

4.3 BIOLOGICAL RESOURCES

This section evaluates potential impacts to biological resources within the Parklands specific plan area (plan area). Both direct and indirect impacts to biological resources are discussed.

4.3.1 Setting

The plan area is relatively level and is located in the western portion of the Santa Clara River Valley located at the southwest corner of Telegraph Road and Wells Road. The plan area is currently and has historically been used for the agricultural production of row crops. Brown Barranca is an intermittent drainage located in the northeast portion of the plan area. About 1,660 linear feet of the Brown Barranca are situated within the plan area. Within the plan area, the barranca supports native riparian vegetation, though about 290 linear feet of this reach has been fortified on the north bank with concreted rock rip-rap where the Barranca then drains into a concrete box culvert beneath Blackburn Road. Downstream of the plan area, Brown Barranca is channelized into a concrete trapezoidal channel. Brown Barranca originates from Long Canyon, a 1,000-acre (approximate) sub-watershed that drains the south facing slopes of Sulphur Mountain above Ventura. Approximately one mile downstream of the plan area, Brown Barranca drains into the Santa Clara River, which then drains to the Pacific Ocean.

A field survey of the plan area was conducted on November 8, 2005 to document the biological resources by Padre Associates, Inc. Padre Associates worked with the applicant, EIR consultants, and staff producing several revisions to the report, which were finalized in April 2007. The full text of this report is contained in Appendix C (Padre Associates, Inc. April 2007). Due to the majority of the plan area being agricultural use, biological field surveys focused specifically on Brown Barranca. Field work for the wetland delineation was conducted on November 16, 2005 (Padre Associates, Inc. 2007). Other site visits relative to biological investigations were performed by Rincon Consultants, Inc. as part of the EIR. These included visits by biologists on the following dates:

- 1) *May 26, 2006, site visit to field verify information provided in the Padre Biological Investigation.*
- 2) *May 23, 2008, Breeding Bird Survey (Report included in Appendix C)*
- 3) *June 16, 2008, general site reconnaissance to verify that onsite conditions have not substantially changed since the preparation of the Padre Associates, Inc. Biology Impact Study (memo included in Appendix C).*
- 4) *July 28, 2008, day and night habitat assessment and California red legged frog (CRLF) surveys (see report Appendix C).*
- 5) *July 29, 2008, CRLF report aerial photo ground truthing via driving surrounding public streets (see report Appendix C).*
- 6) *August 4, 2008, day and night habitat assessment and California red legged frog surveys (see report Appendix C).*

a. Vegetation. The majority of the specific plan area supports agricultural crops and does not support native vegetation. However, portions adjacent to and within Brown Barranca support native riparian vegetation, which is mainly composed of a dense overstory dominated by arroyo willow (*Salix lasiolepis*) and an understory populated with poison oak (*Toxicodendron diversilobum*), broad-leaved cattail (*Typha latifolia*), mulefat (*Baccharis salicifolia*), willow weed



(*Polygonum lapathifolium*), and big saltbrush (*Atriplex lentiformis*). Riparian vegetation within the plan area is an isolated fragments as Brown Barranca has been converted to a linear park with eucalyptus plantings north of Telegraph Road, and is a concrete-lined culvert downstream of Blackburn Road.

Special Status Plant Species. Special-status plant species are either listed as endangered or threatened under the Federal or California Endangered Species Acts, or rare under the California Native Plant Protection Act, or considered to be rare by resource agencies, professional organizations, and the scientific community. A literature search and field surveys conducted as part of the Padre Associates, Inc (2007) study indicated that 5 special status plant species have the potential to occur within the plan area. Each of them have been designated as List 4 by CNPS, meaning they have a limited distribution, but are not rare or declining. These special status plant species are listed in Table 4.3-1.

**Table 4.3-1
Special Status Plant Species with Potential to Occur in the Plan Area**

Common Name (Scientific Name)	Status	Occurrence within the Plan Area
Plummer's baccharis (<i>Baccharis plummerae</i> ssp. <i>Plummerae</i>)	List 4	Not found during field surveys
round leaved boykinia (<i>Boykinia rotundifolia</i>)	List 4	Not found during field surveys
ocellated Humboldt lily (<i>Lillium humboldtii</i> ssp. <i>ocellatum</i>)	List 4	Not found during field surveys
Fish's milkwort (<i>polygala cornuta</i> var. <i>fishiae</i>)	List 4	Not found during field surveys
southern California black walnut (<i>Juglans californica</i> var. <i>californica</i>)	List 4	Present within Brown Barranca

Source: Table 2, Padre Associates Inc. April 2007 – see Appendix C.

The only one of these plants identified within the plan area during biological site visits is the southern California black walnut (*Juglans californica* var. *californica*).

b. Wildlife. Wildlife and wildlife habitat was examined as part of the Biological Study completed by Padre Associates, Inc (2007), and verified by Rincon Consultants, Inc. Wildlife habitat was concentrated around Brown Barranca due to the rest of the site including agricultural land uses. The riparian corridor of Brown Barranca may be considered suitable foraging habitat for riparian-dependent wildlife species. However, many riparian-dependent species require upland foraging areas adjacent to riparian nesting areas, which is absent from the plan area. The dense willow overstory throughout the Barranca may provide nesting locations, refuge, and suitable foraging habitats for birds, mammals, reptiles, and amphibians. Fish species are unlikely due to the intermittent nature of the Barranca and were not observed during field visits (Padre Associates Inc. 2007; Rincon Consultants Inc. 2008). However, mosquito fish may occur as a result of planting for mosquito control. Wildlife species that were identified as occurring within the plan area during field visits included raccoon, black rat, gray



fox, domestic cat, coyote, striped skunk, and dusky footed-wood rat. A total of 38 species of birds were noted in the plan area during a spring breeding survey (Rincon Consultants, May 2008). No reptiles or fish were observed within the plan area during previous biological investigations (Padre and Associates, 2007, Rincon Consultants, Inc. 2007; however, African clawed frogs were observed in ponded areas of the barranca during night surveys (Rincon Consultants, July 2008).

Special Status Wildlife. A total of 25 special status wildlife species are documented as having the potential to occur within the plan area (Padre Associates Inc., 2007; Rincon Consultants Inc., May 2008), three of which were documented onsite during a subsequent nesting bird survey. Table 4.3-2 identifies these species and the likelihood of occurrence.

**Table 4.3-2
Special Status Wildlife Species with Potential to Occur in the Plan Area**

Common Name (Scientific Name)	Status	Occurrence within the Plan Area
Fish		
southern steelhead (<i>Oncorhynchus mykiss irideus</i>)	FE, CSC	None, reported from the Santa Clara River (NDDB 2005) but barriers exist downstream of the Master Plan area that would preclude access to Brown Barranca.
Santa Ana sucker (<i>Catostomus santaanae</i>)	FT, CSC	None, reported from the Santa Clara River (NDDB 2005) but barriers exist downstream of the Master Plan area that would preclude access to Brown Barranca.
arroyo chub (<i>Gila orcuttii</i>)	CSC	None-Low, reported from the Santa Clara River (NDDB 2005) but surface water is rare within the Master Plan area.
Reptiles		
southwestern pond turtle (<i>Actinemys marmorata pallida</i>)	CSC, P	None-Low, surface water is rare, no suitable pool habitat.
two-striped garter snake (<i>Thamnophis hammondi</i>)	CSC, P	None-Low, prey base (small fish and amphibian larvae) is rare or absent.
San Diego mountain kingsnake (<i>Lampropeltis zonata pulchra</i>)	CSC	None-Low, prey base (lizards, snakes, bird eggs) is rare or absent due to surrounding development.
Birds		
western yellow-billed cuckoo (<i>Coccyzus americanus occidentalis</i>)	FC, SE	None, rarely reported from the Santa Clara River (NDDB 2005), habitat within Master Plan area is not suitable.
least Bell's vireo (<i>Vireo belli pusillus</i>)	FE, SE	None-Low, reported nesting in the Santa Clara River (NDDB 2005) in riparian habitats. Habitat within Master Plan area is too small, fragmented, and lacks upland foraging areas.
southwestern willow flycatcher (<i>Empidonax traillii extimus</i>)	SE, FE	None, rarely reported from the Santa Clara River (NDDB 2005), habitat within Master Plan area is not suitable.
Cooper's hawk (<i>Accipiter cooperi</i>)	CSC	Low-Moderate, common in the region (Ventura Audubon Society, 2003). May forage within



**Table 4.3-2
Special Status Wildlife Species with Potential to Occur in the Plan Area**

Common Name (Scientific Name)	Status	Occurrence within the Plan Area
		the Brown Barranca, no suitable nesting habitat.
ferruginous hawk (<i>Buteo regalis</i>)	CSC	Low, an uncommon migrant (Ventura Audubon Society, 2003). Unlikely to forage within the Brown Barranca.
sharp-shinned hawk (<i>Accipiter striatus</i>)	CSC	Low, an uncommon migrant (Ventura Audubon Society, 2003). Unlikely to forage within Brown Barranca.
northern harrier (<i>Circus cyaneus</i>)	CSC	Low, an uncommon migrant (Ventura Audubon Society, 2003). Unlikely to forage within Brown Barranca.
golden eagle (<i>Aquila chrysaetos</i>)	CSC	Low, an uncommon migrant (Ventura Audubon Society, 2003). Unlikely to forage within Brown Barranca.
white-tailed kite (<i>Elanus caeruleus</i>)	SA, P	Low, uncommon in the region (Ventura Audubon Society, 2003). No suitable nesting habitat within the Master Plan area.
prairie falcon (<i>Falco mexicanus</i>)	CSC	None-Low, rare in the region (Ventura Audubon Society, 2003). No suitable nesting habitat within the Master Plan area.
long-eared owl (<i>Asio otus</i>)	CSC	None-Low, very rare in the region (Ventura Audubon Society, 2003). No suitable nesting habitat within the Master Plan area.
yellow warbler (<i>Dendroica petechia brewsteri</i>)	CSC (nesting)	Observed onsite (Rincon 2008) in appropriate breeding habitat during the breeding season. It was not observed nesting, but has the potential to nest onsite. Reported from the Santa Clara River, riparian vegetation within Master Plan area is considered marginal habitat as it is small, isolated, and lacks upland foraging areas
yellow-breasted chat (<i>Icteria virens</i>)	CSC	Moderate-Low, uncommon in the region (Ventura Audubon Society, 2003). Riparian vegetation within Master Plan area is considered marginal habitat as it is small, isolated, and lacks upland foraging areas.
Allen's Hummingbird (<i>Selasphorus sasin</i>)	SA (nesting)	Observed onsite (Rincon 2008) in appropriate breeding habitat during the breeding season. It was not observed nesting, but has the potential to nest onsite.
California horned lark (<i>Eremophila alpestris actia</i>)	Watch List	Observed onsite (Rincon 2008) in appropriate breeding habitat during the breeding season. It was not observed nesting, but has the potential to nest onsite.
Mammals		
pallid bat (<i>Antrozous pallidus</i>)	CSC	None-Low, no roosting habitat (caves, crevices, buildings) present within Master Plan area. Prey base (large insects) limited by cultivation, unlikely to forage within Master



**Table 4.3-2
Special Status Wildlife Species with Potential to Occur in the Plan Area**

Common Name (Scientific Name)	Status	Occurrence within the Plan Area
		Plan area.
California mastiff bat (<i>Eumops perotis californicus</i>)	CSC	None-Low, no roosting habitat (crevices) present within Master Plan area. Prey base (night-flying bees and wasps) limited by cultivation, unlikely to forage within Master Plan area.
pale big-eared bat (<i>Plecotus townsendii pallescens</i>)	CSC	None-Low, no roosting habitat (caves, mines, buildings) present within Master Plan area. Prey base (small moths and beetles) limited by cultivation, unlikely to forage within Master Plan area.
Ringtail (<i>Bassariscus astutus octavus</i>)	P	Low, no documented sightings in the project area, but may forage in Brown Barranca.

Source: Table 4, Padre Associates Inc., April 2007; and Rincon Consultants, Inc May 2008.

Status Codes: FE Federal Endangered (USFWS) SE State Endangered (CDFG)
FT Federal Threatened (USFWS) CSC California Species of Special Concern (CDFG)
FC Federal Candidate (USFWS) P Protected under California Fish and Game Code
SA Special animal (CDFG)

Of the birds observed during the nesting survey (Rincon Consultants, Inc 2008), Allen’s hummingbird is considered a Special Animal by California Department of Fish and Game (CDFG) while nesting, the California horned lark is on the CDFG Watch List, and the yellow warbler is a CDFG Species of Special Concern while nesting. While none of these species were observed nesting onsite during the breeding season surveys, these specie shave a high potential of nesting onsite since they were observed during the breeding season in appropriate breeding habitat. These birds are not listed as threatened or endangered under the federal or state Endangered Species Acts, but are under consideration for conservation.

Specifically, a Species of Special Concern (SSC) is a species, subspecies, or distinct population of an animal native to California that currently satisfies one or more of the following (not necessarily mutually exclusive) criteria:

- *Is extirpated from the State or, in the case of birds, in its primary seasonal or breeding role;*
- *Is listed as Federally-, but not State-, threatened or endangered;*
- *Meets the State definition of threatened or endangered but has not formally been listed;*
- *Is experiencing, or formerly experienced, serious (noncyclical) population declines or range retractions (not reversed) that, if continued or resumed, could qualify it for State threatened or endangered status; and/or*
- *Has naturally small populations exhibiting high susceptibility to risk from any factor(s), that if realized, could lead to declines that would qualify it for State threatened or endangered status (Comrack et al. 2008).*



Allen's hummingbird (*Selasphorus sasin*) has a small geographic area of breeding and wintering ranges compared to other hummingbirds (Mitchell 2000). This, in addition to being at a potential competitive disadvantage for food sources with Anna's hummingbird (*Calypte anna*), has contributed to the decline in this species range. A female of this species was seen onsite, but its breeding status was unknown and more detailed surveys would be required to determine whether this species is nesting onsite. This species generally breeds from early February to mid-June (Mitchell 2000). Nest-building typically takes 8–11 days, incubation takes 17–22 days, and nestling period 18–23 days to fledging.

The **California horned lark** (*Eremophila alpestris actia*) is on the CDFG watch list, but it frequently intergrades with other subspecies, so is not always easy to differentiate in the field (Beason 1995). Moreover, the species is in need of review and revision to determine whether prairie and western subspecies represent discrete forms or a highly variable series (Beason 1995). This species is experiencing population declines partially as a result of land clearing in North America. As this species prefers to nest in agricultural fields that are sometimes marshy, it could be nesting onsite, but more detailed surveys would be necessary to determine breeding status. This species generally breeds from March through July (Zeiner et al. 2988).

The range of the **yellow warbler** (*Dendroica petechia*) is considered greatly (>40-80%) reduced, its range is slightly (>10-20%) reduced or suspected of having been reduced but the trend is unknown, and its population size is $\geq 100,000$ but $<1,000,000$ individuals (Shuford and Gardali 2008). Although Shuford and Gardali (2008) do not note any records of breeding in Ventura County, this species generally breeds in riparian vegetation. Therefore, it is possible that this species is breeding on the site, but more detailed surveys would be necessary to determine breeding status. This species generally breeds from mid-April to early August (Zeiner et al. 1988).

c. Wildlife Corridors. Wildlife migration corridors are generally defined as connections between habitat patches that allow for physical and genetic exchange between otherwise isolated animal populations. Migration corridors may be local such as between foraging and nesting or denning area, or they may be regional in nature. Migration corridors are not unidirectional access routes; however, reference is usually made to source the receiver areas in discussion of wildlife movement networks. "Habitat linkages" are migration corridors that contain contiguous strips of native vegetation between source and receiver areas. Habitat linkages provide cover and forage sufficient for temporary habitation by a variety of ground-dwelling animal species. Wildlife migration corridors are essential to the regional ecology of an area as they provide avenues of genetic exchange and allow animals to access alternative territories as fluctuating dispersal pressures dictate.

Brown Barranca may provide a suitable wildlife migration corridor between the Santa Clara River Valley and the largely undeveloped areas to the north within Long Canyon and adjacent sub-watersheds. Concrete arched and box culverts beneath road crossing at the downstream ends of the subject reach of Brown Barranca would provide access for wildlife traversing the plan area. However, the concrete-lined trapezoidal channel downstream of the Specific Plan extends for about 1,000 feet through the SR 126/Wells Road interchange. The Study indicated that the steep concrete banks may discourage use of Brown Barranca by wildlife moving between the Santa Clara River and Long Canyon. In addition, dense growth of willows within the Master Plan area limits passage by larger mammals. Brown Barranca is therefore, not

considered an important wildlife movement corridor as reported by the biological study (Padre Associates, 2007).

d. Wetlands. As part of the Biological Study (Padre Associates, 2007; Appendix C), a wetland delineation was conducted to determine the likely area of jurisdiction of the Corps under Section 404 of the Clean Water Act and to determine the area of riparian vegetation that is likely within the jurisdiction of the California Department of Fish and Game. Figure 4.3-1 shows an aerial view of Brown Barranca within the plan area and the location of the transects that were utilized to determine the extent of wetland habitat. The plan area currently supports 4.14 acres of riparian habitat classified as California Department of Fish and Game wetlands (CDFG defines wetlands as synonymous with the limits of riparian vegetation) and approximately 0.11 acres of U.S. Army Corps of Engineers (Corps) defined wetlands.

e. Regulatory Setting. The following describes the regulatory context under which biological resources are managed at the federal, state, and local level. Agencies with responsibility for protection of biological resources within the plan area include:

- *Regional Water Quality Control Board (RWQCB)*
- *U.S. Army Corps of Engineers (wetlands and other waters of the United States)*
- *U.S. Fish and Wildlife Service (endangered species and migratory birds)*
- *California Department Fish and Game (waters of the State, endangered species, and other protected plants and wildlife)*
- *City of Ventura (General Plan Goals, Policies, and Actions)*

A number of federal and State statutes provide a regulatory structure that guides the protection of biological resources. The following discussion provides a summary of those laws that are most relevant to biological resources in the vicinity of the specific plan area.

Regional Water Quality Control Board. The protection of water quality in the watercourses of Ventura County is under the jurisdiction of the Los Angeles Regional Water Quality Control Board (LARWQCB). The Board establishes requirements prescribing discharge limits and establishes water quality objectives through the Ventura County Municipal Storm Water National Pollutant Discharge Elimination System (NPDES) Permit. The Storm Water Quality Urban Impact Mitigation Plan (SQUIMP), which is part of the NPDES Permit, addresses specific storm water pollution requirements for new developments such as the proposed project. As co-permittee, the City of Ventura is responsible for assuring that new developments are in compliance with the SQUIMP.

The SQUIMP requires that all development projects implement various control techniques (termed best management practices, or BMPs) to minimize the amount of pollutants entering surface waters. The following requirements apply to all new development:

- *Control post-development peak stormwater runoff discharge rates to maintain or reduce pre-development downstream erosion and to protect stream habitat*
- *Conserve natural areas*
- *Minimize stormwater pollutants of concern*
- *Protect slopes and channels*
- *Provide storm drain system stenciling and signage*



- *Properly design outdoor material storage areas*
- *Properly design trash storage areas*
- *Provide proof of on-going best management practice (BMP) maintenance*
- *Implement structural or treatment BMPs that meet design standards*

U.S. Army Corps of Engineers (Corps). Under Section 404 of the Clean Water Act, the Corps regulates activities that could discharge fill or dredge material or otherwise adversely modify wetlands or other waters of the United States. The proposed project includes culverting a 725 linear foot section of Brown Barranca within the plan area. The Applicant will be required to obtain the necessary Section 404 permits from the U.S. ACOE.

U.S. Fish and Wildlife Service. The U.S. Fish and Wildlife Service (USFWS) implements the Migratory Bird Treaty Act (16 United States Code (USC) Section 703-711), the Bald and Golden Eagle Protection Act (16 USC Section 668), and the Federal Endangered Species Act (FESA) (16 USC § 153 *et seq.*). Projects that would result in a “take” of any federally listed threatened or endangered species are required to obtain permits from the USFWS through either Section 7 (interagency consultation) or Section 10(a) (incidental take permit) of FESA, depending on the involvement by the federal government in permitting or funding the project. The permitting process is used to determine if a project would jeopardize the continued existence of a listed species and what mitigation measures would be required to avoid jeopardizing the species.

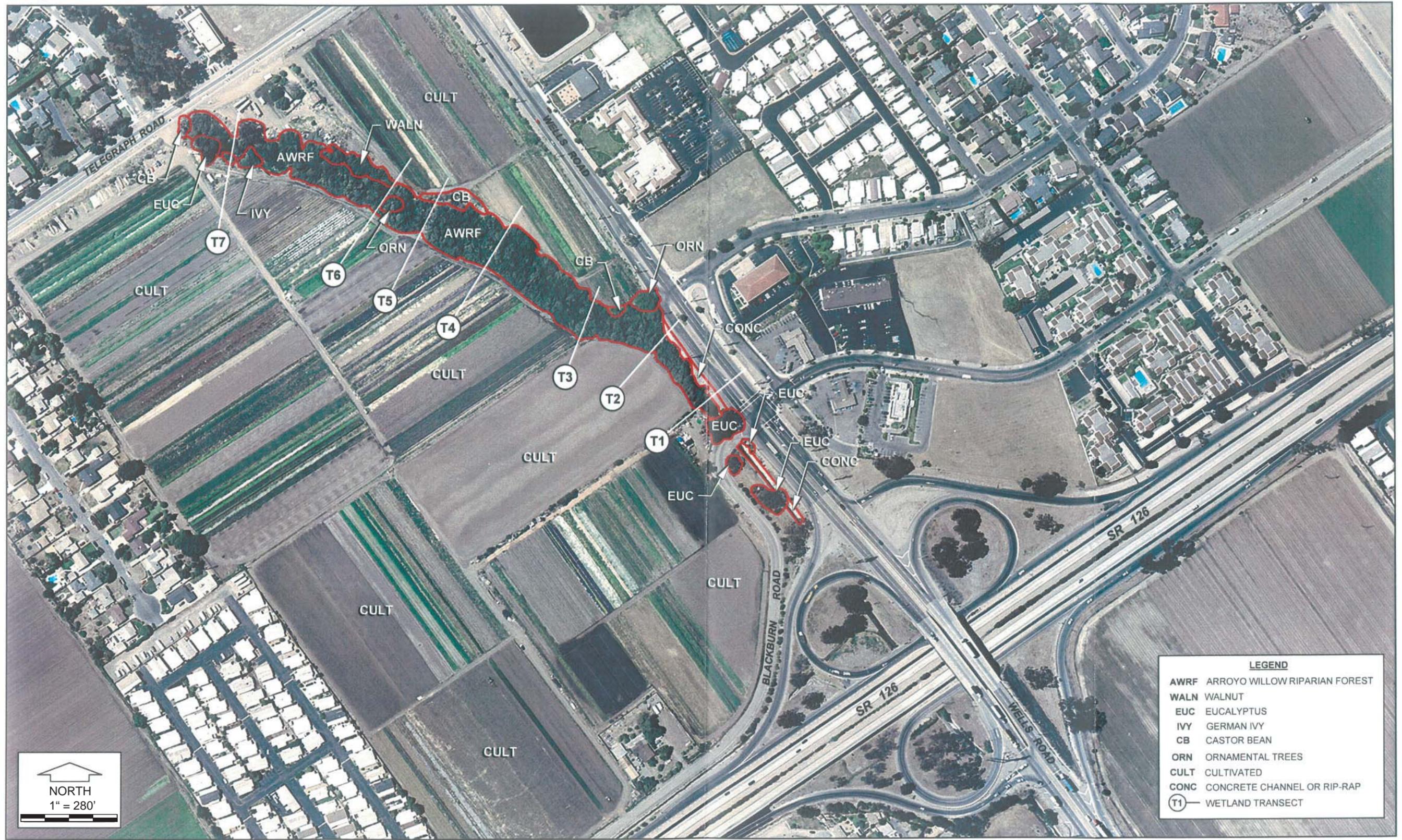
“Take” under federal definition means to harass, harm (which includes habitat modification), pursue, hunt, shoot, wound, kill, trap, capture, or collect an individual, or to attempt to engage in any such conduct. Candidate species do not have the full protection of FESA; however, the USFWS advises project applicants that they could be elevated to listed status at any time.

California Department of Fish and Game. The California Department of Fish and Game (CDFG) derives its authority from the Fish and Game Code of California. The California Endangered Species Act (CESA) (Fish and Game Code Section 2050 *et seq.*) prohibits take of listed threatened or endangered species. Take under CESA is restricted to direct killing of a listed species and does not prohibit indirect harm by way of habitat modification.

California Fish and Game Code Sections 3503, 3503.5, and 3511 describe unlawful take, possession, or needless destruction of birds, nests, and eggs. Fully protected birds (Section 3511) may not be taken or possessed except under specific permit. Section 3503.5 of the Code protects all birds-of-prey and their eggs and nests against take, possession, or destruction of nests or eggs.

Species of Special Concern (CSC) is a category conferred by CDFG for those species which are considered to be indicators of regional habitat changes or are considered to be potential future protected species. Species of Special Concern do not have any special legal status except that afforded by the Fish and Game Code. The CSC category is intended by the CDFG for use as a management tool to take these species into special consideration when decisions are made concerning the development of natural lands.

The CDFG also has authority to administer the Native Plant Protection Act (Fish and Game Code Section 1900 *et seq.*). The Act requires CDFG to establish criteria for determining if a



Vegetation and Wetland Transects

species, subspecies, or variety of native plant is endangered or rare. Under Section 1913(c) of the Act, the owner of land where a rare or endangered native plant is growing is required to notify the Department at least 10 days in advance of changing the land use to allow for salvage of the plant.

Perennial and intermittent streams also fall under the jurisdiction of the CDFG. Section 1602 of the Fish and Game Code (Streambed Alteration Agreements) gives the CDFG regulatory authority over work within the stream zone (which could extend to the 100-year flood plain) consisting of, but not limited to, the diversion or obstruction of the natural flow or changes in the channel, bed, or bank of any river, stream or lake.

The Department identified the following stressors affecting wildlife habitat: 1) growth and development; 2) water management conflicts and degradation of aquatic ecosystems; 3) invasive species; and 4) altered fire regimes.

City of Ventura. The City's 2005 General Plan Update provides the framework for evaluating potential biological impacts. The Conservation Element and other elements of the General Plan include policies to protect biological resources. Action 1.11 of the 2005 General Plan directs to "Require that sensitive wetland and coastal areas be preserved as undeveloped open space wherever feasible and that future developments result in no net loss of wetlands or "natural" areas."

4.3.2 Impact Analysis

a. Methodology and Significance Thresholds. Impacts were assessed using available literature regarding the existing biological resources within the plan area, aerial photography, and field surveys of the plan area conducted at various times over the past three years (see page 4.3-1 for survey dates).

CEQA Statute 21001(c) states that it is the policy of the state of California to "prevent the elimination of fish and wildlife species due to man's activities, ensure that fish and wildlife populations do not drop below self-perpetuating levels, and preserve for future generations representations of all plant and animal communities." Environmental impacts relative to biological resources may be assessed using impact significance based on the CEQA guidelines and federal, state and local plans, regulations, and ordinances. Project impacts to flora and fauna may be determined to be significant even if they do not directly affect rare, threatened, or endangered species.

Pursuant to the Initial Study Analysis (see Appendix A), significant impacts to biological resources could occur if plan area development would result in:

- *A loss or disturbance to, or reduction in the numbers of, or a restriction in the range of, or an other impact to any unique, rare, threatened, or endangered species of animals, or plants, or their critical habitat.*
- *A reduction in the extent, diversity, or quality of native or non-native vegetation (including brush removal for flood control improvements)*
- *Impacts to historically designated species (e.g. heritage trees) or locally designated natural communities (e.g. sensitive habitat).*
- *Impacts to wetland or riparian habitat.*

b. Project Impacts and Mitigation Measures. Project impacts and mitigation measures are grouped by topic based on the potential to exceed a threshold of significance. The potentially adverse effect is identified and classified (impact classes are defined in Section 4.0) followed by an explanation.

Impact BIO-1 Development under the Parklands Specific Plan could have temporary adverse effects on special status species, if present, during and after construction due to vegetation removal, culverting of a portion of the barranca and the amount of time necessary for replacement vegetation to mature. This is a Class II, *significant but mitigable* impact.

The plan area contains approximately 1,660 linear feet of natural riparian habitat (Brown Barranca) surrounded by agricultural fields. The portion of the Brown Barranca within the project site contains two existing storm drain system discharge points: one located at the south side of the Telegraph Road culvert and the other located at the west side of Wells Road opposite of Carlos Road. The discharge of these storm drains comes from the urban and irrigation runoff from the residential and agricultural properties to the north and west of the project site. The findings of the Biology Impact Study indicate that although Brown Barranca constitutes riparian habitat, there is low potential for special-status aquatic species due to the intermittent flow regime and presence of instream barriers (concrete lined channel for portions of the barranca downstream of the plan area, and at least two low-flow channel waterfalls with heights of at least three feet within the plan area). Moreover, day-night surveys revealed a substantial population of African clawed frogs (*Xenopus laevis*), which prey on other aquatic and amphibious species (Rincon Consultants, Inc. 2008 – see Appendix C).

Thus, although climate and Brown Barranca's connectivity to the Santa Clara River indicate there is potential for southern steelhead, Santa Ana sucker, arroyo chub, southwestern pond turtle, and two-striped garter snake, repeated field visits and analysis of the plan area habitat and conditions immediately downstream indicate that the likelihood of occurrence for these water dependent species is none to low.

The findings of the Biology Impact Study indicate that temporary riparian habitat loss during construction could have a temporary adverse effect on special status species, including Cooper's Hawk, yellow warbler, and yellow-breasted chat if these individuals were to utilize the riparian habitat for foraging during construction and before revegetation has reached maturity. Moreover three birds with potential special status were observed onsite during the nesting bird survey (Rincon Consultants, Inc May 2008). These include Allen's hummingbird, which is considered a Special Animal by California Department of Fish and Game (CDFG) while nesting, the California horned lark, which is on the CDFG Watch List, and the yellow warbler, which is a CDFG Species of Special Concern while nesting. However, it is noted that other suitable nesting habitat exists offsite to the north of Telegraph Road within portions of Brown Barranca that would remain unaffected by project construction (see Figure 4.3-1). Only a portion of the habitat is shown on Figure 4.3-1; however, the habitat extends more than a mile upstream into Long Canyon.

There is also potential for the San Diego mountain kingsnake to occur within the plan area; however, the likelihood of occurrence was classified as none to low due to an inadequate prey

base (Padre Associates Inc., 2007). These snakes are dependant on lizards, other snakes, and bird eggs for prey, but the active agricultural row cropping associated with upland areas of the plan area reduces the habitat suitability for kingsnake prey and thus for San Diego mountain kingsnake.

With respect to plants, the only special status species present is southern California black walnut, but the grouping (indicated on Figure 4.3-1) of these trees would not be adversely affected by project construction because it is within the area proposed for preservation. Once developed, the plan area would maintain a riparian habitat corridor that would still provide habitat for wildlife species.

Mitigation Measures. The following mitigation measures would reduce the potential for adverse effects to special status species and habitats to a less than significant level.

- BIO-1(a) Pre-Construction Surveys.** A qualified biologist shall conduct pre-construction field surveys for arroyo chub, southwestern pond turtle, two-striped garter snake, San Diego mountain kingsnake, California red legged frog. If observed, these species shall be relocated to suitable habitat areas up- or downstream of the plan area.
- BIO-1(b) Construction Timing.** Work within 500 feet of Brown Barranca shall be planned to avoid the breeding bird season if feasible, which generally runs from March 1 to August 31, as early as February 1, for raptors. If avoidance of the breeding bird season is infeasible, BIO-1(c) shall be implemented.
- BIO-1(c) Nesting Bird Surveys.** If avoidance of the breeding bird season is not feasible, beginning 30 days prior to the disturbance of suitable nesting habitat, the project proponent should arrange for weekly bird surveys to detect protected native birds occurring in the habitat that is to be removed and any other such habitat within 300 feet of the construction work area (within 500 feet for raptors) as access to adjacent areas allows. The surveys shall be conducted with emphasis on Cooper's hawk, yellow warbler, yellow-breasted chat, Allen's hummingbird, California horned lark and other riparian-dependent special-status bird species.

The surveys shall be conducted by a qualified biologist with experience in conducting breeding bird surveys. The surveys shall continue on a weekly basis with the last survey being conducted no more than three days prior to the initiation of clearance/construction work. If a protected native bird is found, the project proponent shall delay all clearance/construction disturbance activities within 300 feet of suitable nesting habitat (within 500 feet for suitable raptor nesting habitat) until August 31.

Alternatively, the qualified biologist could continue the surveys in order to locate any nests. If an active nest is located, clearing and construction within 300 feet of the nest (within 500 feet of raptor

ests) or as determined by a qualified biological monitor, must be postponed until the nest is vacated and the juveniles have fledged and when there is no evidence of a second attempt at nesting. Limits of construction to avoid a nest shall be established in the field with flagging and stakes or construction fencing marking the protected area 300 feet (or 500 feet) from the nest. Construction personnel shall be instructed on the sensitivity of the area. The project proponent should record the results of the recommended protective measures described above to document compliance with applicable State and Federal laws pertaining to the protection of native birds.

Significance After Mitigation. The only special status species observed onsite are southern California black walnut trees, which would be avoided and saved, in addition to three species of birds, which are mobile. Any special status species within the creek would be removed prior to construction if found to be present during a pre-construction survey per mitigation measure BIO-1(a). Any nesting bird would be avoided during construction per mitigation measure BIO-1(b). In addition, other suitable nesting habitat exists offsite to the north of Telegraph Road within portions of Brown Barranca that would remain unaffected by project construction. Residual impacts to special status species and potential onsite habitat would be less than significant with mitigation.

Impact BIO-2 Development facilitated by the specific plan would require the disturbance of 1.63 acres of riparian/wetland habitat. However, revegetation of riparian/wetland habitat that would result in no “net loss” of habitat. Impacts are Class II, *significant but mitigable*.

Development under the proposed specific plan would involve the removal of riparian and wetland vegetation, which fits the definition of a natural community and a sensitive habitat. The plan area currently supports 4.14 acres of riparian habitat classified as California Department of Fish and Game wetlands (CDFG defines wetlands as synonymous with the limits of riparian vegetation) and approximately 0.11 acres of U.S. Army Corps of Engineers (Corps) defined wetlands. Figure 4.3-2 shows the proposed barranca modifications. Temporary and permanent adverse effects to riparian and wetland habitat are characterized in Table 4.3-3.

Approximately 1.63 acres of riparian vegetation/CDFG wetlands would be disturbed, including 0.86 acres that would be disturbed by temporary construction activity and 0.77 acres that would be permanently removed (see Figure 4.3-2). Approximately 0.03 acres of Corps defined wetlands would be disturbed. Project development includes a riparian habitat preserve that would function to maintain existing habitat as well as support enhancement activities to mitigate for adverse effects (see Figure 4.3-3). The preserve includes maintenance of a natural bottom open channel with riparian vegetation extending from Telegraph Road southeast to the downstream triple box culvert inlet. The preserve would exclude public access through split rail fencing and barrier plantings.

**Table 4.3-3
 Effects to Riparian and Wetland Habitat**

Type of Habitat	Acres Present	Areas Affected by Specific Plan	Total Acres Affected	Percent of Total
Riparian Vegetation (CDFG-Defined Wetlands)	4.11	Temporary – 0.86 acres removed by: <ul style="list-style-type: none"> • Culvert installation and other proposed improvements • Proposed footbridge over Brown Barranca Permanent – 0.77 acres removed by: <ul style="list-style-type: none"> • Extension of existing upstream arched culvert by 75 feet including aprons, headwall and rip rap • Culverting 725 linear feet downstream including aprons, headwall and rip rap • Roadways, bike path, and associated components 	1.63	40%
Corps-Defined Wetlands*	0.11	0.02 acres affected by box culvert aprons, headwall, and riprap plus 0.01 temporary construction	0.03	27%

Source: Padre and Associates, Biology Impact Study, April 2007.

Notes: Corps defined wetlands occur within the limits of CDFG defined wetlands; therefore, the total area affected is 1.63 acres.

The preserve area contains approximately 0.21 acres of non-native invasive species such as castor bean and eucalyptus, which are proposed for replacement with native species for enhancement and offset (see Figure 4.3-3). Additionally, the project includes two other proposed native vegetation enhancement areas to offset adverse effects. A natural man-made channel is proposed overlying the downstream culvert installation and a detention basin/wetlands creation area is proposed in the southeastern portion of the plan area adjacent Blackburn Road. The project restoration areas are detailed in Table 4.3-4.

**Table 4.3-4
 Proposed Riparian and Wetland Habitat Enhancements**

Type of Habitat	Acres Proposed	Total Acres Proposed
Riparian Vegetation CDFG Defined Wetlands	<ul style="list-style-type: none"> • 0.83 acres of riparian habitat creation above downstream culvert * • 0.21 replacement of invasive species with native riparian species within the preserve 	1.01
Detention Basin/Wetlands Creation	0.35	0.35
Total Habitat Creation		1.36

Source: Padre and Associates, Biology Impact Study, April 2007.

The Office of Katie O'Reilly Rogers, Exhibit 2, April 2007 (Figure 8 in Appendix A)

** The riparian habitat creation area includes approximately 300 feet of walkways that are 5 feet wide, which will be finished in decomposed granite or asphalt and would not contribute to mitigation area (Moule & Polyzoides, April 16, 2007). This amounts to 0.03 acre, which has been deducted from the total riparian habitat creation area of 0.83 acres as indicated on Figure 8 in App. A*

Action 1.11 of the 2005 General Plan requires that sensitive wetland and coastal areas be preserved as undeveloped open space wherever feasible and that future developments result in



no net loss of wetlands or “natural” coastal areas. CDFG defined wetlands include the limits of riparian vegetation, whereas the Corps designates wetlands based on the presence of hydrology, hydric soils indicators and wetland vegetation. Based on these two definitions, the project would have no net loss of wetlands pursuant to Corps designation criteria because 0.35 acres of wetland creation in the detention basin would offset the permanent impact of 0.02 acres for installation of the box culverts. However, evaluating pursuant to CDFG criteria, the project would result in a net loss of an estimated 0.27 acres of CDFG-defined wetlands. This impact would be significant, but mitigable.

Mitigation Measures. The following mitigation measures would reduce the project’s adverse effects on wetlands to a less than significant level under CEQA.

- BIO-2(a) Invasive Plant Removal.** The applicant shall remove invasive or non-native plants from the Brown Barranca Preserve area, including (but not limited to) castor bean, German ivy, garden blackberry, free tobacco, garden nasturtium, and palm trees.

- BIO-2(b) Wetland Creation.** The applicant shall mitigate the removal of riparian vegetation (CDFG defined wetlands) at a minimum ratio of 1:1. The mitigation may be done on-site by increasing the area of the Brown Barranca preserve where feasible to eliminate landscape specimens and incorporate native riparian species between the bikepath/footpath and the preserve such that the total area of the preserve is increased by 0.27 acres or the applicant may mitigate off-site through in-kind mitigation banks within the same watershed subject to review and approval by the Planning Division or their designee.

- BIO-2(c) Barranca and Basin Maintenance Plan.** The applicant shall develop and implement a maintenance plan to assure that future maintenance of the detention basin, Brown Barranca and associated slopes for permanent erosion control measures, which will minimize adverse effects to vegetation and promote maturation of wetland vegetation such that a Corps defined wetland, is formed.

Significance After Mitigation. The applicant proposes creation of 1.36 acres of wetland/riparian habitat, of which 0.35 acres is anticipated to qualify for Corps criteria due to specialized maintenance practices within the detention basin. Thus, the specific plan would result in no net loss of wetlands pursuant to Corps designation criteria, and would maintain the majority of the riparian habitat present within the plan area. Of this area, the Brown Barranca Preserve would contain 2.54 acres of habitat, while the downstream restoration area would include 0.80 acres of man-made channel enhanced with riparian vegetation and the detention basin would potentially contain up to 0.35 acres of wetland vegetation. The residual impact would be less than significant.

Impact BIO-3 Development of the plan area would place development in close proximity to sensitive biological resources. Development would introduce noise, lighting, domestic animals, and introduce potential erosion and sedimentation effects. This could potentially reduce the habitat quality for sensitive vegetation and wildlife species and would be a Class II, *significant but mitigable*, impact.

Project development would introduce noise, lighting and domestic animals in areas adjacent to the Brown Barranca preserve. In addition, the proximity of residential development could allow for pedestrian access to the preserve, which has potential to degrade the quality of the habitat. Although no protected animal species were observed and the potential for occurrence is low to none, there is potential for disturbance to wildlife utilizing the habitat. Therefore, mitigation has been included to require fencing and signage for residents that would limit access and educate residents regarding the sensitive nature of the habitat. In addition, adverse effects to the habitat could occur if erosion and sedimentation were to occur as a result of work in and around Brown Barranca.

Mitigation Measures. Incorporation of the following mitigation measures would reduce the projects effect on wildlife in the Brown Barranca preserve would be less than significant.

- BIO-3(a) Proper Erosion Control Device Installation.** The applicant shall install erosion control devices in areas that have the potential to drain to Brown Barranca throughout the construction duration and prior to vegetation establishment. These devices should include silt fencing, sandbags, straw wattles, and/or straw bales.
- BIO-3(b) Split-Rail Fencing.** The applicant shall install aesthetic (split-rail) fencing between the proposed footpath and Brown Barranca to reduce disturbance of habitat.
- BIO-3(c) Biological Resource Signage.** The applicant shall provide signage and written materials to all property owners describing biological resources and prohibiting entry into the Brown Barranca Preserve.
- BIO-3(d) Oil/Grease Traps.** The applicant shall fit inlets of all storm drains with easily accessible trash excluders approved for use by the City and the Regional Water Quality Control Board. Low Impact Development (LID) principles established in the City's Municipal (MS4) Stormwater Permit shall be used to manage street runoff to meet stormwater quality objectives. Other than litter exclusion, stormwater quality objectives shall not be accomplished in the storm drain inlets. Rather, the objectives shall be accomplished through LID practices.

Significance After Mitigation. Implementation of Mitigation Measures BIO-3(a-d) would reduce impacts associated with development in close proximity to sensitive biological resource to less than significant.



c. **Cumulative Impacts.** The significance of cumulative impacts to biological resources is based upon:

- *The cumulative contribution of the projects and other approved and proposed projects to fragmentation of open space in the project vicinity*
- *The loss of sensitive habitats and species*
- *Contribution of the projects to urban expansion into natural areas*
- *Isolation of open space within the proposed projects by future projects in the vicinity*

Development of the proposed Parklands Specific Plan, in conjunction with other development in the Ventura area, would continue to disturb areas with the potential to affect biological resources. As discussed in Section 3.0, *Environmental Setting*, planned cumulative development associated with buildout of the 2005 General Plan in the City of Ventura would add more than 8,300 dwelling units, as well as about 1.2 million square feet of retail development, 1.2 million square feet of office development, 2.2 million square feet of industrial development, and more than 500,000 square feet of hotel development. Biological resource impacts related to cumulative development are dependent upon the specific site and nature of an individual development. Biological resources issues must be addressed on a case-by-case basis.

Growth in the eastern portion of the City is expected to develop over time. Such development may have cumulatively considerable biological impacts. In the immediate project vicinity, the UC Hansen Trust Specific Plan proposes residential development atop existing agricultural lands. While overall growth of the City would have a cumulative biological impact, development under the Parklands Specific Plan would not make a substantial contribution to the cumulative impact, as impacts associated with this development can be mitigated to a less than significant level.