20256-02

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August 13, 2007

Ms. Andrea Ozdy
County of Ventura
Resource Management Agency, Planning Division
800 South Victoria Ave.
Ventura, CA 93009
Submitted via email: Andrea.Ozdy@ventura.org

Subject: Initial Study for the Brooks Project (Case No. LU07-0001 and SD07-0013)

Andrea:

Provided below is Section 6, Biological Resources, of the Initial Study for the Brooks Project.

If you have any questions or need any more information regarding this report, please call me at (805) 681-3100, or email me at michelle.bates@tetratech.com.

Sincerely,

TETRA TECH, INC.

Michelle Bates
Senior Biologist

Section A. Project Description

Project Name: Brooks Project
Project Number: Case No. LU07-0001 and SD07-0013
Applicant: RDKJV Campus, LLC

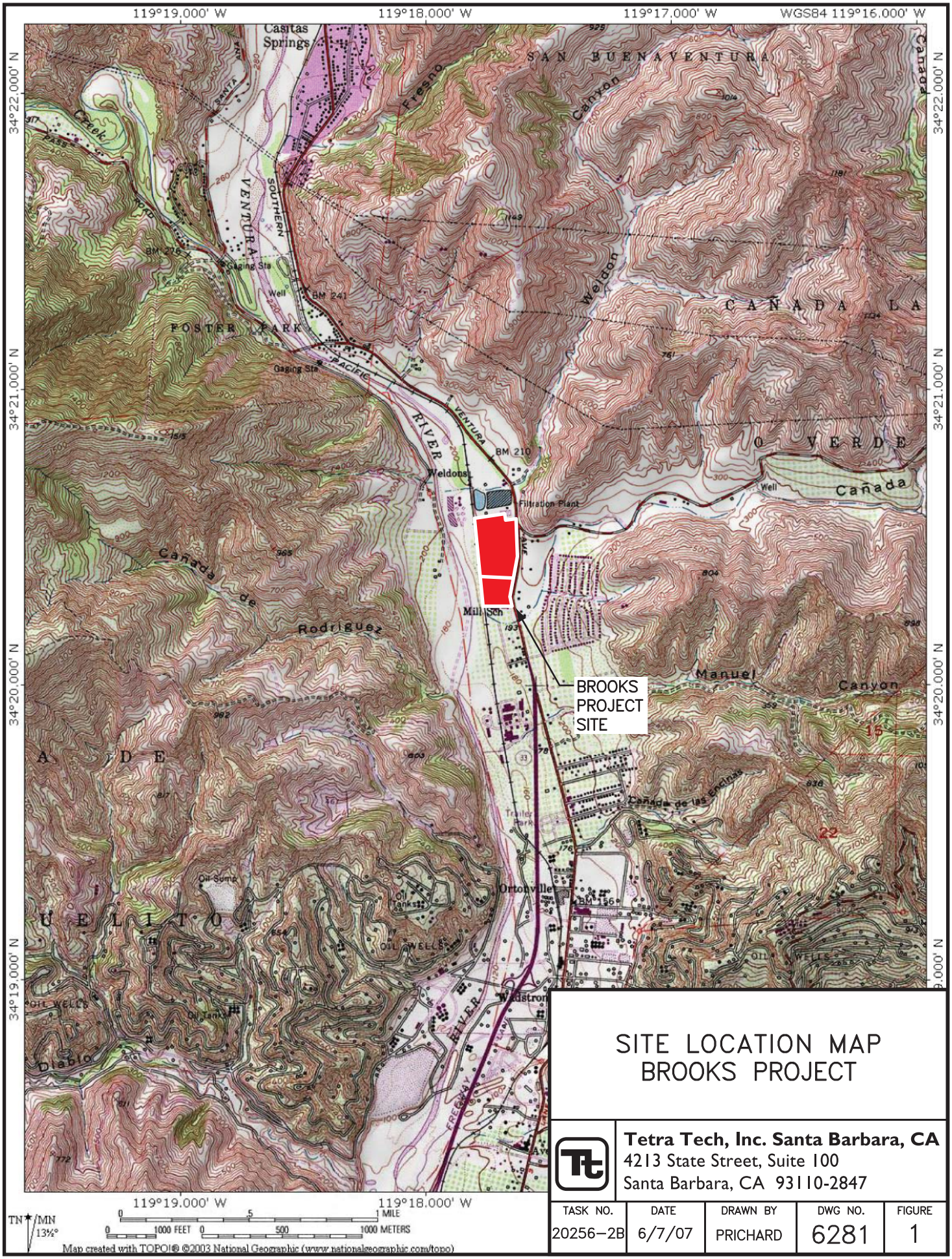
Project Location: 5301 N. Ventura Avenue, Ventura, APNs 063-0-050-360 and 063-0-040-160. Also see Figure 1.

Nature and Purpose of Project: The proposed project includes six separate components: 1. Rezoning a portion of the property currently zoned M-3 (APN 063-0-050-360) to change to M-2. 2. Request a "text change" for M-2 zoning to allow for professional schools as in the M-1 zone. 3. Modification of conditional use permit (CUP) #4985 to include the adjoining 22 acre parcel (APN 063-0-040-160). 4. Requesting that existing overflow parking on APN 063-0-040-160 be improved and paved to function as additional parking. 5. Brooks Campus facilities are located on four legal lots comprising 7.9 acres (APN 063-0-050-360). The expansion parking area is planned on approximately 4 acres of the adjacent 22 acre parcel (APN 063-0-040-060). It has been requested that there be the creation of six lots where currently five exist. 6. Requesting approval of two new buildings, one of 30,000 square feet and the other 38,100 square feet.

Description of Physical Alterations/Improvements and Project Facilities: The proposed project would create a 441 space parking lot, a 58,669 square foot landscaped area, two buildings (30,000 square feet and 38,100 square feet), and a helipad.

Methodology: This biological resources portion of the Initial Study Checklist has been prepared in order to evaluate the impacts of the proposed project on biological resources pursuant to the California Environmental Quality Act (CEQA). Impacts were evaluated according to the criteria provided in the *Ventura County Initial Study Assessment Guidelines* (Ventura County 2006a).

Site Description: The northern portion of the project site is disturbed non-native annual grassland. The southern portion of the project site is developed with the Brooks campus and associated impervious surfaces. The project site is bounded by an open space lot, bicycle/pedestrian path, and the Ventura River on the west, Ventura Avenue on the east, the Ventura Avenue Water Purification Plant on the north, and open space to the south.



SITE LOCATION MAP
BROOKS PROJECT

Tetra Tech, Inc. Santa Barbara, CA
4213 State Street, Suite 100
Santa Barbara, CA 93110-2847

TASK NO.	DATE	DRAWN BY	DWG NO.	FIGURE
20256-2B	6/7/07	PRICHARD	6281	1

Section B. Initial Study Checklist

Section 6 of the Initial Study Checklist for the Brooks project is provided in Table 1.

Table 1 Initial Study Checklist

6. Biological Resources:	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			X				X	
b. Wetland Habitat			X				X	
c. Coastal Habitat	X				X			
d. Migration Corridors			X				X	
e. Locally Important Species/Communities			X				X	

Degree of Effect:
N = No Impact.
LS = Less Than Significant.
PS-M = Potentially Significant Impact Unless Mitigation Incorporated.
PS = Potentially Significant Impact.

Section C. Discussion of Responses to Checklist

a. Endangered, Threatened, or Rare Species.

For the purposes of this report, special-status species meet one or more of the following criteria:

- Federal or state listed threatened or endangered species,
- Federal or state proposed threatened or endangered species,
- Federal candidate species,
- State rare species,
- Species of special concern according to the California Department of Fish and Game (CDFG),
- Species fully protected by the California Department of Fish and Game's Natural Diversity Database (CNDDB),
- Species monitored by the CNDDB,
- Plant species on the California Native Plant Society (CNPS) List.

In order to assess the potential presence of special-status species within the project site, a site visit was conducted by Tetra Tech on May 2, 2007. A search of the CNDDB (Commercial Version, data to expire December 2, 2007) was also completed on April 26, 2007 for the Ventura Quadrangle in order to determine which special-status species could occur within the project site.

Special-status wildlife species that could occur within the project site according to the CNDDB are provided in Table 2. No special-status wildlife species were found during the survey completed May 2, 2007.

Table 2 Special-Status Wildlife Species that Could Occur at the Project Site

Scientific Name	Common Name	Federal Status	State Status	Source
Bat				
Choeronycteris mexicana	Mexican long-tongued bat	-	CSC	CNDDB
Birds				
Agelaius tricolor	Tricolored blackbird	-	CSC	CNDDB
Charadrius alexandrinus nivosus	Western snowy plover	FT	CSC	CNDDB
Vireo bellii pusillus	Least Bell's vireo	FE	SE	CNDDB
Fish				
Eucyclobobius newberryi	Tidewater goby	FE	CSC	CNDDB
Oncorhynchus mykiss irideus	Southern steelhead	FE	CSC	CNDDB
Invertebrates				
Coelus glovosus	Globose dune beetle	-	CSC	CNDDB
Danaus plexippus	Monarch butterfly	-	-	CNDDB
Mammal				
Chaetodipus californicus femoralis	Dulzura pocket mouse	-	CSC	CNDDB
Reptiles				
Anniella pulchra pulchra	Silvery legless lizard	-	CSC	CNDDB
Emys (=*Clemmys*) *marmorata pallida*	Southwestern pond turtle	-	CSC	CNDDB

Notes:
CNDDB – California Natural Diversity Database search (Moorpark Quadrangle)
CSC – CDFG Species of Special Concern
FE – Federally Endangered
FT – Federally Threatened
SE – State Endangered

The Mexican long-tongued bat uses caves and mine tunnels as day roosts. The project site does not contain habitat for this species, it is not anticipated to occur at the project site.

The tricolored blackbird requires open water, protected nesting substrate and a foraging area within a few kilometers of the nesting colony. This species could occur as a transient visitor to the project site.

The western snowy plover breeds primarily on coastal beaches from southern Washington to southern Baja California, Mexico. Since the project site does not have coastal habitat, this species is unlikely to occur at the project site.

Least Bell's vireos typically nest (as a summer resident) in willows, mulefat, and mesquite in southern California areas with low riparian vegetation in the vicinity of water or dry river bottoms. The project site does not include the riparian vegetation near the Ventura River, therefore, the project site does not contain habitat for this species.

The tidewater goby is a federally endangered species and CDFG species of special concern that is known to occur within the Ventura River (CNDDB 2007). Since the project site does not include the Ventura River, habitat for this species would not be directly impacted by the proposed project. The implementation of best management practices during construction and the establishment of a 100-foot

setback that no future development would be allowed in would reduce indirect impacts (increased sedimentation, etc.) to a less than significant level (see Mitigation Measure BR-2).

The southern steelhead is a federally endangered species and CDFG species of special concern that is known to occur within the Ventura River (CNDDB 2007). Since the project site does not include the Ventura River, direct impacts to this species would not be generated. The implementation of best management practices during construction and the establishment of a 100-foot setback that no future development would be allowed in would reduce indirect impacts (increased sedimentation, etc.) to a less than significant level (see Mitigation Measure BR-2).

Globose dune beetle is a CDFG species of special concern that inhabits dunes and burrows beneath dune vegetation. Since the project site does not include dune habitat, impacts to this species would not be generated.

The monarch butterfly, a sensitive species tracked by the CNDDB, roosts in mature eucalyptus groves. No eucalyptus trees were observed in the open space or developed area of the project site. Since no eucalyptus trees are present, future development would not generate impacts to the monarch butterfly.

Dulzura pocket mouse, a CDFG species of special concern, inhabits coastal scrub, chaparral, and grassland habitats in San Diego County. The project site does not contain potential habitat for this species.

The silvery legless lizard inhabits areas with sand or loose loamy soils under sparse vegetation. Due to the disturbed nature of the project site, it is unlikely that the silvery legless lizard would utilize the site, although they could occur.

The southwestern pond turtle is a CDFG species of special concern that inhabits slow moving water bodies with upland nesting sites. Since the project site does not include the Ventura River, direct impacts to this species would not be generated by the proposed project. The implementation of best management practices during construction and the establishment of a 100-foot setback that no future development would be allowed in would reduce indirect impacts (increased sedimentation, etc.) to a less than significant level (see Mitigation Measure BR-2).

Special-status plant species that could occur within the project site according to the CNDDB are provided in Table 3. No special-status plant species were found during the survey completed May 2, 2007.

Table 3 Special-Status Plant Species that Could Occur at the Project Site

Scientific Name	Common Name	Federal Status	State Status	CNPS Status	Source
Aphanisma blitoides	Aphanisma	-	-	1B.2	CNDDB
Astragalus pycnostachyus var. *lanosissimus*	Ventura Marsh milk-vetch	FE	SE	1B.1	CNDDB
Calchortus weedii var. *vestus*	Late-flowered mariposa lily	-	-	1B.2	CNDDB
Chaenactis glabriuscula var. *orcuttiana*	Orcutt's pincushion	-	-	1B.1	CNDDB
Lasthenia glabrata ssp. *coulteri*	Coulter's goldfields	-	-	1B.1	CNDDB

Notes:
CNDDB – California Natural Diversity Database search (Ventura Quadrangle)
FE – Federally Endangered
SE – State Endangered
California Native Plant Society (CNPS) List:
1A – Presumed extinct in California
1B – Rare or endangered in California and elsewhere
2 – Rare or endangered in California, more common elsewhere
3 – Plants for which more information is needed (Review list)
4 – Plants of limited distribution (Watch List)

Aphanisma is found on bluffs and slopes near the ocean. Since the project site does not have coastal habitat, this species is highly unlikely to occur within the project site.

Ventura Marsh milk-vetch occurs in back dune habitat, coastal meadows and near coastal salt marshes. Since the project site does not have coastal habitat, this species is highly unlikely to occur within the project site.

Late-flowered mariposa lily is found in dry, open coastal woodland and chaparral areas. The project site does not contain potential habitat for this species.

Orcutt's pincushion occurs on coastal bluff scrub and coastal dunes. Since the project site does not have coastal habitat, this species is highly unlikely to occur within the project site.

Coulter's goldfields are found on alkaline soils in grassland areas. Due to the disturbed nature of the non-native grassland habitat at the site, this species is highly unlikely to occur.

Development of the project site could generate indirect impacts to the special-status species listed in Table 2 and 3. Impacts would be generated by lighting at the project site, noise generated during construction and operation at the site, increased sedimentation into the river caused by activities at the site, and loss of habitat. Wildlife are likely to relocate due to construction noise. The implementation of best management practices (erosion control, etc.) will reduce sedimentation impacts to the adjacent Ventura River. Mitigation Measures BR-1 and BR-2 are required to reduce impacts to special-status species to less than significant levels.

Mitigation Measures

Measure BR-1 Preconstruction surveys for nesting birds must be conducted prior to construction, within 14 days of any proposed ground disturbance. If nesting birds are found during the survey, construction cannot commence during the nesting season (February 15 – September 1). RMA Planning shall monitor the implementation of this measure. The measure must be implemented prior to the issuance of grading permits.

Measure BR-2 Establish a 100-foot setback between the upland edge of the riparian corridor associated with the Ventura River and the project site. The 100-foot setback must be surveyed by a licensed surveyor and recorded through a restrictive covenant, which must be recorded on the property title. A fence shall be placed 5 feet from the upland edge of the riparian corridor. The fence must be a split-rail fence, to allow for wildlife movement. A biological monitor shall be present during installation of the fence. All development shall be prohibited within the 100-foot setback. Brush clearance is prohibited within the 100-foot setback and riparian and wetland habitats. Any proposed future development within the setback would require discretionary review and approval by the County of Ventura and would require permits from the California Department of Fish and Game (CDFG), Regional Water Quality Control Board (RWQCB), the U.S. Army Corps of Engineers (USACE), and NOAA Fisheries. RMA Planning shall monitor the implementation of this measure.

b. Wetlands Habitat.

A formal wetlands delineation of the project site has not been completed. However, no standing areas of water or other wet habitat was observed within the project site during the site visit. The western portion of APN 063-0-050-360 borders the upland edge of riparian habitat associated with the Ventura River. Any future proposed building must be set back at least 100-feet from the upland edge of the riparian habitat located along the Ventura River. A topographic survey is required to establish the location of this setback.

If ground disturbing activities are proposed within 100-feet of the riparian area, permits will be required from the U.S. Army Corps of Engineers (404 permit), Regional Water Quality Control Board (401 certification), and California Department of Fish and Game (1600 agreement). These permits may require a formal wetlands delineation. Since the Ventura River is a steelhead stream, coordination with NOAA Fisheries may also be required in support of any future proposed development within 100-feet of the river.

Project impacts to the wetland habitat would be potentially significant without the establishment of a 100-foot setback. The establishment of the 100-foot setback between the Ventura River and the project site is necessary to reduce the project impacts to wetlands to a less than significant level.

Mitigation Measures

Implementation of Measure BR-2, as described above, would reduce impacts to wetlands to a less than significant level.

c. Coastal Habitat.

The project site is not within the coastal zone and does not contain coastal habitats. Therefore, the proposed project would have no impact on coastal habitat.

Mitigation Measures

No mitigation measures are required.

d. Migration Corridors.

In order to assess project impacts to wildlife corridors, the *Roads and Biodiversity Project: Guidelines for Safe Wildlife Passage* was reviewed (Ventura County 2005), as well as wildlife migration maps provided by Ventura County. The Ventura River, which is adjacent to the project site, is a landscape linkage.

Since a portion of the project site is along the upper edge of riparian habitat of the Ventura River, any proposed development within the site has the potential to significantly impact a major landscape linkage that is used for fish and wildlife movement. Development would also cause habitat fragmentation of the river and riparian habitat. Establishment of a 100-foot setback between the river and the project site would reduce impacts to a less than significant level. Any proposed fencing at the project site must allow for migration of wildlife through the project site.

Mitigation Measures

Implementation of Measure BR-2, as described above, would reduce impacts to wildlife migration corridors to a less than significant level.

e. Locally Important Species/Communities.

Locally important species are those on the Ventura County Locally Important Species List or that meet Ventura County's definition of a Locally Important Species (Ventura County 2006b). Locally important communities are those that meet Ventura County's definition of a Locally Important Community, which includes habitats that are tracked by the CNDDB.

The Pacific lamprey is known to occur in the Ventura River and is considered by qualified biologists as a Locally Important Species. Project impacts to this species would be potentially significant. The establishment of the 100-foot setback between the Ventura River and the project site is necessary to reduce the project impacts to a less than significant level.

The CNDDB tracks natural plant communities that are considered sensitive. Sensitive communities are those that have a global or state rank. The global rank indicates the overall condition of the community throughout its global range. The state rank indicates the condition of the community in California and also includes a threat designation. A description of the global and state ranks is provided in Table 4.

Table 4 Description of Global and State Ranks

Global Rank	**Description**
G1	Less than 6 viable element occurrences or less than 1,000 individuals or less than 2,000 acres.
G2	6 to 20 element occurrences or 2,000 to 10,000 acres.
G3	21 to 100 element occurrences or 3,000 to 10,000 individuals or 10,000 to 50,000 acres.
G4	Apparently secure, this rank is clearly lower than G3 but factors exist to cause some concern.
G5	Population or stand demonstrably secure to ineradicable due to being commonly found in the world.
GH	All sites are historic; the element has not been seen for at least 20 years, but suitable habitat still exists.
GX	All sites are extirpated; the element is extinct in the wild.
GXC	Extinct in the wild, but exists in cultivation.
G1Q	The element is very rare, but there is a taxonomic question associated with it.
State Rank	**Description**
S1	Less than 6 element occurrences or less than 1,000 individuals or less than 2,000 acres S1.1 = very threatened S1.2 = threatened S1.3 = no current threats known
S2	6 to 20 element occurrences or 3,000 individuals or 2,000 to 10,000 acres S2.1 = very threatened S2.2 = threatened S2.3 = no current threats known
S3	21 to 100 element occurrences or 3,000 to 10,000 individuals or 10,000 to 50,000 acres. S3.1 = very threatened S3.2 = threatened S3.3 = no current threats known
S4	Apparently secure within California; this rank is clearly lower than S3 but factors exist to cause some concern. No threat rank.
S5	Demonstrable secure to ineradicable in California. No threat rank.
SH	All California sites are historic; the element has not been seen for at least 20 years, but suitable habitat still exists.
SX	All California sites are extirpated; this element is extinct in the wild.

Table 5 summarizes the results of the CNDDB search for sensitive plant communities for the Ventura Quadrangle (CNDDB 2007). The results indicate that California Walnut Woodland, Southern California Coastal Lagoon, Southern California Steelhead Stream, Southern Coast Live Oak Riparian Forest, and Southern Sycamore Alder Riparian Woodland are known to occur within the quadrangle.

Table 5 Sensitive Plant Communities that Could Occur within the Project Site

Plant Community	**Global Ranking**	**State Ranking**
California Walnut Woodland	G2	S2.1
Southern California Coastal Lagoon	G?	S?
Southern California Steelhead Stream	G?	S?
Southern Coast Live Oak Riparian Forest	G4	S4
Southern Sycamore Alder Riparian Woodland	G4	S4

Source: CNDDB 2007
Note: Plant communities with a global and state rank are considered sensitive habitat.

The lower Ventura River, located adjacent to the project site, is a southern California Steelhead Stream. No sensitive plant communities are located within the project site.

The project site contains a multitude of mature trees. Ventura County has tree protection regulations that protect qualified trees. Removal of protected tree species must be avoided whenever possible.

Any proposed project that would remove alder, cottonwood, sycamore trees, etc. would result in a significant impact. Any protected tree removed at the project site (alder, cottonwood, sycamores, etc.) must be replaced in accordance with the County of Ventura Tree Protection Regulations and Guidelines. Replacement should be conducted on site when feasible and offsite only when no realistic replacement onsite is available. With implementation of Mitigation Measures BR-3, impacts to locally important species/communities would be reduced to less than significant.

Mitigation Measures

Measure BR-3 Any protected tree removed at the project site (oak, alder, cottonwood, pine, sycamores, etc.) must be replaced according to the County of Ventura Tree Protection Regulations and Guidelines. Replacement should be conducted on site when feasible and offsite only when no realistic replacement onsite is available. RMA Planning shall monitor the implementation of this measure.

Cumulative Impacts:

A list and map of proposed projects near the Brooks project site was provided by Ventura County and was reviewed to analyze cumulative impacts. Nearby proposed projects are the construction of a service yard and the extension of the CUP for existing communication facilities. No large developments are planned near the proposed Brooks project site. Therefore, the proposed project would generate less than significant cumulative impacts.

Section D. Mandatory Findings of Significance

D. Mandatory Findings of Significance Based on the Information contained within Sections B and C:	**Yes/Maybe**	**No**
1. Does the project have the potential to 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, or eliminate important examples of the major periods of California history or prehistory?	X	
2. Does the project have the potential to achieve short-term, to the disadvantage of long-term environmental goals? (A short-term impact on the environment is one that occurs in a relatively brief, definitive period of time while long-term impacts will endure well into the future.)		X
3. Does the project have impacts that are individually limited, but cumulatively considerable? "Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effect of other current projects, and the effect of probable future projects. (Several projects may have relatively small individual impacts on two or more resources, but the total of those impacts on the environment is significant).		X
4. Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?		X

Section E. Determination of Environmental Document

E. Determination of Environmental Document on the basis of this initial evaluation:	
[ ]	I find the proposed project could not have a significant effect on the environment, and a **Negative Declaration** should be prepared.
[X]	I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measure(s) described in Section C of the Initial Study will be applied to the project. A **Mitigated Negative Declaration** should be prepared.
[ ]	I find the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An **Environmental Impact Report** is required, but it must analyze only the effects that remain to be addressed.
[ ]	I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or Negative Declaration pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or Negative Declaration, including revisions or mitigation measures that are imposed upon the proposed project, **nothing further is required**.

References:

California Natural Diversity Data Base (CNDDB)

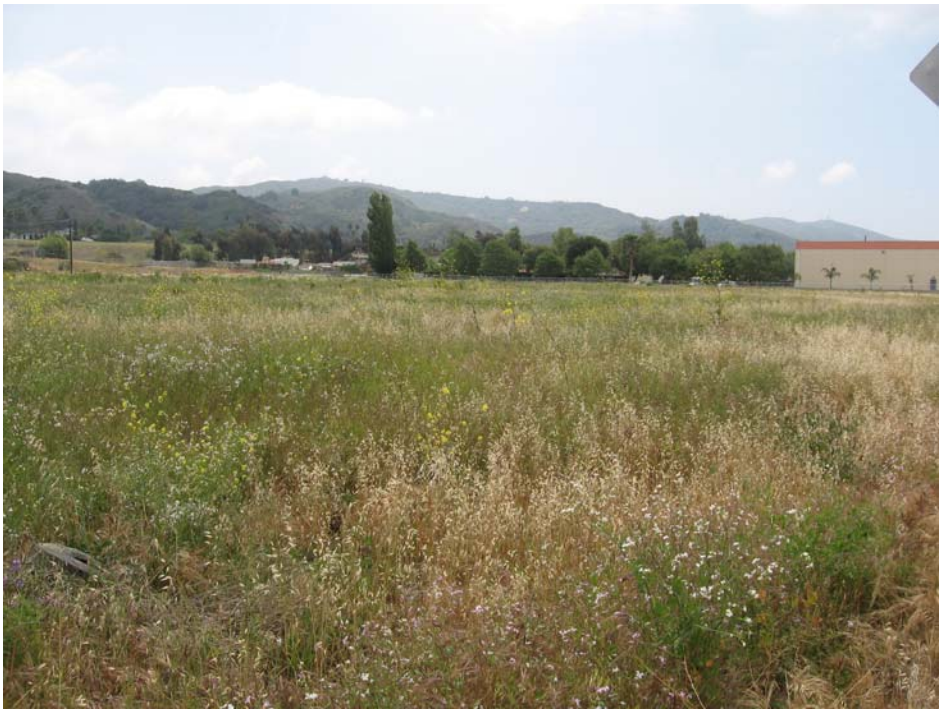
2007 Rarefind: A database application for the California Department of Fish and Game, Natural Heritage Division data, California Diversity Data Base, Sacramento. Commercial Version, data to expire December 2, 2007. Accessed on April 26, 2007.

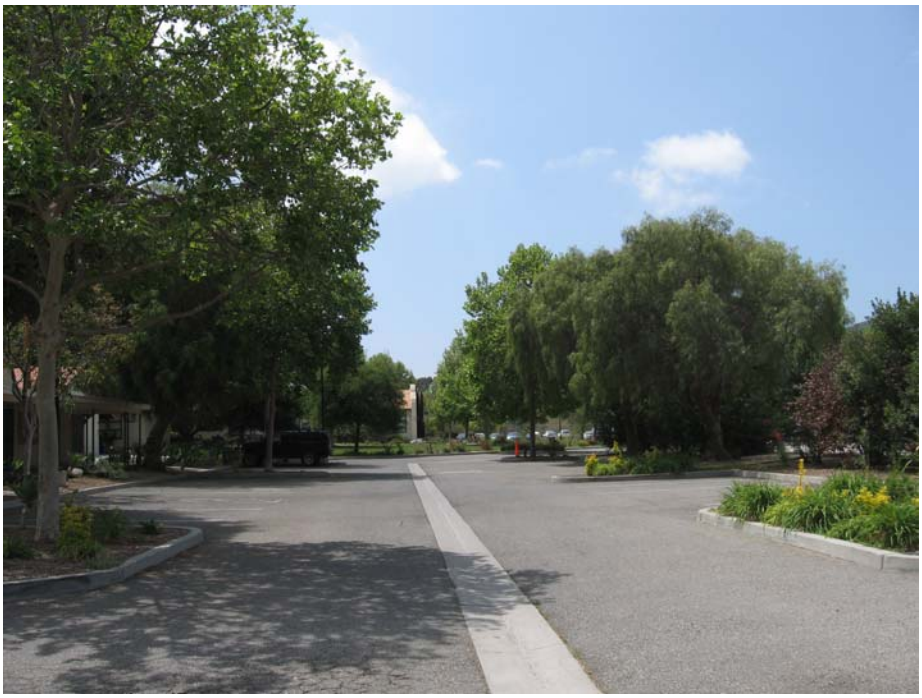
Ventura County

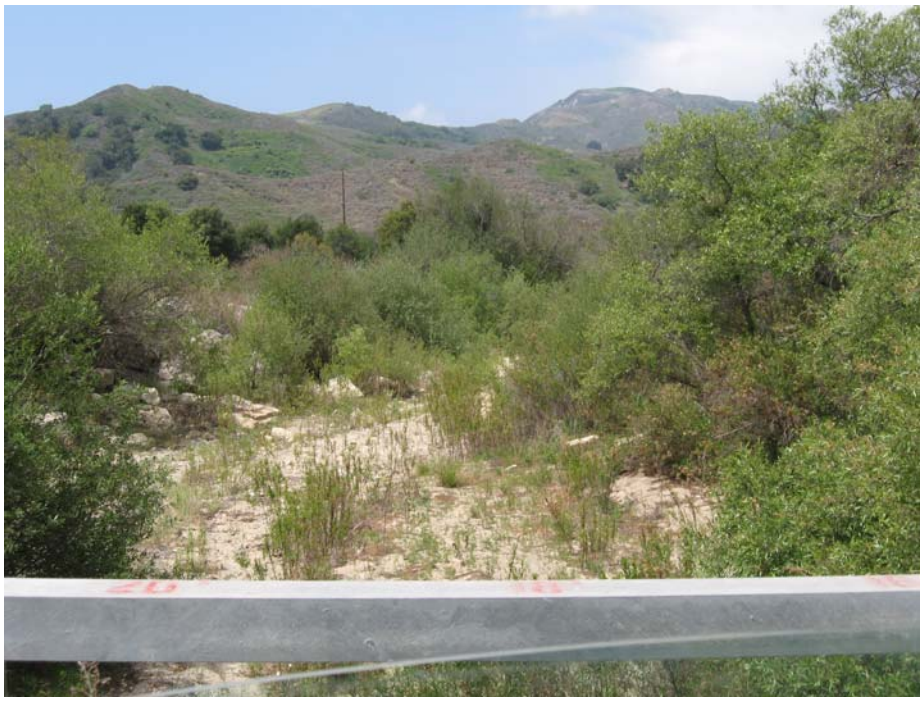
2005 *Roads and Biodiversity Project: Guidelines for Safe Wildlife Passage.* A joint effort of the Ventura County Planning Division and the Donald Bren School of Environmental Science & Management at the University of California, Santa Barbara. June 2005.

2006a *Initial Study Assessment Guidelines.* Available online: http://www.ventura.org/planning/ordinances_regs/ords_regs.htm. February, 2006.

2006b Ventura County's list of Locally Important Species. Available online: http://www.ventura.org/planning/programs_services/bio_resources/bio_resources.htm).

Location: 5301 N. Ventura Ave, Ventura, CA **APNs:** 063-0-040-160 and 063-0-050-360 **Date:** 5/2/07 **Direction:** Southeast **Notes:** Non-native annual grassland	
Location: 5301 N. Ventura Ave, Ventura, CA **APNs:** 063-0-040-160 and 063-0-050-360 **Date:** 5/2/07 **Direction:** North **Notes:** Adjacent property to the north.	

Location: 5301 N. Ventura Ave, Ventura, CA **APNs:** 063-0-040-160 and 063-0-050-360 **Date:** 5/2/07 **Direction:** Southeast **Notes:** Existing Brooks campus.	
Location: 5301 N. Ventura Ave, Ventura, CA **APNs:** 063-0-040-160 and 063-0-050-360 **Date:** 5/2/07 **Direction:** South **Notes:** Mature trees on Brooks campus.	

Location: 5301 N. Ventura Ave, Ventura, CA	
APNs: 063-0-040-160 and 063-0-050-360	
Date: 5/2/07	
Direction: West	
Notes: Adjacent drainage to Ventura River, south of Brooks campus.	