Initial Study Biological Assessment

Original ISBA report date: June 1, 2009

Revision report date(s): June 19, 2009

Case number: SD08-0060

Permit type: Conditional Certificate of Compliance (lot legalization)

Applicant: William Colborn

Planning Division case planner: Debbie Morrisset

Total parcel(s) size: Two parcels totaling 1.57 acres

Assessor Parcel Number(s): 030-0-160-11 and -28

Development proposal description: No specific development proposed at this time. Current action would legalize two lots of record. A primary dwelling unit, second dwelling unit and accessory structures could then be developed in the future on each lot as a ministerial action requiring zoning clearance only per the Non-Coastal Zoning Ordinance.

Prepared for Ventura County Planning Division by:

As an approved and contracted biologist with the Ventura County Planning Division, I hereby certify that this Initial Study Biological Assessment was prepared according to the Planning Division's requirements and that the statements furnished in the report and associated maps are true and correct to the best of my knowledge and belief; and I further certify that I was present throughout the site visit associated with this report.

Approved Biologist (signature):			Date: June 23, 2009
Name (printed): Cher Batchelor	Title: Senior Biologist	Company: Rincon Consultants, Inc.	
Phone: 805/641-1000 x38	email: cbatchelor@rinconconsultants.com		
Other Biologist (signature):			Date: June 23, 2009
Name (printed): Duane Vander Pluym, D.ESE	Title: Principal (County Approved Biologist)	Company: Rincon Consultants, Inc.	
Phone: (805) 641-1000 (x13)	email: duane@rinconconsultants.com		
Role: Report review, support			
Other Biologist (signature): not applicable			Date:
Name (printed):	Title:	Company:	
Phone:	email:		
Role:			

Initial Study Checklist

The initial site visit of this Biological Assessment DID NOT provide adequate information to make CEQA findings regarding potentially significant impacts or to develop mitigation measures necessary to mitigate potentially significant project and cumulative impacts. Additional biological studies were needed to make CEQA findings, develop mitigation measures, and to satisfy other regulatory agencies. The flora of the lot was not captured due to the timing of the initial site visit (winter). A late spring survey (May 2009) was needed to adequately account for plant species within the two parcels (herein referred to as the study area), including any special-status plant species with potential to occur. In addition, a washout/floodplain area and well-defined side channel of Sisar Creek exists within the study area. A jurisdictional delineation was also needed to estimate the extent and location of regulated waters/wetlands within the study area. The jurisdictional delineation was conducted concurrently with the late spring botanical survey. Once the additional surveys were conducted, the Biological Assessment DID provide adequate information to make CEQA findings regarding potentially significant impacts.

		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 (includes nests)			X				X	
B	Wetland habitat			X				X	
C	Coastal habitat	X				X			
D	Wildlife movement routes		X				X		
E	Locally important species/communities			X				X	

N: No impact
LS: Less than significant impact
PS-M: Potentially significant unless mitigation incorporated.
PS: Potentially significant
* DO NOT check this box unless the Biological Assessment provided information adequate enough to develop mitigation measures that reduce the level of impact to less than significant.

Contents

Maps

Attachment

List of California Natural Diversity Database (CNDDB)-tracked species (point occurrences) within 1-, 5-, and 10-miles of the project boundaries.

Summary

Applicant is applying for a Conditional Certificate of Compliance (lot legalization) for the two-parcel, 1.57-acre study area. This ISBA is meant to identify and map the areas that could result in significant impacts to biological resources if developed. Most of the lot is natural habitat, except for some annual mowing in the grassland areas. Rincon performed two site visits to map the vegetation, assess habitat suitability for special-status species and wildlife movement, map sensitive biological resources, note the presence of waters or wetlands, and record plant and wildlife species. The entire 1.57 acres was surveyed.

The habitats within the study area include Coast Live Oak Forest, Sycamore-Oak Riparian Woodland, Annual Brome Grassland, and Mulefat Scrub. Coast Live Oak Forest covers the western portion of the study area and Sycamore-Oak Riparian Woodland covers the eastern portion of the study area. Both of these communities are considered Ventura County Locally Important Communities. Impacts to these Locally Important Communities are considered potentially significant but mitigable.

Sisar Creek traverses from the north along and adjacent to the eastern boundary of the eastern parcel, and a braided floodplain traverses through the study area and connects back to the main channel to the south. The 1.57 acre study area contains approximately 0.03 acre of Corps jurisdiction, and approximately 0.20 acre of CDFG jurisdiction. An approximate 70-foot buffer is recommended for Sisar Creek along the eastern boundary of the eastern parcel, and a 25-foot buffer is recommended along both sides of the side drainages existing in the middle of the study area. Impacts to these waters, wetlands, and/or buffers would be considered potentially significant but mitigable.

A total of 93 plant species were observed onsite, including 54 native species and 39 introduced species. A total of 23 wildlife species were observed or detected onsite, including 2 reptiles, 16 birds, and 6 mammals. No federally or state listed plant or wildlife species were observed onsite; however, two special-status species were observed: southern California black walnut (CNPS List 4.2) and oak titmouse (CDFG Special Animals List). The potential for other special-status species tracked within 5 miles of the project site to occur onsite is very low to low based on their required soils and habitats and their proximity to the project site. One inactive bird nest was observed onsite within a coast live oak tree. Additional nests are expected onsite, and there is a high potential for birds that are protected by the federal Migratory Bird Treaty Act to nest on an annual basis within the study area. Impacts to the walnut, oak titmouse (or its habitat), or nesting birds would be considered potentially significant but mitigable.

The study area does not lie directly within a mapped corridor or linkage; however, the study area exists in the immediate vicinity (immediately north, west, and south) of the Castaic-Sierra Madre Landscape Linkage. Evidence was observed that indicates that wildlife use the habitats onsite for foraging and for local movement. Several small wildlife paths were observed within the habitats associated with Sisar Creek. However, no large scale connectivity features exist within or adjacent to the survey area. Impacts to local wildlife movement and to the adjacent mapped linkage as a result of any subsequent development onsite would be considered less than significant.

A restrictive covenant will be recorded on those areas of the study area containing significant biological resources. Since no site plans have been submitted, specific impacts to sensitive biological resources are currently unknown. As part of the restrictive covenant and subsequent biological review once site plans are submitted, additional biology-related surveys or permits will likely be needed prior to issuance of a land use permit. Specifically, if any oak trees are proposed to be impacted as a result of any subsequent development onsite, applicant should obtain a Ventura County Tree Permit. If the subsequent development of the lot will not avoid impacts to the waters or wetlands thus mapped, or to the wetlands setback buffer recommended herein, a formal jurisdictional delineation and associated regulatory permits will be required.

Avoidance and minimization measures should include designing development outside of mapped sensitive biological resources, and conducting pre-construction surveys for nesting birds and special-status species to create work buffers and possibly relocate animals. Mitigation measures for impacts to black walnut individuals, oak trees, oak titmouse habitat, Locally Important Communities, and wetlands/jurisdictional areas should include replacing lost native trees at a 10:1 mitigation ratio (replacing each impacted tree with ten 5-gallon container plantings), and/or enhancing and creating habitat lost at a 1:1 to a 3:1 mitigation ratio, depending upon the specific quality and function of the removed habitat.

Section 1: Construction Footprint Description

Construction Footprint Definition (per the Ventura County Planning Division): The construction footprint includes the proposed maximum limits of temporary or permanent direct land or vegetation disturbance for a project including such things as the building pad(s), roads/road improvements, grading, septic systems, wells, drainage improvements, fire hazard brush clearance area(s), tennis courts, pools/spas, landscaping, storage/stockpile areas, construction staging areas, fire department turnarounds, utility trenching and other grading areas. The construction footprint on some types of projects, such as mining, oil and gas exploration or agricultural operations, may be quite different than the above.

Development Proposal Description:

Applicant is applying for a Conditional Certificate of Compliance (lot legalization) for the 1.57-acre lot including APN 030-0-160-11 and -28. No site plans have been submitted for this application, and therefore, the physical alterations and development that might occur to the existing sites as a result of the lot legalization are unknown at this time. For the purpose of the Conditional Certificate of Compliance, this ISBA is meant to identify and map the areas that would result in significant impacts if developed. A restrictive covenant is recommended to be recorded on those areas containing significant biological resources, and general mitigation measures are suggested for implementation upon future development.

Construction Footprint Size

Unknown at this time; not applicable.

Development Area Size (construction footprint size without driveway and brush clearance area)

Unknown at this time; not applicable.

Project Design for Impact Avoidance or Minimization

None at this time. Biological survey purpose to identify sensitive biological resources.

Coastal Zone/Overlay Zones

The parcels are not within any overlay zones.

Zoning

The subject parcels exist within Rural Exclusive zoning.

Elevation

The study area is at an elevation of approximately 1,500 feet above mean sea level.

Other

Not applicable.

Section 2: Survey Information

2.1 Survey Purpose

Discretionary actions undertaken by public agencies are required to demonstrate compliance with the California Environmental Quality Act (CEQA). The purpose of this Initial Study Biological Assessment (ISBA) is to gather enough information about the biological resources associated with the project, and their potential to be impacted by the project, to make a CEQA Initial Study significance finding for biological resources. In general, ISBA's are intended to:

- Provide an inventory of the biological resources on a project site and the values of those resources.
- Determine if a proposed project has the potential to impact any significant biological resources.
- Recommend project redesign to avoid, minimize or reduce impacts to significant biological resources.
- Recommend additional studies necessary to adequately assess potential impacts and/or to develop adequate mitigation measures.
- Develop mitigation measures, when necessary, where adequate information is available.

2.2 Survey Area Description

Survey Area Definition (per the Ventura County Planning Division): The physical area a biologist evaluates as part of a biological assessment. This includes all areas that could potentially be subject to direct or indirect impacts from the project, including, but not limited to: the construction footprint; areas that would be subject to noise, light, dust or runoff generated by the project; any required buffer areas (e.g., buffers surrounding wetland habitat). The construction footprint plus a 100-foot buffer—beyond the required fire hazard brush clearance boundary—(or 20-foot from the cut/fill boundary or road fire hazard brush clearance boundary – whichever is greater) is generally the minimum size of a survey area. Required off-site improvements—such as roads or fire hazard brush clearance—are included in the survey area. Survey areas can extend off the project's parcel(s) because indirect impacts may cross property lines. The extent of the survey area shall be determined by the biologist in consultation with the lead agency.

Survey Area 1 (SA1)

Location

The study area is located approximately midway between the City of Ojai and the City of Santa Paula. It is located just north of Highway 150 (Ojai-Santa Paula Road) and just west of Koenigstein Road. The lot is situated at approximately 34º26'11.26"North Latitude and 119º07'41.31"West Longitude in Section 12, Township 4 North, Range 22 West, of the Ojai USGS 7.5-minute Quadrangle.

Survey Area Boundaries

The survey area includes all land within both parcels (030-0-160-11 and -28) and a 30-foot buffer around the parcels.

Survey Area Environmental Setting

The study area ranges in elevation of approximately 1,465 feet above mean sea level in the northwest corner to approximately 1,440 feet at the southeastern corner. The general aspect is a gently south-facing slope. The primary channel of Sisar Creek traverses from the north along and adjacent to the eastern boundary of the eastern parcel. A braided floodplain with several connected channels traverses through both parcels and connects back to the main channel at the southern end of the lot. Most of the study area is natural habitat, except for what appears to be annual mowing in the open grassland areas onsite as fuel management for the residence to the south of the subject study area. No development or structures currently exists onsite. The habitats within the study area include Coast Live Oak Forest in the western portion, Sycamore-Oak Riparian Woodland above annual grassland in the eastern portion, and mulefat scrub and annual grassland in the middle.

Surrounding Area Environmental Setting

Scattered rural residences are located along Highway 150 and Koenigstein Road, but extensive natural open space is located to the north and south. Los Padres National Forest is to the north and east, Ojai Valley is to the west, and Sulphur Mountain is to the south. Local disturbances include natural vegetation clearing associated with adjacent residences and agricultural practices. Oak

woodland surrounds the western and southern study area boundaries, and oak riparian woodland surrounds the eastern side. Dense coastal sage scrub exists to the north and east as well. The habitats and connectivity to habitats in this region are important for local and migrating wildlife.

Cover

70% native vegetation
20% non-native vegetation
0% recently burned
0% ag/grazing
5% bare ground/cleared/graded
5% buildings, paved roads and other impervious cover
0% other

2.3 Methodology

References

Prior to the site visit, Rincon conducted background research regarding potential biological resources that could be affected by any subsequent developemnt on the lot. The following included the references used in the assessment:

- California Department of Fish and Game (CDFG). May 2009. California Natural Diversity Database search of RareFind3. The Resource Agency, State of California, Sacramento, California.
- CDFG. February 2008. Special Animals. The Resources Agency, Biogeographic Data Branch. (available at http://www.dfg.ca.gov/biogeodata/cnddb/plants_and_animals.asp).
- CDFG. October 22, 2007. Vegetation Classification and Mapping Program, List of California Vegetation Alliances. www.dfg.ca.gov/biogeodata/vegcamp/pdfs/NaturalCommunitiesList_Oct07.pdf
- CDFG. November 2007. BIOS internet-based biological data map server. This database was searched to identify other projects that have occurred in the vicinity of the subject parcels, including: Proposed Parcel Map No. 5311, APN 040-0-0 10-52 (BioResource Consultants, December 7, 2001), just east of the Colborn parcels; and CUP 5103 (David Magney Environmental Consulting, May 25, 2000) southeast of Colborn.
- California Native Plant Society (CNPS). Inventory of Rare and Endangered Plants database, v7-08a 2-01-08, http://cnps.web.aplus.net/cgi-bin/inv/inventory.cgi/Html?item=checkbox_9.htm#q9
- CNPS. 2001. Inventory of Rare and Endangered Plants of California. Sixth edition. (Special Publication No. 1.) September. Rare Plant Scientific Advisory Committee, David Tibor, Convening Editor, Sacramento, California.
- CNPS. 2008. Inventory of Rare and Endangered Plants of California. Sixth edition. Rare Plant Scientific Advisory Committee, David Tibor, Convening Editor, Sacramento, California. September. Changes to the Inventory as published on CNPS website (http://www.cnps.org/programs/Rare_Plant/inventory/changes/changes_accepted.htm).
- Hickman, J.C. 1993. The Jepson Manual: Higher Plants of California. UC Press, Berkeley.
- Sawyer, J.O. and T. Keeler-Wolf. 1995. A Manual of California Vegetation. California Native Plant Society, Sacramento.
- Ventura County Planning Division (VCPD). 2005. Ventura County Locally Important Species. 5 May 2005. Ventura, California.
- Ventura County Planning Division, GIS Biology Map Packet (November 2007). Mapped resource information, including: wetlands and waterbodies; special-status species (CNDDB); wildlife corridors/connectivity areas; vegetation; and high resolution aerial imagery.

Rincon performed a site visit to map the vegetation, assess the habitat suitability for potential special-status species and wildlife movement, map any sensitive biological resources onsite, note the presence of waters or wetlands, and record observations of plant and wildlife species. The entire two-parcel study area was surveyed, and includes a 30-foot buffer around the study area. No access was restricted.

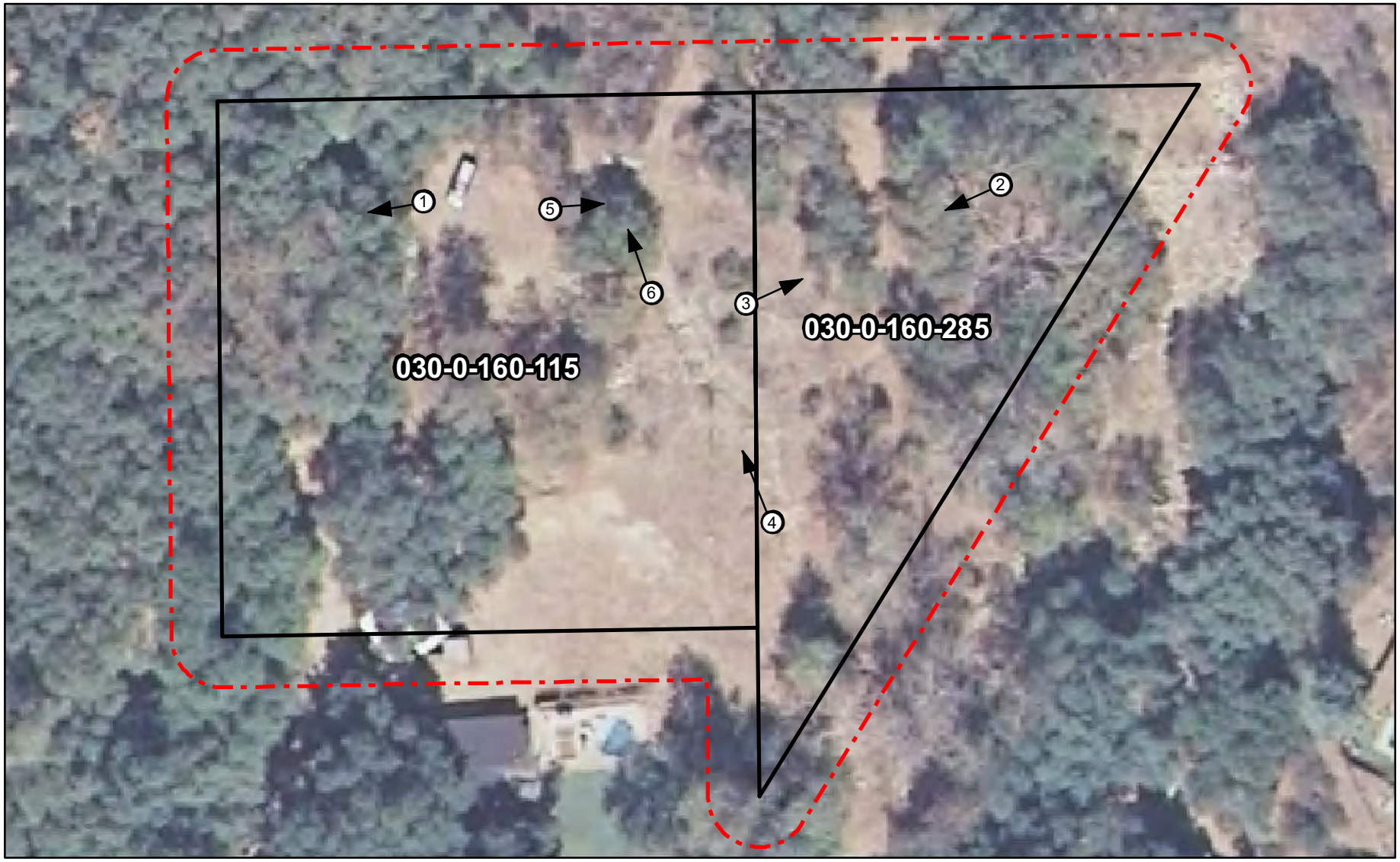
Rincon conducted two rare plant surveys to adequately account for the study area flora and to capture the early spring and early summer blooming periods, including any special-status plant species with potential to occur. The rare plant surveys followed survey guidelines developed by California Department of Fish and Game (CDFG) and California Native Plant Society (CNPS): the study area was traversed on foot by walking meandering transects to ensure thorough coverage of the area; the surveys were spaced between spring and summer growing seasons to document the site's flora; and the surveys were floristic in nature, and all plant species observed were identified to a sufficient level to determine rarity. Voucher specimens of unknown taxa were collected for full identification. GPS was used to map any significant findings onsite.

Rincon conducted a general jurisdictional determination onsite to estimate the location and extent of regulated waters and/or wetland and riparian habitats that occur within the study area. Rincon conducted a brief informational review of the site, walked all drainage features onsite, identified signs of hydrology, and recorded hydrophytic vegetation. This jurisdictional survey was sufficient to complete this ISBA; however, it is not adequate to serve as a formal wetland delineation in accordance with the methods described in the Corps' *Wetland Delineation Manual* and *Interim Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Arid West Region*, and would not be adequate for permitting by regulatory agencies for any subsequent proposed project onsite.

Survey Details Table

Survey Date & Details							
Survey Key	Survey Date	Survey Area Map Key(s)	Survey Type	Time Period	Methods/Constraints	GPS	Surveyors
SD1	1/20/2009	SA-1	ISBA	9:00 am–10:30 am	Walked transects to account for all observable plant and wildlife species, wildlife paths, plant communities, and special-status resources. The entire site was accessible.	Garmin, model X, submeter	Cher Batchelor
SD2	5/1/2009	SA-1	Botanical & JD	9:00 am-11:00 am	Walked transects to document botanical resources. Walked/GPS the creek floodplain channel centerlines and recorded OHWM widths. The entire site was accessible.	Garmin, model X, submeter	Cher Batchelor

ISBA .....Initial Study Biological Assessment
Botanical.....Botanical Survey
JD .....Jurisdictional Delineation Survey
OHWM.....Ordinary High Water Mark



Basemap and Aerial Source: CIRGIS, 2007.

Legend

- Photo Location
- Existing Lot Lines
- SA-1, Biological Survey Area

N

0 50 100 Feet

Site and Survey Map

Figure 1

Section 3: The Biological Inventory

See Appendix One for an overview of the types of biological resources that are protected in Ventura County.

3.1 Habitats: Plant Communities, Physical Features and Wetlands

(Initial Study Checklist A, B, C & E)

Plant Communities

Locally important or rare plant communities were found within the survey area(s).

Major Plant Communities Summary

Annual Brome Grassland is an herbaceous plant community dominated by annual introduced grasses. Composition of these grasslands can vary greatly depending upon biotic factors such as precipitation, temperature, canopy cover, and topography. The grassland observed onsite occurs below, and in the openings of, the oak-sycamore tree canopy. This plant community appears to be weed whacked annually for fuel modification purposes. The plant association observed representing this grassland type is slender oat (*Avena barbata*)-soft chess (*Bromus hordeaceus*)-ripgut brome (*B. diandrus*). Certain portions of the grassland are more disturbed than others. For example, the northwestern patch and the southern patch are heavily influenced by introduced plant species. The grassland below the oak-sycamore canopy in the eastern portion of the study area includes a greater percentage of native plant species and wildflowers, but still includes a significant portion of introduced plant species. Approximately 0.41 acre of Annual Brome Grassland exists within the two parcels.

Coast Live Oak Forest is dominated by *Quercus agrifolia*, which is a wide-topped, evergreen tree. Coast Live Oak Series (Sawyer and Keeler-Wolf 1995) often occurs on very steep slopes and on raised stream banks or terraces, requires sandstone or shale-derived soils, and grows at elevations between sea level and 1200 meters. Coast Live Oak Forest is considered a Locally Important Plant Community. The Coast Live Oak Forest observed onsite forms a continuous (closed) tree canopy up to 20 meters tall, with occasional understory shrubs and a predominantly grassy groundlayer. Many of the oak trees making up the forest onsite have been trimmed over the years, and regeneration of oak trees onsite appears to be low, likely due to ground disturbances associated with fuel modification (weed whacking), soil compaction, roads, structures, and other human influences. Although the oaks in this plant community are predominantly old-growth trees, no young saplings were observed below. Approximately 0.47 acre of Coast Live Oak Forest was mapped within the two parcels.

The Oak Woodlands Conservation Program of the California Oak Woodlands Act define Oak Woodlands as an oak stand with a greater than 10% canopy cover or that may have historically supported greater than 10% canopy cover. Since the Coast Live Oak Forest observed onsite creates a closed (touching) canopy of approximately 90% canopy cover, the oak forest onsite qualifies as an oak woodland under the Oak Woodlands Conservation Program.

California Sycamore-Coast Live Oak Riparian Woodland is dominated by *Platanus racemosa* and *Quercus agrifolia*. A shrubby thicket of evergreen and deciduous shrubs are common below the 30-meter trees, and the ground layer is generally variable. This plant community grows in wetland habitats with soils that are permanently saturated at depth. It is common along fresh water riparian corridors, braided depositional channels of intermittent streams, gullies, springs, seeps, stream and river banks, and terraces adjacent to floodplains subject to high intensity seasonal flooding. This alliance also occurs on upland rocky canyon slopes, in alluvial, open cobbly, and rocky soils (Sawyer and Keeler-Wolf 1995). California Sycamore-Coast Live Oak Riparian Woodland is

considered a Locally Important Plant Community. This riparian woodland observed onsite is associated with Sisar Creek traversing the eastern boundary of the study area. A portion of the eastern parcel is essentially a floodplain of Sisar Creek with braided channels and washout areas, which is inhabited by this plant community. Approximately 0.64 acre of California Sycamore-Coast Live Oak Riparian Woodland exists within the two parcels.

Since the Sycamore-Oak Riparian Woodland observed onsite creates an intermittent canopy of approximately 70% canopy cover, the sycamore-oak woodland onsite qualifies as an oak woodland under the Oak Woodlands Conservation Program.

Mulefat Scrub is dominated by *Baccharis salicifolia*, a tall evergreen shrub with white flowers. This plant community typically forms a continuous shrub canopy less than four meters tall and requires freshwater habitats that are seasonally flooded and saturated, such as canyon bottoms, irrigation ditches, and stream channels (Sawyer and Keeler-Wolf 1995). The Mulefat Scrub community observed onsite is associated with a washout area of the drainage traversing the center of the study area from north to south. This stand forms an open shrub canopy with an herbaceous groundlayer below of native and introduced forbs. No tree or other shrub species were observed in this community. Approximately 0.04 acre of Mulefat Scrub was mapped within the two parcels.

Note: Associate plant species observed contributing to the plant communities discussed above are provided in the Species Observed Section below in Section 2.3.

Plant Communities

Map Key	SVC Alliance	SVC Association	Misc	Status	Condition	Acres Total	Acres Impacted	Comments
PC1	Annual Brome Grassland (*Bromus* spp.)	Slender Oat-Soft Chess-Ripgut Brome (*Avena barbata-Bromus hordeaceus-B. diandrus*)	N/A	No Status	Annually disturbed	0.41 acre	N/A	Annual understory fire clearance
PC2	Coast Live Oak Forest (*Quercus agrifolia*)	Coast Live Oak Forest / Grass (*Quercus agrifolia / Bromus* spp.)	N/A	Tracked by CDFG (G4, S4) LIC Cal OWA	Intact	0.47 acre	N/A	Low regeneration onsite; trimming apparent
PC3	California Sycamore Riparian Woodland (*Platanus racemosa*)	California Sycamore - Coast Live Oak (*Platanus racemosa – Quercus agrifolia*)	N/A	Tracked by CDFG (G4, S4) LIC Cal OWA	Intact	0.65 acre	N/A	Associated with Sisar Creek floodplain areas
PC4	Mulefat Scrub (*Baccharis salicifolia*)	Mulefat Scrub (*Baccharis salicifolia*)	N/A	Tracked by CDFG (G4, S4)	Succes-sional	0.04 acre	N/A	Side washout area associated with Sisar Creek floodplain
					Totals	**1.57**	N/A	

LIC ..... Locally Important Plant Community
ESHA ..... Environmentally Sensitive Habitat Areas (Coastal Zone)
CDFG Rare:
G1 or S1 ..... Critically Imperiled Globally or Subnationally (state)
G2 or S2 ..... Imperiled Globally or Subnationally (state)
G3 or S3 ..... Vulnerable to extirpation or extinction Globally or Subnationally (state)
Cal OWA ..... Protected by the California Oak Woodlands Act

Physical Features

Physical Features

Map Key	Physical Feature	Comments
N/A	N/A	N/A

Waters and Wetlands

See Appendix One for an overview of the local, state and federal regulations protecting waters, wetlands and riparian habitats. Wetlands are complex systems; delineating their specific boundaries, functions and values generally takes a level of effort beyond the scope of an Initial Study Biological Assessment (ISBA). The goal of the ISBA with regard to waters and wetlands is simply to identify whether they may exist or not and to determine the potential for impacts to them from the proposed project. This much information can be adequate for designing projects to avoid impacts to waters and wetlands. Additional studies are generally warranted to delineate specific wetland boundaries and to develop recommendations for impact minimization or impact mitigation measures.

Protected waters and/or wetlands were found within the survey area(s).

Waters and Wetlands Summary

Four wetland features (stream/drainage reaches) exist onsite. The primary channel of Sisar Creek (Reach W1) traverses along the eastern boundary of the eastern parcel from north to south, which is inhabited by sycamore-oak riparian woodland. Two side washes (Reaches W2 and W3) from Sisar Creek converge at the northern boundary of the western parcel, and these channels are inhabited by sycamore-oak riparian woodland as well. The converged side channel (Reach W4) traverses southeast through both parcels entering back into Sisar Creek at the southeastern tip of the eastern parcel. The habitat within this washout channel is mulefat scrub. The habitats associated with Sisar Creek and the braided channels traversing through the study area are largely undisturbed, species rich, structurally diverse, and provide connectivity to offsite habitats. Sisar Creek is a tributary to Santa Paula Creek, which is a tributary to Santa Clara River, which ultimately empties into the Pacific Ocean.

The drainage features onsite contain characteristics that meet CDFG jurisdiction, pursuant to Section 1600 of the Fish and Game Code. These characteristics are an observable bed, bank, and channel; and associated functional riparian vegetation. The U.S Army Corps of Engineers jurisdictional waters of the U.S. and waters of the State, pursuant to Sections 404 and 401 (respectively) of the Clean Water Act were determined due to the presence of an OHWM and connectivity to downstream jurisdictional waters (Santa Clara River). Based on the field survey, topographic review, and aerial photographic interpretation of the site, Rincon documented current site conditions and estimated the acreage of jurisdictional area within the two parcels. Approximately 0.03 acre of Corps jurisdiction is estimated onsite, and approximately 0.20 acre of CDFG jurisdiction is estimated onsite.

Waters and Wetlands

Map Key	Wetland Type	Wetland Name	Wetland Status	Wetland Size	Hydrologic Status	Primary Water Source
W1	Stream	Sisar Creek	WPD, USACE, CDFG, & County General Plan	15 linear ft (CDFG 0.03 ac; Corps <0.01 ac) onsite; reach ~2,800 lin ft	Flowing	Natural runoff, ground water
W2	Side drainage	Sisar Creek	USACE, CDFG, & County General Plan	56 linear ft (CDFG 0.05 ac; Corps 0.01 ac) onsite; reach is ~250 linear ft	Dry	Natural runoff, ground water
W3	Side drainage	Sisar Creek	USACE, CDFG, & County General Plan	45 linear ft (CDFG 0.02 ac; Corps <0.01 ac) onsite; reach ~130 lin ft	Dry	Natural runoff, ground water
W4	Side drainage	Sisar Creek	USACE, CDFG, & County General Plan	212 linear ft (CDFG 0.10 ac; Corps 0.01 ac) onsite; reach ~250 linear ft	Dry	Natural runoff, ground water

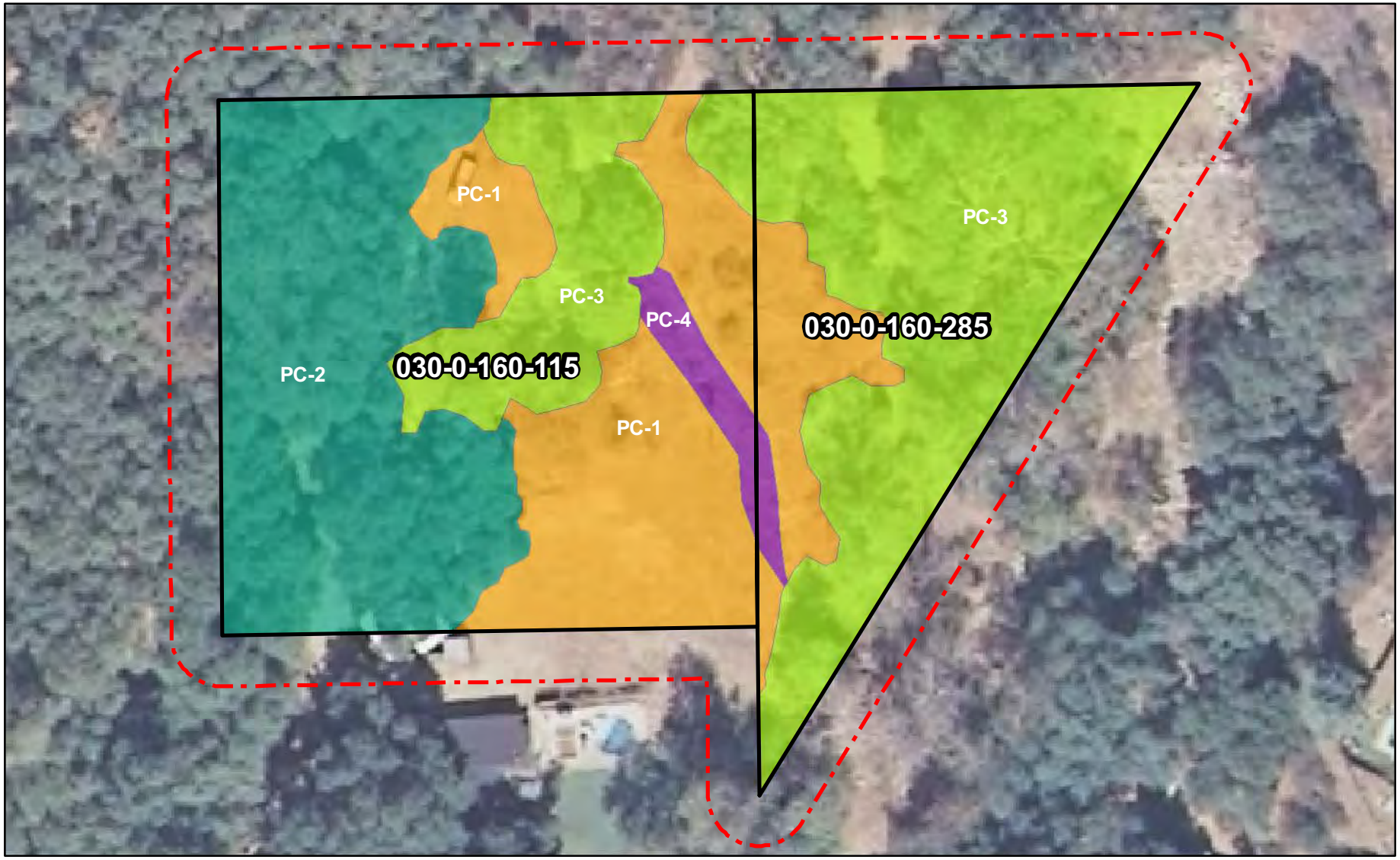
USACE.....U.S. Army Corps of Engineers regulated
CDFG.....California Department of Fish & Game regulated
County.....County General Plan protected wetland
WPD.....Co. Watershed Protection District (red-line stream)

Waters and Wetlands (continued)			
Map Key	County Wetland Significance	Wetland Distance from Project	Comments
W1	Significant	N/A	Portion of Sisar Creek-habitat is ecologically functional
W2	Significant	N/A	Side channel in floodplain of Sisar Creek- habitat is ecologically functional
W3	Significant	N/A	Side channel in floodplain of Sisar Creek- habitat is ecologically functional
W4	Significant	N/A	Side channel in floodplain of Sisar Creek-habitat is successional/mulefat from recent natural washout/scouring.

Water/Wetland Buffers		
Map Key	Recommended Buffer	Comments
W1B1	Ranging from 50 to 90 feet	This buffer averages approximately 70 feet. The tree canopy was used to delineate the buffer for Sisar Creek, and the buffer was reduced downstream onsite where the groundlayer becomes exposed and the riparian canopy thins. The significance of this riparian habitat warrants a buffer of at least this size to protect its functions, habitats, and flood attenuation.
W2/W4B2	25 feet	Smaller scale side drainage requires less buffer to protect habitat function and flood attenuation.
W3/W4B3	25 feet	Smaller scale side drainage requires less buffer to protect functions and habitats.

Other Areas/Observations

Other Observations		
Map Key	Describe Features (Violations, other observations, etc.)	Comments
N/A	N/A	N/A



Legend

- Existing Lot Lines
- SA-1, Biological Survey Area
- PC-1, Annual Brome Grassland
- PC-2, Coast Live Oak Forest
- PC-3, California Sycamore-Coast Live Oak Riparian Woodland
- PC-4, Mulefat Scrub

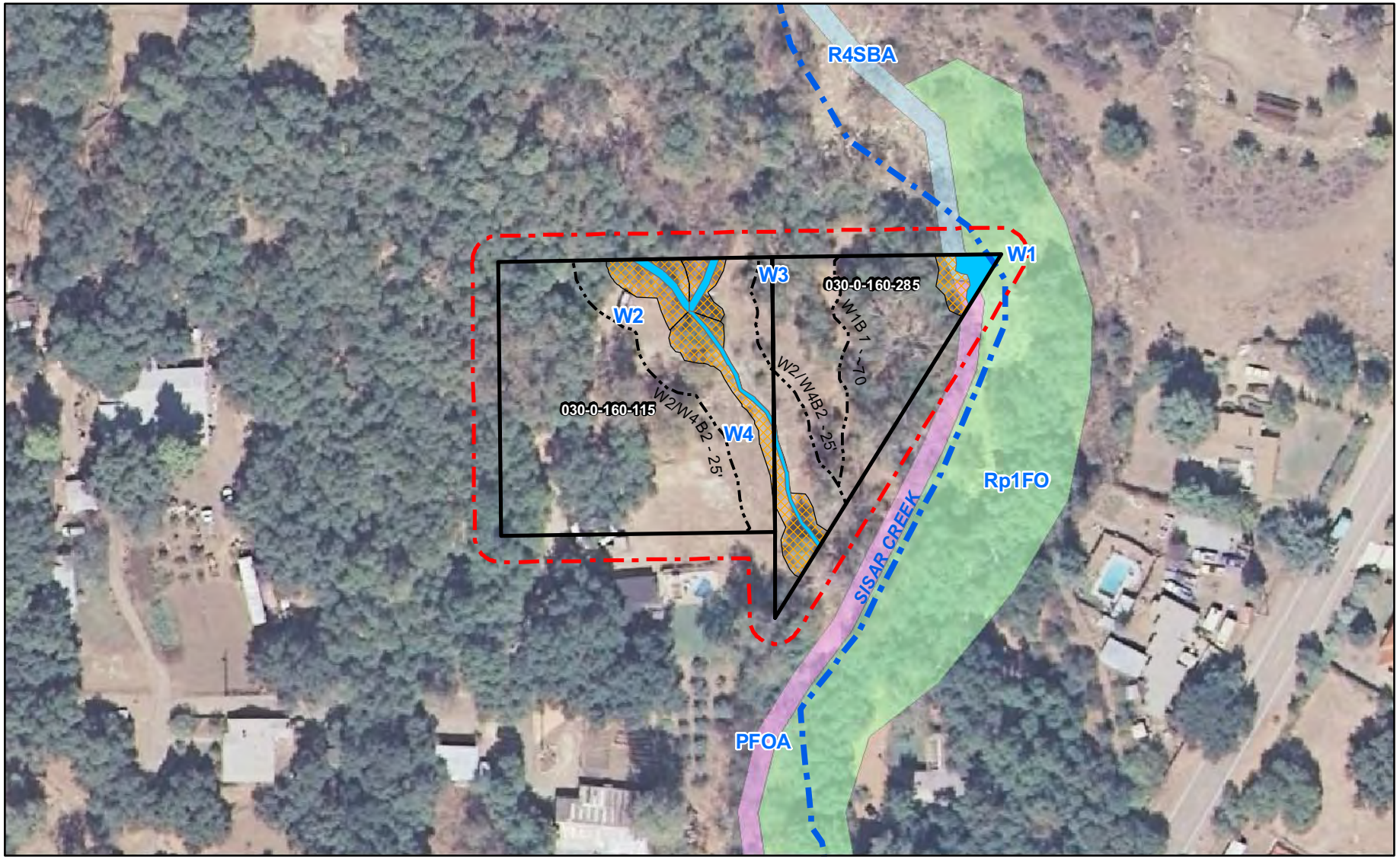
Basemap Source: Ventura County RMA, 2007, and CIRGIS, 2007 (aerial).

N

0 50 100 Feet

Plant Communities Map

Figure 2



Legend

- Existing Lot Lines
- SA-1, Biological Survey Area
- Wetland Buffers
- Potential Corps Jurisdiction
- Potential CDFG Jurisdiction
- PFOA - Palustrine Forested
- R4SBA - Riverine Intermittent Streadbed
- Rp1FO - Riparian Forested

Basemap Source: Ventura County RMA, 2007, Ventura County WPD, 2008, and CIRGIS, 2007.

N

0 100 200 Feet

Waters and Wetlands Map

Figure 3

3.2 Species

Observed Species

A total of 93 plant species were observed onsite, including 54 native species (58%) and 39 introduced species (42%).

Associate plant species contributing to Annual Brome Grassland onsite include: purple clarkia (*Clarkia purpurea* ssp. *quadrivulnera*), miner's lettuce (*Claytonia perfoliata*), blue dicks (*Dichelostemma capitatum*), red-stem filaree (*Erodium cicutarium*), goose grass (*Galium aparine*), prickly wild-lettuce (*Lactuca serriola*), cheeseweed (*Malva parviflora*), bur clover (*Medicago polymorpha*), and English plantain (*Plantago lanceolata*).

The scattered understory shrubs observed in Coast Live Oak Woodland include: California sagebrush (*Artemisia californica*), coyote brush (*Baccharis pilularis*), birchleaf mountain mahogany (*Cercocarpus betuloides var. betuloides*), California buckwheat (*Eriogonumm fasciculatum* var. *foliolosum*), toyon (*Heteromeles arbutifolia*), man-root (*Marah macrocarpus*), hollyleaf cherry (*Prunus ilicifolia*), skunkbrush (*Rhus trilobata*), black sage (*Salvia mellifera*), blue elderberry (*Sambucus mexicanus*), and poison oak (*Toxicodendron diversilobum*).

Emergent trees observed contributing to the tree canopy of the California Sycamore-Coast Live Oak Riparian Woodland onsite include: California bay (*Umbellularia californica*), arroyo willow (*Salix lasiolepis*), velvet ash (*Fraxinus velutina*), and white alder (*Alnus rhombifolia*). The shrub and herbaceous strata include mugwort (*Artemisia douglasiana*), mulefat (*Baccharis salicifolia*), southern California black walnut (*Juglans californica* var. *californica*), common streamside monkeyflower (*Mimulus guttatus*), and Pacific blackberry (*Rubus ursinus*).

The scattered associate species observed growing below the Mulefat Scrub onsite include western ragweed (*Ambrosia psilostachya* var. *californica*), smilo grass (*Piptatherum milleaceum*), English plantain (*Plantago lanceolata*), curly dock (*Rumex crispus*), and annual grasses.

A total of 23 wildlife species were observed or detected onsite, including 2 reptiles, 16 birds, and 6 mammals.

Refer to Appendix 2 for a full list of observed plant and wildlife species.

Endangered, Threatened, Rare, and Locally Important Species and Nests *(Initial Study Checklist A & E)*

See Appendix One for definitions of the types of special-status species that have federal, state or local protection and for more information on the regulations that protect birds' nests.

Endangered, threatened, rare, or locally important species were not found and are not expected to occur within the survey area(s).

Habitat suitable for nests of birds protected under the Migratory Bird Treaty Act does exist within the survey area(s).

Special Status Species Summary

Two special-status species were observed onsite, including two individuals of southern California black walnut (CNPS List 4.2) and one individual of oak titmouse (CDFG Special Animals List; G5 S3?). These observed species are mapped on the Species Map below. The special-status species tracked within five miles of the study area are presented below in the Special-Status Species Table, and the potential habitat for the potential species onsite is also mapped below on the Species Map. The potential for the special-status species tracked within 5 miles of the project site to occur onsite is very low to low based on their required soils and habitats and their proximity to the project site. The rare plant surveys aided in confirming the absence of the potential rare plant species, and the soils and site conditions are not appropriate for the potential rare plants. Only the eastern most tip of the eastern parcel extends into Sisar Creek, where the aquatic special-status wildlife species might occur.

Attached to this report is a list of California Natural Diversity Database (CNDDB)-tracked species (point occurrences) that have been documented within a 1-, 5- and 10-mile radius of the project boundaries.

Special Status Species

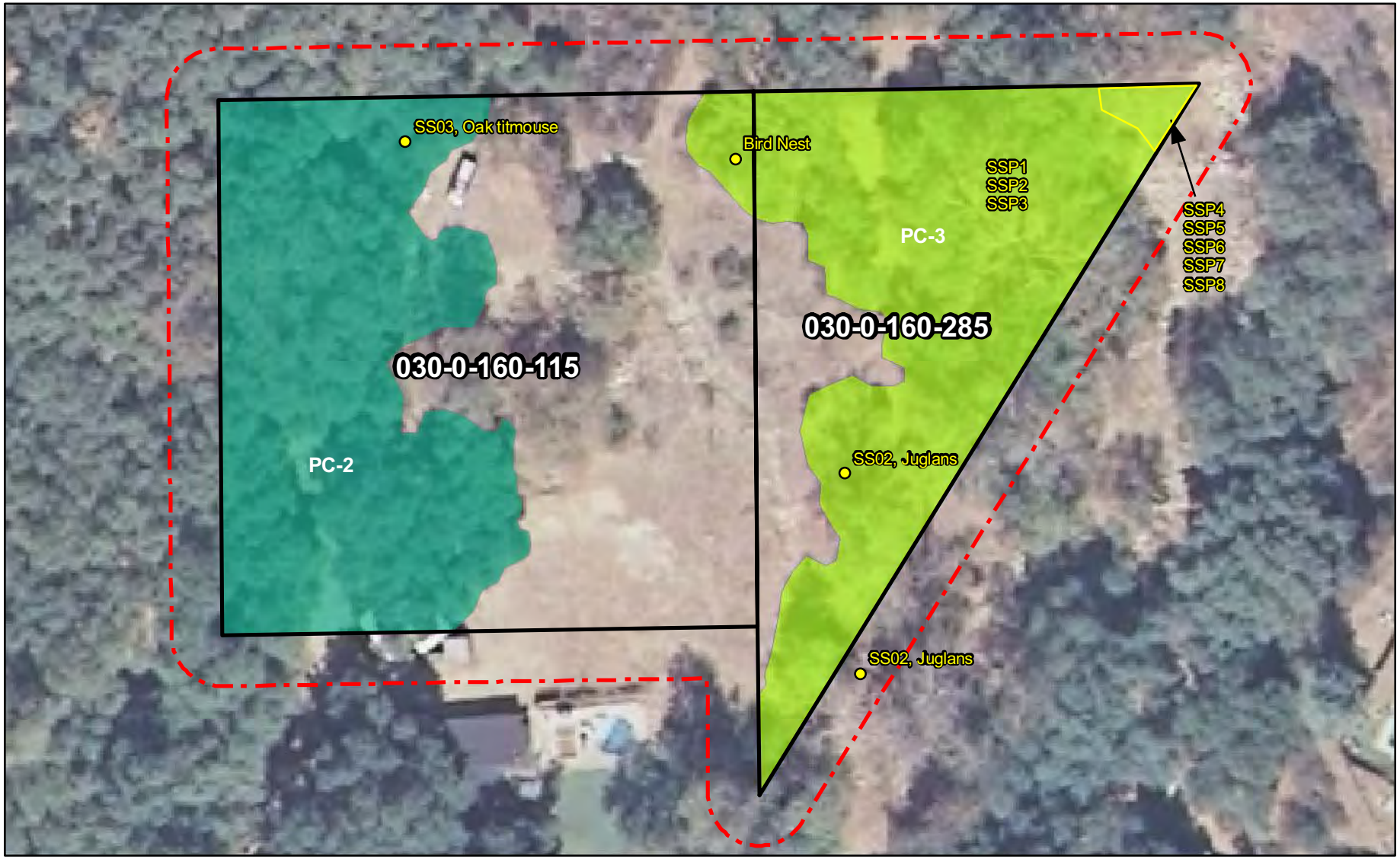
Map Key	Survey/ Source	Scientific Name	Common Name	Species' Status	Potential to Occur	Habitat Requirements
SSP1	CNDDB	*Acanthoscyphus parishii* var. *abramsii*	Abams' oxytheca	CNPS 1B.2	Very Low	Chaparral. Shale to sandy places. 1150-2060m.
SSP2	CNDDB	*Calochortus weedii* var. *vestus*	Late-flowered mariposa lily	CNPS 1B.2	Very Low	Chaparral, cismontane woodland. Dry, open coastal woodland, chaparral; on serpentine. 270-1910m.
SSP3	CNDDB	*Fritillaria ojaiensis*	Ojai fritillary	CNPS 1B.2	Very Low	Broadleaved upland forest (mesic), chaparral, lower montane coniferous forest. Rocky sites; one reported as "moist shale talus." 300-670m.
SSO1	SD-1, SD-2	*Juglans californica* var. *californica*	Southern California black walnut	CNPS List 4.2	Observed	Chaparral, coastal scrub, cismontane woodland. Slopes, canyons, alluvial habitats. 50-900m.
SSO2	SD-1, SD-2	*Juglans californica* var. *californica*	Southern California black walnut	CNPS List 4.2	Observed	Chaparral, coastal scrub, cismontane woodland. Slopes, canyons, alluvial habitats. 50-900m
SSP4	CNDDB	*Actinemys marmaorata pallida*	Southwestern pond turtle	SSC	Very Low	A thoroughly aquatic turtle of ponds, marshes, rivers, streams & irrigation ditches with aquatic vegetation. Need basking sites and suitable (sandy banks or grassy open fields) upland habitat for egg-laying.
SSO3	SD-2	*Baeolophus inornatus*	Oak titmouse	CDFG Special Animal; G5S3?	Observed	Oak woodlands, cavity nester.
SSP5	CNDDB	*Catostomus santaanae*	Santa Ana sucker	FT, SSC	Low	Endemic to Los Angeles basin south coastal streams. Habitat generalists, but prefer sand-rubble-boulder bottoms, cool, clear, & algae.
SSP6	CNDDB	*Gilia orcuttia*	Arroyo chub	G2 S2; SSC	Low	Los Angeles basin south coastal streams. Slow water stream sections with mud or sand bottoms. Feeds heavily on aquatic vegetation & associated invertebrates.
SSP7	CNDDB	*Gymnogyps californianus*	California condor	FE/FT	Low	Require vast expanses of open savannah, grasslands, and foothill chaparral in mountain ranges of moderate altitude. Deep canyons containing clefts in the rocky walls provide nesting sites. Forages up to 100 miles from nest.
SSP8	CNDDB	*Oncorhynchus mykiss irideus*	Southern steelhead	FE, SSC	Low	Sisar Creek is designated critical habitat; however, several total barriers to upstream migration are present downstream. Southern steelhead likely have greater physiological tolerances to warmer water & more variable conditions.

Special Status Species (continued)				
Map Key	Adequate Habitat Onsite	Adequate Habitat Size	Acreage Impacted	Comments
SSP1	No	No	N/A	No chaparral with shale soils onsite, ground layer frequently disturbed, and seasonal plant surveys confirmed the absence of this species.
SSP2	No	No	N/A	Oak forest onsite, but no serpentine soils. Ground layer frequently disturbed. Seasonal plant surveys confirmed the absence of this species.
SSP3	No	No	N/A	Oak forest onsite, but not mesic, no organic/duff layer. Ground layer frequently disturbed. Seasonal plant surveys confirmed the absence of this species.
SSO1	Yes	Yes, 0.65 acre onsite	N/A	Observed in the sycamore-oak riparian woodland onsite
SSO2	Yes	Yes, 0.65 acre onsite	N/A	Observed in the sycamore-oak riparian woodland onsite
SSP4	No	No, only 0.04 acre of Sisar Cr. onsite	N/A	Sisar Creek may provide adequate habitat for this species; however, only the eastern most corner of the study area extends into Sisar Creek.
SSO3	Yes	Yes, 1.11 acre onsite	N/A	The oak forest and sycamore-oak riparian woodland provide functional habitat for this observed species onsite.
SSP5	No	No, only 0.04 acre of Sisar Cr. onsite	N/A	Sisar Creek may provide adequate habitat for this species; however, only the eastern most corner of the study area extends into Sisar Creek.
SSP6	No	No, only 0.04 acre of Sisar Cr. onsite	N/A	Sisar Creek may provide adequate habitat for this species; however, only the eastern most corner of the study area extends into Sisar Creek.
SSP7	No	No	N/A	May forage in vicinity, but is unlikely to inhabit the study area
SSP8	No	No	N/A	Although critical habitat for steelhead is mapped within and along Sisar Creek, and rainbow trout within Sisar Creek are anticipated to retain southern steelhead genetics, several impassable barriers located downstream remove potential for access by ocean-run fish to site.

FE .....Federal Endangered
FT .....Federal Threatened
FC .....Federal Candidate Species
FSC.....Federal Species of Concern
SFP.....California Fully Protected Species
SE .....California Endangered
ST .....California Threatened
SR.....California Rare
SSC .....California Species of Special Concern
CDFG/NatureServe Rank
G1 or S1 - Critically Imperiled Globally or Subnationally (state)
G2 or S2 - Imperiled Globally or Subnationally (state)
G3 or S3 - Vulnerable to extirpation or extinction Globally or Subnationally (state)
CNPS 1A .....California Native Plant Society listed as presumed to be extinct
CNPS 1B .....California Native Plant Society listed as rare or endangered in California and elsewhere
CNPS 2.....California Native Plant Society listed as rare or endangered in California but more common elsewhere
CNPS 3.....**A review list only.** California Native Plant Society listed as in need of more information.
CNPS 4.....**A watch list only**. California Native Plant Society listed as of limited distribution or infrequent throughout a broader area in California; vulnerability to threat appears relatively low.
LIS .....Locally Important Species

Nesting Bird Summary

California Fish and Game (CFG) Code 3503 essentially protects the nest or eggs of any bird, while CFG Code 3503.5 protects any bird-of-prey as well as any nest or eggs of any such bird. One inactive, unidentified, medium-sized bird nest was observed in the middle northern portion of the study area within a coast live oak tree. Several additional nests are expected onsite, and there is a high potential for nesting birds that are protected by the federal Migratory Bird Treaty Act to be present in the survey area. The observed oak titmouse, a CDFG Special Animal, is expected to nest onsite as well.



Basemap Source: Ventura County RMA, 2007, and CIRGIS, 2007 (aerial).

Legend

- Existing Lot Lines
- SA-1, Biological Survey Area
- PC-2, Coast Live Oak Forest
- PC-3, California Sycamore-Coast Live Oak Riparian Woodland

N

0 50 100 Feet

Species Map

Figure 4

3.3 Wildlife Movement and Connectivity

(Initial Study Checklist D)

Wildlife movement or connectivity features, or evidence thereof, were found within the survey area(s).

The lexicon of wildlife movement varies, with different interpretations of the same words. For the purpose of this report, the following defines the various connectivity features:

- Travel Route – A landscape feature (such as a ridgeline, drainage, canyon, or narrow riparian strip) within a large natural habitat area that is used frequently by local animals to facilitate movement and to provide access to necessary resources (e.g. water, food, cover, den sites). The travel route is a preferred route because it provides the least amount of local topographic resistance in moving from one area to another. Also referred to as "movement pathway" or "movement route."
- Wildlife Corridor – A portion of habitat, usually linear in nature, that connects two or more habitat patches that would otherwise be fragmented or isolated from one another. Wildlife corridors are usually bounded by developed land areas or other areas unsuitable for wildlife. The corridor generally contains suitable cover, food, and/or water to support species and facilitate movement while in the corridor. "Wildlife Corridor" is often used interchangeably with "Landscape Linkage," but a corridor is generally for habitats of smaller scale.
- Landscape Linkage - Large, regional (landscape level) connections between habitat blocks ("core areas") meant to facilitate animal movements and essential genetic flows between different sections of the landscape. These linkages are not necessarily currently constricted, but are essential to maintain connectivity function in the ecoregion. Landscape linkages are typically on the scale of mountain ranges and valleys, but at times can refer to a patchy landscape of suitable habitat (ie: groupings of vernal pools within a valley).
- Wildlife Crossing – A small, narrow area, relatively short in length and generally constricted in nature, that allows wildlife to pass under or through an obstacle or barrier that otherwise hinders or prevents movement. Crossings typically are manmade and include culverts, underpasses, drainage pipes, and tunnels to provide access across or under roads, highways, pipelines, or other physical obstacles.
- Connectivity Choke-Point - A narrow, impacted, or otherwise tenuous habitat linkage connecting two or more habitat blocks ("core areas"). Choke-points are essential to maintain landscape-level connectivity, but are particularly in danger of losing connectivity function. An example would be an underpass of a major roadway that is critical for animal movement between habitat blocks. One or a series of wildlife crossings can form a connectivity choke-point.

Mapped Corridors or Linkages

The study area does not lie directly within a mapped wildlife corridor or landscape linkage; however, the study area exists in the vicinity (approximately 0.25 mile north, west, and south) of the Castaic-Sierra Madre Landscape Linkage.

Connectivity Feature 1 (C1)

The site contains evidence that wildlife use the habitats onsite for foraging and for local movement, primarily in a north-south direction. No specific barriers (beyond rural land use) are present to create a wildlife crossing. No identified connectivity choke-points exist in this rural area where many pathways for wildlife movement exist.

Connectivity Feature

C1 – Local Travel (Movement) Route.

Description

Sisar Creek serves as a local travel route (defined above). Specifically, several small wildlife paths were observed within the habitats associated with Sisar Creek.

Species Observed

The species observed/detected that use the Sisar Creek habitats for local movement include coyote (*Canis latrans*), mule deer (*Odocoileus hemionus*), and Audubon cottontail (*Sylvilagus audubonii*). Big-eared woodrat (*Neotoma macrotis*) has multiple den sites in this location. All species observed onsite (Appendix Two) could potentially benefit from the presence of this movement route.

Evidence

Coyote scat, mule deer tracks and resting sites, and woodrat nests/middens.

Functional Group/Species Expected

Functional groups that could benefit from the presence of upland linkage include: large mammals, medium mammals, small mammals, birds and bats, aquatic/riparian reptiles and amphibians, and upland reptiles.

Habitats Connected

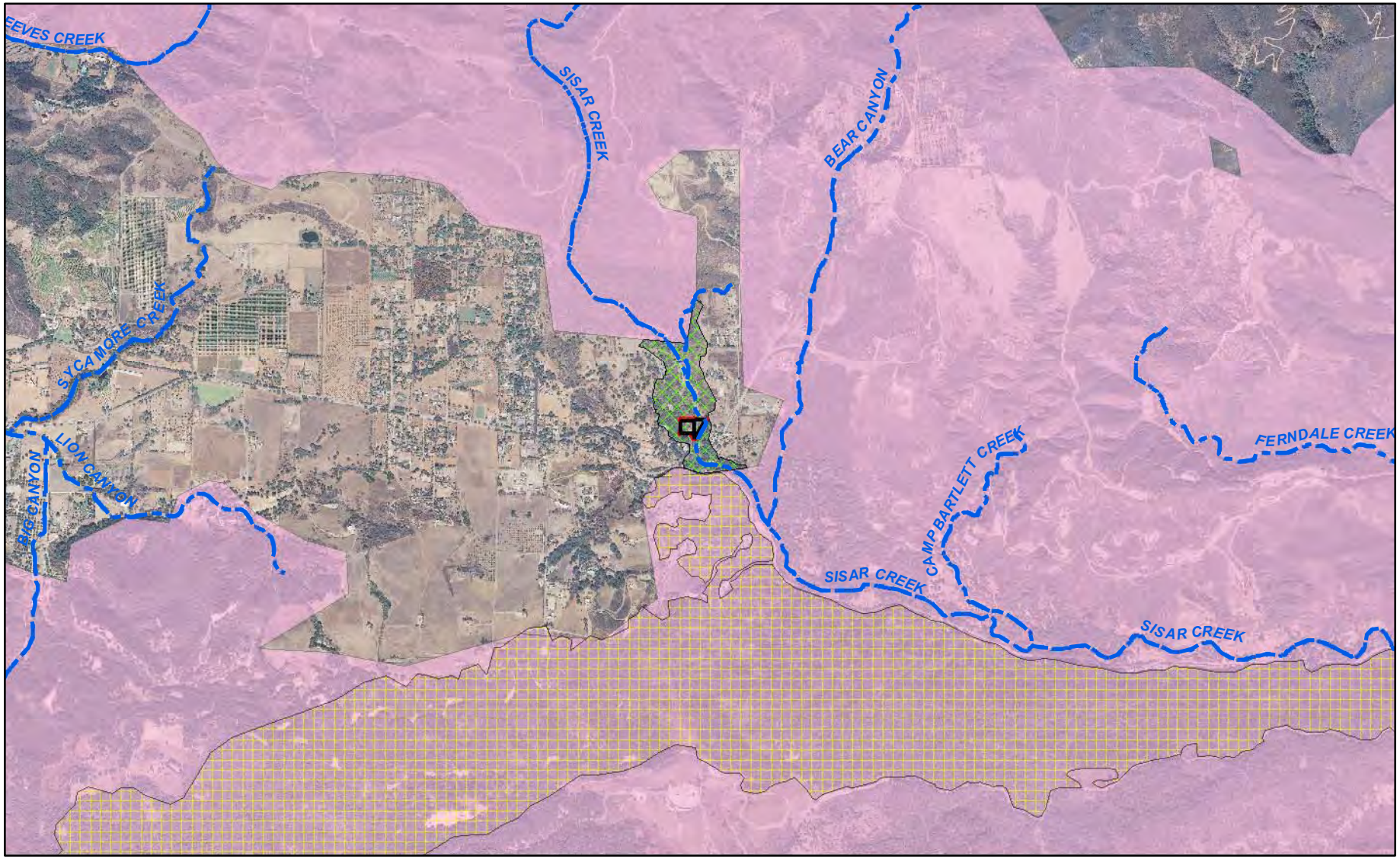
The habitats connected by the local travel routes include those described for the property, as well as scrub and chaparral habitats to the north and south.

Discussion

Sisar Creek provides adequate cover and resources for local movement and for larger species movements to the adjacent regional level Castaic-Sierra Madre Landscape Linkage.

Crossing Structures						
Map Key	Type of Crossing Structure	Passable?	Functional Group/Species Expected	Species Observed	Evidence	Comments
N/A	None	N/A	N/A	N/A	N/A	N/A

Barriers			
Map Key	Barrier Type	Species/Functional Groups Affected	Comments
N/A	None	N/A	N/A



Legend

- Existing Lot Lines
- SA-1, Biological Survey Area
- C1, Local Wildlife Habitat and Movement Corridor

Ventura County Wildlife Movement

- Natural Areas
- Castaic-Sierra Madre Landscape Linkage

Basemap Source: Ventura County RMA, 2007, Ventura County WPD, 2008, and CIRGIS, 2007.

N

0 0.25 0.5 Miles

Wildlife Connectivity Map

Figure 5

Section 4: Impact Assessment & Mitigation

4.1 Sufficiency of Biological Data

Additional information needed to make CEQA findings and develop mitigation measures:

Additional biological studies were needed to make CEQA findings, develop mitigation measures, and to meet the assumed requirements of other regulatory agencies. The flora of the study area was not captured due to the timing of the initial site visit (winter). A late spring survey (May 2009) was conducted to adequately account for all plant species onsite, including any special-status plant species with potential to occur. In addition, a jurisdictional delineation was conducted to estimate the extent and location of regulated waters/wetlands within the parcels. Once the additional surveys were conducted, the Biological Assessment provided adequate information to make CEQA findings regarding potentially significant impacts.

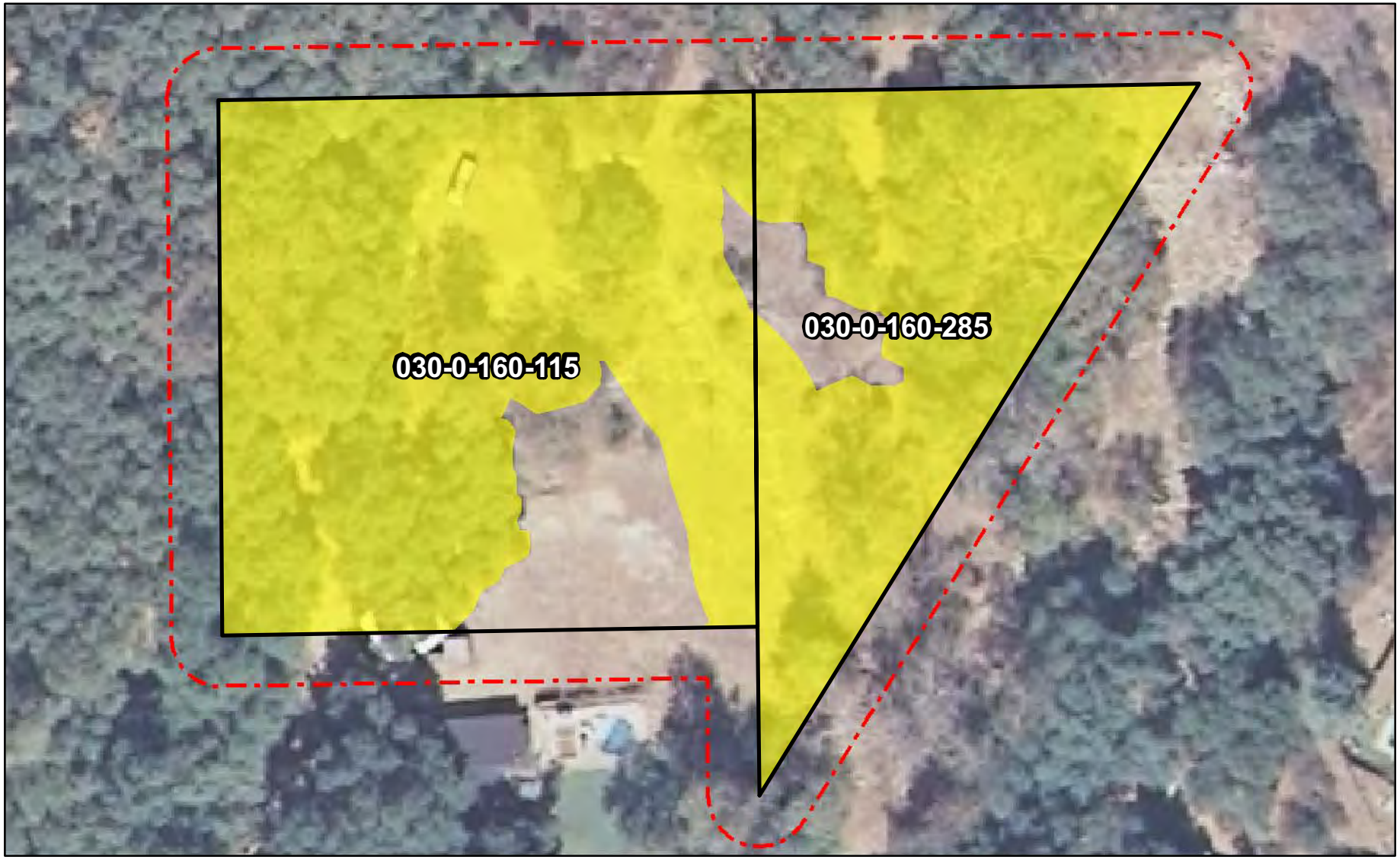
Additional biology-related surveys or permits needed prior to issuance of land use permit:

Since no site plans have been submitted, and no development is currently proposed, specific impacts to biological resources such as protected oak trees, jurisdictional drainages and streams, and nesting birds are currently unknown. A restrictive covenant is recommended to be recorded on those areas of the property containing significant biological resources. The recommended restrictive covenant is delineated on the Restrictive Covenant Map below. Future development should avoid these restricted areas of significant biological resources. However, if future proposed development would encroach into these restricted areas, a biological assessment would be necessary to determine the extent of the potential impacts and appropriate mitigation as part of the land use permit application and approval. Specifically, the following surveys are recommended as part of a biological assessment for future proposed development within the restricted areas.

If any oak or other native trees are proposed to be impacted as a result of any subsequent development onsite, a tree report should be prepared to document the health, vigor, and age of the native trees proposed to be impacted. The applicant should also obtain a Ventura County Tree Permit.

If the subsequent development of the study area will not avoid impacts to the waters or wetlands thus mapped, or to the wetlands setback buffers thus recommended, then a formal wetland delineation should be conducted. All jurisdictional waters, including wetlands, should be mapped onsite. Any impacts to waters of the U.S. under Corps jurisdiction would be subject to permit requirements of the Corps, under Section 404 of the Clean Water Act (CWA). Impacts to areas generally identified as CDFG jurisdictional area will require a Streambed Alteration Agreement from the CDFG pursuant to Section 1600 et. seq. of the California Fish and Game Code. Impacts to areas generally identified as jurisdictional waters of the State will require Certification, pursuant to Section 401 of the CWA.

If subsequent development is proposed within nesting habitat and within the breeding season, pre-construction nesting/breeding bird surveys should also be conducted as an additional study associated with the restrictive covenant.



Legend

- Existing Lot Lines
- SA-1, Biological Survey Area
- Recommended Restrictive Covenant

Basemap Source: Ventura County RMA, 2007, and CIRGIS, 2007 (aerial).

N

0 50 100 Feet

Restrictive Covenant Map

Figure 6

4.2 Impacts and Mitigation

A. Endangered, Threatened, or Rare Animal or Plant Species, or Their Habitats — Project: PS-M; Cumulative: PS-M

No federally or state listed endangered, threatened, or rare animal or plant species were observed onsite. However, a bird nest was observed onsite within a coast live oak tree, and there is a high potential for birds that are protected by the California Fish and Game Code and the federal Migratory Bird Treaty Act to nest onsite.

Significance Finding – Project Impacts: Although no development footprint has been proposed, the proposed lot legalization creates the potential for significant impacts to occur to protected nesting birds as a result of any subsequent development during the nesting season, and this would be considered a potentially significant but mitigable impact.

Significance Finding – Cumulative Impacts: Potential impacts to protected nesting birds as a result of any subsequent development during the nesting season would be considered a potential cumulatively significant but mitigable impact.

Avoidance and Minimization Measures

Any subsequent development should be designed to avoid impacts to nesting habitat that may be occupied by active nests or raptor nests. To avoid impacts to nesting birds, development should also be conducted outside of the bird breeding season (February 1 through August 31).

MM1: Conduct Pre-Construction Bird Nesting Surveys

If development is proposed within nesting habitat and within the breeding season, pre-construction bird nesting surveys shall be conducted as part of the additional studies of the restrictive covenant to determine the locations of nesting birds to minimize impacts to breeding birds and active nests. If a nesting bird or special-status species is located, consultation with the local CDFG representative shall occur to determine what avoidance actions may be taken.

Avoiding the bird nesting season, conducting pre-construction bird breeding surveys, and/or creating appropriate buffers around nesting/breeding birds would reduce impacts to nesting birds to a less-than-significant level.

B. Wetland Habitats — Project: PS-M; Cumulative: PS-M

Sisar Creek and its braided floodplain traverses through the study area. Approximately 0.03 acre of Corps jurisdiction is estimated onsite, and approximately 0.20 acre of CDFG jurisdiction is estimated onsite. An approximate 70-foot buffer is recommended for Sisar Creek within the eastern boundary of the study area, and a 25-foot buffer is recommended along both sides of the side drainages existing in the middle of the study area.

Significance Finding – Project Impacts: Although no development footprint has been proposed, the proposed lot legalization creates the potential for significant impacts to occur to regulated waters, wetlands, and/or riparian buffers as a result of any subsequent development, and this would be considered a potentially significant but mitigable impact.

Significance Finding – Cumulative Impacts: Potential impacts to regulated waters, wetlands, and/or riparian buffers as a result of any subsequent development would be considered a potential cumulatively significant but mitigable impact.

Avoidance and Minimization Measures

At such time as a specific development proposal is submitted to the County, a delineation of the extent of impacts of such plan should be conducted as part of the additional studies associated with the restrictive covenant to determine the extent and location of regulated waters/wetlands. Any subsequent development should be designed to avoid and/or minimize effects to onsite jurisdictional waters and wetlands as regulated by the Corps, CDFG, and RWQCB to the extent feasible. Riparian/wetland buffers should also be avoided when designing structures that require fuel modification that may encroach within protective buffers.

MM2: Obtain Appropriate Permits for Impacts to Jurisdictional Areas

Discharge of fill to waters of the U.S. under Corps jurisdiction will be subject to permit requirements of the Corps under Section 404 of the Clean Water Act (CWA), and require a Section 401 certification from the RWQCB. Alterations to areas generally identified as CDFG jurisdictional area will require a Streambed Alteration Agreement from the CDFG pursuant to Section 1600 et. seq. of the California Fish and Game Code. Final jurisdictional determination over the drainages onsite will need to be determined by Corps and CDFG upon review or verification of a submitted delineation and/or application. These regulatory agencies often require habitat restoration as mitigation for impacts to jurisdictional waters/wetlands, and the details of such restoration would likely be presented as special conditions associated with their respective permits/agreements, certifications. Appropriate mitigation measures for impacts to habitats associated with jurisdictional areas shall be determined once the extent of impacts is known. Mitigation is likely to include creating riparian habitat and its functions that would be lost at a minimum 3:1 mitigation ratio.

Avoiding regulated waters/wetlands and buffers onsite during project design, or obtaining appropriate permits for impacts to regulated waters/wetlands would reduce impacts to wetland habitats to a less-than-significant level.

C. Coastal Habitats **Project: N; Cumulative: N**

The project site is not located within or adjacent to the coastal zone, nor is there significant habitat connectivity between the survey area and the coastal zone.

D. Wildlife Movement and Connectivity (migration corridors) Project: LS; Cumulative: LS

The study area does not lie directly within a mapped corridor or linkage; however, the study area exists in the vicinity (north, west, and south) of the Castaic-Sierra Madre Landscape Linkage. Although evidence was observed that indicated that wildlife use the habitats onsite for foraging and for local movement, no connectivity features exist within or adjacent to the survey area.

Significance Finding – Project Impacts: Subsequent development that may result from the proposed lot legalization would not impact any mapped wildlife corridor or linkage or connectivity features. The buffers for the wetland/riparian areas associated with Sisar Creek help to buffer wildlife movement from structures and other human influences. The impact to wildlife movement and connectivity resulting from lot legalization and subsequent development is considered less than significant.

Significance Finding – Cumulative Impacts: The impact to wildlife movement and connectivity resulting from lot legalization and subsequent development is considered a cumulatively less than significant impact.

No mitigation is necessary.

One locally important plant species was observed onsite, southern California black walnut (CNPS List 4.2). Although impacts to the two individual walnut trees onsite would not be a significant impact, as this action would not eliminate an entire walnut population or create conditions where the population could not persist, walnuts are also protected under the Ventura County Tree Ordinance. Sec. 8107-25.3 states that "no person shall alter, fell, or remove a Protected Tree except in accordance with the provisions of Section 8107-25 et seq. If tree alteration, felling, or removal is part of a project requiring a discretionary permit, then the tree permit application and approval process may accompany the parent project discretionary permit." Native trees including southern California black walnut, oak species, California bay, white alder, blue elderberry, and California sycamore onsite) with a 9.5-inch girth standard are protected by this Ordinance. Sec. 8107-25.7 states "…no person shall alter, fell, or remove a Protected Tree without obtaining a Planning Director approved discretionary Tree Permit."

Coast Live Oak Forest covers the western portion of the property and Sycamore-Oak Riparian Woodland covers the eastern portion of the property. Both of these communities are considered Ventura County Locally Important Communities. In addition, the oak woodlands onsite are protected pursuant to the California Oak Woodlands Act, Section 21083.4 of the Public Resources Code.

One locally important wildlife species was observed onsite, oak titmouse (CDFG Special Animal). Although no direct loss of individuals of this species is expected as a result of development onsite, the legalization of the parcels creates the potential for impacts to this species' required habitat, oak woodland/forest.

Significance Finding – Project Impacts: Although no development has been proposed, the proposed lot legalization creates the potential for significant impacts to occur to locally important species and communities, protected trees, and oak titmouse habitat, and this would be considered a potentially significant but mitigable impact.

Significance Finding – Cumulative Impacts: Potential impacts to locally important species and communities, protected trees, and oak titmouse habitat as a result of any subsequent development would be considered a potential cumulatively significant but mitigable impact.

Avoidance and Minimization Measures

Any subsequent development should be designed to avoid impacts to native trees, including walnut, oaks, bay, alder, elderberry, and sycamore. In doing so, not only would impacts to individual protected native trees be avoided, but impacts to the locally important plant communities and oak titmouse habitat that these species make up would be avoided.

MM3: Conduct Native Tree Assessment and Obtain Tree Permit

If subsequent development plans propose to impact native trees, locally important plant communities, and/or oak titmouse habitat onsite, as part of the restrictive covenant, a native tree study should be conducted onsite as an additional study to determine the size, age, health, and vigor of the trees to be impacted. This would document the onsite trees' ecological function and would determine if any trees are dead or dying. This type of study would aid in identifying appropriate mitigation for the loss of, or encroachment upon, any native trees associated with development of the study area. Appropriate mitigation measures for impacts to native trees, oak titmouse habitat, and locally important communities shall be determined once the extent of impacts is known. Mitigation shall include replacing felled or removed native trees having a 9.5-inch girth standard at a 10:1 mitigation ratio (replacing each impacted tree with ten 5-gallon container plantings), and shall include enhancing and creating woodland/forest habitat and its functions that would be lost at a minimum 3:1 mitigation ratio.

Applicant shall obtain a Ventura County Tree Permit if any native trees are proposed to be felled or removed from the subject property.

Avoiding native trees, oak titmouse habitat, and locally important communities when designing development of the property would eliminate any level of significance. If such resources are proposed to be impacted onsite, conducting a native tree study, obtaining an appropriate tree permit, and restoring impacted trees and lost locally important habitat would reduce impacts to locally important species/communities to a less-than-significant level.

Section 5: Conditions of Approval

Conditions of Approval (none)

Section 6: Photos

Photos	
Location NW corner of property **Map Key** P1 **View Direction** West **Description** Cleared area of previous structure pad.	
Location NE corner of property **Map Key** P2 **View Direction** Southwest **Description** View of grassland understory to the sycamore-oak woodland onsite showing the adjacent residence to the west.	

Photos	
Location Middle-northern side of property **Map Key** P3 **View Direction** Northeast **Description** View of the oak-sycamore woodland and understory habitat associated with Sisar Creek floodplain	
Location Middle-southern side of property **Map Key** P4 **View Direction** North **Description** View of the Sisar side drainage with Mulefat Scrub in the foreground and sycamore-oak riparian woodland in the background.	

Photos	
Location Northwest side of property **Map Key** P5 **View Direction** East **Description** Showing side drainage bed and banks in foreground and oak-sycamore woodland and annual grassland in the background	
Location Middle of property **Map Key** P6 **View Direction** North **Description** View of north end of side drainage (view upstream) showing structural diversity of the functional riparian habitat onsite.	

Appendix One

Summary of Biological Resource Regulations

The Ventura County Planning Division, as “lead agency” under CEQA for issuing discretionary land use permits, uses the relationship of a potential environmental effect from a proposed project to an established regulatory standard to determine the significance of the potential environmental effect. This Appendix summarizes important biological resource regulations which are used by the Division’s biologists (consultants and staff) in making CEQA findings of significance:

Sensitive Status Species Regulations
Nesting Bird Regulations
Plant Community Regulations
Waters and Wetlands Regulations
Coastal Habitat Regulations
Wildlife Migration Regulations
Locally Important Species/Communities Regulations

Sensitive Status Species Regulations

Federally Protected Species

Ventura County is home to 29 federally listed endangered and threatened plant and wildlife species. The U.S. Fish and Wildlife Service (USFWS) regulates the protection of federally listed endangered and threatened plant and wildlife species.

FE (Federally Endangered): A species that is in danger of extinction throughout all or a significant portion of its range.

FT (Federally Threatened): A species that is likely to become endangered in the foreseeable future.

FC (Federal Candidate): A species for which USFWS has sufficient information on its biological status and threats to propose it as endangered or threatened under the Endangered Species Act (ESA), but for which development of a proposed listing regulation is precluded by other higher priority listing activities.

FSC (Federal Species of Concern): A species under consideration for listing, for which there is insufficient information to support listing at this time. These species may or may not be listed in the future, and many of these species were formerly recognized as "Category-2 Candidate” species.

The USFWS requires permits for the ‘taking’ of any federally listed endangered or threatened species. Take is defined by the USFWS as “to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct; may include significant habitat modification or degradation if it kills or injures wildlife by significantly impairing essential behavioral patterns including breeding, feeding, or sheltering.”

The Endangered Species Act (ESA) does not provide statutory protection for candidate species or species of concern, but USFWS encourages conservation efforts to protect these species. USFWS can set up voluntary Candidate Conservation Agreements and Assurances, which provide non-Federal landowners (public and private) with the assurance that if they implement various conservation activities to protect a given candidate species, they will not be subject to additional restrictions if the species becomes listed under the ESA.

State Protected Species

The California Department of Fish and Game (CDFG) regulates the protection of endangered, threatened, and fully protected species listed under the California Endangered Species Act. Some species may be jointly listed under the State and Federal Endangered Species Acts.

SE (California Endangered): A native species or subspecies which is in serious danger of becoming extinct throughout all, or a significant portion, of its range due to one or more causes, including loss of habitat, change in habitat, overexploitation, predation, competition, or disease.

ST (California Threatened): A native species or subspecies that, although not presently threatened with extinction, is likely to become an endangered species in the foreseeable future in the absence of the special protection and management efforts required by this chapter. Any animal determined by the commission as "rare" on or before January 1, 1985, is a "threatened species."

SFP (California Fully Protected Species): This designation originated from the State's initial effort in the 1960's to identify and provide additional protection to those animals that were rare or faced possible extinction. Lists were created for fish, mammals, amphibians, reptiles, and birds. Most fully protected species have also been listed as threatened or endangered species under the more recent endangered species laws and regulations.

SR (California Rare): A species, subspecies, or variety of plant is rare under the Native Plant Protection Act when, although not presently threatened with extinction, it is in such small numbers throughout its range that it may become endangered if its present environment worsens. Animals are no longer listed as rare; all animals listed as rare before 1985 have been listed as threatened.

SSC (California Species of Special Concern): Animals that are not listed under the California Endangered Species Act, but which nonetheless 1) are declining at a rate that could result in listing, or 2) historically occurred in low numbers and known threats to their persistence currently exist.

The CDFG requires permits for the taking of any State-listed endangered, threatened, or fully protected species. Section 2080 of the Fish and Game Code prohibits "take" of any species that the California Fish and Game Commission determines to be endangered or threatened. Take is defined in Section 86 of the Fish and Game Code as "hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill."

The California Native Plant Protection Act protects endangered and rare plants of California. Section 1908, which regulates plants listed under this act, states: “no person shall import into this state, or take, possess, or sell within this state, except as incident to the possession or sale of the real property on which the plant is growing, any native plant, or any part or product thereof, that the commission determines to be an endangered native plant or rare native plant, except as otherwise provided in this chapter.”

The California Endangered Species Act does not provide statutory protection for California species of special concern, but they should be considered during the environmental review process.

California Native Plant Society Listed Species

Plants with CNPS listings 1A, 1B and 2 should always be addressed in CEQA documents. Plants with CNPS listings 3 and 4 do not explicitly qualify for legal protection, but can be addressed in CEQA documents depending on the circumstances and opinion of the biologist conducting the assessment.

CNPS 1A: Plants presumed to be extinct because they have not been seen or collected in the wild in California for many years. This list includes plants that are both presumed extinct in California, as well as those plants which are presumed extirpated in California. A plant is extinct in California if it no longer occurs in or outside of California. A plant that is extirpated from California has been eliminated from California, but may still occur elsewhere in its range.

CNPS 1B: Plants that are rare throughout their range with the majority of them endemic to California. Most of the plants of List 1B have declined significantly over the last century.

CNPS 2: Plants that are rare throughout their range in California, but are common beyond the boundaries of California. List 2 recognizes the importance of protecting the geographic range of widespread species.

Plants identified on CNPS Lists 1A, 1B, and 2 meet the definitions of Sec. 1901, Chapter 10 (Native Plant Protection Act) or Secs. 2062 and 2067 (California Endangered Species Act) of the California Department of Fish and Game Code, and are eligible for state listing. They should be fully considered during preparation of environmental documents relating to CEQA.

CNPS 3: A review list for plants for which there is inadequate information to assign them to one of the other lists or to reject them.

CNPS 4: A watch list for plants that are of limited distribution or infrequent throughout a broader area in California and their vulnerability or susceptibility to threat appears relatively low at this time.

Global and Subnational Rankings

Though not associated directly with legal protections, species have been given a conservation status rank by NatureServe, an international non-profit conservation organization that is the leading source for information about

rare and endangered species and threatened ecosystems. The Ventura County Planning Division considers the following ranks as sensitive for the purposes of CEQA impact assessment (G = Global, S = Subnational or State):

G1 or S1 - Critically Imperiled
G2 or S2 – Imperiled
G3 or S3 - Vulnerable to extirpation or extinction

Locally Important Species

Locally important species' protections are addressed in a separate Appendix document, "Locally Important Species/Communities Regulations."

For lists of some of the species in Ventura County that are protected by the above regulations, go to www.ventura.org/rma/planning/bio_resources/index.htm.

Nesting Bird Regulations

The Federal Migratory Bird Treaty Act (MBTA) and the California Department of Fish and Game (CDFG) Code (3503, 3503.5, 3511, 3513 and 3800) protect most native birds. In addition, the federal and state endangered species acts protect some bird species listed as threatened or endangered. Project-related impacts to birds protected by these regulations would occur during the breeding season, because unlike adult birds, eggs and chicks are unable to escape impacts.

The MBTA implements various treaties and conventions between the U.S. and Canada, Japan, Mexico, and Russia for the protection of migratory birds, which occur in two of these countries over the course of one year. The Act maintains that it is unlawful to pursue, hunt, take, capture or kill; attempt to take, capture or kill; possess, offer to or sell, barter, purchase, deliver or cause to be shipped, exported, imported, transported, carried or received any migratory bird, part, nest, egg or product, manufactured or not. Bird species protected under the provisions of the MBTA are identified by the List of Migratory Birds (Title 50 of the Code of Federal Regulations, Section 10.13 as updated by the 1983 American Ornithologists' Union (AOU) Checklist and published supplements through 1995 by the USFWS).

CDFG Code 3513 upholds the MBTA by prohibiting any take or possession of birds that are designated by the MBTA as migratory nongame birds except as allowed by federal rules and regulations promulgated pursuant to the MBTA. In addition, there are CDFG Codes (3503, 3503.5, 3511, and 3800) which further protect nesting birds and their parts, including passerine birds, raptors, and state "fully protected" birds.

NOTE: These regulations protect almost all *native nesting birds*, not just sensitive status birds.

Plant Community Regulations

Plant communities are provided legal protection when they provide habitat for protected species, when the community is in the coastal zone and qualifies as environmentally sensitive habitat area (ESHA), or when the community qualifies as locally important.

Global and Subnational Rankings

Though not associated directly with legal protections, plant communities have been given a conservation status rank by NatureServe, an international non-profit conservation organization that is the leading source for information about rare and endangered species and threatened ecosystems. The Ventura County Planning Division considers the following ranks as sensitive for the purposes of CEQA impact assessment (G = Global, S = Subnational or State):

G1 or S1 - Critically Imperiled
G2 or S2 - Imperiled
G3 or S3 - Vulnerable to extirpation or extinction

CDFG Rare

Rare natural communities are those communities that are of highly limited distribution. These communities may or may not contain rare, threatened, or endangered species. Though the Native Plant Protection Act and the California Endangered Species Act provide no legal protection to plant communities, CDFG considers plant communities that

are ranked G1-G3 or S1-S3 (as defined above) to be rare or sensitive, and therefore these plant communities should be addressed during CEQA review.

Environmentally Sensitive Habitat Areas

The Coastal Act specifically calls for protection of "environmentally sensitive habitat areas" or ESHA, which it defines as: "Any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments" (Section 30107.5).

ESHA has been specifically defined in the Santa Monica Mountains. For projects in this location, the Coastal Commission, the agency charged with administering the Coastal Act, has developed a specific three-part test for determining whether habitat there should be considered coastal sage scrub/chaparral ESHA. A memo from a Coastal Commission biologist outlining this test can be found at: www.ventura.org/rma/planning/pdf/bio_resources/ESHA_Santa_Monica_Mountains.pdf.

Locally Important Communities

The Ventura County Initial Study Assessment Guidelines defines a locally important community as one that is considered by qualified biologists to be a quality example characteristic of or unique to the County or region, with this determination being made on a case-by-case basis. The County has not developed a list of locally important communities, but has deemed oak woodlands to be a locally important community.

Waters and Wetlands Regulations

Numerous agencies control what can and cannot be done in or around streams and wetlands. If a project affects an area where water flows, ponds or is present even part of the year, it is likely to be regulated by one or more agencies. Many wetland or stream projects will require three main permits or approvals (in addition to CEQA compliance). These are:

- 404 Permit (U.S. Army Corps of Engineers)
- 401 Certification (Regional Water Quality Control Board)
- Streambed Alteration Agreement (California Department of Fish and Game)

In addition, the Ventura County General Plan calls for protection of wetlands and there are several other federal, state and local permits that could be required when a project involves disturbance to wetlands or waters. For a more thorough explanation of wetland permitting, see the Ventura County's "Wetland Project Permitting Guide" at www.ventura.org/rma/planning/pdf/prog_servs/bio_resources/FinalPDF.pdf.

404 Permit (U.S. Army Corps of Engineers)

Most projects that involve streams or wetlands will require a 404 Permit from the U.S. Army Corps of Engineers (USACE). Section 404 of the federal Clean Water Act is the primary federal program regulating activities in wetlands. The Act regulates areas defined as "waters of the United States." This includes streams, wetlands in or next to streams, areas influenced by tides, navigable waters, lakes, reservoirs and other impoundments. For nontidal waters, USACE jurisdiction extends up to what is referred to as the "ordinary high water mark" as well as to the landward limits of adjacent Corps-defined wetlands, if present. The ordinary high water mark is an identifiable natural line visible on the bank of a stream or water body that shows the upper limit of typical stream flow or water level. The mark is made from the action of water on the streambank over the course of years.

Permit Triggers: A USACE 404 Permit is triggered by moving (discharging) or placing materials—such as dirt, rock, geotextiles, concrete or culverts—into or within USACE jurisdictional areas. This type of activity is also referred to as a "discharge of dredged or fill material."

401 Certification (Regional Water Quality Control Board)

If your project requires a USACE 404 Permit, then you will also need a Regional Water Quality Control Board (RWQCB) 401 Certification. The federal Clean Water Act, in Section 401, specifies that states must certify that any activity subject to a permit issued by a federal agency, such as the USACE, meets all state water quality standards.

In California, the state and regional water boards are responsible for certification of activities subject to USACE Section 404 Permits.

Permit Trigger: A RWQCB 401 Certification is triggered whenever a USACE 404 Permit is required, or whenever an activity could cause a discharge of dredged or fill material into waters of the U.S. or wetlands.

Streambed Alteration Agreement (California Department of Fish and Game)

If your project includes alteration of the bed, banks or channel of a stream, or the adjacent riparian vegetation, then you may need a Streambed Alteration Agreement from the California Department of Fish and Game (CDFG). The California Fish and Game Code, Sections 1600-1616, regulates activities that would alter the flow, bed, banks, channel or associated riparian areas of a river, stream or lake—all considered “waters of the state.” The law requires any person, state or local governmental agency or public utility to notify CDFG before beginning an activity that will substantially modify a river, stream or lake.

Permit Triggers: A Streambed Alteration Agreement (SAA) is triggered when a project involves altering a stream or disturbing riparian vegetation, including any of the following activities:

- Substantially obstructing or diverting the natural flow of a river, stream or lake
- Using any material from these areas
- Disposing of waste where it can move into these areas

Some projects that involve routine maintenance may qualify for long-term maintenance agreements from CDFG. Discuss this option with CDFG staff.

Ventura County General Plan

The Ventura County General Plan contains policies which also strongly protect wetland habitats.

Biological Resources Policy 1.5.2-3 states**:**

> Discretionary development that is proposed to be located within 300 feet of a marsh, small wash, intermittent lake, intermittent stream, spring, or perennial stream (as identified on the latest USGS 7½ minute quad map), shall be evaluated by a County approved biologist for potential impacts on wetland habitats. Discretionary development that would have a significant impact on significant wetland habitats shall be prohibited, unless mitigation measures are adopted that would reduce the impact to a less than significant level; or for lands designated "Urban" or "Existing Community", a statement of overriding considerations is adopted by the decision-making body.

Biological Resources Policy 1.5.2-4 states:

> Discretionary development shall be sited a minimum of 100 feet from significant wetland habitats to mitigate the potential impacts on said habitats. Buffer areas may be increased or decreased upon evaluation and recommendation by a qualified biologist and approval by the decision-making body. Factors to be used in determining adjustment of the 100 foot buffer include soil type, slope stability, drainage patterns, presence or absence of endangered, threatened or rare plants or animals, and compatibility of the proposed development with the wildlife use of the wetland habitat area. The requirement of a buffer (setback) shall not preclude the use of replacement as a mitigation when there is no other feasible alternative to allowing a permitted use, and if the replacement results in no net loss of wetland habitat. Such replacement shall be "in kind" (i.e. same type and acreage), and provide wetland habitat of comparable biological value. On-site replacement shall be preferred wherever possible. The replacement plan shall be developed in consultation with California Department of Fish and Game.

Coastal Habitat Regulations

Ventura County’s Coastal Area Plan and the Coastal Zoning Ordinance, which constitute the "Local Coastal Program" (LCP) for the unincorporated portions of Ventura County’s coastal zone, ensure that the County's land use plans, zoning ordinances, zoning maps, and implemented actions meet the requirements of, and implement the provisions and polices of California’s 1976 Coastal Act at the local level.

Environmentally Sensitive Habitats

The Coastal Act specifically calls for protection of “environmentally sensitive habitat areas” or ESHA, which it defines as: “Any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments” (Section 30107.5).

Section 30240 of the Coastal Act states:

(a) "Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on such resources shall be allowed within such areas."

(b) "Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade such areas, and shall be compatible with the continuance of such habitat areas."

There are three important elements to the definition of ESHA. First, a geographic area can be designated ESHA either because of the presence of individual species of plants or animals or because of the presence of a particular habitat. Second, in order for an area to be designated as ESHA, the species or habitat must be either rare or it must be especially valuable. Finally, the area must be easily disturbed or degraded by human activities.

Protection of ESHA is of particular concern in the southeastern part of Ventura County, where the coastal zone extends inland (~5 miles) to include an extensive area of the Santa Monica Mountains. The Coastal Commission, the agency charged with administering the Coastal Act, developed a specific three-part test for determining whether habitat in the Malibu area of the Santa Monica Mountains should be considered coastal sage scrub/chaparral ESHA. Given that Malibu is immediately adjacent to the Ventura County part of the Santa Monica Mountains, this three-part test can be used for assessing whether coastal sage scrub and chaparral habitat in the Ventura County coastal zone meets the definition of ESHA. A memo from a Coastal Commission biologist outlines this test and can be found at: www.ventura.org/rma/planning/pdf/bio_resources/ESHA_Santa_Monica_Mountains.pdf.

The County’s Local Coastal Program outlines other specific protections to environmentally sensitive habitats in the Coastal Zone, such as to wetlands, riparian habitats and dunes. Protections in some cases are different for different segments of the coastal zone.

Copies of the Coastal Area Plan and the Coastal Zoning Ordinance can be found at: www.ventura.org/rma/planning/programs_services/local_coast/local_coast.htm.

Wildlife Migration Regulations

The Ventura County General Plan specifically includes wildlife migration corridors as an element of the region’s significant biological resources. In addition, protecting habitat connectivity is critical to the success of special status species and other biological resource protections. Potential project impacts to wildlife migration are analyzed by biologists on a case-by-case basis. The issue involves both a macro-scale analysis—where routes used by large carnivores connecting very large core habitat areas may be impacted—as well as a micro-scale analysis—where a road or stream crossing may impact localized movement by many different animals.

Locally Important Species/Communities Regulations

Locally important species/communities are considered to be significant biological resources in the Ventura County General Plan, thus one of the County’s threshold criteria for the evaluation of impacts to biological resources is whether the project impacts locally important species/communities.

Locally Important Species

The following criteria were developed with the assistance of local biologists:

Locally Important Animal Species Criteria

1. Taxa for whom habitat in Ventura County is crucial for their existence either globally or in Ventura County. This includes taxa for whom:
    - Populations in Ventura County represents 10% or more of the known extant global distribution; or

- In Ventura County, there are less than 6 element occurrences, or less than 1,000 individuals, or less than 2,000 acres.

2. Native taxa that are generally declining throughout their range and/or are in danger of extirpation in Ventura County.

Locally Important Plant Species Criteria

A locally important plant is a taxon that is declining throughout the extent of its range AND has a maximum of five (5) element occurrences in Ventura County.

Locally Important Animal and Plant Species Criteria

In some cases, to be determined on an individual basis, there are taxa whose population(s) do not qualify as locally important species; however, certain locations where a taxon occurs will be defined as locally important. This includes:

- If known, the published type locality for a holotype specimen.
- The edge of a taxon's range. This criteria does not apply to non-native taxa or those taxa whose range and population(s) size is expanding.

The County maintains a list of locally important species, which can be found on the Planning Division website at: www.ventura.org/rma/planning/programs_services/bio_resources/bio_resources.htm. *This list should not be considered comprehensive.* Any species that meets the criteria qualifies as locally important, whether or not it is included on this list.

Locally Important Communities

The Ventura County Initial Study Assessment Guidelines defines a locally important community as one that is considered by qualified biologists to be a quality example characteristic of or unique to the County or region, with this determination being made on a case-by-case basis. The County has not developed a list of locally important communities. Oak woodlands have however been deemed by the Ventura County Board of Supervisors to be a locally important community.

The state passed legislation in 2001, the Oak Woodland Conservation Act, to emphasize that oak woodlands are a vital and threatened statewide resource. In response, the County of Ventura prepared and adopted an Oak Woodland Management Plan that recommended, among other things, amending the County's Initial Study Assessment Guidelines to include an explicit reference to oak woodlands as part of its definition of locally important communities. The Board of Supervisors approved this management plan and its recommendations.

Appendix Two

Observed Species Table

Species Observed					
Scientific Name	**Common Name**	**Native**	**Habit[1]**	**WIS[2]**	**Family/Notes**
Plants					
Adenostoma fasciculatum	Chamise	Yes	S	.	Rosaceae
Alnus rhombifolia	White alder	Yes	T	FACW	Betulaceae
Ambrosia psilostachya var. *californica*	Western ragweed	Yes	BH	FAC	Asteraceae
Anagallis arvensis	Scarlet pimpernel	No	AH	FAC	Primulaceae
Artemisia californica	California sagebrush	Yes	S	.	Asteraceae
Artemisia douglasiana	Mugwort	Yes	PH	FACW	Asteraceae
Avena barbata	Slender wild oat	No	AG	.	Poaceae
Baccharis pilularis	Coyote brush	Yes	S	.	Asteraceae
Baccharis salicifolia	Mulefat	Yes	S	FACW	Asteraceae
Brickellia californica	California brickellbush	Yes	S	FACU	Asteraceae
Bromus catharticus	Rescue grass	No	AG	.	Poaceae
Bromus diandrus	Ripgut grass	No	AG	.	Poaceae
Bromus hordeaceus	Soft chess	No	AG	FACU-	Poaceae
Carduus pycnocephalus	Italian thistle	No	AH	.	Asteraceae
Ceanothus crassifolius var. *crassifolius*	Hoaryleaf ceanothus	Yes	S	.	Rhamnaceae
Ceanothus megacarpus var. *megacarpus*	Bigpod ceanothus	Yes	S	.	Rhamnaceae
Ceanothus oliganthus var. *oliganthus*	Hoary ceanothus	Yes	S	.	Rhamnaceae
Cercocarpus betuloides var. *betuloides*	Birchleaf mountain mahogany	Yes	S	.	Rosaceae
Chamomilla suaveolens	Pineapple weed	No	AH	FACU	Asteraceae
Chenopodium californicum	California goosefoot	Yes	PH	.	Chenopodiaceae
Clarkia purpurea ssp. *quadrivulnera*	Four-spotted purple clarkia	Yes	AH	.	Onagraceae
Claytonia perfoliata ssp. *perfoliata*	Miner's lettuce	Yes	AH	FAC	Portulacaceae
Cynodon dactylon	Bermuda grass	No	PG	FAC	Poaceae
Cyperus eragrostis	Umbrella-sedge	Yes	PG	FACW	Cyperaceae
Dichelostemma capitatum ssp. *capitatum*	Blue dicks	Yes	PG	.	Themidaceae
Epilobium canum ssp. *canum*	California fuchsia	Yes	PH	.	Onagraceae
Eriogonum fasciculatum var. *foliolosum*	Leafy California buckwheat	Yes	S	.	Polygonaceae
Eriophyllum confertiflorum var. *confertiflorum*	Golden yarrow	Yes	PH	.	Asteraceae
Erodium cicutarium	Redstem filaree	No	AH	.	Geraniaceae
Erodium moschatum var. *moschatum*	Whitestem filaree	No	AH	.	Geraniaceae
Fraxinus velutina	Velvet ash	Yes	T	FACW	Oleaceae
Galium angustifolium ssp. *angustifolium*	Chaparral bedstraw	Yes	S	.	Rubiaceae
Galium aparine	Goose grass	Yes	AH	FACU	Rubiaceae
Geranium dissectum	Dissected geranium	No	AH	.	Geraniaceae
Helianthus annuus	Common sunflower	Yes	AH	FAC-	Asteraceae
Hesperoyucca whipplei ssp. *whipplei*	Our Lord's candle	Yes	S	.	Agavaceae
Heteromeles arbutifolia	Toyon	Yes	S	.	Rosaceae
Hirschfeldia incana	Summer mustard	No	PH	.	Brassicaceae

[1] Habit definitions: AG=annual grass/graminoid; PG=perennial grass/graminoid; AH=annual herb; PH=perennial herb; PV=perennial vine; S=shrub; T=tree.

[2] WIS = Wetland Indicator Status. The following code definitions are according to Reed (1988):
OBL = obligate wetland species, occurs almost always in wetlands (>99% probability).
FACW = facultative wetland species, usually found in wetlands (67-99% probability).
FAC = facultative species, equally likely to occur in wetlands or nonwetlands (34-66% probability).
FACU = facultative upland species, usually found in nonwetlands (67-99% probability).
+ or - symbols are modifiers that indicate greater or lesser affinity for wetland habitats.
NI = no indicator has been assigned due to a lack of information to determine indicator status.
* = a tentative assignment to that indicator status by Reed (1988).
Parentheses indicate a wetland status as suggested by David L. Magney based on extensive field observations.

Species Observed					
Scientific Name	**Common Name**	**Native**	**Habit[1]**	**WIS[2]**	**Family/Notes**
Hordeum murinum ssp. *glaucum*	Summer barley	No	AG	.	Poaceae
Juglans californica* var. *californica	**Southern California black walnut**	Yes	T	FAC	Juglandaceae
Juncus mexicanus	Mexican rush	Yes	PG	FACW	Juncaceae
Kickxia elatine	Arrowleaf fluellin	No	AH	.	Veronicaceae
Lactuca serriola	Prickly wild lettuce	No	AH	FAC	Asteraceae
Lamium amplexicaule	Henbit	No	AH	.	Lamiaceae
Lathyrus vestitus	Pacific peavine	Yes	PV	.	Fabaceae
Lepidium latifolium	Broadleaf peppergrass	No	PH	FACW	Brassicaceae
Lolium multiflorum	Italian ryegrass	No	AG	FAC*	Poaceae
Malosma laurina	Laurelleaf sumac	Yes	S	.	Anacardiaceae
Malva parviflora	Cheeseweed	No	AH	.	Malvaceae
Marah macrocarpus var. *macrocarpus*	Large-fruited man-root	Yes	PV	.	Cucurbitaceae
Marrubium vulgare	White horehound	No	S	FAC	Lamiaceae
Medicago polymorpha	Common burclover	No	AH	.	Fabaceae
Melilotus indica	Sourclover	No	AH	FAC	Fabaceae
Mimulus aurantiacus	Bush monkeyflower	Yes	S	.	Phrymaceae
Mimulus guttatus	Common streamside monkeyflower	Yes	A/PH	OBL	Phrymaceae
Opuntia ficus-indica	Indian fig	No	S	.	Cactaceae
Oxalis pes-caprae	Bermuda buttercup	No	PH	.	Oxalidaceae
Phacelia cicutaria var. *hispida*	Hispid caterpillar phacelia	Yes	AH	.	Hydrophyllaceae
Picris echioides	Bristly ox-tongue	No	AH	.	Asteraceae
Piptatherum miliaceum	Smilo grass	No	PG	.	Poaceae
Plantago lanceolata	English plantain	No	PH	FAC-	Plantaginaceae
Platanus racemosa var. *racemosa*	California sycamore	Yes	T	FACW	Platanaceae
Poa annua	Annual bluegrass	No	AG	FACW-	Poaceae
Poa secunda ssp. *secunda*	One-sided bluegrass	Yes	PG	.	Poaceae
Polypogon monspeliensis	Rabbistsfoot grass	No	AG	FACW+	Poaceae
Potentilla glandulosa ssp. *glandulosa*	Sticky cinquifoil	Yes	PH	FAC	Rosaceae
Prunus ilicifolia ssp. *ilicifolia*	Hollyleaf cherry	Yes	S	.	Rosaceae
Pseudognaphalium californicum	Green everlasting	Yes	A/BH	.	Asteraceae
Pseudognaphalium luteo-album	Cudweed everlasting	No	AH	FACW-	Asteraceae
Quercus agrifolia var. *agrifolia*	Coast live oak	Yes	T	.	Fagaceae
Raphanus sativus	Wild radish	No	AH	.	Brassicaceae
Rhamnus ilicifolia	Hollyleaf redberry	Yes	S	.	Rhamnaceae
Rhus trilobata var. *malacophylla*	Woolly skunkbrush	Yes	S	NI	Anacardiaceae
Ribes malvaceum var. *malvaceum*	Chaparral currant	Yes	S	.	Grossulariaceae
Rubus ursinus	Pacific blackberry	Yes	PV	FACW*	Rosaceae
Rumex crispus	Curly dock	No	PH	FACW-	Polygonaceae
Salix lasiolepis var. *lasiolepis*	Arroyo willow	Yes	T	FACW	Salicaceae
Salvia apiana	White sage	Yes	S	.	Lamiaceae
Salvia mellifera	Black sage	Yes	S	.	Lamiaceae
Sambucus mexicana	Blue elderberry	Yes	S	FAC	Caprifoliaceae
Sanicula crassicaulis var. *crassicaulis*	Pacific sanicle	Yes	PH	.	Apiaceae
Schinus molle	Peruvian pepper tree	No	T	.	Anacardiaceae
Silybum marianum	Milk thistle	No	AH	.	Asteraceae
Sonchus asper ssp. *asper*	Prickly sow-thistle	No	AH	FAC	Asteraceae
Sonchus oleraceus	Common sow-thistle	No	AH	NI*	Asteraceae
Stellaria media	Common chickweed	No	AH	FACU	Caryophyllaceae
Toxicodendron diversilobum	Western poison oak	Yes	S/V	.	Anacardiaceae
Typha domingensis	Southern cattail	Yes	PH	OBL	Typhaceae
Umbellularia californica var. *californica*	California bay	Yes	T	FAC	Lauraceae
Urtica urens	Dwarf nettle	No	AH	.	Urticaceae
Verbena lasiostachys var. *lasiostachys*	Western verbena	Yes	AH	FAC-	Verbenaceae
Vicia villosa ssp. *varia*	Hairy vetch	No	AH	.	Fabaceae
Vulpia myuros var. *myuros*	Rattail fescue	No	AG	FACU*	Poaceae

Species Observed					
Scientific Name	**Common Name**	**Native**	**Habit[1]**	**WIS[2]**	**Family/Notes**
Wildlife					
Reptiles					
Sceloporus occidentalis	Western fence lizard	Yes	-	-	-
Uta stansburiana elegans	California side-blotched lizard	Yes	-	-	-
Birds					
Aphelocoma californica	Western scrub-jay	Yes	-	-	-
Buteo jamaicensis	Red-tailed hawk	Yes	-	-	-
Calypte anna	Anna's hummingbird	Yes	-	-	-
Carpodacus mexicanus	House finch	Yes	-	-	-
Cathartes aura	Turkey vulture	Yes	-	-	-
Corvus corax	Common raven	Yes	-	-	-
Melanerpes formicivorus	Acorn woodpecker	Yes	-	-	-
Pipilo crissalis	California towhee	Yes	-	-	-
Psaltriparus minimus	Common bushtit	Yes	-	-	-
Turdus nigratorius	American robin	Yes	-	-	-
Zenaida macroura	Mourning dove	Yes	-	-	-
Dendroica coronata	Yellow-rumped warbler	Yes	-	-	-
Baeolophus inornatus	**Oak titmouse**	Yes	-	-	Foraging in coast live oak
Archilochus alexandri	Black-chinned hummingbird	Yes	-	-	-
Sayornis nigricans	Black phoebe	Yes	-	-	-
Callipepla californica	California quail	Yes	-	-	-
Mammals					
Canis latrans	Coyote	Yes	-	-	Scat
Neotoma macrotis	Big-eared Woodrat	Yes	-	-	Midden
Odocoileus hemionus	Mule deer	Yes	-	-	Tracks and resting area in tall grass
Sciurus griseus	Western gray squirrel	Yes	-	-	-
Sylvilagus auduboni	Audubon cottontail	Yes	-	-	-
Thomomys bottae	Botta's pocket gopher	Yes	-	-	-

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Scientific Name	Common Name	FEDLIST	CALLIST	GRANK	SRANK	CNPSLIST	DISTANCE
Acanthoscyphus parishii var. abramsii	Abrams' oxytheca	None	None	G4?T2	S2.2	1B.2	5-Mile Radius
Actinemys marmorata pallida	southwestern pond turtle	None	None	G3G4T2T3Q	S2		10-Mile Radius
Actinemys marmorata pallida	southwestern pond turtle	None	None	G3G4T2T3Q	S2		5-Mile Radius
Antrozous pallidus	pallid bat	None	None	G5	S3		10-Mile Radius
Astragalus didymocarpus var. milesianus	Miles' milk-vetch	None	None	G5T2	S2.2	1B.2	10-Mile Radius
Astragalus pycnostachyus var. lanosissimus	Ventura Marsh milk-vetch	Endangered	Endangered	G2T1	S1.1	1B.1	10-Mile Radius
Atriplex serenana var. davidsonii	Davidson's saltscale	None	None	G5T2?	S2?	1B.2	10-Mile Radius
Bufo californicus	arroyo toad	Endangered	None	G2G3	S2S3		10-Mile Radius
California Walnut Woodland	California Walnut Woodland	None	None	G2	S2.1		5-Mile Radius
Calochortus weedii var. vestus	late-flowered mariposa-lily	None	None	G3G4T2	S2.2	1B.2	10-Mile Radius
Calochortus weedii var. vestus	late-flowered mariposa-lily	None	None	G3G4T2	S2.2	1B.2	5-Mile Radius
Catostomus santaanae	Santa Ana sucker	Threatened	None	G1	S1		10-Mile Radius
Catostomus santaanae	Santa Ana sucker	Threatened	None	G1	S1		5-Mile Radius
Chaetodipus californicus femoralis	Dulzura pocket mouse	None	None	G5T3	S2?		10-Mile Radius
Coccyzus americanus occidentalis	western yellow-billed cuckoo	Candidate	Endangered	G5T3Q	S1		10-Mile Radius
Delphinium umbraculorum	umbrella larkspur	None	None	G2G3	S2S3.3	1B.3	10-Mile Radius
Elanus leucurus	white-tailed kite	None	None	G5	S3		10-Mile Radius
Fritillaria ojaiensis	Ojai fritillary	None	None	G1	S1.2	1B.2	10-Mile Radius
Fritillaria ojaiensis	Ojai fritillary	None	None	G1	S1.2	1B.2	5-Mile Radius
Gila orcuttii	arroyo chub	None	None	G2	S2		5-Mile Radius
Gymnogyps californianus	California condor	Endangered	Endangered	G1	S1		5-Mile Radius
Horkelia cuneata ssp. puberula	mesa horkelia	None	None	G4T2	S2.1	1B.1	10-Mile Radius
Lasiurus cinereus	hoary bat	None	None	G5	S4?		10-Mile Radius
Navarretia ojaiensis	Ojai navarretia	None	None	G1	S1	1B.1	10-Mile Radius
Oncorhynchus mykiss irideus	southern steelhead - southern California ESU	Endangered	None	G5T2Q	S2		10-Mile Radius
Oncorhynchus mykiss irideus	southern steelhead - southern California ESU	Endangered	None	G5T2Q	S2		5-Mile Radius
Orobanche valida ssp. valida	Rock Creek broomrape	None	None	G3T1	S1.2	1B.2	10-Mile Radius
Phrynosoma coronatum (blainvillii population)	coast (San Diego) horned lizard	None	None	G4G5	S3S4		10-Mile Radius
Polioptila californica californica	coastal California gnatcatcher	Threatened	None	G3T2	S2		10-Mile Radius
Rana draytonii	California red-legged frog	Threatened	None	G4T2T3	S2S3		10-Mile Radius
Sagittaria sanfordii	Sanford's arrowhead	None	None	G3	S3.2	1B.2	10-Mile Radius
Southern California Steelhead Stream	Southern California Steelhead Stream	None	None	G?	SNR		5-Mile Radius
Southern Coast Live Oak Riparian Forest	Southern Coast Live Oak Riparian Forest	None	None	G4	S4		10-Mile Radius
Southern Coast Live Oak Riparian Forest	Southern Coast Live Oak Riparian Forest	None	None	G4	S4		5-Mile Radius
Southern Riparian Scrub	Southern Riparian Scrub	None	None	G3	S3.2		10-Mile Radius
Southern Sycamore Alder Riparian Woodland	Southern Sycamore Alder Riparian Woodland	None	None	G4	S4		10-Mile Radius
Thamnophis hammondii	two-striped garter snake	None	None	G3	S2		10-Mile Radius
Vireo bellii pusillus	least Bell's vireo	Endangered	Endangered	G5T2	S2		10-Mile Radius

Source: CA Department of Fish & Game, November 2008

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