recently cleared of all vegetation and was bare soil on July 24, 2013.

The oak resources are described in the 2009 Biological Assessment as being intact but disturbed, with “visible impacts including regular control (through spraying) of poison-oak *Toxicodendron diversilobum*” and “the removal of most downed wood, both on the site as well as on adjacent lots.”

Wildlife use of the project site is primarily confined to those species, chiefly avian, characteristic of oak resources found throughout the Santa Monica Mountains. As described in the 2009 Biological Assessment, “Many of the breeding bird species characteristic of lowland, non-riparian oak woodland in California were observed on or adjacent to the site,” and “Other animals were scarce, due both to the small size of the site and the fact that most of the understory growth beneath the oaks had been eliminated.” While the PCR site visit was not timed for floral and faunal inventory surveys, oak titmouse was heard within the oak resource canopies. On-site resources are described in the 2009 Biological Assessment (see **Appendix 1**).

## Special-Status Resources

The project site is located within the Point Dume USGS topographic quadrangle. A search of the California Natural Diversity Database (CNDDDB) for a six-quadrangle area surrounding and including the Point Dume quadrangle was performed. The surrounding USGS topographic quadrangles include Calabasas, Malibu Beach, Newbury Park, Thousand Oaks and Triunfo Pass. A total of 28 sensitive plant species have been recorded within the vicinity of the project site (see **Table 1** - Special-status Plant Species). In addition, 29 sensitive wildlife species (excluding three fish species which would not occur) have been recorded within the vicinity of the project site (see **Table 2** - Special-status Wildlife Species). The oak titmouse (*Baeolophus inornatus*), an avian species commonly found in oak woodlands in southern California, is listed in the CNDDDB search but is a species for which data is not currently tracked. Oak titmouse is also included on both the United States WatchList of Birds of Conservation

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Concern and the U.S. Fish and Wildlife Service Birds of Conservation Concern<sup>3</sup>. Although not included in the CNDDDB search, the Los Angeles County Sensitive Bird Species<sup>4</sup> greater roadrunner (*Geococcyx californianus*), the only species on the list with potential to occur on the project site, is included in the **Table 2** for completeness. Of the sensitive plant or wildlife species listed in the CNDDDB, only oak titmouse was observed during the Cooper Ecological Monitoring, Inc. surveys or the brief site visit by PCR; however, coastal whiptail (*Aspidoscelis tigris stejnegeri*), Cooper's hawk (*Accipiter cooperii*), pallid bat (*Antrozous pallidus*), western mastiff bat (*Eumops perotis californicus*), western red bat (*Lasiurus blossevillii*) and hoary bat (*L. cinereus*) might occasionally use the project site. The 2009 Biological Assessment (**Appendix 1**, pages 5-6) includes a discussion of the possible sensitive species that may make use of the project site. In addition to those species mentioned above, the San Bernardino ringneck snake could be expected on the site. The locally uncommon Santa Monica Mountains hairstreak (*Satyrium auretteum fumosum*), which is not included on the State or Federal sensitive species lists, is endemic to the northern slopes of the western section of the Santa Monica Mountains and the larval food source is coastal live oak (*Quercus agrifolia*).

**Table 1 - Special-status Plant Species**

Scientific Name	Common Name	Suitable Habitat	Potential for Impact
<i>Astragalus brauntonii</i>	Braunton's milk-vetch	Absent; prefers carbonate soils (limestone outcrops), usually on recent burns or disturbed areas in chaparral, coastal sage scrub	No
<i>Atriplex coulteri</i>	Coulter's saltbush	Absent; prefers coastal bluff scrub, coastal dunes, or coastal scrub	No
<i>Baccharis malibuensis</i>	Malibu baccharis	Present; this species is mostly found in chaparral but also in the periphery of oak woodlands; the species was not found on-site	No
<i>California macrophylla</i>	round-leaved filaree	Absent; usually prefers valley and foothill grassland communities	No
<i>Calochortus clavatus</i> var. <i>gracilis</i>	slender mariposa-lily	Absent; prefers shaded canyons, often on grassy slopes within chaparral and coastal scrub communities	No
<i>Calochortus plummerae</i>	Plummer's mariposa-lily	Absent; prefers coastal scrub, chaparral, and grassland communities	No
<i>Centromadia parryi</i> ssp. <i>australis</i>	southern tarplant	Absent; prefers vernal mesic, often alkaline, habitats in valley and foothill grasslands	No

<sup>3</sup> U.S. Fish and Wildlife Service. 2008. Birds of Conservation Concern 2008. United States Department of Interior, Fish and Wildlife Service, Division of Migratory Bird Management, Arlington, Virginia. 85 pp.

<sup>4</sup> Los Angeles County Sensitive Bird Species Working Group. 2009. Los Angeles County's Sensitive Bird Species. Western Tanager. 75(3): 1-11.

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Scientific Name	Common Name	Suitable Habitat	Potential for Impact
<i>Chaenactis glabriuscula</i> var. <i>orcuttiana</i>	Orcutt's pincushion	Absent; prefers sandy habitats in coastal bluff scrub and coastal dunes	No
<i>Chorizanthe parryi</i> var. <i>fernandina</i>	San Fernando Valley spineflower	Absent; prefers coastal scrub and grassland communities	No
<i>Chorizanthe parryi</i> var. <i>parryi</i>	Parry's spineflower	Absent; prefers openings in chaparral, coastal scrub, and grassland communities	No
<i>Deinandra minthornii</i>	Santa Susana tarplant	Absent; prefers sandstone outcrops and crevices in chaparral and coastal scrub communities	No
<i>Delphinium parryi</i> ssp. <i>blochmaniae</i>	dune larkspur	Absent; prefers maritime chaparral and coastal dunes	No
<i>Didymodon norrisii</i>	Norris' beard moss	Absent; mesic, rocky habitats within cismontane woodland	No
<i>Dudleya blochmaniae</i> ssp. <i>blochmaniae</i>	Blochman's dudleya	Absent; prefers rocky or clay substrates in coastal bluff scrub, chaparral, coastal scrub, and grassland communities	No
<i>Dudleya cymosa</i> ssp. <i>agourensis</i>	Agoura Hills dudleya	Absent; prefers volcanic substrates in chaparral	No
<i>Dudleya cymosa</i> ssp. <i>marcescens</i>	marcescent dudleya	Absent; prefers volcanic substrates in chaparral, often adjacent to riparian vegetation	No
<i>Dudleya cymosa</i> ssp. <i>ovatifolia</i>	Santa Monica dudleya	Absent; prefers rocky substrates in chaparral and coastal scrub communities	No
<i>Dudleya multicaulis</i>	many-stemmed dudleya	Absent; prefers clay soils in chaparral, coastal scrub, and grassland habitats	No
<i>Dudleya parva</i>	Conejo dudleya	Absent; prefers Clay or volcanic substrates in coastal scrub and grassland communities	No
<i>Dudleya verityi</i>	Verity's dudleya	Absent; prefers volcanic outcrops in chaparral and coastal scrub communities	No
<i>Eriogonum crocatum</i>	conejo buckwheat	Absent; prefers Conejo volcanic outcrops in chaparral, coastal scrub, and grassland communities	No
<i>Lasthenia glabrata</i> ssp. <i>coulteri</i>	Coulter's goldfields	Absent; prefers soils in coastal salt marshes and swamps, playas, and vernal pools	No
<i>Navarretia ojaiensis</i>	Ojai navarretia	Absent; prefers openings in chaparral, coastal scrub, and grassland communities	No
<i>Nolina cismontana</i>	chaparral nolina	Absent; prefers chaparral and coastal scrub communities	No
<i>Orcuttia californica</i>	California Orcutt grass	Absent; prefers vernal pools	No

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Scientific Name	Common Name	Suitable Habitat	Potential for Impact
<i>Pentachaeta lyonii</i>	Lyon's pentachaeta	Absent; prefers openings in chaparral, coastal scrub, and grassland communities	No
<i>Senecio aphanactis</i>	chaparral ragwort	Absent; prefers dry alkaline flats in chaparral and coastal scrub habitats	No
<i>Thelypteris puberula</i> var. <i>sonorensis</i>	Sonoran maiden fern	Absent; prefers meadows, seeps and streams	No

**Table 2 - Special-status Wildlife Species**

Scientific Name	Common Name	Suitable Habitat	Potential for Impact
<b>Invertebrates</b>			
<i>Coelus globosus</i>	Globose dune beetle	Absent; prefers coastal sand dune habitats	No
<i>Danaus plexippus</i>	Monarch butterfly	Absent; prefers wind-protected tree groves (especially eucalyptus and Monterey cypress)	No
<i>Socalchemmis gertschi</i>	Gertsch's socialchemmis spider	Known only from Brentwood and Topanga Canyon	No
<i>Trimerotropis occidentiloides</i>	Santa Monica grasshopper	Absent; found on bare hillsides and along dirt trails in chaparral	No
<b>Amphibians</b>			
<i>Anaxyrus californicus</i>	Arroyo toad	Absent; occurs in rivers, washes or intermittent streams with sandy banks	No
<i>Rana draytonii</i>	California red-legged frog	Absent; requires permanent water along riparian areas for larval development	No
<b>Reptiles</b>			
<i>Anniella pulchra pulchra</i>	Silvery legless lizard	Marginal; prefers leaf litter associated with sandy or loose loamy soil of high moisture content under sparse vegetation	No
<i>Aspidoscelis tigris stejnegeri</i>	Coastal whiptail	Marginal; occurs in various habitats with sandy or rocky soils within sparse vegetation, open areas, woodlands and riparian communities	Possible
<i>Diadophis punctatus modestus</i>	San Bernardino ringneck snake	Marginal; prefers surface litter or herbaceous vegetation in open, relatively rocky areas, often near intermittent streams	Possible

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Scientific Name	Common Name	Suitable Habitat	Potential for Impact
<i>Emys marmorata</i>	Western pond turtle	Absent; needs suitable nesting sites in permanent or near permanent bodies of water	No
<i>Lampropeltis zonata (pulchra)</i>	California mountain kingsnake (San Diego population)	Absent; common in the vicinity of rocks or boulders near streams or lake shores	No
<i>Phrynosoma blainvillii</i>	Coast horned lizard	Marginal; occurs in relatively open areas of coastal sage scrub, annual grassland, chaparral, and oak woodland	No
<i>Thamnophis hammondi</i>	Two-striped garter snake	Absent; found in perennial and intermittent streams having rocky or sandy beds	No
<b>Birds</b>			
<i>Accipiter cooperii</i>	Cooper's hawk (nesting)	Present; nests in open forests, woodlands, or trees; not observed on-site	Possible
<i>Agelaius tricolor</i>	Tricolored blackbird	Absent; requires open water and protected nesting substrate	No
<i>Aimophila ruficeps canescens</i>	southern California rufous-crowned sparrow	Absent; prefers steep, often rocky hillsides of coastal scrub and chaparral with grass and forb patches	No
<i>Aquila chrysaetos</i>	Golden eagle (nesting)	Absent; prefers mainly cliffs for nesting but also in large trees (such as oaks)	No
<i>Athene cunicularia</i>	Burrowing owl	Absent; prefers pen, dry grassland or scrublands characterized by low-growing, widely spaced vegetation	No
<i>Baeolophus inornatus</i>	Oak titmouse (nesting)	Present; occurs in hardwood forests, valley and coastal oak woodlands, and foothill riparian habitats in cismontane California	Yes
<i>Geococcyx californianus</i>	Greater Roadrunner	Absent; prefers arid coastal sage scrub or chamise chaparral	No
<i>Polioptila californica californica</i>	Coastal California gnatcatcher	Absent; prefers coastal sage and alluvial scrub habitats	No
<i>Riparia riparia</i>	Bank swallow	Absent; nests primarily in riparian and other lowland habitats requiring vertical banks/cliffs near streams	No
<i>Vireo bellii pusillus</i>	Least Bell's vireo	Absent; prefers willows and other low, dense riparian habitat	No
<b>Mammals</b>			
<i>Antrozous pallidus</i>	Pallid bat	Marginal; roosts in caves, crevices, mines, and occasionally hollow trees	Possible
<i>Euderma maculatum</i>	Spotted bat	Absent; roosts in rock crevices and occasionally in caves and buildings	No

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Scientific Name	Common Name	Suitable Habitat	Potential for Impact
<i>Eumops perotis californicus</i>	Western mastiff bat	Marginal; roosts in crevices in cliff faces, high buildings, trees and tunnels	Possible
<i>Lasiurus blossevillii</i>	Western red bat	Marginal; roosts primarily in trees, less often in shrubs, sites often in edge habitats adjacent to streams, fields, or urban areas	Possible
<i>Lasiurus cinereus</i>	Hoary bat	Present; roosts in dense foliage of medium to large trees	Possible
<i>Macrotus californicus</i>	California leaf-nosed bat	Absent; roosts in rocky, rugged terrain with mines or caves	No
<i>Myotis ciliolabrum</i>	Western small-footed myotis	Absent; roosts in buildings, caves, and mines, frequently near water	No
<i>Myotis yumaensis</i>	Yuma myotis	Absent; roosts in buildings, mines, caves, crevices, and under bridges	No
<i>Neotoma lepida intermedia</i>	San Diego desert woodrat	Absent; prefers moderate to dense coastal scrub canopies	No
<i>Taxidea taxus</i>	American badger	Marginal; prefers open shrub, forest, and herbaceous habitats with friable soils	No

## Project Impacts

The proposed project is a 2,661-square foot, two-story single-family residence with swimming pool. The project will require a total of 261 cubic yards of grading, including 234 cubic yards of fill to level the building pad for the house construction. Total ground disturbance will be about 0.15 acre (65%) of the 0.24 acre project area. The project proposes to remove 14 oak trees from the on-site oak resources and encroach upon the driplines of eight additional oak trees (three on-site and five off-site). The removal of the oak resources will create a canopy gap in the oak woodland between the property on the west and that on the east of the project site. The loss of the oak habitat may be considered significant without appropriate mitigation. In addition, because a number of both common and sensitive wildlife species may utilize the on-site oak resources, precautionary action is recommended to avoid potentially significant impacts to wildlife species.

## Mitigation Measures

The 2009 Biological Assessment includes the following measures designed to minimize impacts to sensitive wildlife species during and after constructions:

- Minimize the number of oak trees removed, and the loss or thinning of the oak canopy (for western red bat, oak woodland birds and invertebrates)

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- Avoid irrigated landscape which could displace the native ant/invertebrate community and encourage the spread of non-native insects (especially the Argentine ant *Linepithema humile*) (for western whiptail)
- Leave fallen oak bark, limbs and leaves as they occur naturally, allowing for hiding/foraging places (for ringneck snake, foraging birds and mammals)
- Keep grading and soil disturbance (e.g., retaining walls, walkways) to an absolute minimum, except as required for essential construction (for native plants)

In addition, the 2009 Biological Assessment includes recommendations to lessen impacts on the oak resources, especially those remaining in the adjacent properties:

- Avoid watering oaks, or any part of the property, which may encourage oak pathogens. Use of native plants in landscaping may require some watering initially, but as this is a mesic, shady site, it shouldn't be hard to keep watering to an absolute minimum.
- Do not plant invasive non-native landscaping species like *Lantana*, *Nasturtium*, etc.
- Keep outdoor lighting to a minimum and direct lights narrowly and at the ground, preferably on landscaped or built surfaces. Light pollution interferes with hunting owls, foraging poorwills, etc.
- Avoid use of bird feeders and nest boxes; instead rely on natural cavities in oaks and naturally-occurring plants.

In addition to the above recommendations, the following mitigation measures are recommended to reduce potential biological impacts to less than significant.

To avoid potential impacts to the roosting common and special status bat species, the applicant will retain a qualified biologist to conduct roosting bat surveys within the oak canopy prior to construction or site disturbance activities. Specifically, within 30 days of ground disturbance activities associated with construction or grading, a qualified biologist must conduct weekly surveys to determine if roosting bats are present in the construction zone or within 100 feet of the construction zone. Roosting bat surveys should be carried out from March through September. Surveys for special-status bat species may be conducted concurrently with nesting bird surveys. The surveys must continue on a weekly basis, with the last survey being conducted no more than three (3) days prior to initiation of clearance or construction work. If ground disturbance activities are delayed, then additional pre-construction surveys will be conducted such that no more than three days will have elapsed between the last survey and the commencement of ground disturbance activities. Surveys

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must include oak trees planned for removal, in which bat species are known to roost. Any bats found outside of the May through August breeding season should be relocated by having a qualified biologist remove the bat from the roost. If roosting female bats are found with young during the breeding season (May through August) clearing and construction activities within 100 feet of the roost must be postponed or halted until the roost is vacated and juveniles have been weaned, as determined by the biologist. Limits of construction to avoid an active roost site must be established in the field with flagging, fencing, or other appropriate barriers and construction personnel must be instructed on the sensitivity of nest areas. The biologist will serve as a construction monitor during those periods when construction activities will occur near active roost areas to ensure that no inadvertent impacts on these roosts will occur. The results of the survey, and any avoidance measures taken, must be submitted to the County within 30 days of completion of the pre-construction surveys and construction monitoring to document compliance with applicable state and federal laws pertaining to the protection of this bat species.

To avoid potential impacts to the nesting birds, the applicant will retain a qualified biologist to conduct nest surveys in potential nesting habitat within the project site prior to construction or disturbance activities. Specifically, within 30 days of ground disturbance activities associated with construction or grading, a qualified biologist must conduct weekly surveys to determine if active nests of bird species protected by the Migratory Bird Treaty Act (MBTA) or the California Fish and Game Code are present in the construction zone or within 100 feet of the construction zone. Surveys for special-status bird species may be conducted concurrently with general nesting bird surveys. Because some birds known to use the project area (including Cooper's hawk) nest during the late winter, breeding bird surveys must be carried out both during the typical nesting/breeding season (mid-March through September) and in January and February. The surveys must continue on a weekly basis, with the last survey being conducted no more than 3 days prior to initiation of clearance or construction work. If ground disturbance activities are delayed, then additional pre-construction surveys will be conducted such that no more than three days will have elapsed between the last survey and the commencement of ground disturbance activities. Surveys must include examination of trees, shrubs, and the ground within hillside for nesting birds.

To replace the oak resources lost with removal of 14 oak trees, the applicant will plant 28 replacement oak trees within an off-site location adjacent to existing oak woodland habitat. The planting of replacement oak trees is required by the County oak tree ordinance but additional mitigation effort is needed to comply with Section 21083.4 of the California Environmental Quality Act (CEQA). The mitigation ratio for impacts to oak resources will be a minimum of 1:1 by area affected (0.15 acre) and final mitigation ratio is dependent on the habitat quality of the mitigation site. In addition to the plant of the replacement oak trees, understory plants will be encouraged through natural recruitment where oak woodland habitat is nearby since the oak woodland canopy will be slow to develop. The off-site location, schedule of mitigation activities, oak resource maintenance and mitigation documentation

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requirements must be approved by the County and agreed to by the project proponent prior to the removal of oak trees authorized by permit and the issuance of grading or building permits. The planting area will be deed restricted by conservation easement or other legal document preserving the trees and resultant habitat in perpetuity by assuring that the mitigation location will not be developed in the future. The planting of the oak resources will be undertaken with the supervision of an arborist, biologist or restoration ecologist acceptable to the County. In addition, the oak planting will incorporate all recommendations and provisions of the County Forester. The applicant will provide to the County documentation of the planting and enhancement measures implemented, which include, at a minimum, the following information: (1) the location of the planting areas (to be coordinated with the County Biologist); (2) planting procedures; (3) a schedule and action plan to maintain the plantings, including the control of weeds through the entire monitoring period; and (4) a list of criteria by which to measure success of the plantings, as well as contingency measures if the plantings are not successful. The replacement trees and their maintenance will be monitored for seven years and an annual report of the health and growth status of the replacement oak trees will be submitted to the County Biologist.

In order to protect oak trees during project construction, the applicant will install protective fencing a minimum of five feet in height and five feet beyond the end of the branches (dripline). Stakes shall be strong enough to secure the fence for the duration of the project. The fence is to remain in place at all times. No building materials or equipment are to be stored within the fenced area. The project consulting arborist should be present during all grading operations within tree protection zones. Work within the protected zones will be done using hand tools only.



Photograph A: Proposed Building Location - Center of Property, Facing North Towards Thrift Road.



Photograph B: Western Property Boundary, Facing South.



Photograph C: Slope Along Southern Property Boundary, Facing East.



Photograph D: View within Middle of Project Site, Facing West and Neighboring Property.



Photograph E: View Along Eastern Property Boundary, Facing South.



Photograph F: Southeast Portion of Project Sit Facing Southeast.

APPENDIX 1

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**BIOLOGICAL ASSESSMENT**

**MAY 14, 2009**



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**Biological Assessment**  
**540 Thrift Rd., Malibu, CA**

**Prepared for:** Steven Paek

**by:** Daniel S. Cooper, CEM, Inc.

May 14, 2009

**Project Description**

This report presents the results of a biological assessment of a c. 10,000 square-foot lot at 540 Thrift Rd., Malibu, CA. The lot is located near the intersection of Kanan Rd. and Latigo Cyn. Rd. in the western Santa Monica Mountains, within a small subdivision of two cul-de-sacs (incl. Thrift Rd.) east of Latigo Cyn. Rd., at an elevation of c. 1,920' a.s.l. (Fig. 1). The nearest named community is Seminole Hot Springs (c. 1.5 mi. northeast). The lot is fenced on three sides (open to Thrift Rd.), and two of the adjoining lots are undeveloped (east and west sides).



Figure 1. Vicinity of property (blue pin), showing location in a subdivision built into an oak grove. Thrift Rd. is just north of blue pin (from [www.google.com](http://www.google.com), May 2009).

The applicant (Steven Paek) has proposed to build a 2-story house on the lot, including a 2-car garage, a short driveway (from Thrift Rd.), and a rear patio. The project calls for the removal of 12 coast live oaks *Quercus agrifolia* (18-20 coast live oaks are currently on the site), and the permanent loss (from development) of a significant portion of the habitat on the property.

Because of these impacts, and at the direction of the Resource Conservation District of the Santa Monica Mountains (letter to L.A. Co. Dept. of Regional Planning, May 15, 2008; revised May 8, 2009; email from Sandra Murcia on May 9, 2009), we were asked to consider:

- The potential for the oak woodland on the property to serve as "animal cover, nesting sites for birds, and shelter for ... mammals", and
- The potential for snags to "provide excellent roosts for raptors" and "nesting cavities for owls kestrels, woodpeckers, nuthatches, wrens, chickadees and bluebirds", and
- The potential for sensitive species to occur on the site.

I conducted two visits to the site, one on 08 May 2009 from 08:00 AM to 10:00 AM, and a second, brief night-time visit on 11 May 2009 from 8:50 PM to 9:10 PM.

### Property Description

The property lies near the crest of the western Santa Monica Mountains, surrounded by hills with mixed chaparral, including *Ceanothus* sp. and bigberry manzanita *Arctostaphylos glauca*. It includes and lies within an intact existing oak grove/woodland, and represents roughly 15% of this grove, which is bounded by Thrift Rd. and Latigo Cyn. Rd. (Fig. 2). Based on examination of aerial photos and topography, this woodland probably formed at the headwaters to a small tributary of Zuma Canyon Creek, draining northeast from the end of Thrift Rd. to Mulholland Hwy., and thence west to vic. Kanan Rd. and south to the Pacific Ocean near Pt. Dume. Though residential development has impacted this particular oak woodland, the area is still decidedly rural. These oaks have a largely-native understory of woody shrubs and herbs, plus an abundance of large trees with spreading crowns, and support a variety of characteristic oak woodland plant and animal species. Therefore, while the lot is within a residential area, the residential area is itself within an oak woodland, albeit one likely reduced in area from its original extent.

The oak woodland on the site, though intact, is not undisturbed; visible impacts include regular control (through spraying) of poison-oak *Toxicodendron diversilobum* (S. Paek, pers. comm.), as well as the removal of most downed wood, both on the site as well as on adjacent lots on Thrift Rd.

Aside from the oak woodland on the majority of the site, a small fragment of chaparral occurs at the far southern end of the property, adjacent to the property line and the neighboring residence. This area may have been cleared at one time, and was partially graded; a cement skirt runs from east-west near the back property line, presumably to direct water off the slope after it was altered for construction of neighboring houses.



Figure 2. Close-up view of property location (blue pin), showing intact canopy of oak grove, and proximity to other houses (from [www.google.com](http://www.google.com), May 2009).

There is no surface water on the site, though a lush understory growth of seep-loving plant species (incl. poison-oak and canyon sunflower *Venegasia carpesioides*) suggests that water is close to the surface.

### **Animals**

Oak woodlands are among the richest natural communities in the U.S. in terms of species diversity<sup>1</sup>, as the more than two dozen bird species found at this lot attest (most of them nesting nearby). Many of the breeding bird species characteristic of lowland, non-riparian oak woodland in California were observed on or adjacent to the site and were singing as if on territory; several (incl. oak titmouse and western bluebird) were accompanied by young, indicating that successful nesting had occurred at least nearby if not on the site itself. Other animals were scarce, due both to the small size of the site and the fact that most of the understory growth beneath the oaks had been eliminated.

### **Birds**

Twenty-six bird species were recorded by sight, voice, or distinctive sign. Though not formally protected, cavity-nesters, specifically mentioned in the above-mentioned letter from the RCD (2008 version) as being of local concern, were particularly well-represented on and adjacent to the property, with acorn woodpecker, Nuttall's woodpecker, ash-throated flycatcher, oak titmouse, house wren and western bluebird all likely nesting locally<sup>2</sup>.

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<sup>1</sup> CalPIF (California Partners in Flight). 2002. Version 2.0. The oak woodland bird conservation plan: a strategy for protecting and managing oak woodland habitats and associated birds in California (S. Zack, lead author). Point Reyes Bird Observatory, Stinson Beach, CA. <http://www.prbo.org/calpif/plans.html>

<sup>2</sup> Not all local cavity-nesters in the region were detected; northern flicker *Colaptes auratus* and white-breasted nuthatch *Sitta carolinensis* will also nest in cavities in oak woodland, though each is localized and associated more with riparian habitats in the Santa Monica Mountains, particularly those with massive sycamores *Platanus racemosa*.

No raptors were observed on or near the property (though they certainly occur in the vicinity) nor were nests of any raptors observed. Three species of hawks and falcons nest widely in the Santa Monicas, the Cooper's hawk *Accipiter cooperii* (California WatchList), red-shouldered Hawk *Buteo lineatus*, and red-tailed hawk *Buteo jamaicensis*; two, the American kestrel *Falco sparverius* and the white-tailed kite *Elanus leucurus* (California Fully Protected), are more localized. Of the three species of owls that occur widely (barn owl *Tyto alba*; western screech-owl *Megascops kennicottii*; and great horned owl *Bubo virginianus*), none was observed<sup>3</sup>.

As for other bird-related natural features, while acorn woodpecker was recorded (two birds), no "granary trees" or similar structures used for acorn storage was observed.

#### Mammals, reptiles and amphibians

Anything more than a cursory survey of mammals, reptiles and amphibians was outside the scope of this assessment; however, one species of mammal, a rabbit (either brush rabbit *Sylvilagus bachmani* or desert cottontail *S. auduboni*) was detected by the presence of two young individuals toward the rear of the property. In addition, a burrow consistent with that of a California ground-squirrel *Spermophilus beecheyi* was observed in the scrub at the rear of the property. During the night survey on 11 May, several Pacific chorus-frogs *Pseudacris regilla*, the only herptile encountered, were vocalizing from the property (common in the area, particularly toward the drainage at the end of Thrift Rd.).

Widespread mammals (e.g., coyote *Canis latrans*, mule deer *Odocoileus hemionus*) undoubtedly occur at times, though would not be resident full-time on the property or adjacent lots. Similarly, widespread herptiles such as Pacific rattlesnake *Crotalus viridis* would also be expected, at least occasionally.

Just one local mammal may be considered an oak-woodland-obligate, the western gray squirrel *Sciurus griseus*; a small pile of chewed pine cones near the slope of the property may have been the work of this squirrel, which might have been present but undetected. Otherwise, I did not observe evidence of any resident mammals on-site, such as woodrat *Neotoma* nests. It is possible, however, that they could have been present prior to the clearing of most of the understory. The same may be said for other vertebrates, particularly reptiles and amphibians; there simply wasn't enough downed wood or rocks to turn over to find species like slender-salamanders *Batrachoseps* spp. or small mammals. Of course, their absence during this survey should not be taken as evidence of their absence at the site; they simply were not encountered during the survey.

#### **Plants**

Floristically, the property is in relatively good ecological shape, as evinced by a) the presence of large, mature coast live oaks with thick canopies; b) a largely-native understory flora (impacted temporarily by recent spraying) which includes at least one geophyte species (*Chlorogalum pomeridianum*) scattered around the site; c) original topography retained (naturally flat near the road, natural slope toward the rear of the site); and d) a diversity of shrubs species in the chaparral at the rear of the property. Often, residential lots even in rural areas

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<sup>3</sup> It is possible that one or more species of raptors may use the site or even breed nearby in some years (particularly Cooper's hawk and western screech-owl, for which the habitat appears ideal). However, the habitat surrounding this particular oak woodland - high, dense chaparral - is not ideal foraging habitat for most raptors. This, combined with the abundance of tall trees on ridges away from the property, as well as more extensive herbaceous habitat to the north (just north of Mulholland Hwy.) means that most raptor species have many other, better options in the area.

have been graded, excavated/filled, or otherwise seriously altered, with devastating effects on the flora; this one has not been. However, the plant species that are present are all relatively widespread in the area, and none is of local or regional conservation concern. A list of plants observed is included as Appendix B.

## Impacts from Proposed Development

In assessing impacts, one must consider both direct and indirect effects, as well as cumulative effects from this and other development in the surrounding region of the subject property. In the context of the existing oak woodland as whole, this development will place a 2-story house into the center of the remaining oak grove along Thrift Rd., one that has already been reduced from prior development in the area. Therefore, this project will undeniably continue the loss of oaks and degradation of remaining oak woodland in the Santa Monica Mountains ecosystem.

With build-out, the applicant proposes a total loss of function on about 25% of the quarter-acre site (the footprint of the house, driveway, etc.), and a loss or encroachment<sup>4</sup> of most of the oaks on the property. Several large oaks will remain, however, and those that do would be contiguous with the oak woodland on adjacent properties to the east and west. The chaparral habitat at the rear of the property will apparently be retained, with development confined to the flat area near the road (S. Paek, pers. comm.). There is some question as to the fate of the slope that bisects the property; it may be altered by the construction of a retaining wall, which would impact its current flora/fauna to some degree.

The extent and significance of this degradation may be measured by the impacts to both sensitive species as well as common/characteristic species in the area. Overall, the existing oak grove will be bisected by a house, reducing the total area slightly, but also (permanently) eliminating the contiguity of the grove. Of course, the existing fences of this and other properties which crisscross the grove, as well as the other features (propane tanks, storage sheds) have already degraded the "wild-ness" of the site, though arguably not to the degree a new house and additional permanent human habitation would, considering the physical obstacle posed by the new structure, plus associated lighting, noise and pest species attracted to the built dwelling.

### Sensitive species

For various reasons, southern California oak woodlands simply support few recognized sensitive species<sup>5</sup>. Of the birds observed, none is considered sensitive by state or federal regulatory agencies (incl. Calif. Bird Species of Special Concern, "CSC"), and none was identified as Los Angeles County Sensitive Bird Species ("LACSBS") in a recent publication by the Los Angeles Audubon Society<sup>6</sup>. The only sensitive bird species that could potentially occur in non-riparian oak woodland in the Santa Monica Mountains would include the white-tailed kite *Elanus caerulescens* (CSC), greater roadrunner *Geococcyx californianus* (LACSBS), and the long-eared owl *Asio otus* (CSC; when breeding). The kite and the long-eared owl are now very rare throughout Los Angeles County, and both require extensive grassland nearby

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<sup>4</sup> Defined by Los Angeles Co., any impact within 5' of the dripline, or maximum extent of canopy area.

<sup>5</sup> Stephenson, J. & Calcarone, G.M. 1999. Southern California mountains and foothills assessment: habitat and species conservation issues. General Technical Report PSW-GTR-172, USDA Forest Service, Pacific Southwest Research Station, Albany, CA, US.

<sup>6</sup> Los Angeles County Sensitive Bird Species Working Group. 2009. Los Angeles County's Sensitive Bird Species. *Western Tanager* 75:3, Jan./Feb. 2009.

for foraging (absent locally). Greater roadrunner could conceivably use the property for foraging, but as it is found almost exclusively in large patches of arid coastal sage scrub or chamise chaparral, it would use the site only marginally.

No state or federally Threatened/Endangered mammal, reptile and amphibian species would be expected to occur on the site, and only a handful of Species of Special Concern in California (= sensitive species) frequent oak woodland in the Santa Monica Mountains. Most local Species of Special concern require either wetland habitats very nearby (e.g. Coast Range newt *Taricha torosa*); loose, often sandy soil for burrowing (e.g., California legless-lizard *Aniella pulchra*), rocky sites (e.g., San Diego mountain kingsnake *Lampropeltis zonata pulchra*) or some other specialized habitat not present on the site.

However, at least one bat is known to roost in trees in the Santa Monica Mountains (western red bat *Lasiurus blossevillii*, CSC), and could conceivably roost on the property in oak foliage. It is possible that it could roost in the canopy of the oaks on the property, but as there is still an abundance of oak woodland habitat left in the Latigo/Kanan/Mulholland area (much of it less disturbed than this patch), and no indication that this particular area is important for roosting western red bat (though little specific research has ever been conducted). Two sensitive reptiles, the coastal western whiptail *Cnemidophorus tigris stejnegeri* (CSC) and the San Bernardino ringneck snake *Diadophis punctatus modestus* (CSC), would be expected on the site at least occasionally; the whiptail probably occurs in the scrub at the rear of the site (they are very common throughout the Santa Monica Mtns.), and the ringneck snake is somewhat of a habitat generalist in the area (pers. obs.) and would be expected in the understory of any oak woodland, even a small patch such as this. However, the impacts to each species, even locally, would be slight; neither has a large home range, and if any individuals are present (or occur regularly) on the site, they also almost do so on the adjacent lots, and in habitat across the street. Simply put, there is too much of their ideal habitat left in the immediate vicinity and the region to be able to discern an impact.

Invertebrates are typically the least-known group of animals in a given region, but in the case of the Santa Monica Mountains, at least the butterflies are well-understood. Relatively few, however, are rare and require oak woodland, with one notable exception, the narrowly-endemic Santa Monica Mountains hairstreak *Satyrium auretorum fumosum*, a scarce, highly-localized species confined to small colonies in the western Santa Monica Mountains. Because it requires coast live oak trees (apparently spending most of its short life in the canopy of oaks) and has been collected in the region (Malibu Lake, Paramount Ranch), the habitat on the property should be considered potentially occupied by this taxon<sup>7</sup>. However, a petition to emergency-list the species under the Federal Endangered Species Act was denied (in 1999), mainly due to lack of understanding of the ecological requirements of the butterfly<sup>8</sup>.

Measures which could be taken by the landowner to avoid impacts to sensitive animals during and after construction include the following:

- Minimize the number of oak trees removed, and the loss or thinning of the oak canopy (for western red bat, oak woodland birds and invertebrates)

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<sup>7</sup> See: [www.urbanwildlands.org/Resources/SMMH.pdf](http://www.urbanwildlands.org/Resources/SMMH.pdf)

<sup>8</sup> Federal Register: November 17, 1999 (Volume 64, Number 221), Page 62641-62644. From the Federal Register Online via GPO Access ([wais.access.gpo.gov](http://wais.access.gpo.gov)).

- Avoid irrigated landscape which could displace the native ant/invertebrate community and encourage the spread of non-native insects (esp. Argentine ant *Linepithema humile*) (for western whiptail)
- Leave fallen oak bark, limbs and leaves as they occur naturally, allowing for hiding/foraging places (for ringneck snake, foraging birds and mammals)
- Keep grading and soil disturbance (e.g., retaining walls, walkways) to an absolute minimum, except as required for essential construction (for native plants)

#### Other species

While the project's impacts to sensitive species of the region are mainly indirect, direct (if localized) impacts are probably unavoidable for other wildlife species on the property. Of the bird species likely breeding locally, some may cease nesting on the property with the construction of a house, and may select other sites, perhaps on adjoining lots (as long as that habitat remains intact).

Of the species detected, one deserves mention as is atypical of habitat patches in urban or suburban areas, and requires rather large areas (e.g., at least several hundred acres) of undisturbed habitat, the common poorwill. Several poorwill were heard on adjacent properties during the night visit, and as this is not a bird that is typically found in developed areas, its presence here suggests a still-low level of disturbance. Furthermore, the fact that birds were detected calling from trees (in this case, oaks) during the height of the breeding season would suggest that these particular trees may be important for at least some cycle of their nesting (nests are placed on the ground in dense scrub, though courting/mating birds are often found up in trees). It is fully conceivable that the construction this house, or maybe this one plus the addition of a one or two more houses, may cause the poorwill to abandon this grove. However, extensive protected habitat for the species, a habitat generalist, is still present in the vicinity of this neighborhood, and the species is not particularly threatened in the Santa Monica Mountains as a whole.

Another species observed, the acorn woodpecker, is of some concern, since it is strongly colonial, occurring year-round in large, cooperatively-nesting groups, and is often absent from seemingly suitable oak woodland. Like the poorwill, the acorn woodpecker is still common throughout the Santa Monica Mountains; unlike that species, it has adapted reasonably well to low-density development, at least where numbers of mature, acorn-bearing oaks remain. For this reason, the loss of twelve oaks in a grove of several dozen will probably not affect the occurrence of the acorn woodpecker (or other nesting birds) in the grove or even on the property, since several large oaks will be retained, and these will be contiguous with habitat on adjoining lots. The applicant should be aware that acorn woodpeckers may become pest species to homeowners, loudly excavating any wood on the exterior of a house within its territory, or hammering at any metal piece on the house. Newly-built communities in California and the Southwest have sought state permits to eradicate (shoot) these woodpeckers.

As for other wildlife, wide-ranging animals, if they are using the site much, will probably continue to use it. Most of the wildlife observed or expected on the site can thrive in the yards of houses in rural subdivisions in places in the Santa Monica Mountains like the Malibu hills and Topanga Canyon. In this case, the adjacent properties support essentially identical habitat to the subject lot, and will serve to buffer impacts from this project. On the other hand, the fact that there is contiguous (oak woodland) habitat adjacent to the lot means that the loss of such habitat on this property will have an indirect effect on the oak grove as a whole by further reducing its size (eventually, if enough lots are developed here,

the oaks will cease functioning as oak woodland and become merely street trees amongst houses).

Measures taken for the long-term survival of the remaining oaks on the site - and in particular the native reptiles, small mammals, and ground-dwelling birds - will be critical to mitigating the direct effects from this project. To this end, we recommend the following for the subject property:

- Avoid compaction/trampling of the soil throughout the entire property (this will surely damage the root system of the oaks, which spread out very far from the trunk/dripline). This includes retaining walls, cement driveways and patios, above-ground swimming pools, etc.
- Avoid watering oaks, or any part of the property. Use of native plants in landscaping may require some watering initially, but as this is a mesic, shady site, it shouldn't be hard to keep watering to an absolute minimum.
- Allow understory of oak woodland (and scrub at rear of property) to develop naturally as much as possible, while conforming with fire codes. If clearing vegetation becomes necessary, do so outside the nesting season (e.g., in fall or winter, rather than spring/summer).
- Do not plant invasive non-native landscaping species like *Lantana*, *nasturtium*, etc.
- Keep outdoor lighting to a minimum, and direct lights narrowly and at the ground, preferably on landscaped or built surfaces. Light pollution interferes with hunting owls, foraging poorwills, etc.
- Keep all pets indoors. Cats and dogs kill not only birds, but reptiles, amphibians, butterflies, etc.
- If pets are present, dispose of their waste in the garbage, not on the property (or on adjacent properties). This attracts non-native insects and alters the natural ecosystem.
- Keep pet food outside. This attracts nuisance wildlife and bolsters their numbers in the region.
- Avoid use of bird feeders and nest boxes; instead rely on natural cavities in oaks and naturally-occurring plants.

Finally, any future influence the property owner (Mr. Paek) can have on keeping the adjacent lots free from further development would also be helpful in preserving the natural values of this oak woodland.

**Submitted by**

*Daniel Cooper*

14 May 2009

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Daniel S. Cooper, President, Cooper Ecological Monitoring, Inc.

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Date

Photographs (all by D.S. Cooper, May 8, 2009)



Figure 3. View (south) of property from street showing the flat area and the slope. Oaks in foreground are slated for removal; those in background are to be retained. Several *Venegasia carpesioides* visible at right.



Figure 4. View west across adjacent lot, showing contiguity of oak grove.



Figure 5. View east from Birdella Rd.; subject property lies just beyond white propane tank. Truck (at left) is parked on Thrift Rd. near location of proposed driveway onto property.



Figure 6. Scrubby habitat at rear of property (view east). Note white cement skirt at lower right. Visible plants include *Ceanothus spinosus*, *Lotus scoparius*, *Solanum xanti* and *Brickellia californica*.

## Appendix A. Animal species observed (all 08 May 2009 unless noted as such)

### Birds

Common poorwill *Phalaenoptilus nuttallii* 3-4 calling (including one on property), night of 11 May.

Black-chinned hummingbird *Archilochus alexandri* One on property briefly

Acorn woodpecker *Melanerpes formicivorus* Two birds present, one foraging briefly on oak on property.

Red-breasted sapsucker *Sphyrapicus ruber* Distinctive drillings in oaks on property almost certainly made by this species.

Nuttall's Woodpecker *Picoides nuttallii* One calling nearby to east of property

Pacific-slope flycatcher *Empidonax difficilis* One singing from oak on property

Ash-throated flycatcher *Myiarchus cinerascens* One to north; possibly a migrant

Western scrub-jay *Aphelocoma californica* One being mobbed by lesser goldfinches and oak titmice (probably in search of a nest)

Common raven *Corvus corax* One to west

American crow *Corvus brachyrhynchos* One flying overhead

Oak titmouse *Baeolophus inornatus* Family of five birds in oak canopy of property.

Bushtit *Psaltriparus minimus* Two calling just off property, possibly paired

Bewick's wren *Thryomanes bewickii* One singing to east of property

House wren *Troglodytes aedon* Two singing

Western bluebird *Sialia mexicana* Two pairs foraging on project site and adjacent property.

One pair accompanied by (and feeding) apparent young-of-the-year on property. One individual observed feeding and carrying food far off site to west (200+ meters away).

Wrentit *Chamaea fasciata* Two singing off property

Orange-crowned warbler *Vermivora celata* One singing to east

Spotted towhee *Pipilo maculatus* One foraging on property.

California towhee *Pipilo crissalis* One pair foraging on property

Song sparrow *Melospiza melodia* Two singing, with juvenile seen on adjacent property.

Dark-eyed junco *Junco hyemalis* One singing on property

Black-headed grosbeak *Pheucticus melanocephalus* One singing far to west

Lazuli bunting *Passerina amoena* One calling overhead; possibly a migrant

Hooded oriole *Icterus cucullatus* Three birds briefly in canopy, probably a local family group

House finch *Carpodacus mexicanus* One singing around house to south

Lesser goldfinch *Carduelis psaltria* One pair on property, singing and possibly with young-of-year nearby.

### Butterflies

California sister *Adelpha californica* 1, on property

Sara orange-tip *Anthocharis sara* 2, on property

Pale swallowtail *Papilio eurymedon* 1 or 2, on property

Acmon blue *Plebejus acmon* 1, in Lotus at rear of property

### Mammals

Rabbit *Sylvilagus* sp. Two juveniles flushed from under deerweed at rear of property; not seen well enough to identify to species.

### Reptiles and amphibians

Pacific chorus-frog *Pseudacris regilla*

## Appendix B. Plants

*Note: Introduced species in parentheses; list does not include grasses.*

This plant list includes species found on the property during this study. The species herein have not been reviewed by a professional botanist, and this does not represent a formal plant survey.

### DICOTS

#### Anacardiaceae

*Malosma laurina* Two plants, rear of property

*Toxicodendron diversilobum* Common throughout property, particularly under oaks.

#### Apiaceae

*Osmorhiza brachypoda* Several on slope

#### Asteraceae

*Brickellia californica* One at rear of property

(*Carduus pycnocephalus* Mainly at rear of property)

*Lessingia filaginifolia* Several at rear of property

*Malacothrix saxatilis* Several at rear of property

*Pseudognaphalium californicum* Several at rear of property

*Venegasia carpesioides* 20+ under oaks, mainly toward northwestern corner of property

#### Cucurbitaceae

*Marah macrocarpus* Several clusters of vines at rear of property

#### Ericaceae

*Arctostaphylos glauca* One small shrub at rear of property; one smaller snag along slope.

#### Fabaceae

*Lotus scoparius* Many at rear of property

#### Fagaceae

*Quercus agrifolia* c. 20 trees, including multiple "heritage oaks".

#### Grossulariaceae

*Ribes* spp. [Two species present throughout, apparently *R. californicum* and *R. malvaceum*]

#### Hydrophyllaceae

*Eucrypta chrysanthemifolia* Frequent on slope

*Phacelia distans* Several small plants on slope

#### Rhamnaceae

*Ceanothus spinosus* Three large plants at top of slope

*Rhamnus californica* One on slope

*Rhamnus ilicifolia* Several on slope

#### Rosaceae

*Heteromeles arbutifolia* Two shrubs along slope

Rubiaceae

(*Galium aparine* Common under oaks)

Scrophulariaceae

*Mimulus aurantiacus* Several at rear of property

Solanaceae

*Solanum xanti* One in scrub at rear of property

PALMS, FERNS AND MONOCOTS

Areaceae

(*Washingtonia* sp. One at rear of property)

Dryopteridaceae

*Dryopteris arguta* One plant on slope

Liliaceae

*Chlorogalum pomeridianum* 10+ scattered throughout property.

APPENDIX 2

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**MEMO UPDATE FOR 540 THRIFT ROAD**

**JULY 23, 2012**



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# MEMO

**To:** Los Angeles County Dept. of Regional Planning  
**Attn:** Jarod Nygren  
**Date:** July 23, 2012  
**Re:** Update for 540 Thrift Rd.

I (Daniel S. Cooper, Cooper Ecological Monitoring) conducted a biological assessment for 540 Thrift Rd., Malibu 90265 (APN 4464-012-016 and 4464-012-039) in May 2009 (report to Steven Paek dated May 14, 2009).

In July 2012 I was asked by the current owner of the property to provide a memo updating this report and discussing any changes to the property. Based on a brief visit to the subject property on the afternoon of July 20, 2012, I found it to be essentially unchanged from my original 2009 visit. It still supports a portion of a larger oak grove over most of the property, as well as a small patch of chaparral at the rear/southern end of the property. The adjoining properties to the east and west also appeared unchanged since 2009. I have reviewed my original survey report from 2009 and find the information provided therein to be current, and that the recommendations for management of 540 Thrift Rd. still apply.

Sincerely,

Daniel S. Cooper  
President, Cooper Ecological Monitoring, Inc.