COUNTY OF VENTURA
BIOLOGICAL RESOURCES INITIAL STUDY

Date: May 12, 2006
Requestor: Dan Klemann
Project: SD05-0015/LU05-0027 subdivision, construction of 16 single family dwellings, two private roadways, one access roadway, installation of a 24-inch reinforced concrete pipe storm drain terminating in Piru Creek.
Field Study: ☐ Yes ☒ No
Justification: Project site is primarily orchard with surface water drainage via proposed storm drain pipe directly connected to Piru Creek.

A. CHECKLIST

Biological Resources Issues	Project Impact Degree of Effect				Cumulative Impact Degree of Effect			
	N	LS	PS-M	PS	N	LS	PS-M	PS
a. endangered, threatened, or rare species	☐	☒	☐	☐	☐	☒	☐	☐
b. wetland habitat	☐	☐	☒	☐	☐	☐	☒	☐
c. coastal habitat	☒	☐	☐	☐	☒	☐	☐	☐
d. migration corridors	☒	☐	☐	☐	☒	☐	☐	☐
e. locally important species/communities	☐	☐	☒	☐	☐	☐	☒	☐

Degree of Effect Explanation
N= None
LS = Less than significant effect
PS-M = Significant effect; Mitigation incorporated for a ND
PS = Potentially Significant effect; EIR required

B. DISCUSSION

The County of Ventura is processing a parcel map for a subdivision and construction of 16 single family dwellings on an approximately 1.38 acre lot, located at 4072 East Center Street in the community of Piru, California. The project would construct two private roadways for internal access within the proposed subdivision and access will be from Center Street to the north and Market Street to the south. In addition, an existing 10-inch storm drain pipe would be replaced with a 24-inch reinforced concrete pipe (rcp) storm drain that would discharge directly into Piru Creek.

The following discussion is based on an office review by Rincon biologist Michelle Tollett. This assessment included review of the most recent California Natural Diversity Data Base (CNDDB) data (December, 2005), USGS topographic maps (Terraserver, 1994 and National Geographic 2001), Dibblee Geological Foundation maps (Piru Quadrangle), USGS NRCS Web Soil Survey (WSS 1.1) and review of the *Preliminary Hydrology and Hydraulic Calculations for Tentative Tract Map No. 5552, Piru, California* (Benner and Parpenter, Inc. March 3, 2005).

The onsite elevation of the subject property is approximately 680 feet above mean sea level. The site is located on a relatively level parcel (<1% slope) that slopes downward to the east towards

an orchard flanked by Piru Creek. The site is bound on the north by Center Street, on the west by existing housing, on the south by Market Street and on the east by an existing orchard. The site is mainly undeveloped, with three existing structures on site. It appears (review of aerial photography) that the property is largely comprised of non-native annual grassland (NNAG) and/or ruderal/disturbed habitat. The USGS quad map indicates that Piru Creek is a "blue line stream" which ultimately drains into the Santa Clara River approximately one mile to the south. Based on review of the geologic maps of the area (Dibblee Jr., Ehrenspeck, 1990/92 and USGS soil surveys), it appears the site is generally underlain by surficial sediments and alluvium (unconsolidated floodplain deposits of silt, sand and gravel) classified as Mocho loam and (calcareous, well-drained, and slightly hard) and Pico loam (sandy, well-drained, gravelly) which overlay the deeper San Pedro Formation.

Review of aerial photographs of the site indicates the possibility of at least 4 trees on the property. Several native trees (oaks, sycamores, walnuts, etc.) are protected by Ventura County and would require mitigation if removed.

The CNDDB record search identified 22 wildlife species, 8 plants species, and 12 communities of concern within the area (10 mile radius from the property). This search area includes a broad range of habitats and conditions, many of which do not occur on the subject site. Several species shown on the CNDDB database include fish, amphibian, and bird species that are dependant on or associated with perennial water sources that are not present at the site. However, due to the proximity and direct connectivity to Piru Creek via storm drain runoff, potential impacts may exist to special–status species found downstream of the site.

Special-status wildlife species that have the potential to occur on the property include:

- Cooper's hawk (*Accipiter cooperii*) nests in old growth coniferous stands or in the deciduous riparian areas that are closest to streams and forages from the protection of dense tree cover from which it ambushes small birds. State Species of Special Concern.
- Golden eagle (*Aquila chrysaetos*); foothills and mountain areas. State species of concern.
- Burrowing owl (*Athene cunicularia*); dry grassland areas with low-growing vegetation. State species of concern.
- Arroyo toad (*Bufo californicus*) is found in semi-arid regions near washes or intermittent streams, including valley-foothill and desert riparian, desert wash. Prefers rivers with sandy banks, willows, cottonwoods and sycamores and loose gravelly areas of streams in drier parts of the range. Federally endangered.
- Santa Ana sucker (*Catostomus santaanae*) is endemic to the Los Angeles Basin South Coastal Streams and usually have a generalized habitat; prefers sand-rubble-boulder bottoms, cool, clear water and algae. Federally Threatened species.
- Southwestern pond turtle (*Emys marmorata pallida*) inhabits permanent or nearly permanent bodies of water in many habitats below 6000 ft. Pond turtles require basking sites such as partially submerged logs, vegetation mats or open mud banks. Nesting sites have been reported as far as one mile from water source. State species of concern.
- Western mastiff bat (*Eumops perotis californicus*) is found in open, semi-arid to arid habitats, including woodlands, riparian, grassland and scrub; roosts in crevices in cliff faces, high buildings, trees and tunnels. State species of concern.
- Unarmored threespine stickleback (*Gasterosteus aculeatus williamsoni*) inhabits weedy pools, backwaters and emergent vegetation at the stream edge in small southern

California streams; cool (<24° C) clear water with abundant vegetation needed. State and Federally endangered.

- Arroyo chub (*Gila orcutti*) is found in the Los Angeles Basin South Coastal Streams in slow water sections with mud or sand bottoms; feeds heavily on aquatic vegetation and associated invertebrates. State species of concern.
- California condor (*Gymnogyps californianus*) is found in the arid foothills and mountain ranges of southern and central California. They roost in rocky cliffs or in trees, and forage in foothills, grasslands and oak woodlands. State and federally listed endangered.
- Coastal California gnatcatcher (*Polioptila californica*); resident of sage scrub in arid washes and slopes. Designated critical habitat is located approximately one mile from the site. Federally threatened and State species of concern.
- San Diego desert woodrat (*Neotoma lepida intermedia*); abundant in rock outcrops, cliff areas, and slopes. State species of concern.
- Southern steelhead (*Oncorhynchus mykiss irideus*) found in southern California streams. The southern California population may have greater physiological tolerances to warmer water and more variable conditions. Federally endangered species.
- Coast horned lizard (*Phrynosoma coronatum*); inhabits coastal sage scrub and chaparral in arid and semi-arid climate conditions along friable, rocky or shallow sandy soils. State species of concern.
- Western spadefoot toad (*Spea hammondii*); occurs primarily in grassland habitats, but can be found in valley-foothill hardwood woodlands. State species of concern.
- American badger (*Taxidea taxus*); abundant in drier open stages of most shrub, forest and herbaceous habitats with friable soils, prey on burrowing rodents, dig burrows. State species of concern.
- Two-striped garter snake (*Thamnophis hammondii*), found in perennial and intermittent streams having rocky beds bordered by willow thickets or other dense vegetation, uses small mammal holes to overwinter, state listed as Threatened.
- Least Bell's Vireo (*Vireo bellii pusillus*), found in riparian habitat. Designated critical habitat is located approximately two miles from the site. State and federally listed as endangered.

Special-status plant species that were considered for potential to occur on the property include:

- San Fernando Valley spineflower (*Chorizanthe parryi* var *fernandina*); occurs in coastal scrub in sandy soils or calcareous soil. A Federal candidate (as Threatened) species, State endangered, and CNPS List 1B plant. Blooms from April through June.
- Slender-horned spineflower (*Dodecahema leptoceras*) occurs on alluvial fans in chaparral, coastal sage scrub, and cismontane woodland habitats. CNPS List 1B; state and federally listed as endangered. Blooms from April through June.
- Plummer's mariposa lily (*Calochortus plummerae*) occurs in coastal scrub, chaparral, valley and foothill grassland, cismontane woodland, lower montane coniferous forest, usually of granitic or alluvial material rocky and sandy sites, common after fire. A CNPS List 1B plant.

Biological resources issues:

a. **Endangered, threatened, or rare species.** The proposed subdivision, construction of 16 single family dwellings and proposed storm drain pipe installation would have no direct impacts to endangered, threatened, or rare species located in the site vicinity. The site has already been disturbed and is comprised of non-native annual grassland and approximately 4 trees of unknown species.

   The California condor has a limited population (approximately 28) in the wild as the majority of birds are being bred in captivity. The nearest released individuals are found in the Los Padres National Forest (USDA 1999). The presence of condors on site is unlikely and would be limited to foraging within the project area.

   The federally threatened California gnatcatcher, a species for which a proposed critical habitat exists approximately one mile from the site; the gnatcatcher occurs in older aged, well-developed coastal sage scrub typically dominated by *Artemesia* and *Encelia* species. Given the absence of sage scrub habitat onsite, it is unlikely that this species occupies the project site.

   The State and federally endangered least Bell's vireo occupies designated critical habitat approximately 2 miles from the project site. This site does not contain riparian cover preferred by the least Bell's vireo. The proposed storm drain will terminate along Piru Creek in an area devoid of key plant species such as willow and cottonwood (*Salix* sp. and *Populus* sp.) and is not likely to affect any population of least Bell's vireo.

   The San Fernando Valley spineflower has been found on thin, mineralized soils derived from marine formations in eastern Ventura County. Habitats present on site has been previously disturbed and soils do not appear conducive to this species. This plant has also never been recorded this far to the west, with the nearest known population approximately 13 miles to the east. No impact from site development is anticipated.

   Ground disturbance and isolation from known populations make it highly unlikely that mariposa lily or slender-horned spineflower would occur on site. No other plants listed as endangered, threatened, or rare under the federal or state Endangered Species Acts are known or anticipated to occur at the site or in the near vicinity, and no cumulatively significant impacts are expected.

   Trees on the subject property could provide roosting or nesting locations for raptors or migrating birds. Migratory birds, their nests and eggs, are protected under the Migratory Bird Treaty Act (U.S.C 16(7)II) and the California Fish and Game Code. Potential raptor or migratory bird nests could be significantly impacted by construction adjacent to trees in this area if this occurs during the nesting season and bird nests are present. Long term cumulative impacts on nesting birds are not considerable as urban-adapted birds will continue to nest in landscaping developed at the site.

   The installation of the storm drain could potentially affect aquatic and semi-aquatic species by introduction of urban runoff into Piru Creek, the Santa Clara River and

ultimately into the Pacific Ocean. Storm water runoff is one of the leading causes of pollution of the "Waters of the U.S." and careful design consideration and implementation of BMP's (Best Management Practices) should be followed in accordance with the standard permits required for the storm drain installation. Permits are to be obtained from the appropriate agencies as discussed (Wetland Habitat Sections, B.b. and D.c. of this document) to protect the following *endangered, threatened or rare* species downstream species with potential to be adversely affected:

- Arroyo toad (FE)
- Santa Ana sucker (FT)
- Unarmored threespine stickleback (SE, FE)
- Southern steelhead (FE)
- Two-striped garter snake (ST)

No other animals listed as endangered or threatened under the federal or state Endangered Species Acts are known or anticipated to occur at the site.

b. Wetland Habitat. No drainages occur on the property. However the proposed storm drain installation will terminate at Piru Creek, which is considered a "blue line" stream. While this drainage area is classified by CNDDB as Southern Willow Scrub, the portion of the Creek to be disturbed contains limited riparian habitat lacking willows or mulefat as indicated by provided ground photographs. The location for the storm drain terminus does contain "waters of the U.S." and "waters of the State" under the jurisdiction of the U.S. Army Corps of Engineers, Los Angeles Regional Water Quality Control Board, and California Department of Fish and Game. The proposed installation of the storm drain will require permits from the above listed agencies.

Since such regulatory permitting includes actions to minimize the loss of significant wetland and riparian habitat, no significant cumulative impacts to wetlands and riparian habitats would be anticipated.

c. Coastal Habitat. The site is not located within the coastal zone and no project or cumulative impacts would occur to coastal habitats.

d. Migration Corridors. The subject property is within the Sespe to Santa Monica Mountains corridor which extends down Piru Creek, across the Santa Clara River, and into the Santa Monica Mountains north of Moorpark. However, the parcel is surrounded on three sides by existing development with a citrus grove on the fourth. Therefore, although it is near Piru Creek and within a mile of the Santa Clara River, it is too isolated and of too small a size to serve as a functional corridor and animals will alternately be able to utilize larger tracts of contiguous land nearby. Therefore any potential development would not present a significant barrier to migration. No mitigation is necessary.

e. **Locally Important Species/Communities.** The Ventura County Lists of Locally Important Plant Species (March 2005) and Locally Important Animal Species (May 2005) were reviewed to assess the potential for locally important species to occur onsite. In addition, the County considers several plant communities such as wetlands, coastal dunes, walnut woodlands, oak woodlands, oak savannas, and other communities to be locally important. The following discusses those communities and species that have potential to be present at the site.

Trees of unknown species were observed onsite via review of aerial photographs. The proposed subdivision and housing project may remove these trees, which would be a significant impact if they are a species protected under the Ventura County Non-Coastal Zoning Ordinance, such as oak trees. Any future development actions that would impact native tree resources would require mitigation per County zoning ordinance requirements.

The following list represents plant species with potential to occur onsite, although presence is highly unlikely within the project boundaries as outlined in the current project plans, and for reasons indicated in the list. In addition, the distribution and range of these plants within the Ventura County region is still relatively widespread and even if present, the 1.38 acre subdivision is unlikely to have a significant impact on their total populations.

- *Baccharis salicina [emoryi],* Emory's Baccharis; Creosote Bush Scrub, Coastal Sage Scrub, Riparian (rivers & creeks), Yellow Pine Forest; streams, washes or salt marshes up to 2000 feet in coastal sage or creosote bush scrub, perennial shrub; site photos show that project area lacks well-developed riparian corridor that could contain this species. It appears that the project area will only disturb a relatively barren, small area along Piru Creek.

A State species of concern, Cooper's Hawk, may utilize the trees for nesting and perching; this bird of prey is known to nest in urban settings. This site may be utilized for foraging on small birds, lizards, and occasional small mammals (ground squirrels and gophers) known to inhabit open fields. The subdivision is unlikely to have a direct , significant impact on this species unless a nest is destroyed during grading activities. Mitigation regarding this issue is discussed below.

The golden eagle is considered a "species of special concern" by CDFG that occurs in southern California as residents or winter migrants. No suitable roosting or nesting habitat is at the site, and the site would offer only marginal foraging habitat for this species. No impacts would be likely.

The burrowing owl, State species of special concern, may utilize the site for nesting and or foraging, however, the only CNDDB record for a sighting of the burrowing owl within 10 miles of this site is in the region of Simi Valley. It is unlikely that the burrowing owl is nesting at this site. The subdivision is unlikely to have a direct , significant impact on this species unless a nest is destroyed during grading activities. Mitigation regarding this issue is discussed below.

The Western mastiff bat has been documented along Piru Creek north of Lake Piru. This species of bat is known to utilize urban settings as well and there is a slight potential for the Western mastiff bat to utilize the existing trees as stopover points and the surrounding area for foraging insects. However, due to the adjacent open space, this small 1.38 acres of development will not have a significant effect on this species unless a roost inside of a tree is disturbed during clearing activities.

The San Diego desert woodrat is potentially present in dry, rocky chaparral and sage scrub habitats in the area, particularly where beavertail cactus is present. While this species has potential to occur at the site, the presently disturbed nature of onsite vegetation, and lack of cover, limits the areas and suitable materials available for woodrat nesting and utilization of the site. No significant impacts to woodrat populations would be anticipated.

The coast horned lizard potentially inhabits the coastal sage scrub and chaparral associated with the sandy, friable soils that occur in close proximity but not within the site boundaries. It is possible that coast horned lizards occupy or move through the brush near Piru Creek. There is potential that individual coast horned lizards could be adversely affected during construction of the storm drainage installation.

The glossy snake is known throughout southern California and so may occur at the project site and vicinity. This snake inhabits barren to sparse shrubby desert, sagebrush flats, grassland, sandhills, chaparral slopes, oak-hickory woodland; generally in open areas with sandy or loamy soil, though rocks may be present. It is still widely distributed throughout southern California, and is more commonly found in desert areas. The species populations extend from California through the desert regions of Arizona and New Mexico to west Texas, and extending south into Baja California and Mexico. The project and adjacent cumulative development would adversely affect the local population of this species, but would not have a significant effect on the population as a whole because this snake is present within large expanses of open space areas under governmental control (Los Padres National Forest for example).

Night snake is found throughout southern California, and is potentially present at the site. This snake uses grassland, deserts, woodlands, etc. and prefers rocky and sandy areas. Its populations are distributed throughout arid regions of the western U.S., from eastern Washington to west Texas and also further south into Mexico. Similar to the glossy snake, the project and cumulative development would have an adverse, but less than significant effect on this snake as it has secure populations in areas under governmental control and managed for wildlife.

As discussed above in the endangered, threatened or rare species (Section B.a. of this document) the installation of the storm drain could potentially affect aquatic and semi-aquatic species by introduction of urban runoff into Piru Creek, the Santa Clara River and ultimately into the Pacific Ocean. Careful design consideration and implementation of BMP's (Best Management Practices) should be followed in accordance with the standard permits required for the storm drain installation. These permits will be obtained from the appropriate agencies as discussed (Wetland Habitat Sections, B.b. and

D.c. of this document) to protect the following *Species of special concern* downstream species with potential to be adversely affected:

- Southwestern pond turtle (SC)
- Western spadefoot toad (SC)
- Arroyo chub (SC)

Nesting birds and particularly raptors (birds of prey) are protected under California Fish and Game Code from disturbance during the breeding season. Disturbance to nesting birds, particularly raptors, is considered a potentially significant effect since it could be in violation of an existing environmental law.

No other animals listed as Species of special concern or locally important species under California Department of Fish and Game or Ventura County Locally Important Species List are known or anticipated to occur at the site.

C. MANDATORY FINDINGS OF SIGNIFICANCE

	Yes/Maybe	No
1. Does the project have the potential to significantly degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal?	☒	☐
2. Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals?	☐	☒
3. Does the project have impacts that are individually limited, but cumulatively considerable?	☐	☒

D. MITIGATION MEASURES

Recommended ☐ Required for Negative Declaration ☒

The following measures are required prior to any grading.

a. **Sensitive Fauna.** Coast horned lizards and two-striped garter snake are potentially present along Piru Creek where the RCP terminus is located. Prior to grading, a pre-construction clearance survey and relocation for these species shall occur within 3 days of the initiation of construction. Lizards shall be searched for by lightly raking sandy areas, particularly in the vicinity of harvester ant nests, and within the construction right-of-way. Animals shall be captured and transported at least 500 feet from the construction area and released within the upstream portion of the main drainage of Piru Creek.

b. **Breeding Birds.** If the project occurs during nesting season (February 1-September 15), surveys for breeding bird species shall be performed within one week of clearing activities. If nests are present within the development areas, a buffer area of at least 50 feet shall be imposed around passerine nests and 250 feet from raptor nests until

the young have fledged and are no longer dependent on the nest. The actual buffer width shall be determined by the survey biologist based on the specific species and shall be done in coordination with the County of Ventura.

c. **Wetland Habitat.** Proposed storm drain installation terminating at Piru Creek will require permits from the Army Corps of Engineers (Section 404), California Department of Fish and Game (Streambed Alteration Agreement), and Los Angeles Regional Water Quality Control Board (Section 401 Certification of the Section 404 Permit). No grading shall be permitted within the site until the applicant has obtained such permits and filed a copy with the County of Ventura. If onsite mitigation of riparian habitats is required by these permits, the County shall not issue a grading permit until such time that an approved mitigation plan has also been filed with the County.

d. **Removal of Trees.** Native trees are protected by the Ventura County Zoning Ordinance and loss of these trees would result in a potentially significant impact. Upon review of site photographs, no native trees appear to be located within the project work area. However, if any oak trees were to be taken or impacted as a result of this project, compliance with the Ventura County Tree Protection Regulations (8107-25) would be required.

E. DETERMINATION OF ENVIRONMENTAL DOCUMENT FROM A BIOLOGICAL PERSPECTIVE

Negative Declaration ☐ Mitigated Negative Declaration ☒ EIR Required ☐

Reviewer: _____ Date: _____

Michelle Tollett
May 9, 2006
Biologist for **RINCON CONSULTANTS, INC.**
Phone: 641-1000 Ext. 41

F. REFERENCES

California Department of Fish and Game, BIOGEOGRAPHIC INFORMATION AND OBSERVATION SYSTEM (BIOS), IMAPS Viewer v4.15, accessed May 2006.

California Department of Fish and Game, Natural Diversity Database (January 2006). Special Vascular Plants, Bryophytes, and Lichens List. Quarterly publication, Mimeo. 97 pp.

California Department of Fish and Game (February 2006). Special Animals. 55 pgs. Biogeographic Data Branch, Natural Diversity Database.

California Department of Fish and Game, California Natural Diversity Database. Database current as of December 2005.

Dibblee Jr. and Ehrenspeck (1990 and 1992). Geologic Map of the Simi Quadrangle. Dibblee Geological Foundation.

GlobeXplorer AirPhoto USA, ortho-photography. Available through http://www.mapquest.com/.

National Geographic (2001). USGS Topographic Maps on CD-ROM. San Francisco, California.

Soil Survey Staff, Natural Resources Conservation Service, United States Department of Agriculture. Web Soil Survey [Online WWW]. Available URL: "http://websoilsurvey.nrcs.usda.gov/app/" [Accessed 25 October 2004].

United States Fish and Wildlife Service (December 1999). Endangered and Threatened Plants as published in *Endangered and Threatened Wildlife and Plants 50 CFR 17.11 and 17.12, December 1999.*

United States Fish and Wildlife Service (December 1999). Endangered and Threatened Wildlife as published in *Endangered and Threatened Wildlife and Plants 50 CFR 17.11 and 17.12, December 1999.*

Ventura County General Plan, January 2005. Area Plan for the Non-Coastal Zone.