



## **NOTICE OF AVAILABILITY AND INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION**

The County of Ventura Resource Management Agency (RMA) Planning Division, as the designated Lead Agency, has reviewed the following project:

1. **Entitlement:** Tentative Parcel Map No. 6011 (Case No. PL18-0137)
2. **Applicant:** Matthew and Pamela Portenstein
3. **Location:** 3.29-acre undeveloped property located along Burnham Road, approximately 817 feet south of the intersection of Burnham Road and Los Encinos Road, in the community of Oak View
4. **Assessor's Parcel No.:** 032-0-201-105
5. **Parcel Size:** 3.29-acres
6. **General Plan Designation:** Very Low Density Residential
7. **Zoning Designation:** (R1-20,000 sq. ft. / TRU / DKS / HCWC) Single-Family Residential, 20,000 square feet minimum lot size / Temporary Rental Unit Regulation overlay zone / Dark Sky overlay zone / Habitat Connectivity Wildlife Corridor overlay zone
8. **Responsible and/or Trustee Agencies:** California Department of Fish and Wildlife (CDFW) and Ventura Local Agency Formation Commission (LAFCo).
9. **Project Description:** Matthew and Pamela Portenstein ("Subdivider"), request approval of a Tentative Parcel Map (TPM) to subdivide an approximately 3.29-gross acre lot into 3 separate lots. After Parcel Map No. 6011 records, proposed Lot 1 will be 1.78 acres (77,531.4 square feet [sq. ft.]), proposed Lot 2 will be 0.75 acres (32,782 sq. ft.) and proposed Lot 3 will be 0.76 acres (32,930 sq. ft.). The net acreage and gross acreage will be the same after Parcel Map No. 6011 records because there are no proposed or existing right of way or private drive easements within the exterior boundary of the tentative parcel map. Residential development of each lot could occur with a ministerial zoning clearance following recordation of the TPM. Future development would be restricted to designated building sites as shown on the TPM. A private onsite driveway on each proposed lot will provide direct access to Burnham Road.

The proposed building sites minimize adverse impacts to the oak woodland, however, the access road on Lot 3 would be located under oak tree canopies and would adversely affect 0.11 acres of coast live oak woodland (*Quercus agrifolia* Woodland Alliance). Two protected coast live oak trees, identified as tree no. 146 and no. 147, would be encroached upon as a result of future development on Lot 3. The Subdivider provided a Tree Protection Plan to minimize tree encroachment and mitigate for any loss to protected trees.

The Ventura River Water District (VRWD) will provide potable water service to the subdivision. Public sewer is operated by the Ojai Valley Sanitary District (OVSD) and the subdivision is located within the sphere of influence of the OVSD. The nearest sewer connection is located approximately 77 feet east of the subdivision. The Subdivider proposes to connect future residential development to public sewer. On December 19, 2019, the Ventura Local Agency Formation Commission (LAFCo) approved and recorded with the Ventura County Recorder, a Certificate of Completion (Document No. 20191216-0015639-0), which authorized the annexation of the subject lot into OVSD.

In accordance with Section 15070 of the California Code of Regulations, the RMA Planning Division determined that this 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. As such, a Mitigated Negative Declaration has been prepared and the applicant has agreed to implement the mitigation measures.

**List 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 the preparation and implementation of a Tree Protection Plan to offset the impacts to protected oak trees that would result from future development on Proposed Lot 3 and the submittal annual arborist monitoring reports, which address the success of the tree protection measures and the overall condition of encroached-upon trees relative to their condition prior to the initiation of future construction activities.


The Initial Study also found that the proposed project would have significant impacts to special-status wildlife species, specifically nesting birds. Impacts will be less than significant with the implementation of Mitigation Measure BIO-3, which requires pre-construction surveys and relocation of special-status species (if necessary) if land clearing activities occur during the nesting bird season (February 1 to September 1).

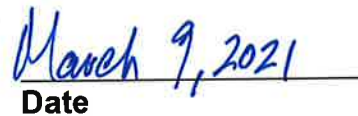
2. Section 4B, Biological Resources, Ecological Communities - Sensitive Plant Communities: The Initial Study found that the proposed project would have significant impacts to special-status plant communities. Impacts will be less than significant with the implementation of Mitigation Measures BIO-1 and BIO-2 discussed above.
3. Section 4C, Biological Resources, Ecological Communities - Waters and Wetlands: The Initial Study found that the proposed project would have significant impacts to waters and wetlands. Impacts will be less than significant with the implementation of Mitigation Measure BIO-4, which requires the future Property Owner of Lots 1 through

3 to submit a landscaping plan prior to development of the lots, which prohibits the installation and maintenance of non-native invasive plants.

4. Section 4E, Biological Resources, Habitat Connectivity: The Initial Study found that the proposed project would have significant impacts to habitat connectivity. To avoid future barriers to wildlife movement, Mitigation Measures BIO-5 and BIO-6 require fencing to be permeable to wildlife and the submittal of a lighting plan.

The public review period is from March 22, 2021 to April 21, 2021. The Initial Study/Mitigated Negative Declaration is available for public review on-line at [www.ventura.org/rma/planning](http://www.ventura.org/rma/planning) (select "CEQA Environmental Review") or at the County of Ventura, RMA, Planning Division, 800 South Victoria Avenue, Ventura, California from 8:00 am to 5:00 pm Monday through Friday. The public is encouraged to submit written comments to Kristina Boero, no later than 5:00 p.m. on April 21, 2021 to the address listed above. Alternatively, you may e-mail your comments to the case planner at [kristina.boero@ventura.org](mailto:kristina.boero@ventura.org).

  
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**Jennifer Welch, Manager**  
Residential Permits Section

  
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**Date**