

BIOLOGICAL RESOURCES

SUMMARY

Implementation of the proposed project could have a potentially significant effect, either directly or through habitat modifications, on a species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or US Fish and Wildlife Service. Mitigation measures have been identified to reduce these impacts to less than significant levels.

Implementation of the proposed project could have a potentially significant effect on a riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service. Mitigation is identified to reduce these impacts to less than significant levels.

Implementation of the proposed project could have a potentially significant effect on State or federally protected wetlands (including, but not limited to, marshes, vernal pools, coastal, etc.) through direct removal, filling, hydrological interruption, or other means. Mitigation is identified to reduce these impacts to less than significant levels.

Implementation of the proposed project could interfere with the movement of any native or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites. Mitigation is identified to reduce this impact to less than significant levels.

The proposed project would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.

The proposed project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

INTRODUCTION

The following analysis is based upon the *Biological Resources Technical Report - Camarillo Springs Golf Course Redevelopment Project, Camarillo, Ventura County, California* (Biological Resources Technical Report) prepared by Psomas, June 2020. The City of Camarillo has independently reviewed and allowed for public review the information presented in the Biological Resources Technical Report. A copy of the Biological Resources Technical Report is provided as Appendix G to this EIR. In addition, focused surveys

for several sensitive species have been conducted and the results of those surveys to date are provided in Appendix H to this EIR. Finally, a jurisdictional delineation of the project site was prepared, and is provided as Appendix I to this EIR.

ENVIRONMENTAL SETTING

Regulatory Setting

Federal Regulations

Federal Endangered Species Act

The Federal Endangered Species Act (FESA) protects plants and animals that the US Fish and Wildlife Service (USFWS) has listed as “Endangered” or “Threatened.” A federally listed species is protected from unauthorized “take,” which is defined in the FESA as acts to “harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect or attempt to engage in any such conduct” (16 USC §§ 1532[19], 1538[a]). In this definition, “harm” includes “any act which actually kills or injures fish or wildlife, and emphasizes that such acts may include significant habitat modification or degradation that significantly impairs essential behavioral patterns of fish or wildlife” (50 Code of Federal Regulations [CFR], Title 50, Section 17.3). Unless performed for scientific or conservation purposes with the permission of the USFWS, take of listed species is only permissible if the USFWS issues an Incidental Take Permit (ITP). When issuing an ITP, all federal agencies, including the USFWS, must ensure that their activities are “not likely to jeopardize the continued existence of any endangered species or threatened species or result in the destruction or adverse modification of habitat of such species” (16 USC § 1536[a]). Enforcement of the FESA is administered by the USFWS.

The FESA also provides for designation of Critical Habitat: specific areas within the geographical range occupied by a species where physical or biological features “essential to the conservation of the species” are found and “which may require special management considerations or protection” (16 USC § 1538[5][A]). Critical Habitat may also include areas outside the current geographical area occupied by the species that are essential for the conservation of the species.

Fish and Wildlife Coordination Act

The Fish and Wildlife Coordination Act requires consultation with the USFWS and the fish and wildlife agencies of states where the “waters of any stream or other body of water are proposed or authorized, permitted or licensed to be impounded, diverted ... or otherwise controlled or modified” by any agency under a federal permit or license. Consultation is to be undertaken for the purpose of “preventing loss of, and damage to, wildlife resources.”

Sections 404 and 401 of the Clean Water Act of 1972

The US Army Corps of Engineers (USACE) Regulatory Branch regulates activities that discharge dredged or fill materials into waters of the United States (WOTUS) under Section 404 of the federal Clean Water Act (CWA) and navigable waters of the United States under Section 10 of the Rivers and Harbors Act. The USACE's authority applies to all WOTUS where the material (1) replaces any portion of a WOTUS with dry land or (2) changes the bottom elevation of any portion of any WOTUS. Activities that result in fill or discharge of dredged material into WOTUS require a Section 404 permit from the USACE. Examples of features that qualify as WOTUS include various types of waters and wetlands listed in the Code of Federal Regulations (33 CFR Section 328) (e.g., territorial seas, interstate waters, adjacent wetlands, etc.).

In 2015, the USACE and the US Environmental Protection Agency (USEPA) published a final rule (2015 Rule) clarifying the scope of WOTUS protected under the CWA. The 2015 Rule greatly expanded the regulatory jurisdiction of WOTUS and was subject to numerous legal challenges. On January 23, 2020, the USEPA and USACE finalized Step One of the Navigable Waters Protection Rule (Step One Rule), which repeals the 2015 Rule and re-codifies the regulatory text defining WOTUS that existed prior to the 2015 Rule. The Navigable Waters Protection Rule (Step Two Rule) was published in the Federal Register on April 21, 2020; it will become effective 60 days after publication in the Federal Register (i.e., June 22, 2020). The Step Two Rule will provide new regulatory text defining WOTUS. One of the major changes to the definition of WOTUS is that ephemeral waters are no longer subject to USACE regulation under the CWA.

Under Section 401 of the CWA, an activity requiring a USACE Section 404 permit must obtain a State Water Quality Certification (or waiver thereof) to ensure that the activity will not violate established State water quality standards. The State Water Resources Control Board (SWRCB), in conjunction with the nine California Regional Water Quality Control Boards (RWQCBs), is responsible for administering the Section 401 water quality certification program.

The SWRCB, in conjunction with the nine RWQCBs, is the primary agency responsible for protecting water quality in California through the regulation of discharges to surface waters under the CWA and the California Porter Cologne Water Quality Control Act (Porter-Cologne Act). The SWRCB's and RWQCBs' jurisdictions extend to all WOTUS (including wetlands), as well as waters of the State that are outside federal jurisdiction.

On August 28, 2019, the Office of Administrative Law (OAL) approved the State Wetland Definition and Procedures for Discharges of Dredged or Fill Material to waters of the State. The procedures went into effect on May 28, 2020. These procedures consist of four main elements: (1) a wetland definition, (2) a framework to determine if a wetland is a water of the State, (3) wetland delineation procedures, and (4) procedures for submission and approval of applications for Water Quality Certifications and Waste Discharge Requirements. Under these new regulations, the SWRCB and its nine RWQCBs have the

authority to assert jurisdiction over all waters that would be subject to regulation under the current federal definition of WOTUS, as well as a broader category of “waters of the State.”

Migratory Bird Treaty Act of 1918

The Migratory Bird Treaty Act (MBTA) of 1918 (16 USC §§ 703–711), as amended in 1972, makes it unlawful at any time, by any means or in any manner, unless permitted by regulations, to “pursue; hunt; take; capture; kill; attempt to take, capture, or kill; possess; offer for sale; sell; offer to barter; barter; offer to purchase; purchase; deliver for shipment; ship; export; import; cause to be shipped, exported or imported; deliver for transportation; transport or cause to be transported; carry or cause to be carried; or receive for shipment, transportation, carriage, or export, any migratory bird; any part, nest, or eggs of any such bird; or any product, whether or not manufactured, which consists, or is composed in whole or part, of any such bird or any part, nest, or egg thereof... .” (16 USC § 703).

The MBTA covers the taking of any nests or eggs of migratory birds, except as allowed by permit pursuant to 50 CFR, Part 21. This regulation seeks to protect migratory birds and active nests. The MBTA protects over 800 species, including geese, ducks, shorebirds, raptors, songbirds, and many relatively common species. Bird species protected under the provisions of the MBTA are identified by the List of Migratory Birds (50 CFR § 10.13), as updated by the 1983 American Ornithologists’ Union (AOU) Checklist and published supplements by the USFWS.

In 1972, the MBTA was amended to include protection for migratory birds of prey (e.g., raptors). Six families of raptors occurring in North America were included in the amendment: *Accipitridae* (kites, hawks, and eagles); *Cathartidae* (New World vultures); *Falconidae* (falcons and caracaras); *Pandionidae* (ospreys); *Strigidae* (typical owls); and *Tytonidae* (barn owls). The provisions of the 1972 amendment to the MBTA protect all species and subspecies of these families.

On December 22, 2017, the Department of the Interior, Office of the Solicitor released Memorandum M-37050 stating that the MBTA’s “taking” or “killing” of migratory birds applies only to deliberate acts such as hunting intended to take a migratory bird. This administration will not seek criminal penalties against companies and individuals who incidentally take migratory birds through otherwise lawful activities. This reverses the previous administration’s interpretation, which issued Memorandum M-37041 stating that the MBTA applied to both intentional and incidental take.

State Regulations

California Endangered Species Act

The State of California implements the California Endangered Species Act (CESA) which is enforced by the California Department of Fish and Wildlife (CDFW). While the provisions of the CESA are similar to the FESA, the CDFW maintains a list of California Threatened and Endangered species, independent of the FESA Threatened and Endangered species list. It also lists species that are considered Rare and

Candidates for listing, which also receive protection. The California list of Endangered and Threatened species is contained in Title 14, Sections 670.2 (plants) and 670.5 (animals) of the California Code of Regulations.

State-listed Threatened and Endangered species are protected under provisions of the CESA. Activities that may result in take of individuals (defined in the CESA as acts to “hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill”) are regulated by the CDFW. While habitat degradation or modification is not expressly included in the definition of take under CESA, the CDFW has interpreted take to include the destruction of nesting, denning, or foraging habitat necessary to maintain a viable breeding population of protected species.

If it is determined that the take would not jeopardize the continued existence of the species, an ITP can be issued by the CDFW per Section 2081 of the California Fish and Game Code. If a State-listed species is also federally listed, and the USFWS has issued an ITP that satisfies CDFW’s requirements, the CDFW may issue a consistency finding in accordance with Section 2080.1 of the California Fish and Game Code.

California Fish and Game Code

The CDFW administers the California Fish and Game Code. Particular sections of the Code are applicable to natural resource management.

Native Plant Protection

Sections 1900–1913 of the California Fish and Game Code were developed to preserve, protect, and enhance Endangered and Rare plants in the State of California. The act requires all State agencies to use their authority to carry out programs to conserve Endangered and Rare native plants. Provisions of the Native Plant Protection Act prohibit the taking of listed plants from the wild and require notification of the CDFW at least ten days in advance of any change in land use that would adversely impact listed plants. This allows the CDFW to salvage listed plant species that would otherwise be destroyed.

Unlawful Take or Destruction of Nests or Eggs

These sections duplicate federal protection under the MBTA. Section 3503 of the California Fish and Game Code makes it unlawful to take, possess, or destroy any bird’s nest or any bird’s eggs. Further, any birds in the orders *Falconiformes* or *Strigiformes* (birds of prey, such as hawks, eagles, and owls) and their nests and eggs are protected under Section 3503.5 of the California Fish and Game Code. Section 3513 of the California Fish and Game Code prohibits the take and possession of any migratory nongame bird, as designated in the MBTA.

California Fully Protected Species

The State of California created the “Fully Protected” classification in an effort to identify and provide additional protection to those animals that are rare or that face possible extinction. Lists were created for

fish, amphibians and reptiles, birds, and mammals. Most of the species on these lists have subsequently been listed under the CESA / FESA; however, some have not been formally listed.

Various sections of the California Fish and Game Code provide lists of Fully Protected reptile and amphibian (§ 5050), bird (§ 3511), and mammal (§ 4700) species that may not be taken or possessed at any time, except as provided in Sections 2081.7, 2081.9, or 2835. The CDFW is unable to authorize the issuance of permits or licenses to take these species, except for necessary scientific research.

California Fish and Game Code (Sections 1600 through 1616)

California Fish and Game Code Sections 1600 et seq. establish a process to ensure that projects conducted in and around lakes, rivers, or streams do not adversely impact fish and wildlife resources or, when adverse impacts cannot be avoided, ensures that adequate mitigation and/or compensation is provided.

California Fish and Game Code Section 1602 requires any person, State, or local governmental agency or public utility to notify the CDFW before beginning any activity that will do one or more of the following:

- substantially obstruct or divert the natural flow of a river, stream, or lake
- substantially change or use any material from the bed, channel, or bank of a river, stream, or lake
- deposit or dispose of debris, waste, or other material containing crumbled, flaked, or ground pavement where it can pass into a river, stream, or lake

Section 1602 of the California Fish and Game Code applies to all perennial, intermittent, and ephemeral rivers, streams, and lakes in the State. The CDFW's regulatory authority extends to include riparian habitat (including wetlands) supported by a river, stream, or lake regardless of the presence or absence of hydric soils and saturated soil conditions. Generally, the CDFW takes jurisdiction to the top bank of the stream or to the outer limit of the adjacent riparian vegetation (outer drip line), whichever is greater. Notification is generally required for any project that will take place in or in the vicinity of a river, stream, lake, or their tributaries. This includes rivers or streams that flow at least periodically or permanently through a bed or channel with banks that support fish or other aquatic life and watercourses having a surface or subsurface flow that support or have supported riparian vegetation. A Section 1602 Lake or Streambed Alteration Agreement would be required if impacts to identified CDFW jurisdictional areas occur.

California Porter-Cologne Water Quality Control Act

Pursuant to the California Porter-Cologne Water Quality Control Act, the SWRCB and the nine RWQCBs may require permits (known as "Waste Discharge Requirements" or WDRs) for the fill or alteration of the waters of the State. The term "waters of the State" is defined as "any surface water or groundwater, including saline waters, within the boundaries of the state" (California Water Code, § 13050[e]). The SWRCB and RWQCB have interpreted their authority to require WDRs to extend to any proposal to fill or

alter waters of the State, which may include waters not regulated under the federal Clean Water Act. Pursuant to this authority, the State and Regional Boards may require the submission of a “report of waste discharge” under Section 13260 of the California Water Code, which is treated as an application for WDRs.

The Porter-Cologne Water Quality Control Act charges the SWRCB and the nine RWQCBs statewide with protecting water quality throughout California. Typically, the SWRCB and RWQCB act in concert with the USACE under Section 401 of the CWA in relation to permitting fill of federally jurisdictional waters. SWRCB and the RWQCBs may require permits (WDRs) for the fill or alteration of the waters of the State.

California Environmental Quality Act

With regards to plants and animals, Section 15380 of the State CEQA Guidelines independently defines “Endangered” and “Rare” species separately from the definitions of the CESA. Under CEQA, Endangered species of plants or animals are defined as those whose survival and reproduction in the wild are in immediate jeopardy, while Rare species are defined as those that (1) have such low numbers that they could become Endangered if their environment worsens or (2) are likely to become endangered within the foreseeable future (i.e., “threatened” as used in the FESA). In addition, a Lead Agency can consider a non-listed species (e.g., species with a California Rare Plant Rank [CRPR], California Species of Special Concern, or species of Local Concern) to be treated as if it were Endangered, Rare, or Threatened for the purposes of CEQA if the species can be shown to meet the criteria in the definition of “Rare” or “Endangered” in the project region.

The State CEQA Guidelines designates certain “trustee agencies” that have jurisdiction by law over natural resources affected by a project which are held in trust for the people of California. The CDFW is the trustee responsible for conservation, protection, and management of wildlife, native plants, and habitat necessary to maintain biologically sustainable populations. Trustee agencies are generally required to be notified of CEQA documents relevant to their jurisdiction, whether or not these agencies have actual permitting authority or approval power over aspects of the underlying project. The CDFW shall provide the requisite biological expertise to review and comment upon environmental documents and impacts arising from project activities and shall make recommendations regarding those resources held in trust for the people of California (California Fish and Game Code § 1802).

Regional Regulations

County of Ventura Habitat Connectivity and Wildlife Corridor Project

The Ventura County Board of Supervisors directed the County Planning Division to develop regulations that would protect habitat connectivity and wildlife movement corridors within the non- coastal area of the County. The proposed effort included revisions to the Non-Coastal Zoning Ordinance (NCZO) and revisions to some County policies that deal with wildlife movement that are part of the County’s General

Plan. These revisions were officially approved by the Ventura County Board of Supervisors (Board) on March 19, 2019, when the final Habitat Connectivity and Wildlife Corridor (HCWC) map was adopted.

Habitat loss and fragmentation resulting from urban growth are the leading threats to biodiversity worldwide, and this risk is particularly severe in southern California, which is home to over 400 species of native plants and animals considered endangered, threatened or sensitive by government agencies and conservation groups. Countering these threats requires protecting connections between existing open space areas that form a regional wildland network.

Protecting these connections between wildlands allows natural ecological processes, such as migration, to continue operating as they have for millennia. Movement is essential to wildlife survival, whether it be the day-to-day movements of individuals seeking food, shelter, or mates, dispersal of offspring to find new homes, or seasonal migration to find favorable conditions.

Disruption of these natural movement patterns by roads, development, and other impediments can alter these essential ecosystem functions and lead to losses of species. These effects can cascade from one level of an ecosystem to another with the impact of one species affecting the other, for example:

- Food production: Adverse impacts to pollinators can affect food production;
- Disease transmission: Loss of diversity in plant and animal populations can result in reduced resistance to diseases and increased spread of disease; and
- Air and water purification: Loss of vegetation can increase runoff, which increases siltation in water bodies and reduces the natural purification process provided by an intact ecosystem.

The HCWC is administered on lands within unincorporated Ventura County. The project site is located entirely within the boundaries of the City of Camarillo and, subsequently, not subject to restrictions identified by the HCWC. Regardless, the HCWC has included areas beyond unincorporated County land into their regional corridor mapping. No portion of the project site or vicinity are identified as Critical Wildlife Passing Areas; however, the southern portion of the project site is mapped as occurring within the greater HCWC boundary.

Project Site Survey Methods

Literature Review

A literature review was performed to identify special status plants, wildlife, and habitats known to occur (or that historically occurred) in the vicinity of the project site. These searches included review of the CDFW's California Natural Diversity Database (CNDDDB) and the California Native Plant Society's (CNPS) Electronic Inventory of Rare and Endangered Vascular Plants of California for USGS' Newbury Park, Camarillo, Santa Paula, Point Mugu, Triunfo Pass, and Moorpark 7.5-minute quadrangles. A review

of FESA critical habitat documents was used to identify any portions of the project site occurring within proposed or designated critical habitat. Additionally, relevant previous biological documentation for the project site and immediate vicinity were reviewed.

Vegetation Mapping and General Biological Surveys

A general biological survey was conducted on October 8, 2019 to evaluate the potential of habitats to support special status plant and wildlife species. Vegetation was mapped in the field on an aerial photograph at a scale of 1-inch equals 200 feet (1"=200'). Nomenclature for native vegetation types generally matches those from the online edition of A Manual of California Vegetation. Representative photographs of the vegetation types observed onsite are included in Appendix G to this EIR.

Plant species were identified in the field or collected for subsequent identification using keys in Baldwin et al. (2012), Hickman (1993), and Munz (1974). Nomenclature of plant taxa conform to the Special Vascular Plants, Bryophytes, and Lichens List for special status species and the Jepson eFlora (Jepson Flora Project 2020) for all other taxa; ornamental species not listed in the Jepson eFlora are named based on the Sunset Western Garden Book.

Active searches for reptiles and amphibians included lifting, overturning, and carefully replacing rocks and debris. Birds were identified by visual and auditory recognition. Surveys for mammals were conducted during the day and included searching for and identifying diagnostic sign, including scat, footprints, burrows, and trails. Nomenclature of wildlife taxa conform to the Special Animals List for special status species; nomenclature for non-special status wildlife generally follows Crother (2012) for amphibians and reptiles, American Ornithologists' Union (2019) for birds, and the Smithsonian National Museum of Natural History (2011) for mammals. All species observed were recorded in field notes.

Regulatory Surveys

Jurisdictional Assessment and Delineation

Jurisdictional resources considered for this analysis include WOTUS under the regulatory authority of the USACE; waters of the State under the regulatory authority of the RWQCB; and the bed, bank, and channel of all lakes, rivers, and/or streams (and associated riparian vegetation), under the regulatory authority of the CDFW.

Non-wetland WOTUS are assessed based on the limits of the ordinary high-water mark (OHWM), which can be determined by a number of factors, including the presence of a clear, natural line impressed on the bank; shelving; changes in the character of the soil; destruction of terrestrial vegetation; and the presence of litter and debris. The RWQCB shares the USACE jurisdiction unless isolated conditions are present.

Water resources lacking a significant nexus to a Traditional Navigable Water¹ (TNW) are considered isolated. If isolated waters are present, the RWQCB takes jurisdiction using the USACE's definition of the OHWM and/or the three-parameter wetlands method pursuant to the 1987 Wetlands Manual. Isolated conditions were assessed prior to the field assessment using aerial imagery from Google Earth and the National Hydrography Dataset. Note that the USACE does not require continuous surface connectivity to establish jurisdiction; waters are considered a tributary even if there is a natural or constructed break along the connection to a TNW. Therefore, drainage channels disrupted by roads in the jurisdictional survey area may still be considered under the jurisdiction of the USACE and/or the RWQCB. Swales and erosional features are not considered jurisdictional.

A jurisdictional resources assessment was conducted concurrently with vegetation mapping and general surveys to identify areas potentially regulated by the USACE, the RWQCB, and the CDFW. The drainage features on the project site were assessed on October 8, 2019.

Prior to the jurisdictional assessment, the following documents were reviewed to identify areas that may fall under agency jurisdiction: USGS' Newbury Park 7.5-minute topographic quadrangle; current and historic color aerial photography and elevation data provided by Google Earth; the Web Soil Survey for Ventura County, California; and the National Hydric Soils List. During the field surveys, potentially jurisdictional areas were recorded on a 1-inch equals 100-foot scale aerial photograph.

In addition, and subsequent to the jurisdictional assessment, a jurisdictional delineation of the entire project site was completed in February 2020, and is provided as Appendix I to this EIR. The delineation was based upon onsite surveys by regulatory specialists to determine the limits of: (1) USACE jurisdiction pursuant to Section 404 of the Clean Water Act; (2) Regional Board jurisdiction pursuant to Section 401 of the Clean Water Act and Section 13260 of the California Water Code; and (3) CDFW jurisdiction pursuant to Division 2, Chapter 6, Section 16100 of the Fish and Game Code. As discussed in more detail below as part of the impact analysis, the jurisdictional delineation identified the following at the project site: (1) a total of 15.42 acres (of which 7.42 acres consist of jurisdictional wetlands) of potential USACE jurisdiction; (2) a total of 15.47 acres (of which 7.42 acres consist of jurisdictional wetlands) of potential Regional Board jurisdiction; and (3) 26.79 acres of potential CDFW jurisdiction. These numbers reflect the total acres of jurisdictional resources located at the project site – not the total acres of jurisdictional resources impacted by the proposed project.

¹ Traditional Navigable Waters are all waters that are currently used, or were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide.

Existing Project Site Biological Resources

Vegetation Types and Other Areas

Ten vegetation types and three other areas occur at the project site. These are listed in Table 5.3-1 and are placed in Figure 5.3-1. A description of each vegetation type/other area is provided below.

TABLE 5.3-1 - VEGETATION TYPES AND OTHER AREAS AT THE PROJECT SITE

Vegetation Types	On-Site Total (acres)
Ashy buckwheat scrub	22.0
Coast prickly pear scrub	4.2
Lemonade berry scrub	1.8
Cocklebur patch	0.4
Upland mustards and other ruderal forbs	0.6
California bulrush marsh	2.7
Deer weed scrub	0.4
Arroyo willow thicket	12.6
Mule fat thickets	1.3
Landscaped Ornamental	117.0
Disturbed	7.1
Open water	5.6
Developed	9.0
Total	184.7

Source of table data: Psomas, June 2020.

Ashy Buckwheat Scrub

Ashy buckwheat scrub occurs along the undeveloped slopes of the hills on the southern portion of the project site. This vegetation type has a high diversity of native vegetation where the co-dominant plant species include coastal wild buckwheat (*Eriogonum cinereum*), chaparral mallow (*Malacothamnus fasciculatus* var. *fasciculatus*), deerweed (*Acmispon glaber*), California sagebrush (*Artemisia californica*), laural sumac (*Malosma laurina*), California bricklebrush (*Brickellia californica*), and coyote brush (*Baccharis pilularis* ssp. *consanguinea*). Other native plant species observed in this vegetation type includes seaside prickly-pear (*Opuntia littoralis*), Whipple's chaparral yucca (*Hesperoyucca whipplei*), California buckwheat (*Eriogonum fasciculatum*), bladderpod (*Peritoma arborea*), giant wild-rye (*Elymus condensatus*). Upon review of historic aerials, this vegetation type occurs in an area subject to a large fire event and subsequent soil

erosion within the past few years. Furthermore, the lower elevation portion of this area was likely subject to minor grading activities in years past.

This vegetation type is consistent with the *Eriogonum cinereum* association; this association is considered sensitive by the CDFW.

Coast Prickly Pear Scrub

Coast prickly pear scrub is the dominant vegetation type on the slopes of the undeveloped hills along the northwestern boundary of the project site. This vegetation type is predominantly composed of seaside prickly-pear stands interspersed with stands of native, shrubby plant species including lemonade berry (*Rhus integrifolia*), black sage (*Salvia mellifera*), California buckwheat, California sagebrush, coyote brush, Whipple's chaparral yucca, and chilicothe (*Marah macrocarpa*).

This vegetation type is consistent with the *Opuntia littoralis*-mixed coastal sage scrub association; this association is considered sensitive by the CDFW.

Lemonade Berry Scrub

In addition to coast prickly pear scrub, lemonade berry scrub occurs in stands on the slopes of the undeveloped hills along the northwestern boundary of the project site. This vegetation type is predominantly composed of lemonade berry with a high diversity of other native plant species throughout including seaside prickly-pear, California buckwheat, black sage, purple sage (*Salvia leucophylla*), California sagebrush, coyote brush, and Whipple's chaparral yucca.

This vegetation type is consistent with the *Rhus integrifolia* association; this association is considered sensitive by the CDFW.

Cocklebur Patch

Cocklebur patch occurs within one of the retention basins within the southwestern portion of the developed golf course. This vegetation type specifically occurs near the bottom of the basin where southern bulrush (*Schoenoplectus californicus*) occupies the upper rim of the basin and the lowest portion of the basin is barren, likely from recently drained water. The vegetation in the Cocklebur Patch at the project site is composed almost entirely of cocklebur (*Xanthium strumarium*) with dead stalks of remnant, annual plant species likely black mustard (*Brassica nigra*).

This vegetation type is consistent with the *Xanthium strumarium* association. This association is not considered sensitive by the CDFW.

Figure 5.3-1 - Existing Vegetation Types and Other Areas

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Upland Mustards and Other Ruderal Forbs

Upland mustards and other ruderal forbs occurs in an area of heavy disturbance between the developed golf course and undeveloped open space on the southern portion of the project site. This vegetation type is dominated by a variety of ruderal, non-native plant species including shortpod mustard (*Herschfeldia incana*), black mustard, fennel (*Foeniculum vulgare*), tree tobacco (*Nicotiana glauca*), and common castor bean (*Ricinus communis*). Sparsely scattered occurrences of native plant species were also observed including mule fat (*Baccharis salicifolia* ssp. *salicifolia*) and ornamentally-planted western sycamore (*Plantanus racemosa*). This area is a low point in the local topography between the open space and the golf course and potentially collects water after large storm events.

This vegetation type is consistent with the *Herschfeldia incana* association. This association is not considered sensitive by the CDFW.

California Bulrush Marsh

California bulrush marsh occurs within the manufactured retention basins within the developed portions of the golf course. This vegetation type is dominated by tall stands of southern bulrush (*Schoenoplectus californicus*) with scattered occurrences of other emergent wetland or riparian plant species including mule fat, cattail (*Typha* sp.), duckweed (*Lemna* sp.), and arroyo willow (*Salix lasiolepis*).

This vegetation type is consistent with the *Schoenoplectus californicus* association; this association is considered sensitive by the CDFW.

Deer Weed Scrub

Deer weed scrub occurs along the slopes of the hill in the center of the project site. This vegetation type is very open with sparsely scattered shrubs predominantly composed of deer weed, California sagebrush, California buckwheat, and seaside prickly-pear. Further scattered occurrences of other native plant species include giant wild-rye, laurel sumac, and chalk dudleya (*Dudleya pulverulenta*). The dominant plant cover in this vegetation type is composed of non-native, annual plant species including fennel, foxtail chess (*Bromus madritensis*), oat (*Avena* sp.), and tocalote (*Centaurea melitensis*).

This vegetation type is consistent with the *Lotus scoparius* association. This association is not considered sensitive by the CDFW.

Arroyo Willow Thicket

Arroyo willow thicket occurs in three locations at the project site: the northeast corner, the northwest corner, and along the southwestern boundary. This vegetation type occurs exclusively within and adjacent to perennially-wet drainage features. The arroyo willow thicket onsite is composed of mature arroyo willow trees with various co-dominant plant species across the different locations. The area mapped at the northwestern portion of the site also contains mule fat, western sycamore, unknown

willow (*Salix* sp.), and giant reed (*Arundo donax*). The area mapped at the northeastern portion of the project site contains arroyo willow, coyote brush, mule fat, unknown willow, fan palm (*Washingtonia* sp.), and big saltbush (*Atriplex lentiformis*). The area mapped along the southwestern boundary of the project site predominantly contains arroyo willow, however, large stands (both monotypic and integrated) of giant reed extend throughout much of this area.

The majority of the arroyo willow thicket mapped at the project site was not accessible during the survey due to restricted access roads (the levee road along the western bank of Conejo Creek), high water levels in the creek, and time constraints during the reconnaissance-level survey. The vast majority of this vegetation type was mapped using aerial photography and notes collected during a survey of the outer perimeter of the vegetation type.

This vegetation type is consistent with the *Salix lasiolepis* association; this association is considered sensitive by the CDFW.

Mule Fat Thickets

Mule fat thickets occur in the southwestern portion of the project site in the areas with low slope below the coast prickly pear scrub and the landscaped ornamental vegetation of the developed golf course. This vegetation type occurs higher on the flood plain than the arroyo willow thicket associated with Conejo Creek. Two co-dominant plant species are present throughout this vegetation type: mule fat and coyote brush. Another plant species observed within this vegetation type includes arroyo willow. This vegetation type is consistent with the *Baccharis salicifolia* association. This association is not considered sensitive by the CDFW.

Landscaped Ornamental

Landscaped ornamental areas at the project site consist of open areas with planted vegetation regularly landscaped to support golfing activities. This includes turf grasses subject to frequent mowing and ornamental trees and shrubs subject to frequent trimming. The vast majority of plant species observed within these areas are non-native; however, confident identification of many species was limited due to the high frequency of landscaping activities (i.e., absence of cones or inflorescences resulting from trimming). Plant species observed include pine (*Pinus* sp.), pepper tree (*Schinus molle*), gum tree (*Eucalyptus* sp.), and pampas grass (*Cortaderia selloana*).

Landscaped ornamental areas are not considered sensitive by the CDFW.

Open water

Open Water areas are predominantly composed of pooled or slow-moving bodies water with no emergent vegetation. Portions of these water bodies as mapped at the project site may contain small stands of southern bulrush, cattail, or duckweed (*Lemna* sp.) along the edges. These stands of vegetation

are all below the minimum mapping unit for vegetation types and are subsequently included in the Open Water areas. Note, the Open Water area within the arroyo willow thicket along Conejo Creek was mapped using aerial imagery due to restricted access during the survey.

Disturbed

Disturbed areas consist of areas subject to heavy disturbance and support little to no vegetative cover. These areas include bare ground resulting from heavily compacted soils (ex. dirt roadways or levees), frequent ponding (ex. recently emptied retention ponds), or recent soil disturbance (ex. heavy equipment use). Any vegetation present is sparse and consists of scattered occurrences of non-native weedy plant species, such as castor bean, oat, and Russian thistle (*Salsola tragus*). Disturbed areas are not considered sensitive by the CDFW.

Developed

Developed areas include pavement and areas that contain large structures, such as the golf course clubhouse and restaurant. The golf cart roads and trails are also included in the developed areas. Vegetation is absent throughout most of the developed areas with exceptions for landscaped planters and isolated ornamental trees and shrubs surrounded by pavement, such as trees in the parking lot. Developed areas are not considered sensitive by the CDFW.

Wildlife

The project site is composed primarily of open habitats and provides suitable habitat for several wildlife species. Common wildlife species observed or expected to occur at the project site are discussed below.

Fish

Several portions of the project site contain perennial, above-ground water. These areas include isolated ponds, wetland marshes, and the perennially-flowing water in Conejo Creek. Two fish species were observed onsite during the survey: common carp (*Cyprinus carpio*) were observed in an isolated pond on the golf course and fathead minnow (*Pimephales promelas*) were observed in a drainage ditch adjacent to the wetland marsh on the golf course. Other common fish species are anticipated to occur in Conejo Creek include bullhead (*Ameiurus* spp.), catfish (*Ictalurus* spp.), sunfish (*Lepomis* spp.), golden shiner (*Notemigonus crysoleucas*), largemouth bass (*Micropterus salmoides*), red shiner (*Cyprinella lutrensis*), and western mosquitofish (*Gambusia affinis*).

Amphibians

Amphibians require moisture for at least a portion of their life cycle and most require standing or flowing water for reproduction. Some species are able to survive in dry areas by aestivating (i.e., remaining beneath the soil in burrows or under logs and leaf litter and emerging only when temperatures are low and humidity is high). Many of these species' habitats are associated with water and they emerge to breed

once the rainy season begins. Soil moisture conditions can remain high throughout the year in some habitat types depending on factors such as the amount of vegetation cover, elevation, and slope aspect.

No amphibian species were detected during any of the field surveys. Common amphibian species expected to occur include Baja California tree frog (*Pseudacris hypochondriaca hypochondriaca*) and California toad (*Anaxyrus boreas halophilus*).

Reptiles

Reptilian diversity and abundance typically vary with vegetation type and character. Many species prefer only one or two vegetation types; however, most species will forage in a variety of habitats. Most species occurring in open areas use rodent burrows for cover, protection from predators, and refuge during extreme weather conditions.

Common reptile species likely to occur at the project site include side-blotched lizard (*Uta stansburiana*), western fence lizard (*Sceloporus occidentalis*), southern alligator lizard (*Elgaria multicarinata*), and San Diego gopher snake (*Pituophis catenifer annectens*).

Birds

A variety of bird species are expected to reside at the project site, using the habitats throughout the year. Other species are present only during certain seasons. For example, the white-crowned sparrow (*Zonotrichia leucophrys*) is expected to occur at the project site during the winter season and then migrate north in the spring to breed during the summer.

Common bird species observed during the surveys include mallard (*Anas platyrhynchos*), pied-billed grebe (*Podilymbus podiceps*), Anna's hummingbird (*Calypte anna*), American coot (*Fulica americana*), double-crested cormorant (*Phalacrocorax auritus*), great blue heron (*Ardea herodias*), great egret (*Ardea alba*), snowy egret (*Egretta thula*), green heron (*Butorides virescens*), Cooper's hawk (*Accipiter cooperii*), red-shouldered hawk (*Buteo lineatus*), Nuttall's woodpecker (*Picoides nuttallii*), northern flicker (*Colaptes auratus*), black phoebe (*Sayornis nigricans*), American crow (*Corvus brachyrhynchos*), bushtit (*Psaltriparus minimus*), house wren (*Troglodytes aedon*), Bewick's wren (*Thryomanes bewickii*), blue-gray gnatcatcher (*Polioptila caerulea*), northern mockingbird (*Mimus polyglottos*), scaly-breasted munia (*Lonchura punctulata*), house sparrow (*Passer domesticus*), house finch (*Haemorhous mexicanus*), lesser goldfinch (*Spinus psaltria*), California towhee (*Melospiza crissalis*), white-crowned sparrow, red-winged blackbird (*Agelaius phoeniceus*), Brewer's blackbird (*Euphagus cyanocephalus*), and yellow-rumped warbler (*Setophaga coronata*).

Mammals

Common small mammals or their sign observed during the surveys include California ground squirrel (*Otospermophilus beecheyi*) and eastern fox squirrel (*Sciurus niger*). Common medium to large-sized mammals or their sign observed include desert cottontail (*Sylvilagus audubonii*), northern raccoon (*Procyon*

litor), and southern mule deer (*Odocoileus hemionus*). Other common mammals that are likely to occur at the project site include Virginia opossum (*Didelphis virginiana*), Botta's pocket gopher (*Thomomys bottae*), California pocket mouse (*Chaetodipus californicus*), Bryant's woodrat (*Neotoma bryanti*), western harvest mouse (*Reithrodontomys megalotis*), deer mouse (*Peromyscus maniculatus*), striped skunk (*Mephitis mephitis*), and coyote (*Canis latrans*). Common bat species likely to forage across the project site include canyon bat (*Parastrellus hesperus*), Yuma myotis (*Myotis yumanensis*), western mastiff bat (*Eumops perotis californicus*), and Mexican free-tailed bat (*Tadarida brasiliensis*).

Wildlife Movement

Wildlife corridors link areas of suitable wildlife habitat that are otherwise separated by rugged terrain, changes in vegetation, or human disturbance. The fragmentation of open space areas by urbanization creates isolated "islands" of wildlife habitat. In the absence of habitat linkages that allow movement to adjoining open space areas, various studies have concluded that some wildlife species, especially the larger and more mobile mammals, will not likely persist over time because their isolation in fragmented habitat areas prohibits the infusion of new individuals and genetic information. Corridors mitigate the effects of this fragmentation by (1) allowing animals to move between remaining habitats, thereby permitting depleted populations to be replenished and promoting genetic exchange; (2) providing routes for wildlife to escape from fire, predators and human disturbances, thus reducing the risk that catastrophic events (such as fire or disease) will result in population or local species extinction; and (3) serving as travel routes for individual animals as they move in their home ranges in search of food, water, mates, and other necessary resources.

Wildlife movement activities usually fall into one of three movement categories: (1) dispersal (e.g., juvenile animals from natal areas or individuals extending range distributions); (2) seasonal migration; and (3) movements related to home range activities (e.g., foraging for food or water, defending territories or searching for mates, breeding areas, or cover). A number of terms such as "wildlife corridor", "travel route", "habitat linkage", and "wildlife crossing" have been used in various wildlife movement studies to refer to areas in which wildlife move from one area to another. To clarify the meaning of these terms and to facilitate the discussion on wildlife movement in this analysis, these terms are defined as follows:

- **Travel Route** – a landscape feature (such as a ridgeline, drainage, canyon, or riparian strip) within a larger natural habitat area that is used frequently by animals to facilitate movement and to provide access to necessary resources (e.g., water, food, cover, den sites). The travel route is generally preferred because it provides the least amount of topographic resistance in moving from one area to another. It contains adequate food, water, and/or cover while moving between habitat areas and it provides a relatively direct link between target habitat areas.
- **Wildlife Corridor** – a piece 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

bound by urban land areas or other areas unsuitable for wildlife. The corridor generally contains suitable cover, food, and/or water to support species and to facilitate movement while in the corridor. Larger, landscape-level corridors (often referred to as “habitat linkages” or “landscape linkages”) can provide both transitory and resident habitat for a variety of species.

- **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 man-made and include culverts, underpasses, drainage pipes, and tunnels to provide access across or under roads, highways, pipelines, or other physical obstacles. These often represent “choke points” along a movement corridor, which may impede wildlife movement and increase the risk of predation.

It is important to note that, in a large open space area where there are few or no man-made or naturally occurring physical constraints to wildlife movement, wildlife corridors (as defined above) may not yet exist. Given an open space area that is both large enough to maintain viable populations of species and to provide a variety of travel routes (e.g., canyons, ridgelines, trails, riverbeds, and others), wildlife will use these “local” routes while searching for food, water, shelter, and mates and will not need to cross into other large open space areas. Based on their size, location, vegetative composition and availability of food, some of these movement areas (e.g., large drainages and canyons) are used for longer lengths of time and serve as source areas for food, water and cover, particularly for small- and medium-sized animals. This is especially true if the travel route is within a larger open space area. However, once open space areas become constrained and/or fragmented as a result of urban development or construction of physical obstacles (such as roads and highways), the remaining landscape features or travel routes that connect the larger open space areas become corridors as long as they provide adequate space, cover, food and water, and do not contain obstacles or distractions (e.g., man-made noise, lighting) that would generally hinder wildlife movement.

In general, animals discussed within the context of movement corridors typically include larger, more mobile species (such as mule deer, black bear [*Ursus americanus*], mountain lion [*Puma concolor*], gray fox [*Urocyon cinereoargenteus*], and coyote). Most of these species have relatively large home ranges through which they move to find adequate food, water, and breeding and wintering habitat. It is assumed that corridors that serve larger, more vagile species (those that can move freely, such as birds) also serve as corridors for many smaller, less mobile species, such as reptiles, amphibians, and rodents (generally discussed within the context of local movement). For smaller species, these local movements are compared to “stepping stones” as individuals move between populations; this facilitates gene flow on the regional scale.

The availability of open space corridors is generally considered less important for bird species. Most bird species are believed to fly in more or less direct paths to desired locations; however, some habitat-specific

species may not move great distances from their preferred habitat types and are believed to be less inclined to travel across unsuitable areas.

Ideally, an open space corridor should encompass a heterogeneous mix of vegetation types to accommodate the ecological requirements of a wide variety of resident species in any particular region. Most species typically prefer adequate vegetation cover during movement, which can serve as both a food source and as protection from weather and predators. Drainages, riparian areas, and forested canyon bottoms typically serve as natural movement corridors because these features provide cover, food, and often water for a variety of species. Very few species will move across large expanses of open habitat (i.e., lacking vegetation cover) unless it is the only option available to them. For some species, landscape linkages must be able to support animals for sustained periods, not just for travel. Smaller or less mobile animals (such as rodents and reptiles) require long periods to traverse a corridor, so the corridor must contain adequate food and cover for survival.

Regionally, Conejo Creek runs along the southeastern border of Pleasant Valley at the base of the adjacent, undeveloped hills. Conejo Creek also merges with Calleguas Creek and they both flow into the Pacific Ocean. One of the larger stands of riparian vegetation on both Conejo and Calleguas Creeks occurs at the project site. Large stands of this type of vegetation are increasingly rare throughout California and maintaining connectivity to other stands further up and downstream is important. Separately, the project site occurs adjacent to Conejo Mountain which is identified by Ventura County as part of the HCWC. The HCWC is managed by the Ventura County Planning Division to protect habitat connectivity and wildlife movement corridors at a regional scale within the non-coastal area of the county. No portion of the project site or adjacent open space is designated as a Critical Wildlife Passage Area per the HCWC.

Locally, the project site occurs between two naturally vegetated, undeveloped hillsides: Conejo Mountain to the southeast and a smaller hill to the west. The portion of the project site that extends between these two areas supports substantial vegetation and the existing development consists only of a golf cart trail, a dirt access road, and a small bathroom facility. This portion of the project site is specifically located immediately south of Margarita Avenue and likely supports a local wildlife corridor.

Special Status Biological Resources

The following discussion addresses special status biological resources reported from the region. These resources include plant and wildlife species that have been afforded special status and/or are recognized by federal and State resource agencies, as well as private conservation organizations. In general, the principal reason an individual taxon (i.e., species, subspecies, or variety) is given such recognition is the documented or perceived decline or limitations of its population size, geographic range, and/or distribution resulting in most cases from habitat loss. This list includes species reported by the CNDDDB, and CNPS and is supplemented with species from the Biological Technical Report author's experience that could occur based on the presence of suitable habitat. In addition, special status biological resources

include vegetation types and habitats that are either unique, of relatively limited distribution in the region, or of particularly high wildlife value. These resources have been defined by federal, State, and local government conservation programs.

Focused surveys for several special status species have been conducted to date, including focused surveys for bats (including bat roosts), least Bell's vireo (*Vireo bellii pusillus*), southwestern pond turtle (*Emys marmorata*), coastal California gnatcatcher (*Poliioptila californica californica*), Crotch's bumblebee (*Bombus crotchii*), tri-colored blackbird (*Agelaius tricolor*), bank swallow (*Riparia riparia*), and several species of rare plants.

Special Status Vegetation Types

In addition to providing an inventory of special status plant and wildlife species, the CNDDDB also provides an inventory of vegetation types that are considered special status by the State and federal resource agencies, academic institutions, and various conservation groups (such as the CNPS). Determination of the level of imperilment is based on the NatureServe Heritage Program Status Ranks that rank both species and vegetation types on a global (G) and statewide (S) basis according to their rarity; trend in population size or area; and recognized threats (e.g., proposed developments, habitat degradation, and non-native species invasion). The ranks are scaled from 1 to 5. NatureServe considers G1 or S1 communities to be critically imperiled and at a very high risk of extinction or elimination due to extreme rarity, very steep declines, or other factors; G2 or S2 communities to be imperiled and at high risk of extinction or elimination due to very restricted range, very few populations or occurrences, steep declines, or other factors; G3 or S3 communities to be vulnerable and at moderate risk of extinction or elimination due to a restricted range, relatively few populations or occurrences, recent and widespread declines, or other factors; G4 or S4 communities to be apparently secure and uncommon but not rare with some cause for long-term concern due to declines or other factors; and G5 or S5 communities to be secure.

All vegetation alliances² that have State ranks of S1 to S3 are considered to be highly imperiled. Currently, association ranks are not provided, but associations ranked as S3 or rarer are noted. As shown in Table 5.3-2, five of the vegetation types at the project site are considered special status: ashy buckwheat scrub, coast prickly pear scrub, lemonade berry scrub, California bulrush marsh, and arroyo willow thicket.

Definitions of Special Status Biological Resources

A federally Endangered species is one facing extinction throughout all or a significant portion of its geographic range. A federally Threatened species is one likely to become Endangered within the foreseeable future throughout all or a significant portion of its range. The presence of any federally Threatened or Endangered species within a project impact area generally imposes severe constraints on

² A vegetation alliance is a classification unit of vegetation, containing one or more associations and defined by one or more diagnostic species, often of high cover, in the uppermost layer or the layer with the highest canopy cover.

development, particularly if a project would result in “take” of the species or its habitat. The FESA defines the term “take” as to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, collect, or attempt to engage in such conduct. Harm, in this sense, can include any disturbance of habitats used by the species during any portion of its life history.

TABLE 5.3-2 - VEGETATION TYPES THREAT RANKINGS

Vegetation Types	CDFW Sensitive	On-Site Total (acres)
Ashy buckwheat scrub	Yes	22.0
Coast prickly pear scrub	Yes	4.2
Lemonade berry scrub	Yes	1.8
Cocklebur patch	No	0.4
Upland mustards and other ruderal forbs	No	0.6
California bulrush marsh	Yes	2.7
Deer weed scrub	No	0.4
Arroyo willow thicket	Yes	12.6
Mule fat thickets	No	1.3
Landscaped Ornamental	No	117.0
Disturbed	No	7.1
Open water	No	5.6
Developed	No	9.0
Total		184.7

Source of table data: Psomas, June 2020.

Proposed species or Candidate species are those officially proposed by the USFWS for addition to the federal Threatened and Endangered species list. Because proposed species may soon be listed as Threatened or Endangered, the presence of a Proposed or Candidate species may impose constraints on development if they are listed prior to project implementation, particularly if the project would result in “take” of the species or its habitat.

The State of California considers an Endangered species as one whose prospects of survival and reproduction are in immediate jeopardy; a Threatened species as one present in such small numbers throughout its range that it is likely to become an Endangered species in the near future in the absence of special protection or management; and a Rare species as one present in such small numbers throughout its range that it may become Endangered if its present environment worsens. Rare species applies only to California native plants; these species are treated as State-listed species. State-listed Threatened and Endangered species are fully protected against take unless an Incidental Take Permit is obtained from the

resource agencies. The presence of any State-listed Rare, Threatened, or Endangered species generally imposes constraints on project development, particularly if the project would result in “take” of the species or its habitat.

California Species of Special Concern is an informal designation used by the CDFW for some declining wildlife species that are not yet State Candidates. This designation does not provide legal protection but signifies that these species are being tracked by the CDFW.

Species that are California Fully Protected and Protected include those protected by special legislation for various reasons, such as the mountain lion and white-tailed kite (*Elanus leucurus*). Fully Protected species may not be taken or possessed at any time. California Protected species may not be taken or possessed at any time except under special permit from the CDFW issued pursuant to the California Code of Regulations (Title 14, Sections 650, 670.7) or Section 2081 of the California Fish and Game Code.

The California Rare Plant Rank (CRPR), formerly known as CNPS List, is a ranking system by the Rare Plant Status Review group³ and managed by the CNPS and the CDFW. A CRPR summarizes information on the distribution, rarity, and endangerment of California’s vascular plants. Plants with a CRPR of 1A are presumed extinct in California because they have not been seen in the wild for many years. Plants with a CRPR of 1B are rare, threatened, or endangered throughout their range. Plants with a CRPR of 2A are presumed extirpated from California but are more common elsewhere. Plants with a CRPR of 2B are considered rare, threatened, or endangered in California, but are more common elsewhere. Plants with a CRPR of 3 require more information before they can be assigned to another rank or rejected; this is a “review” list. Plants with a CRPR of 4 are of limited distribution or infrequent throughout a broader area in California; this is a “watch” list. The Threat Rank is an extension added onto the CRPR to designate the level of endangerment by a 1 to 3 ranking. An extension of .1 is assigned to plants that are considered to be “seriously threatened” in California (i.e., over 80 percent of the occurrences are threatened or having a high degree and immediacy of threat). Extension .2 indicates the plant is “fairly threatened” in California (i.e., between 20 and 80 percent of the occurrences are threatened or have a moderate degree and immediacy of threat). Extension .3 is assigned to plants that are considered “not very threatened” in California (i.e., less than 20 percent of occurrences are threatened or have a low degree and immediacy of threat or no current threats known). The absence of a threat code extension indicates plants lacking any threat information.

Special Status Plant Species

Many special status plant species have been reported from the project region (i.e., within the Newbury Park, Camarillo, Santa Paula, Point Mugu, Triunfo Pass, or Moorpark USGS topographic quadrangles, Table 5.3-3). Note that species are grouped alphabetically according to their scientific name. This list

³ A group of over 300 botanical experts from the government, academia, non-governmental organizations, and the private sector.

includes species that are protected by the CESA or FESA or have a CRPR ranking and have been reported by the CNDDDB or CNPS in the vicinity. Three rare plant surveys have been conducted at the site to date, which identified the following special-status plants at the site: Blochman's dudleya (*Dudleya blochmaniae* ssp. *blochmaniae*), Catalina mariposa lily (*Calochortus catalinae*), club-haired mariposa-lily (*Calochortus clavatus* var. *clavatus*), Conejo buckwheat (*Eriogonum crocatum*), and Verity's dudleya (*Dudleya verityi*). However, none of these five special-status plants were detected within the impact footprint of the proposed project.

Special Status Wildlife

Many special status wildlife species have been reported from the project region (i.e., within the Newbury Park, Camarillo, Santa Paula, Point Mugu, Triunfo Pass, or Moorpark USGS topographic quadrangles, Table 5.3-4). This list includes species protected by CESA or FESA or are listed as California Species of Special Concern and reported by the CNDDDB in the vicinity. The list has been supplemented with species from the project biologist's experience that either occur nearby or could occur based on the presence of suitable habitat. Several focused surveys for sensitive and special-status wildlife have been conducted at the project site. During these surveys, only least Bell's vireo and southwestern pond turtle were detected onsite. Special status bat species were not observed, but may forage at the site.

Critical Habitat

The project site is not located within any federally-designated Critical Habitat.

Jurisdictional Resources

Riparian habitats are often under the jurisdiction of the USACE, the RWQCB, and/or the CDFW due to their association with regulated waters, such as rivers and streams.

A jurisdictional delineation was prepared for the project site in February 2020. The jurisdictional delineation was based upon a site survey by regulatory specialists in January 2020. The jurisdictional delineation determined the limits of: (1) Corps jurisdiction pursuant to Section 404 of the CWA, (2) Regional Board jurisdiction pursuant to Section 401 of the CWA and Section 13260 of the California Water Code (CWC), and (3) CDFW jurisdiction pursuant to Division 2, Chapter 6, Section 1600 of the Fish and Game Code. The jurisdictional delineation identified the following on the project site: (1) a total of 15.42 acres (of which 7.42 acres consist of jurisdictional wetlands) of potential USACE jurisdiction; (2) a total of 15.47 acres (of which 7.42 acres consist of jurisdictional wetlands) of potential Regional Board jurisdiction; and (3) 26.79 acres of potential CDFW jurisdiction. However, as discussed below, most of the jurisdictional resources would not be affected or disturbed by the proposed project.

USACE Jurisdiction

One named drainage, Conejo Creek, is located within the project site. Conejo Creek is tributary to Calleguas Creek, which is tributary to the Pacific Ocean, a TNW. In addition, Drainages A-C, Golf Course Ponds 1-8, and Golf Course Wetland are hydrologically connected to Conejo Creek. As such, those features are potential waters of the United States. Several isolated features including Drainage D, Storm Drain Wetland, Storm Drain Pond, and Storm Drain Drainage, do not support a surficial connection to a USACE jurisdictional water pursuant to SWANCC and are not subject to USACE jurisdiction pursuant to Section 404 of the CWA. Historic Golf Course Ponds 9 and 10 have not held water for several years and are vegetated predominantly with Bermuda grass (*Cynodon dactylon*, FACU) and are not aquatic features. Throughout the golf course, there are ornamental trees located in the turf grass along the ponds such as Aleppo pine (*Pinus halepensis*, NI), Brazilian pepper (*Schinus terebinthifolia*, FAC), Peruvian pepper (*Schinus mole*, FACU), and eucalyptus (*Eucalyptus* sp.). Although they appear adjacent on aerial imagery, these trees are not wetland indicator species and are growing in the turf.

Potential ACOE jurisdiction associated with the proposed project totals approximately 15.42 acres of water of the United States, of which 7.42 acres consist of wetlands. A total of 9,591 linear feet of Corps jurisdiction is present. Table 5.3-5 provides a summary of the jurisdictional features. The boundaries of the WOTUS are depicted in Figure 5.3-2.

Conejo Creek

Conejo Creek enters the project site in the northwestern boundary and continues flowing offsite south before re-entering the Project site along the southwestern boundary. Conejo Creek is tributary to Calleguas Creek.

Conejo Creek is a perennial blue-line stream with an earthen bottom and supports an Ordinary High Water Mark (OHWM) ranging from 29 to 286 feet and is vegetated with species such as arroyo willow (*Salix lasiolepis*, FACW), mulefat (*Baccharis salicifolia*), black elderberry (*Sambucus nigra*, FACU), giant reed (*Arundo donax*, FACW), coyote bush (*Baccharis pilularis*, NI), quailbush (*Atriplex lentiformis*, FAC), bush mallow (*Malacothamnus fasciculatus*, NI), tree tobacco (*Nicotiana glauca*, FAC), California bulrush (*Schoenoplectus californicus*, OBL), cattail (*Typha latifolia*, OBL), stinging nettle (*Urtica dioica*, FAC), poison hemlock (*Conium maculatum*, FACW), fennel (*Foeniculum vulgare*, NI), yerba mansa (*Anemopsis californica*, OBL), mugwort (*Artemisia douglasiana*, FAC), arrowweed (*Pluchea sericea*, FACW), western ragweed (*Ambrosia psilostachya*, FACU), white clover (*Trifolium repens*, FACU), and bromes (*Bromus* sp.). OHWM indicators observed in association with Conejo Creek within the Project site include wracking, vegetation matted down, bent, or missing, scour, change in plant community, bed and banks, and destruction of terrestrial vegetation.

INSERT Table 5.3-3 - Special Status Plant Species Reported to Occur in the Project Area

INSERT TABLE 5.3-3

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INSERT Table 5.3-4 - Special Status Wildlife Species Reported From the Project Area

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**INSERT Figure 5.3-2 - USACE Jurisdictional Delineation
Map**

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TABLE 5.3-5 - TOTAL USACE JURISDICTION WITHIN THE PROJECT SITE

Drainage / Pond	Total Non-Wetland Waters (acres)	Total Wetland (acres)	Total USACOE Jurisdiction	
			Acres	Linear Feet
Conejo Creek	0.90	4.16	5.06	2,968
Drainage A - Earthen	0.14	0.00	0.14	726
Drainage A - Concrete	0.18	0.00	0.18	2,878
Drainage B	0.03	0.19	0.22	334
Drainage C	0.03	0.00	0.03	213
Golf Course Pond 1	0.13	0.30	0.43	n/a
Golf Course Pond 2	3.22	1.55	4.77	2,472
Golf Course Pond 3	0.65	0.02	0.67	n/a
Golf Course Pond 4	0.36	0.02	0.38	n/a
Golf Course Pond 5	0.46	0.00	0.46	n/a
Golf Course Pond 6	1.07	0.02	1.09	n/a
Golf Course Pond 7	0.57	0.00	0.57	n/a
Golf Course Pond 8	0.26	1.08	1.34	n/a
Golf Course Wetland	0.00	0.08	0.08	n/a
Totals	8.00	7.42	15.42	9,591

Source of table data: Glenn Lukos Associates, February 2020.

Potential wetland conditions were observed within Conejo Creek; therefore, Wetland Sample Points 8-11 were conducted to determine the presence/absence of wetland indicators (see Figure 5.3-2). Based on this analysis, portions of Conejo Creek met the three-parameter definition of a wetland, and some areas were excluded. Additional wetland areas were mapped based on obvious field conditions, such as clear presence of hydrology indicators, hydrophytic vegetation, and hydrogen sulfide odor.

USACE jurisdiction associated with Conejo Creek totals approximately 5.06 acres, of which 4.16 acres consist of wetland waters. Conejo Creek totals 2,968 linear feet within the project site.

In addition, the eastern top of bank of Conejo Creek was conservatively mapped and shown as a dashed lined in Figure 5.3-2. The existing road would be used as a haul road for project activities and this line represents a conservative creek avoidance limit.

Drainage A

Drainage A and associated tributary enters the project site in the eastern boundary and flows for approximately 3,604 linear feet westerly through the project site prior to discharging into Golf Course Pond 2.

Drainage A is a perennial blue-line stream with an earthen bottom totaling approximately 726 linear feet and is concrete-lined for approximately 2,878 linear feet. The earthen portion of Drainage A supports an OHWM ranging from two to 16 feet and is unvegetated. OHWM indicators included destruction of terrestrial vegetation, natural line impressed in bank, and scour. The concrete-lined portion of Drainage A supports an OHWM ranging from one to nine feet and is unvegetated. OHWM indicator included water staining.

USACE jurisdiction associated with the earthen portion of Drainage A totals approximately 0.14 acre, none of which consists of wetland waters. USACE jurisdiction associated with the concrete-lined portion of Drainage A totals approximately 0.18 acre, none of which consists of wetland waters.

Drainage B

Drainage B originates from a storm drain pipe under Ridge View Street and extends for approximately 334 linear feet before sheet flowing onto the golf course. Drainage B is hydrologically connected via surface flow to Golf Course Pond 7, which is ultimately hydrologically connected to Golf Course Pond 2 via underground pipes, which is connected to Conejo Creek via surface flow.

Drainage B is ephemeral with an earthen bottom and an OHWM ranging from two to six feet. OHWM indicators included destruction of terrestrial vegetation, natural line impressed in bank, and scour. Vegetation associated with Drainage B includes arroyo willow, mulefat, quailbush, and Mexican fan palm (*Washingtonia robusta*, FACW).

Potential wetland conditions were observed within the lower portion of Drainage B; therefore, Wetland Sample Points 3 and 4 were conducted to determine the presence/absence of wetland indicators (see Figure 5.3-2). Based on this analysis, this portion of Drainage B met the three-parameter definition of a wetland. The wetland is dominated overall by California bulrush, with mulefat, quailbush, and Mexican fan palm also occurring as dominants in their respective layers. Soils along the perimeter of this feature exhibited hydric characteristics including hydrogen sulfide and/or soil saturation greater than 14 days per year. Indicators of wetland hydrology included saturation, hydrogen sulfide odor, and drainage patterns.

USACE jurisdiction associated with Drainage B totals approximately 0.22 acre, of which 0.19 acre consist of wetland waters.

Drainage C

Drainage C originates from a storm drain pipe under Ridge View Street and extends for approximately 213 linear feet before sheet flowing onto the golf course. Drainage C is hydrologically connected via surface flow to Golf Course Pond 7, which is ultimately hydrologically connected to Golf Course Pond 2 via underground pipes, which is connected to Conejo Creek via surface flow.

Drainage C is ephemeral with a sandy earthen bottom and an OHWM ranging from six to nine feet. OHWM indicators included destruction of terrestrial vegetation, natural line impressed in bank, scour, and wracking. Vegetation associated with Drainage C includes poison hemlock, salt grass (*Distichlis spicata*, FAC), western ragweed, Bermuda grass (*Cynodon dactylon*, FACU), and yerba mansa.

Potential wetland conditions were observed along Drainage C; therefore, Wetland Sample Points 1 and 2 were conducted to determine the presence/absence of wetland indicators (see Figure 5.3-2). Based on this analysis, Drainage C did not meet the three-parameter definition of a wetland.

Corps jurisdiction associated with Drainage C totals approximately 0.03 acre, none of which consists of wetland waters.

Drainage D

There is no Corps jurisdiction associated with Drainage D. Drainage D originates from a storm drain pipe in U.S. Highway 101 wall and extends for approximately 173 linear feet before sheet flowing onto an agricultural field. Drainage D does not exhibit a surficial connection to USACE jurisdictional waters and is, therefore, isolated.

Drainage D is ephemeral with an earthen bottom and an OHWM of three feet. OHWM indicators included destruction of terrestrial vegetation and sediment sorting. Vegetation associated with Drainage D includes annual bromes adjacent to the flow path.

Golf Course Pond 1

Golf Course Pond 1 is an earthen man-made pond which connects directly to Conejo Creek via large double-box culvert associated with an access road.

Golf Course Pond 1 is vegetated with species such as California bulrush and cattail with some areas of open water. Wetland areas were determined without soil pits based on the limits of hydrophytic vegetation since the vegetation is growing within the water and there is an obvious break between the wetland and upland (turf grass) areas.

USACE jurisdiction associated with Golf Course Pond 1 totals approximately 0.43 acre, of which 0.30 acre consists of wetland waters.

Golf Course Pond 2

Golf Course Pond 2 is an earthen man-made⁴ pond that originates at the discharge point of Drainage A on the golf course. Golf Course Pond 2 is hydrologically connected via sheet flow into Golf Course Pond 1 which is connected to Conejo Creek via culvert.

Golf Course Pond 2 is a linear feature that extends for approximately 2,472 feet through the golf course. Golf Course Pond 2 supports areas of fringe wetland as well as areas that are almost completely filled in with freshwater marsh and a small area of southern willow scrub wetland in the eastern boundary. Golf Course Pond 2 is vegetated with species such as arroyo willow, California bulrush, cattail, pampas grass (*Cortaderia selloana*, FACU), and one large black willow (*Salix gooddingii*, FACW). Wetland areas were determined without soil pits based on the limits of hydrophytic vegetation since the vegetation is growing within the water and there is an obvious break between the wetland and upland (turf grass) areas.

USACE jurisdiction associated with Golf Course Pond 2 totals approximately 4.77 acres, of which 1.55 acres consist of wetland waters.

Golf Course Pond 3

Golf Course Pond 3 is a man-made pond located immediately north of and connecting directly to Golf Course Pond 2 underneath a golf cart bridge. As previously discussed, Golf Course Pond 2 is hydrologically connected to Conejo Creek.

Golf Course Pond 3 is mostly unvegetated, with one patch of California bulrush and a few patches of pampas grass growing along the pond margins. Wetland areas were determined without soil pits based on the limits of hydrophytic vegetation since the vegetation is growing within the water and there is an obvious break between the wetland and upland (turf grass) areas.

Corps jurisdiction associated with Golf Course Pond 3 totals approximately 0.67 acre, of which 0.02 acre consists of wetland waters.

Golf Course Pond 4

Golf Course Pond 4 is a man-made pond located immediately north of and hydrologically connected to Golf Course Pond 3 via underground pipe. Golf Course Pond 3 is hydrologically connected to Conejo Creek as described above.

⁴ Although Drainage A is a blue-line drainage, a review of several historical USGS topographic maps (Triunfo Pass, California [dated 1900 and photo revised in 1960], Camulos, California [dated 1903 and photorevised 1938], Triunfo Pass, California [dated 1921 and photorevised in 1942], and Newbury Park, California [dated 1950 and photorevised in 1967]) and a historical photo dated March 20, 1963 indicated that there was no drainage feature where Golf Course Pond 2 is located, so it is not an impoundment of a historical drainage.

Golf Course Pond 4 is mostly unvegetated, with one patch of California bulrush growing along the edge. Wetland areas were determined without soil pits based on the limits of hydrophytic vegetation since the vegetation is growing within the water and there is an obvious break between the wetland and upland (turf grass) areas.

USACE jurisdiction associated with Golf Course Pond 4 totals approximately 0.38 acre, of which 0.02 acre consists of wetland waters.

Golf Course Pond 5

Golf Course Pond 5 is an unvegetated man-made pond located north of and hydrologically connected to Golf Course Pond 6 via underground pipe. Golf Course Pond 6 is hydrologically connected to Golf Course Pond 2 via underground pipe, which is connected to Conejo Creek as described above.

USACE jurisdiction associated with Golf Course Pond 5 totals approximately 0.46 acre, none of which consists of wetland waters.

Golf Course Pond 6

Golf Course Pond 6 is a man-made pond located northeast of and is hydrologically connected to Golf Course Pond 2 via underground pipe. Golf Course Pond 2 is hydrologically connected to Conejo Creek as described above.

Golf Course Pond 6 is mostly unvegetated, with one patch of California bulrush growing along the edge. Wetland areas were determined without soil pits based on the limits of hydrophytic vegetation since the vegetation is growing within the water and there is an obvious break between the wetland and upland (turf grass) areas.

USACE jurisdiction associated with Golf Course Pond 6 totals approximately 1.09 acre, of which 0.02 acre consists of wetland waters.

Golf Course Pond 7

Golf Course Pond 7 is an unvegetated man-made pond located east of and hydrologically connected to Golf Course Pond 6 via underground pipe. Golf Course Pond 6 is hydrologically connected to Golf Course Pond 2 via underground pipe, which is connected to Conejo Creek as described above.

USACE jurisdiction associated with Golf Course Pond 7 totals approximately 0.57 acre, none of which consists of wetland waters.

Golf Course Pond 8

Golf Course Pond 8 is a man-made pond located east of and hydrologically connected via surface flows to Conejo Creek.

Vegetation associated with Golf Course Pond 8 includes California bulrush, cocklebur (*Xanthium strumarium*, FAC), white clover, and bristly oxtongue (*Helminthotheca echioides*, FAC).

Potential wetland conditions were observed within Golf Course Pond 8; therefore, Wetland Sample Points 6 and 7 were conducted to determine the presence/absence of wetland indicators (see Figure 5.3-2). Based on this analysis, a portion of Golf Course Pond 8 met the three-parameter definition of a wetland. The wetland is dominated by California bulrush and cocklebur. Soils along the perimeter of wetland exhibited hydrogen sulfide odor. Indicators of wetland hydrology included surface water and hydrogen sulfide odor.

USACE jurisdiction associated with Golf Course Pond 8 totals approximately 1.34 acre, of which 1.08 acre consists of wetland waters.

Golf Course Wetland

The Golf Course Wetland is a depressional feature surrounded by golf course turf and connected to Golf Course Pond 7 via underground pipe. Golf Course Pond 7 is connected to Conejo Creek as described above.

Vegetation associated with the Golf Course Wetland includes primarily California bulrush. Potential wetland conditions were observed within the Golf Course Wetland; therefore, Wetland Sample Point 5 was conducted to determine the presence/absence of wetland indicators (see Figure 5.3-2). Based on this analysis, the entire Golf Course Wetland met the three-parameter definition of a wetland. Soils exhibited hydrogen sulfide odor and saturation was present.

USACE jurisdiction associated with the Golf Course Wetland totals approximately 0.08 acre, all of which consists of wetland waters.

Historic Golf Course Pond 9

There is no USACE jurisdiction associated with Historic Golf Course Pond 9. Historic Golf Course Pond 9 is a man-made golf course feature constructed in uplands which has not contained water for over four years. It is vegetated predominantly with Bermuda grass and is not an aquatic feature.

Historic Golf Course Pond 10

There is no USACE jurisdiction associated with Historic Golf Course Pond 10. Historic Golf Course Pond 10 is a man-made golf course feature constructed in uplands which has not contained water for over four years. It is vegetated predominantly with Bermuda grass and is not an aquatic feature.

Storm Drain Wetland

There is no USACE jurisdiction associated with the Storm Drain Wetland, which is a depressional wetland occurring at a storm drain pipe entering the property from the adjacent development. The Storm

Drain Wetland is not adjacent to a USACE jurisdictional water and is therefore, isolated. Vegetation associated with the Storm Drain Wetland includes primarily California bulrush.

Storm Drain Pond

There is no USACE jurisdiction associated with the Storm Drain Pond, which is an area of open water occurring at a storm drain pipe entering the property from the adjacent development. The Storm Drain Pond is not adjacent to a USACE jurisdictional water and is therefore, isolated.

Storm Drain Drainage

There is no USACE jurisdiction associated with the Storm Drain Drainage, which is a cobble-lined drain originating at a storm drain pipe and extending for approximately 43 linear feet before sheet flowing onto the golf course. The Storm Drain Drainage does not exhibit a surficial connection to Corps jurisdictional waters and is, therefore, isolated. Vegetation associated with the Storm Drain Drainage includes scattered Bermuda grass that has encroached from the golf course.

RWQCB Jurisdiction

RWQCB jurisdiction within the project site totals approximately 15.47 acres, of which 7.42 acres consist of wetlands. A total of 9,930 linear feet of RWQCB jurisdiction is present.

RWQCB jurisdictional features include those determined to be waters of the United States - Drainages A-C, Golf Course Ponds 1-8, and Golf Course Wetland, as well as those features determined to be isolated and not considered as USACE jurisdiction - Drainage D, Storm Drain Wetland, Storm Drain Pond, and Storm Drain Drainage (Figure 5.3-3). Those features are subject to the jurisdiction of the RWQCB under Porter-Cologne and are considered waters/wetlands of the State. See above for descriptions of these features and Table 5.3-6 for acreage and linear feet totals. As with the discussion regarding USACE jurisdiction above, Historic Golf Course Ponds 9 and 10 have not held water for several years and are vegetated predominantly with Bermuda grass and are not aquatic features.

CDFW Jurisdiction

CDFW jurisdiction associated with the Project site totals approximately 26.79 acres and includes Conejo Creek, Drainages A-D, Golf Course Ponds 1-8, and Golf Course Wetland (Figure 5.3-4). A total of 9,764 linear feet of CDFW jurisdiction is present. Table 5.3-7 provides a summary of CDFW jurisdiction and linear feet by feature. Table 5.3-8 provides CDFW jurisdiction by feature and vegetation alliance, which is depicted in Figure 5.3-4.

TABLE 5.3-6 - TOTAL RWQCB JURISDICTION WITHIN THE PROJECT SITE

Drainage / Pond	Total Non-Wetland Waters (acres)	Total Wetland (acres)	Total RWQCB Jurisdiction	
			Acres	Linear Feet
Conejo Creek	0.90	4.16	5.06	2,968
Drainage A - Earthen	0.14	0.00	0.14	726
Drainage A - Concrete	0.18	0.00	0.18	2,878
Drainage B	0.03	0.19	0.22	334
Drainage C	0.03	0.00	0.03	213
Drainage D	0.01	0.00	0.01	173
Golf Course Pond 1	0.13	0.30	0.43	n/a
Golf Course Pond 2	3.22	1.55	4.77	2,472
Golf Course Pond 3	0.65	0.02	0.67	n/a
Golf Course Pond 4	0.36	0.02	0.38	n/a
Golf Course Pond 5	0.46	0.00	0.46	n/a
Golf Course Pond 6	1.07	0.02	1.09	n/a
Golf Course Pond 7	0.57	0.00	0.57	n/a
Golf Course Pond 8	0.26	1.08	1.34	n/a
Golf Course Wetland	0.00	0.08	0.08	n/a
Storm Drain Drainage - Earthen	0.02	0.00	0.02	43
Storm Drain Drainage - Concrete	0.02	0.00	0.02	74
Storm Drain Pond	0.004	0.00	0.004	27
Storm Drain Wetland	0.00	0.003	0.003	22
Totals	8.05	7.42	15.47	9,930

Source of table data: Glenn Lukos Associates, February 2020.

**INSERT Figure 5.3-3 - RWQCB Jurisdictional
Delineation Map**

11 x 17

**INSERT Figure 5.3-4 - CDFW Jurisdictional Delineation
Map**

11 x 17

**TABLE 5.3-7 - TOTAL CDFW JURISDICTION WITHIN THE
PROJECT SITE**

Drainage / Pond	Total CDFW Jurisdiction	
	Acres	Linear Feet
Conejo Creek	15.52	2,968
Drainage A	0.42	3,604
Drainage B	0.70	334
Drainage C	0.05	213
Drainage D	0.01	173
Golf Course Pond 1	0.43	n/a
Golf Course Pond 2	4.76	2,472
Golf Course Pond 3	0.69	n/a
Golf Course Pond 4	0.38	n/a
Golf Course Pond 5	0.46	n/a
Golf Course Pond 6	1.09	n/a
Golf Course Pond 7	0.57	n/a
Golf Course Pond 8	1.63	n/a
Golf Course Wetland	0.08	n/a
Totals	26.79	9,764

Source of table data: Glenn Lukos Associates, February 2020.

TABLE 5.3-8 - CDFW JURISDICTION BY VEGETATION ALLIANCE

Drainage / Pond	Manual of California Vegetation Alliance	Acres
Conejo Creek	Coyote Brush Scrub	1.06
	Open Water	1.82
	Arroyo Willow Thickets	0.30
	Giant Reed / Arundo Donax	6.10
	Mulefat Scrub / Coyote Brush Scrub	1.35
	Poison Hemlock or Fennel Patches	0.96
	Southern Willow Scrub	3.93
Drainage A	Disturbed / Developed	0.23
	Open Water	0.15
	California Sycamore Woodlands	0.04
Drainage B	Arroyo Willow Thickets	0.68
	California Bulrush Marsh	0.02
Drainage C	Poison Hemlock or Fennel Patches	0.05
Drainage D	Wild Oats and Annual Brome Grasslands	0.01
Golf Course Pond 1	Open Water	0.13
	California Bulrush Marsh	0.30
Golf Course Pond 2	Open Water	3.22
	Arroyo Willow Thickets	0.32
	California Bulrush Marsh	1.22
Golf Course Pond 3	Open Water	0.65
	Pampas Grass Patches	0.02
	California Bulrush Marsh	0.02
Golf Course Pond 4	Open Water	0.36
	California Bulrush Marsh	0.02
Golf Course Pond 5	Open Water	0.46
Golf Course Pond 6	Open Water	1.07
	California Bulrush Marsh	0.02
Golf Course Pond 7	Open Water	0.57
Golf Course Pond 8	Open Water	0.19
	California Bulrush Marsh	1.08

	Poison Hemlock or Fennel Patches	0.36
Golf Course Wetland	California Bulrush Marsh	0.08
	Total	0.08

Source of table data: Glenn Lukos Associates, February 2020.

THRESHOLDS OF SIGNIFICANCE

In accordance with Appendix G to the State CEQA Guidelines, a project could have a potentially significant impact on biological resources if it would:

- Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or US Fish and Wildlife Service.⁵
- Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service.
- Have a substantial adverse effect on State or federally protected wetlands (including, but not limited to, marshes, vernal pools, coastal, etc.) through direct removal, filling, hydrological interruption, or other means.
- Interfere substantially with the movement of any native or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.
- Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.
- Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

An evaluation of whether an impact on biological resources would result in a “substantial adverse effect” must consider both the resource itself and how that resource fits into a regional context. Analysis of

⁵ Endangered and threatened species as used in this threshold are those listed by the USFWS and/or CDFW as Threatened or Endangered. Section 15380 of the State CEQA Guidelines indicates that a lead agency can consider a non-listed species (e.g., CNPS List 1B plants) to be Endangered, Rare, or Threatened for the purposes of CEQA if the species can be shown to meet the criteria in the definition of “Rare” or “Endangered”. For the purposes of this discussion, the current scientific knowledge of the population size and distribution for each special status species was considered in determining whether a non-listed species met the definitions for Rare and Endangered according to Section 15380 of the State CEQA Guidelines.

impacts is based on the proposed project impact relative to the amount of the resource within the project region.

For the purposes of the impact analysis, “substantial adverse effect” is defined as the loss or harm of a magnitude which, based on current scientific data and knowledge, would (1) substantially diminish population numbers of a species or distribution of a habitat type within the region or (2) eliminate the functions and values of a biological resource in the region.

PROJECT IMPACTS AND MITIGATION MEASURES

Candidate, Sensitive, and Special Status Species

Threshold: Would the proposed project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?

Impact: Implementation of the proposed project could have a significant impact effect, either directly or through habitat modifications, on a species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or US Fish and Wildlife Service. Mitigation measures have been identified to reduce these impacts to less than significant levels.

Impact Analysis

Implementation of the proposed project could result in impacts on special status plant and wildlife species that occur at the project site and vicinity, as discussed below. Potential impacts on special status species were evaluated by determining the potential for special status species to occur onsite, and then a verification of the presence of species status species through the completion of focused surveys.

Special Status Plants

As identified in Table 5.3-3, above, four plant species listed as Threatened or Endangered on FESA and/or CESA have potential to occur at the project site. Lyon's pentachaeta (*Pentachaeta lyonii*) is a State and federally-listed endangered plant species, Braunton's milk-vetch (*Astragalus brauntonii*) is a federally-listed endangered plant species, and both Verity's dudleya (*Dudleya verity*) and Conejo dudleya (*Dudleya parva*) are federally-listed threatened plant species. However, with the exception of Verity's dudleya, no individuals of these plant species were observed on site during focused plant surveys. While Verity's dudleya was observed, it was not detected within the project's impact footprint. Because no individuals of these four listed plant species would be directly impacted by the proposed project, impacts to listed plant species would be less than significant and no mitigation would be required.

Eight CRPR 1B and 2B species have potential to occur at the project site: southern tarplant (*Centromadia parryi* ssp. *australis*), Blochman's dudleya (*Dudleya blochmaniae* ssp. *blochmaniae*), conejo buckwheat (*Eriogonum crocatum*), mesa horkelia (*Horkelia cuneata* var. *puberula*), white-veined monardella (*Monardella hypoleuca* ssp. *hypoleuca*), Nuttall's scrub oak (*Quercus dumosa*), white rabbit-tobacco (*Pseudognaphalium leucocephalum*), and chaparral ragwort (*Senecio aphanactis*). Focused plant surveys completed to date have identified only Blochman's dudleya and conejo buckwheat at the project site. However, these species were not observed within the disturbance limits of the project. All other species were not observed on any portion of the project site and are not present. Because none of these sensitive plant species would be directly impacted by the proposed project, impacts are considered less than significant and no mitigation would be required.

Four CRPR 3 and 4 species have potential to occur at the project site: Catalina mariposa-lily (*Calochortus catalinae*), club-haired mariposa-lily (*Calochortus clavatus* var. *clavatus*), woven-spored lichen (*Texosporium sancti-jacobi*) and Plummer's mariposa-lily (*Calochortus plummerae*). However, several focused plant surveys have been completed to date, and only Catalina mariposa-lily and club-haired mariposa-lily were identified, and not within the project's impact footprint. Therefore, impacts would be less than significant and no mitigation would be required.

Special Status Wildlife

Invertebrates

Crotch bumble bee (*Bombus crotchii*) is listed as a candidate for Endangered status under the CESA. However, several focused surveys have been completed to date, and no Crotch bumble bee has been detected onsite. Therefore, impacts on the Crotch bumble bee would be less than significant, and no mitigation is required.

Fish

One fish species listed as endangered under FESA has potential to occur on the project site: the southern California distinct population segment of steelhead (*Oncorhynchus mykiss irideus* pop. 10). Suitable habitat for this species occurs in the perennially flowing waters of Conejo Creek. This habitat is limited to portions of the arroyo willow thicket and open water areas along the western boundary of the project site. A portion of the arroyo willow thicket and open water would be impacted by the proposed project. Any impact to Conejo Creek would be temporary and is not expected to reduce any suitable spawning or foraging habitat. Furthermore, no temporary or permanent alteration or redirection of water flow would occur as part of the proposed project. Therefore, no direct impacts to steelhead are anticipated. Construction activities may affect the water quality (via increased sedimentation, etc.) in Conejo Creek resulting in potential indirect impacts to steelhead. Any impact to the species, including indirect impacts, would be considered potentially significant.

Two fish species designated as California Species of Special Concern, arroyo chub (*Gila orcuttii*) and pacific lamprey (*Entosphenus tridentatus*), have potential to occur at the project site. As with the steelhead, suitable habitat for these species occurs in the perennially flowing waters of Conejo Creek. This habitat is limited to portions of the arroyo willow thicket and open water areas along the western boundary of the project site. A portion of the arroyo willow thicket and open water would be impacted by the proposed project. No temporary or permanent alteration or redirection of water flow will occur as part of the proposed project. Construction activities may affect the water quality (via increased sedimentation, etc.) in Conejo Creek resulting in potentially significant indirect impacts to both species.

As discussed in the Hydrology and Water Quality section of this EIR, the proposed project would require a General Construction Activity Storm Water Permit from the SWRCB prior to the start of construction. The National Pollutant Discharge Elimination System (NPDES) requires that a Notice of Intent (NOI) be filed with the SWRCB. By filing an NOI, the project developer agrees to the conditions outlined in the Construction General Permit. One of the conditions of the General Permit is the development and the implementation of a Storm Water Pollution Prevention Plan (SWPPP). The SWPPP identifies which structural and nonstructural BMPs will be implemented, such as sandbag barriers, temporary desilting basins near inlets, gravel driveways, dust controls, employee training, and general good housekeeping practices. The proposed project would be subject to the requirements of the Ventura County Municipal Separate Storm Sewer System Permit (CAS004002) and related requirements of the Ventura County Technical Guidance Manual for Stormwater Quality Control Measures (TGM) that are in effect at the time of building development. Compliance with these required water quality programs would ensure that impact to the southern California distinct population segment of steelhead, arroyo chub, and Pacific lamprey in Conejo Creek would be less than significant. No mitigation is required.

Amphibians

One amphibian species listed as a California Species of Special Concern, western spadefoot (*Spea hammondi*), has potential to occur at the project site. However, no individuals were observed onsite during the biological resources survey and therefore this species is not present onsite. Therefore, impacts to the species would be less than significant and no mitigation would be required.

Reptiles

Eight reptile species listed as California Species of Special Concern have potential to occur at the project site: western pond turtle (*Emys marmorata*), coast horned lizard (*Phrynosoma blainvillii*), San Diegan tiger whiptail (*Aspidoscelis tigris stejnegeri*), California legless lizard (*Anniella* sp.), southern California legless lizard (*Anniella stebbinsi*), California glossy snake (*Arizona elegans occidentalis*), two-striped gartersnake (*Thamnophis hammondi*), and south coast gartersnake (*Thamnophis sirtalis* pop. 1). During focused surveys, only southwestern pond turtle was detected onsite. The proposed project would impact 15.1 acres of habitat for southwestern pond turtle (arroyo willow thicket, California bulrush marsh, and open water) and may result in direct mortality of individuals occurring within the impact area. Although

southwestern pond turtle is designated as a species of special concern, the habitat requirements for this species are more restricted than many other reptile species of special concern. In 2015, the USFWS published a finding that the listing of this species may be warranted and requested that information on this species be submitted to the USFWS for review. Currently, the species status is “under review” but not formally a “candidate” species. Therefore, direct impacts and loss of suitable habitat would be considered potentially significant.

Birds

Five bird species listed as threatened or endangered in CESA and/or FESA have potential to occur at the project site: southwestern willow flycatcher (*Empidonax traillii extimus*), bank swallow (*Riparia riparia*), coastal California gnatcatcher (*Poliophtila californica californica*), least Bell’s vireo (*Vireo bellii pusillus*), and tricolored blackbird (*Agelaius tricolor*). The proposed project would impact approximately 3.1 acres of suitable habitat for southwestern willow flycatcher and least Bell’s vireo (arroyo willow thickets), 10.7 acres of suitable habitat for tricolored blackbird (arroyo willow thickets, California bulrush marsh, cocklebur patch, and open water areas), 9.6 acres of suitable habitat for coastal California gnatcatcher (ashy buckwheat scrub, coast prickly pear scrub, and lemonade berry scrub). Indirect impacts to these species may also occur if these species are present in the suitable habitat adjacent to the impact areas. Potentially suitable habitat for bank swallow also occurs along the open and disturbed banks of Conejo Creek and indirect impacts may occur to this species. However, focused bird surveys on the project site have not detected any of these five sensitive species, with the exception of least Bell’s vireo. Impacts to least Bell’s vireo would therefore be potentially significant and, as such, mitigation will be required to offset the loss of occupied least Bell’s vireo habitat. Impacts to occupied habitat must be authorized by the USFWS prior to the removal of habitat. Impacts are expected to be authorized pursuant to Section 7 of the FESA. As a part of that process, the USFWS will issue a Biological Opinion (BO). Mitigation has been identified below to address potential impacts to least Bell’s vireo, and the measures included therein are also expected to be included in the BO in the same or similar manner.

One California Fully Protected bird species, white-tailed kite (*Elanus leucurus*), has potential to occur at the project site; however focused bird surveys conducted at the project site did not detect any individuals of this species. The proposed project would impact approximately 98.8 acres of landscaped ornamental areas and arroyo willow thickets that contain trees adjacent to open areas suitable for nesting; however, the limited amount of habitat lost compared to the habitat available for the species in the vicinity of the project area further indicates that impacts would be less than significant.

Yellow warbler (*Setophaga petechia*) is a California Species of Special Concern and has potential to occur in the arroyo willow thicket and mule fat thickets at the project site (approximately 3.1 acres of arroyo willow thicket would be directly impacted). However, focused bird surveys at the project site did not detect any individuals of this species. Further, although the loss of habitat for this species would be adverse, the impact would be considered less than significant because of the limited amount of habitat

lost compared to the habitat available for the species throughout its range. Impacts to yellow warbler would therefore be less than significant.

Active nests of any of the bird species noted in this section are protected by the MBTA and California Fish and Game Code; the loss of an active nest is considered a potentially significant impact. Mitigation has been identified to address impacts to nesting birds.

Mammals

The southern California/central coastal evolutionarily significant unit (ESU) of mountain lion (*Puma concolor*) is listed as a candidate for Threatened status under the CESA and it may occur at the project site. However, no evidence of individuals present onsite was observed during any site survey at the site. Further, due to the extensively large home ranges of mountain lions, the negligible loss of foraging habitat associated with the project would not adversely affect the species. Mountain lions den and rear young in remote areas far from human disturbance. Den locations are unlikely to occur at the project site and no impact to mountain lion den or rearing locations are anticipated.

Given that it is unlikely mountain lion will den and rear young onsite, and the fact that no den locations are likely to occur, direct impacts to mountain lion are unlikely. However, mountain lions have the potential to forage within the golf course area. As such, potential impacts to foraging mountain lions associated with rodenticide may occur as a result of the proposed project. This impact relating to rodenticides would be potentially significant. Therefore, mitigation addressing this concern is identified below.

Six California Species of Special Concern have potential to occur at the project site: pallid bat (*Antrozous pallidus*), big free-tailed bat (*Nyctinomops macrotis*), western red bat (*Lasiurus blossevillei*), western mastiff bat (*Eumops perotis californicus*), San Diego black-tailed jackrabbit (*Lepus californicus bennettii*), and American badger (*Taxidea taxus*). However, focused site surveys, including focused bat surveys, have not identified pallid bat, big free-tailed bat, San Diego black-tailed jackrabbit or American badger onsite. While bat surveys identified possible foraging onsite by western red bat and western mastiff bat, no bats were observed existing roosts onsite. Only non-sensitive bat species were determined likely to exist roost locations within rocky areas just offsite to the north and south of the project boundary. Although the loss of habitat for these species would be adverse, the impact would be considered less than significant because of the limited amount of habitat lost compared to the habitat available for these species throughout their range and based upon the results of the focused surveys. Although no bat species were identified exiting roosts onsite, in the event that bats do roost onsite, impacts to an active bat maternity site during maternity season for any bat species including special status bat species could be considered potentially significant. Therefore, mitigation addressing this potentially significant impact has been identified.

Indirect Impacts

Indirect impacts are those related to disturbance by construction (such as noise, dust, and urban pollutants), long-term use of the project site, and the proposed project's operational effect on adjacent sensitive habitat areas. Generally, the northern, central, and eastern portions of the project site are adjacent to large tracts of development, including residential, commercial, and roadways. The southern and western portions of the project site development area are located adjacent to undeveloped, naturally vegetated open areas that include sensitive associations of ashy buckwheat scrub, coast prickly pear scrub, lemonade berry scrub, and arroyo willow thicket. The indirect impact discussion below includes a general assessment of the potential indirect effects (noise, increased dust and urban pollutants, night lighting, and human activity) of the construction and operation of the proposed project.

Noise Impacts

Noise levels in adjacent habitats resulting from the proposed project operations is anticipated to remain the same as existing levels and no long-term indirect impact is anticipated. This is because the natural habitats would continue to be located adjacent to golf course areas. Noise levels would temporarily increase substantially over existing levels, however, during construction of the proposed project. Increased noise impacts have the potential to disrupt foraging, nesting, roosting, and/or denning activities for a variety of wildlife species occurring adjacent to the project site. The temporary increase in construction noise would be considered adverse but less than significant to California Species of Special Concern and common wildlife species because similar habitat is present in the immediate vicinity where the animals may disperse. Further, construction noise will not take place over the entirety of the project site for the entirety of the construction period, and instead will progress across the site, with no one location experiencing constant construction noise for a prolonged period of time. Therefore, indirect impacts are considered less than significant and no mitigation would be required.

Increased Dust and Urban Pollutants

Grading and other construction activities would disturb soils and result in the accumulation of dust on the surface of the leaves of trees, shrubs, and herbs within or immediately adjacent to the project site. The respiratory function of the plants in these areas could be impaired if dust accumulation is excessive. With implementation of standard fugitive dust abatement measures as required by the Ventura County Air Pollution Control District (and implemented through air quality mitigation measure AQ-2), this impact is expected to be less than significant no mitigation measures are required.

During construction and operation, excess silt, petroleum, or chemicals on the soil surface from the project site could be washed into drainages during storms and may affect areas downstream of the project site. Adverse effects on water quality could indirectly impact species that use riparian areas within the watershed by affecting the food web interactions (e.g., abundance of insects or other prey) or through biomagnification (i.e., the buildup of pesticides to toxic levels in higher trophic levels). However, as

discussed in the Hydrology and Water Quality section of this EIR, the proposed project would require a General Construction Activity Storm Water Permit from the SWRCB prior to the start of construction. The National Pollutant Discharge Elimination System (NPDES) requires that a Notice of Intent (NOI) be filed with the SWRCB. By filing an NOI, the project developer agrees to the conditions outlined in the Construction General Permit. One of the conditions of the General Permit is the development and the implementation of a Storm Water Pollution Prevention Plan (SWPPP). The SWPPP identifies which structural and nonstructural BMPs will be implemented, such as sandbag barriers, temporary desilting basins near inlets, gravel driveways, dust controls, employee training, and general good housekeeping practices. The proposed project would be subject to the requirements of the Ventura County Municipal Separate Storm Sewer System Permit (CAS004002) and related requirements of the Ventura County Technical Guidance Manual for Stormwater Quality Control Measures (TGM) that are in effect at the time of building development. Compliance with these required water quality programs would ensure that impact to the site's drainages would be less than significant and no mitigation would be required.

Night Lighting

Night lighting may impact the behavioral patterns of nocturnal and crepuscular (i.e., active at dawn and dusk) wildlife adjacent to night lighting. Of greatest concern is the effect on wildlife that use the darkness to hide from nocturnal predators. Project lighting may be installed that would result in illuminating native habitat. These additional light sources may negatively affect wildlife in the surrounding open space, including effects on regional wildlife movement and breeding activities in Conejo Creek.

As discussed in the Aesthetics and Scenic Resources section of this EIR, these sources of light would be very similar to the existing lighting within the surrounding residential, commercial, and office areas. Compliance with Camarillo Zoning Ordinance standards would ensure that there will not be excessive nighttime lighting beyond that necessary for function and safety. Exterior lighting would be located and designed to minimize direct spill beyond the site property. This would ensure that operational impacts related to nighttime lighting would be less than significant. The Aesthetics and Scenic Resources section of this EIR also includes mitigation measure ASR-1, which is recommended to ensure that construction-related nighttime lighting does not illuminate any undeveloped areas adjacent to the project impact area. While this impact may be potentially significant, a less than significant impact to construction-related nighttime lighting would occur with the implementation of mitigation measure ASR-1.

Invasive Plant Species

Landscaping that includes the installation of non-native, invasive plant species (e.g., species listed in the California Invasive Plant Council's [Cal-IPC's] invasive plant inventory) can be detrimental to surrounding native habitat. Invasive species have the potential to spread into the surrounding natural open space and displace native species, hybridize with native species (thereby impacting the genetic integrity of the native species), alter biological communities, or alter ecosystem processes (e.g., salt cedar

[*Tamarix* sp.] affects hydrology). This could degrade the quality of the adjacent vegetation, including vegetation communities that provide suitable habitat for Threatened or Endangered species. All landscaping included as part of the proposed project could result in a potentially significant impact on adjacent habitat.

Non-native invasive species are present at the project site and would be removed by the proposed project (e.g., giant reed), which would be a beneficial impact of the project. However, the physical disturbance related to the removal of these species could spread the seeds to adjacent areas. Construction equipment related to the removal of these species could spread the seeds to adjacent areas. Construction equipment can also introduce non-native weed seeds to the area if equipment is not properly cleaned. Additionally, construction activities create disturbance, which in turn provides a place for non-native weedy species to spread. Weeds from the construction may then spread to adjacent habitat areas, which would degrade habitat quality for native species. In addition to the negative effects on habitat quality, non-native weeds can also increase the potential for large fires to spread. This impact would be considered potentially significant and mitigation is identified below.

Human Activity

Human activity adjacent to undeveloped open areas during operation of the proposed project is anticipated to remain the same as current levels. Temporary increases to human activity would occur during construction activities. Increased human activity during construction could result in increased pedestrian, vehicle, and equipment traffic in adjacent undeveloped areas. This may cause trampling of special status plant species and disruption of foraging activities of native wildlife species. Increases in human activity can also result in increased food waste and trash onsite. Unless property contained and frequently removed from the site, increased food waste and trash can attract more urban-tolerant wildlife (such as coyotes) to the project site. This impact would therefore be potentially significant. Mitigation is identified below to address this impact.

Mitigation

As described above, potentially significant direct impacts to western pond turtle, least Bell's vireo, and roosting bats may occur as a result of the proposed project. In addition, potentially significant indirect impacts to mountain lion related to the use of rodenticide may also occur. Potentially significant impacts associated with the possible introduction of invasive plants and associated with human activity onsite may also occur.

The following mitigation measure is identified to reduce the potential impacts to southwestern pond turtle:

BIO-1 Southwestern Pond Turtle: A qualified biologist shall prepare a Southwestern Pond Turtle Avoidance and Minimization Plan that shall include the following main components: 1) Worker Education Program; 2) exclusionary fencing; 3) biological/fence monitoring; and 4) relocation

measures. The Avoidance and Minimization Plan shall be submitted to the City of Camarillo and CDFW for approval.

Further, and consistent with the approved Avoidance and Minimization Plan, southwestern pond turtle within the proposed project impact area shall be relocated to approved relocation areas, which would potentially include Conejo Creek. Individuals shall be captured by hand or dipnet and immediately relocated outside of the project impact area.

Exclusionary fencing/silt fencing shall be installed around all water bodies proposed to be impacted prior to draining or ground disturbing activities. This will facilitate the effective capture of turtles and prevent turtles from entering the work zone. Exclusionary fencing shall also be installed around all ponds/waterways (with a set back of the exclusionary fence to allow for basking on the bank) to be avoided in order to prevent turtles from accessing the work zone. This would include the installation of fencing along the eastern bank of Conejo Creek where the haul road is located and its unnamed tributary that traverses onto the northern portion of the project site. A qualified biologist shall monitor fence installation and will periodically inspect the fencing during construction.

The following mitigation measures are identified to reduce the potential impacts to least Bell's vireo and other nesting birds present onsite:

BIO-2 Least Bell's Vireo: Clearing and grubbing of potential least Bell's vireo habitat should occur outside of the least Bell's vireo nesting season (between September 16 and March 14). If clearing and grubbing activities will occur during the least Bell's vireo nesting season (between March 15 and September 15), then a qualified biologist shall monitor such activities until all suitable habitat has been removed.

In addition, a qualified biologist shall conduct a Worker Environmental Program prior to construction activities commencing.

Finally, if least Bells' vireo individuals or active nests are observed within a 300-foot buffer between the occupied habitat and construction activities during the construction monitoring, then construction activities in the area shall be halted/postponed, and the USFWS shall be contacted and informed of the finding immediately. The 300-foot buffer distance will be approved by the USFWS. Construction activities shall not commence within the approved buffer until the individuals have left the area and the nest is vacated and juveniles have fledged (if present) and there is no evidence of a second attempt at nesting, as determined by the biologist. Additional mitigation measures including the installation of sound dampening barriers (e.g., sound wall) may be incorporated with prior approval from the USFWS in order to allow construction activities to occur within 300 feet of least Bell's vireo individuals.

BIO-3 Nesting Birds: To the extent possible, the project applicant shall schedule all vegetation removal and grading activities during the non-breeding season (i.e., September 1 to January 31) to avoid impacts on active nests for common and special status birds. If project timing requires that vegetation clearing or grading occur between February 1 and August 31, the project applicant shall retain a qualified biologist (one with experience conducting nesting bird surveys) to conduct a pre-construction survey for nesting birds and raptors. A pre-construction survey shall be conducted by the qualified Biologist within 72 hours prior to vegetation clearing or the initiation of work during the breeding season. The pre-construction nesting bird survey area shall include the project site (i.e., disturbance footprint) plus a 250-foot buffer to search for nesting birds and a 500-foot buffer to search for nesting raptors. If no active nests are found, no further mitigation would be required.

If an active nest is observed during the survey, the Biologist shall delineate an appropriate buffer to protect the nest. A protective buffer zone (25 feet to 500 feet for nesting birds, 300 feet to 500 feet for nesting raptors) shall be used to protect nesting birds and nesting raptors. The size of the buffer shall be established at the discretion of the Biologist based on site topography, existing disturbance, status of the species, sensitivity of the individuals (established by observing the individuals at the nest), and the type of construction activity. No construction activities shall be allowed in the designated buffer until the Biologist determines that nesting activity has ended. Encroachment into the buffer area around a known nest will only be allowed if the Biologist determines that the proposed activity would not disturb the nest occupants. Construction may proceed within the buffer once the Biologist determines that nesting activity has ceased (i.e., fledglings have left the nest or the nest has failed). The designated buffer will be clearly marked in the field and will be mapped as Environmentally Sensitive Areas (ESAs) on construction plans.

The following mitigation measure is recommended to reduce the potential impacts to roosting bats onsite:

BIO-4 Roosting Bats: A final focused survey shall be conducted at the project site to determine the species of bat roosting at the project site during the maternity season (April 1 through August 31). If any potential maternity colonies are identified within the project impact area (including tree roosting bat species), those locations shall be mapped and a protective buffer shall be delineated by a qualified bat biologist. A protective buffer zone (minimum of 50 feet) shall be used to protect the potentially active maternity roost until the end of maternity season. The size of the buffer shall be established at the discretion of the qualified bat biologist based on site topography, existing disturbance, status of the species, and the type of construction activity. No construction activities shall be allowed in the designated buffer until end of maternity season, unless the qualified bat biologist can determine bats are no longer roosting within potential maternity roost.

No more than 90 days prior to scheduled vegetation/structure removal, a qualified biologist shall conduct pre-construction surveys to identify those trees and/or structures proposed for

disturbance that could provide day roosting habitat, maternity roosting habitat, or hibernacula. If day roosts, maternity roosts and/or hibernacula are present, the project developer shall implement appropriate measures to address temporary avoidance and removal, as applicable. Pre-construction surveys shall be repeated as necessary if the proposed vegetation removal will be phased over time.

If a roost must be removed or temporarily excluded, a project-specific Bat Roost Eviction and Mitigation Plan shall be prepared to include the following main components: 1) timing of construction activities/vegetation removal; 2) construction related avoidance and minimization measures; 3) pre-construction surveys; 4) worker education program; 5) biological monitoring of vegetation removal within potential roost locations; and 6) exclusion/roost replacement measures.

Occupied bat roosts shall be removed in a manner to minimize direct impact to bats. The procedures to remove bat roosts shall be detailed in a Bat Protection Plan but shall include a multi-step process to dismantle the roosts allowing the bats to exit unharmed prior to the final removal of the roost. Non-maternity day roosts may be removed at any time of the year. Maternity roosts shall be removed outside of the Maternity Season (April 1 through August 31). Hibernacula shall be removed outside of when bats are using the roosts for hibernation. If it is not feasible to remove maternity roosts and/or hibernacula during the appropriate timeframes, then the roosts will be temporarily avoided, and measures shall be implemented to minimize impacts to avoided roosts. The minimization measures shall be detailed in the Bat Protection Plan.

In addition, a biologist shall place flagging and signage around roosts prior to the initial ground disturbance activities to prevent the accidental removal of the roost tree/structure. Flagging and signage shall be maintained as long as ground disturbance activities occur within 300 feet of roosts. The biologist shall periodically monitor the construction activities within the buffer area to ensure that indirect effects are being minimized. The idling of construction equipment shall be minimized within the 300-foot buffer area. As feasible, construction equipment should not be staged within the buffer area.

The following mitigation measure is identified to reduce the potential indirect impacts to mountain lion relating to the use of rodenticide:

BIO-5 **Mountain Lion:** The project applicant shall include in purchase and tenant contracts the requirement that anticoagulant rodenticide shall not be used on any portion of project site during the operational life of the project. Anticoagulant rodenticides are typically used to control rodent populations, however, they have resulted in adversely affecting mountain lion populations and shall not be used in association with project activities unless new application methods are

developed and subsequently proven to have no direct or secondary exposure effect on carnivore species, including mountain lion.

The following mitigation measures are recommended to reduce the potential impacts to sensitive associations of ashy buckwheat scrub, coast prickly pear scrub, lemonade berry scrub, and arroyo willow thicket associated with the possible introduction of invasive species:

- BIO-6 Landscape Plan:** The project applicant shall retain a qualified biologist (one with botanical expertise) to review and approve the final landscaping plan to ensure that the project does not include planting invasive species that would potentially degrade the quality of the surrounding sensitive associations of ashy buckwheat scrub, coast prickly pear scrub, lemonade berry scrub, and arroyo willow thicket. The biologist shall review the proposed plant pallet to ensure that it does not contain any invasive plant species (i.e., those on the California Invasive Plant Council's [Cal-IPC's] Invasive Plant Inventory rated as Moderate or High). Landscaping installed at the project site shall include only species on the approved plant palette. No invasive plant species shall be incorporated into any future change to the landscaping plan or subsequent landscaping throughout the operational life of the project.
- BIO-7 Nighttime Construction:** The project developer shall include in contract specifications that no construction activities shall occur at night (beginning 30 minutes before sunset and ending at sunrise).
- BIO-8 Trash and Food Waste:** The project developer shall include in contract specifications that all trash and food waste associated with construction or construction personnel shall be disposed of in sealed containers. These containers shall be emptied daily or prior to reaching their capacity. Any trash container observed to be attracting wildlife (ravens, rats, coyotes, etc.) shall be replaced with a more secure container and emptied at a higher frequency.
- BIO-9 Project Limits:** The project developer shall include in contract specifications that all project limits shall be staked, flagged, or fenced to clearly delineate the boundaries of the project construction area. All ingress and egress routes shall be identified prior finalizing the project limits and prior to conducting required pre-construction biological surveys. No construction activities (including staging, stockpiling, or vehicle and equipment access or turn-arounds) shall occur in unpaved areas outside of the identified project limits. No fencing shall be installed between the undeveloped hill southwest of Margarita Avenue and the undeveloped open space south of Irena Avenue. A minimum of 200 feet shall remain passable by wildlife between these two areas so connectivity may remain between these two open space areas.
- BIO-10 Introduction of Invasive Plants:** The project developer shall include in contract specifications that all construction vehicles and heavy equipment shall be washed (including treads, wheels, and undercarriage) prior to delivery to the project site to minimize weed seeds entering the

construction area via vehicles. Additionally, any straw wattles used for erosion control shall be certified as weed-free.

BIO-11 Removal of Existing Invasive Plants: The project developer shall include in contract specifications that existing invasive plant species (such as giant reed) located at the project site to be removed during construction shall be removed using best management practices that contain and properly dispose of the species' seeds and plant materials (which may reproduce asexually). Transport of any invasive plant material offsite shall be stored in securely covered containers or vehicles and disposed of at facilities that shall properly eliminate the ability of these materials to grow or colonize new areas.

Mitigation Monitoring

Prior to the issuance of grading permits, the Department of Community Development and CDFW shall review and approve the Southwestern Pond Turtle Avoidance and Minimization Plan required by mitigation measure BIO-1. Also prior to the issuance of grading permits, all southwestern pond turtle within the proposed impact area shall be related consistent with the Avoidance and Minimization Plan requirements. Finally, also before the issuance of grading permits, exclusionary fencing shall be installed to prevent turtles from accessing the work zone.

Prior to the issuance of grading permits, the Department of Community Development shall confirm whether construction will occur during the nesting season, and if so, confirm that a qualified biologist will monitor site clearing activities as required by mitigation measure BIO-2. Also prior to grading permit issuance, the Department of Community Development shall confirm that a Worker Environmental Program will be conducted. The Department of Community Development will also ensure that any mitigation measures identified in the Biological Opinion have been complied with.

Prior to the issuance of grading permits, the Department of Community Development shall confirm whether construction will occur during the nesting season, and if so, confirm that a qualified biologist will monitor site clearing activities. Also prior to grading permit issuance, the Department of Community Development shall confirm that a Worker Environmental Program will be conducted. The Department of Community Development will also ensure that any mitigation measures identified in the Biological Opinion have been complied with.

Prior to the issuance of grading permits, the Department of Community Development shall review the final focused bat survey required by mitigation measure BIO-4 and confirm if any maternity colonies are identified within the project impact area and, if so, ensure that a minimum 50-foot protective buffer has been delineated to protect the potentially active maternity roost until the end of maternity season. If the roost must be removed or temporarily excluded, the Department of Community Development shall confirm that a project-specific Bat Roost Eviction and Mitigation Plan has been approved by the CDFW.

Prior to the issuance of occupancy permits, the project developer shall provide evidence to the Department of Community Development that the use of anticoagulant rodenticide is prohibited on any portion of project site during the operational life of the project, consistent with mitigation measure BIO-5.

The Department of Community Development shall include in the Conditions of Approval and Conditional Use Permit the requirement that the project may not include any invasive plant species in its future landscaping as required in mitigation measure BIO-6. Prior to the issuance of building permits, the Department of Community Development shall review a letter submitted by the Biologist stating that he or she has reviewed the landscaping plan and that it does not include planting invasive species that would potentially degrade the quality of the surrounding naturally vegetated areas.

Prior to the issuance of grading permits, the project developer shall provide evidence to the Department of Community Development that the nighttime construction limits required by mitigation measure BIO-7 are included in the contract specifications for development action within the project site.

Prior to the issuance of grading permits, the project developer shall provide evidence to the Department of Community Development that the trash controls required by mitigation measure BIO-8 are included in the contract specifications for development action within the project site.

Prior to the issuance of grading permits, the project developer shall provide evidence to the Department of Community Development that the fencing requirements of mitigation measure BIO-9 are included in the contract specifications for development action within the project site.

Prior to the issuance of grading permits, the project developer shall provide evidence to the Department of Community Development that the invasive plant seed controls required by mitigation measure BIO-10 are included in the contract specifications for development action within the project site.

Prior to the issuance of grading permits, the project developer shall provide evidence to the Department of Community Development that the existing invasive plant controls required by mitigation measure BIO-11 are included in the contract specifications for development action within the project site.

Impacts After Mitigation

Implementation of mitigation measure BIO-1 would mitigate any potential impacts to southwestern pond turtle to a less than significant level by mandating completion of a Southwestern Pond Turtle Avoidance and Minimization Plan, that meets the specific components required by the measure. The Avoidance and Minimization Plan will ensure that individuals are removed from the project impact area and relocated prior to any construction activities. The measure also requires exclusionary fencing that would prevent turtles from re-accessing the site after they have been removed and relocated. With the implementation of mitigation measure BIO-1, impacts would be reduced to less than significant.

Implementation of mitigation measure BIO-2 would mitigate any impacts to least Bell's vireo to a less than significant level by requiring monitoring if site clearing activities were to occurring during the nesting season. In addition, the measure reduces impacts through the provision of work education, and the halting of construction activities when active nests are observed. With the implementation of mitigation measure BIO-2, impacts to least Bell's vireo would be less than significant.

Mitigation measure BIO-3 would ensure that impacts to nesting birds are less than significant, but requiring the avoidance of active nests and the imposition of nest buffers to protect nesting birds and raptors. Mitigation measure BIO-3 would ensure that construction activities will not disturb nest occupants and impacts will be less than significant.

Implementation of mitigation measure BIO-4 would reduce the potential impacts to roosting bats to a less than significant level through completion of all focused bat surveys and implementation of a mandatory protective buffer zone around any potentially active maternity roost until either the end of the maternity season, or a determination by a qualified biologist that bats are no longer roosting. Impacts would be less than significant.

Implementation of mitigation measures BIO-6 through BIO-11 would reduce the potential impacts associated with habitat adjacency to a less than significant level by reducing the potential for invasive species. These measures accomplish this by requiring the review of landscaping plans to ensure no invasive species will be incorporated into the landscaping plan, prohibiting construction activities (and their attendant lighting-related impacts) at night, including contract specifications to limit trash and food waste during construction and construction area staking and delineating, and removing existing onsite invasive species. These measures would also reduce potential impacts from human activities through the delineation of construction limits.

Riparian Habitat and Other Sensitive Natural Communities

Threshold: Would the proposed project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?

Impact: Implementation of the proposed project could have a potentially significant effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service. Mitigation is identified to reduce these impacts to less than significant levels.

Impact Analysis

Conejo Creek enters the project site in the northwestern boundary and continues flowing offsite south before re-entering the project site along the southwestern boundary. Conejo Creek is tributary to Calleguas Creek, and is a perennial blue-line stream. There are five sensitive vegetation types at the

project site that are considered special status: ashy buckwheat scrub, coast prickly pear scrub, lemonade berry scrub, California bulrush marsh, and arroyo willow thicket.

The proposed project would have potentially significant impacts to the California bulrush marsh vegetation area, which occurs within the manufactured retention basin and golf course ponds within the developed portions of the golf course as a result of grading and development. Similar impacts to arroyo willow thicket vegetation types could also occur. These impacts would be considered potentially significant and mitigation is identified below.

The project could also have indirect impacts on adjacent natural communities through invasive plant species. This impact is reduced to a less than significant level by mitigation measure BIO-6, which prohibits the use of invasive species in the project's landscape plan, mitigation measure BIO-10, which will minimize the potential for construction vehicles to bring weed seeds onto the site, and mitigation measure BIO-11, which requires the removal of existing invasive species on the project site using best management practices to reduce the potential of spreading. Thus, previously identified mitigation measures BIO-6, BIO-10, and BIO-11 would reduce similar potential impacts to the riparian habitat onsite to less than significant levels.

The proposed project is also anticipated to impact waters under the jurisdiction of the USACE, RWQCB, and CDFW. As discussed above, a jurisdictional delineation of the entire project site was completed in February 2020. The delineation was based upon onsite surveys by regulatory specialists to determine the limits of: (1) USACE jurisdiction pursuant to Section 404 of the Clean Water Act; (2) Regional Board jurisdiction pursuant to Section 401 of the Clean Water Act and Section 13260 of the California Water Code; and (3) CDFW jurisdiction pursuant to Division 2, Chapter 6, Section 16100 of the Fish and Game Code. The jurisdictional delineation identified the following at the project site: (1) a total of 15.42 acres (of which 7.42 acres consist of jurisdictional wetlands) of potential USACE jurisdiction; (2) a total of 14.57 acres (of which 7.42 acres consist of jurisdictional wetlands) of potential Regional Board jurisdiction; and (3) 26.79 acres of potential CDFW jurisdiction.

During the project design process, the applicant engaged early with a restoration ecologist, regulatory specialist, civil and hydrology engineers, and a golf course architect to develop a design to avoid and minimize impacts to natural features, especially Conejo Creek, to the greatest extent feasible, with the combined goal of 1) creating water storage areas to remove existing and proposed housing from a flood hazard zone and 2) restoring native habitats in and adjacent to Conejo Creek, of which a large area has become dominated with giant reed (*Arundo donax*) and creating native wetland, riparian, and open water zones in the existing large golf course pond (Golf Course Pond 2) that would be aesthetically appealing to the existing neighbors and future residents. The pond would also function as a detention basin and for flood control. Through the design process, impacts to native habitats not associated with the man-made ponds are limited to the amount necessary to construct a pond pump and dock/access road, construct a storm drain outfall, and create a tie-in to the creek for water overflow into the storage basin. Nearly all of

the native habitat impacts described below are associated with man-made ponds and would be replaced on site.

Permanent Impacts

Most of the jurisdictional areas at the project site would not be impacted or disturbed by the proposed project. Permanent impacts to USACE/RWQCB jurisdiction total 6.59 acres (4,293 linear feet) of waters of the U.S./State. Proposed impacts to RWQCB non-federal waters total 0.04 acre (265 linear feet) of waters of the State. Note that 6.04 acres of the impacts are associated with man-made golf course ponds. Of this, 4.51 acre consists of open water and 1.53 acre consists of wetlands. In addition, 0.13 acre is associated with a concrete-lined channel. A total of 0.03 acre is associated with man-made storm drain wetlands and drainage areas (0.02 acre wetland and 0.01 acre unvegetated stream). Only 0.43 acre (6%) of the impacts are associated with natural features. Of this, 0.21 acre consist of wetlands, 0.01 acre is riparian, 0.10 acre is unvegetated stream, and 0.11 acre of impacts are associated with an area comprising 100% cover of invasive giant reed (*Arundo donax*). Permanent impacts to CDFW jurisdiction total 6.85 acres.

These impacts are associated with grading for the residential development (building pads and roadways), a fill slope, golf course redesign, a storm drain outfall, excavation to tie-in water storage areas to Conejo Creek, two debris basins, a water quality basin, and a dock for access to a pump in the southern golf course pond adjacent to Conejo Creek. These permanent impacts are considered potentially significant and, therefore, mitigation is identified below.

Temporary Impacts

In addition to the 6.04 acres of permanent impacts, proposed temporary impacts to Corps/RWQCB jurisdiction total 3.06 acre of waters of the U.S./State. There are no temporary impacts associated with RWQCB non-federal waters. Temporary impacts to CDFW jurisdiction total 3.71 acres. These temporary impacts are considered potentially significant and, therefore, mitigation is identified below.

Indirect Impacts

In addition to the direct permanent and temporary impacts, indirect impacts may also occur. Pollutants of concern for the project are sediment, nutrients, metals, oxygen demanding substances, toxic organics, oil and grease, bacteria, and trash and debris. The project includes home subdivisions that may increase sediments, nutrients, oxygen demanding substances, bacteria, and trash and debris. Parking areas may increase sediment, metals, oxygen demanding substances, toxic organics, and trash and debris. Residential uses may increase sediment, metals, and oil and grease.

Site design principles and techniques were incorporated into the project including site planning, protect and restore natural areas, minimized land disturbance, minimized impervious cover, apply Low-Impact Development (LID) at various scales, and implement integrated water resource management practices. The water coming onto the site would either go into the proposed pond or into a 10'x6' box culvert which

conveys the water out of the site. Flows from tributary areas in the mountain ranges surrounding the project site would drain toward the 10'x6' box culvert that discharges into Conejo Creek. If the box becomes inundated flows would be diverted to an onsite pond for additional storage. The flood waters would not come onto the surface of the residential project area as the pads are elevated above the high-water elevation.

Further, prior to the start of grading activities, a Storm Water Pollution Prevention Plan (SWPPP) must be prepared which would include Best Management Practices (BMPs) that reduce or eliminate pollutants in storm water discharges and authorized non-storm water discharges. Erosion control measures may include project scheduling to reduce the amount and duration of soil exposed; preservation of existing vegetation; managing runoff and reducing runoff velocity through velocity dissipation devices, slope roughening/terracing, slope drains, and/or straw mulching; and stabilizing soil with sprayed on mulch, sprayed on seeding and fertilizer, chemical stabilizing materials, geotextiles and mats, and/or wood mulching. Sediment Control measures may include filtration devices and barriers (such as fiber rolls, silt fence, straw bale barriers, sand bag barriers, gravel bag berms, compost stock berms, and storm drain inlet protection such as rock), street sweeping/vacuuming, and/or settling devices (such as sediment traps or basins).

Finally, a Post-Construction Stormwater Management Plan (PCSMP) must also be prepared, and would include post-construction BMPs for the project. Source control measures include storm drain signage for all curb inlets, draining the maintenance area to a nearby vegetated swale for stormwater treatment, trash enclosures for the golf clubhouse will have an impervious base and cover and grading for that area will be designed so water will not drain through the area, covering the one golf clubhouse loading area beyond the loading dock and grading to not allow stormwater run-on, covering the one golf clubhouse vehicle washing area and not allowing water in or out of the washing area, draining the water from the wash area to the sewer, and ensuring maintenance of BMPs, which will be required of the Homeowners' Association. Good Housekeeping practices for controlling contamination of stormwater runoff from the site include avoid overwatering landscape, sweeping paved areas periodically to remove excess dust and dirt, and properly containing and disposing of sweepings and sediments.

As a result of the site design, SWPPP, and PCSMP, indirect impacts would be less than significant and no further mitigation measures are required.

Mitigation

As described above, potentially significant direct impacts to riparian habitat and sensitive natural communities could occur as a result of the proposed project. The following mitigation measure is identified to reduce the potential impacts to riparian habitat and other sensitive natural communities:

BIO-12 For all features identified in the project's jurisdictional delineation as jurisdictional that cannot be avoided, the project applicant shall obtain permits from the respective agencies (USACE, CDFW,

and the RWQCB) prior to the initiation of construction activities. These permits include a CWA section 404 permit from the USACE Section, a CWA section 401 water quality certification from the RWQCB, and CDFW Section 1602 Notification of Lake or Streambed Alteration. If any Threatened and/or Endangered species are determined to occur within these areas, the Section 404 permit would involve a Section 7 Consultation between the USACE and US Fish and Wildlife Service (USFWS) under the Federal Endangered Species Act.

The project applicant shall implement and comply with all measures required by the jurisdictional permits. Mitigation for the loss of jurisdictional resources shall be negotiated with the resource agencies (USACE, CDFW, and the RWQCB) during the regulatory permitting process. Potential mitigation options shall include one or both of the following: (1) payment to a resource agency-approved mitigation bank or regional riparian enhancement program (e.g., invasive vegetation or wildlife species removal); and/or (2) establishment of riparian habitat (on site or off site) at a ratio of no less than 1:1, determined through consultation with the above-listed resource agencies. This will ensure no net loss of jurisdictional resources and that mitigation areas shall be equivalent or higher quality habitat value than those impacted.

If in-lieu mitigation fees are required, prior to the initiation of any construction-related activities, the applicant shall pay the in-lieu mitigation fee to a mitigation bank/enhancement program for the replacement of impacted jurisdictional resources. If a riparian habitat establishment program is required, the project applicant shall (1) develop a habitat mitigation and monitoring plan (HMMP) in conformance with the USACE 2015 Guidelines; (2) submit the HMMP to the resource agencies for review; and (3) obtain resource agency approval of the HMMP, prior to the initiation of any construction-related activities. The HMMP shall be prepared by a qualified Restoration Ecologist and shall be implemented by a qualified Restoration Contractor (as defined below) under the supervision of the Restoration Ecologist. The project applicant shall be responsible for implementing the HMMP and ensuring that the mitigation program achieves the approved performance criteria. The project applicant shall implement the HMMP per its specified requirements, materials, methods, and performance criteria. The HMMP shall include the following items:

- **Responsibilities and Qualifications.** The responsibilities and qualifications of the applicant, ecological specialists, and restoration (landscape) contracting personnel who will implement the plan shall be specified. At a minimum, the HMMP shall specify that the ecological specialists and contractors have performed successful installation and long-term monitoring and maintenance of California native habitat mitigation/restoration programs, implemented under USACE, CDFW, and RWQCB permit conditions. A successful program shall be defined as one that has been signed off on by the resource agencies.

- **Performance Criteria.** Mitigation performance criteria to be specified in the HMMP shall conform to the resource agency permit conditions. The HMMP shall state that the use of the mitigation site by special status plant or wildlife species, though not a requirement for site success, would be regarded by the resource agencies as a significant factor in considering eligibility for program sign-off.
- **Site Selection.** The mitigation site(s) shall be determined in coordination with the resource agencies. The site(s) shall be in dedicated open space areas and shall be contiguous with other natural open space areas. The soils, hydrology/hydraulics, and other physical characteristics of the potential mitigation sites shall be analyzed to ensure that proper conditions exist for the establishment of riparian habitat.
- **Seed Materials Procurement.** At least one year prior to mitigation implementation, the Project Applicant or its consultants/contractors shall initiate collection of the native seed materials specified in the HMMP. All seed mixes shall be of local origin; i.e., collected within 20 miles, and within the same watershed, as the selected restoration/enhancement site(s), to ensure genetic integrity. No seed materials of unknown or non-local geographic origin shall be used. Seed collection shall be prioritized per habitat area, in the following order: (a) project impact areas (highest priority); (b) other on-site habitat areas; and (c) off-site habitat areas (lowest priority), assuming availability of seed species in multiple locations.
- **Wildlife Surveys and Protection.** The HMMP shall specify any wildlife surveys (i.e., nesting bird surveys, focused/protocol surveys for special status species and biological monitoring that are required to avoid adverse impacts to wildlife species during the performance of mitigation site preparation, installation, or maintenance tasks. The HMMP shall also describe potential restrictions on these tasks due to sensitive wildlife conditions on the mitigation site (e.g., suspension of these tasks during the nesting bird season, as defined in project permits).
- **Site Preparation and Plant Materials Installation.** Mitigation site preparation shall include all of the following: (a) protection of existing native species and habitats (including compliance with seasonal restrictions, if any); (b) installation of protective fencing and/or signage (as needed); (c) initial trash and weed removal (outside the nesting bird season) and methods; (d) soil treatments, as needed (i.e., imprinting, de-compacting); (e) installation of erosion-control measures (i.e., fully natural/bio-degradable [not 'photo-degradable' plastic mesh] fiber roll); (f) application of salvaged native plant materials (i.e., coarse woody debris), as available and supervised by a biological monitor; (g) temporary irrigation installation; (h) a minimum one-year preliminary weed abatement program (prior to the installation of native plant and seed materials)—including specification of approved herbicides; (i) planting of container plant and cutting species; and (j) seed mix application.

- **Schedule.** An implementation schedule shall be developed that includes planting and seeding to occur in the fall and winter (i.e., between November 1 and January 31) and the frequency of long-term maintenance and monitoring activities (including the dates of annual quantitative surveys, as described below) for five years or until the mitigation program achieves the approved performance criteria.
- **Maintenance Program.** The Maintenance Program shall include (a) protection of existing native species and habitats (including compliance with seasonal restrictions, if any); (b) maintenance of protective fencing and/or signage; (c) trash and weed removal—including specification of approved herbicides; (d) maintenance of erosion-control measures; (e) inspection/repairs of irrigation components; (f) replacement of dead container plant and cuttings (as needed); (g) application of remedial seed mixes (as needed); (h) herbivory control; and (i) removal of all non-vegetative materials (i.e., fencing, signage, irrigation components) upon project completion. The mitigation site shall be maintained for a period of five years to ensure successful riparian habitat establishment within the restored/enhanced sites; however, the Project Applicant may request to be released from maintenance requirements by the resource agencies prior to five years if the mitigation program has achieved all performance criteria.
- **Monitoring Program.** The Monitoring Program shall include (a) qualitative monitoring (i.e., general habitat conditions, photo-documentation from established photo stations); (b) quantitative monitoring (in conformance with the USACE 2015 Guidelines); (c) annual monitoring reports, which shall be submitted to the City and the resource agencies for five years or until project completion; and (d) wildlife surveys and monitoring as described above. The annual monitoring reports shall include a detailed discussion of mitigation site performance (e.g., measured vegetation coverage and diversity) and compliance with required performance criteria, a discussion of wildlife species' use of the restored and/or enhanced habitat area(s), and a list of proposed remedial measures to address noncompliance with any performance criteria. The site shall be monitored for five years or until the City has been released from maintenance requirements by the resource agencies.
- **Long-term preservation.** Long-term preservation of the mitigation site(s) shall be outlined in the HMMP to ensure that the mitigation sites are not impacted by future development. The appropriate real estate agreement to ensure long-term preservation shall be enacted prior to implementation of the mitigation program.

Mitigation Monitoring

Prior to the issuance of grading permits, the Department of Community Development shall confirm that all required permits resource agency permits have been granted by the respective agencies. The

Department of Community Development shall then review the plans and measures required by the permits issued by the respective agencies.

Impacts After Mitigation

Implementation of mitigation measure BIO-12 would reduce the potential impacts to sensitive riparian habitat (California bulrush marsh, arroyo willow thicket, open water, and jurisdictional resources) to a less than significant level by ensuring that mitigation will be provided at a minimum ratio of 1:1 and acknowledges that this ratio may even be increased when the project progresses through the permitting process with the various resource agencies. Mitigation measure BIO-12 would ensure no net loss of jurisdictional resources, and therefore impacts would be reduced to a less than significant level.

Wetlands

Threshold: Would the proposed project have a substantial adverse effect on State or federally protected wetlands (including, but not limited to, marshes, vernal pools, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

Impact: Implementation of the proposed project could have a potentially significant effect on State or federally protected wetlands (including, but not limited to, marshes, vernal pools, coastal, etc.) through direct removal, filling, hydrological interruption, or other means. Mitigation is identified reduce these impacts to less than significant levels.

Impact Analysis

As discussed in the previous impact analysis, the project site contains: (1) a total of 15.42 acres (of which 7.42 acres consist of jurisdictional wetlands) of potential USACE jurisdiction; (2) a total of 14.57 acres (of which 7.42 acres consist of jurisdictional wetlands) of potential RWQCB jurisdiction; and (3) 26.79 acres of potential CDFW jurisdiction. However, as discussed above, most of the jurisdictional resources onsite would not be impacted by the proposed project. Permanent impacts to USACE/RWQCB jurisdiction total 6.59 acres (4,293 linear feet) of waters of the U.S./State. Proposed impacts to RWQCB non-federal waters total 0.04 acre (265 linear feet) of waters of the State. Permanent impacts to CDFW jurisdiction total 6.85 acres. In addition, proposed temporary impacts to Corps/RWQCB jurisdiction total 3.06 acre of waters of the U.S./State. There are no temporary impacts associated with RWQCB non-federal waters. Temporary impacts to CDFW jurisdiction total 3.71 acres.

However, implementation of mitigation measure BIO-12 would reduce impacts to less than significant levels by ensuring that mitigation would be provided at a minimum ratio of 1:1 and acknowledges that this ratio may even be increased when the project progresses through the permitting process with the various resource agencies. Mitigation measure BIO-12 would ensure no net loss of wetland areas, and therefore impacts would be reduced to less than significant.

Wildlife Movement and Habitat Fragmentation

Threshold: Would the proposed project interfere substantially with the movement of any native or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

Impact: Implementation of the proposed project could interfere with the movement of any native or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites. Mitigation is identified to reduce this impact to less than significant levels.

Impact Analysis

The proposed project would result in temporary and permanent loss of open, vegetated areas. The permanent loss of open vegetated areas is concentrated on areas supporting landscaped ornamental vegetation associated with golf course. However, no significant habitat fragmentation or effects on wildlife movement would likely result from this loss. Other permanent loss of open vegetated areas occurs on the open water and California bulrush marsh portions of the project site. While these areas are comprised of native habitat suitable for native wildlife species, they not located in between two or more areas of similar vegetation or habitats and would not isolate any habitat. Therefore, the permanent loss of vegetation associated with the proposed project would result in less than significant impacts and no mitigation is necessary.

Although the vast majority of project site would remain open and vegetated, additional infrastructure (such as fencing) may be installed as part of the proposed project. Because the southern portion of the project site is surrounded by naturally vegetated, open areas, permanent site fencing may fragment habitat. This is a potentially significant impact; therefore mitigation has been identified below.

Temporary construction-related impacts to open, vegetated areas are also anticipated. Large portions of the project site are anticipated to be in construction for periods greater than six months. The undeveloped hill side along the western boundary of the project site will likely be isolated from larger tracts of habitat to the east throughout construction duration. Wildlife capable of flight will not likely be subject to any habitat fragmentation, but other wildlife may be affected. Construction activities are anticipated to occur during the daytime and larger wildlife species requiring large home ranges typically move during the night. Regardless this movement may still be restricted if temporary construction barriers block corridors to the larger tracks of open vegetated areas to the east. However, previously identified mitigation measure BIO-9 would reduce this temporary impact to a less than significant level by prohibiting construction fencing between the undeveloped hill southwest of Margarita Avenue and the undeveloped open space south of Irena Avenue. Mitigation measure BIO-9 also requires a minimum of 200 feet, passable by wildlife, be maintained between these two areas so connectivity would not be impacted. With mitigation measure BIO-9, construction impacts on habitat connectivity would be less than significant.

Mitigation

The following mitigation measure is recommended to reduce the potential impacts to California bulrush marsh, arroyo willow thicket, and open water, as well as jurisdictional resources (discussed later in this EIR section):

BIO-13 No permanent fencing impermeable to wildlife shall be installed on the southern portion of the project site (southwest of Margarita Street) that has potential to limit wildlife movement across the site to adjacent, undeveloped areas. Examples of impermeable fencing include electric, chain link, welded wire, mesh fence (plastic or wire material), wrought iron, and any fencing with a solid surface such as wood panel fencing or cinderblock).

Mitigation Monitoring

Prior to the issuance of grading permits, the project developer shall provide evidence to the Department of Community Development that no permanent fencing impermeable to wildlife will be installed on the southern portion of the project site (southwest of Margarita Street).

Impacts After Mitigation

Implementation of mitigation measure BIO-13 would reduce the potential impact to wildlife movement and habitat fragmentation to a less than significant level by prohibiting the installation of permanent fencing barriers along the southern portion of the project site, which is adjacent to existing habitat areas.

Local Ordinances and Policies Protecting Biological Resources

Threshold: Would the proposed project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

Impact: The proposed project would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.

Impact Analysis

The City of Camarillo has not adopted any policies or ordinances protecting biological resources that would be applicable to the proposed project. The existing trees located at the project site are not subject to protection by any local or regional protection ordinances. Therefore, no impacts associated with local biological resource protection policies or ordinances would occur.

Conservation Plans

Threshold: Would the proposed project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

Impact: The proposed project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

Impact Analysis

The project site and its vicinity are not part of any draft or adopted habitat conservation plan, natural community conservation plan, or other adopted local, regional, or state habitat conservation plan. Therefore, implementation of the proposed project would not conflict with any such conservation plan.

CUMULATIVE IMPACTS

Impacts to biological resources are generally confined to the immediate vicinity of a project site. As discussed above, the proposed project has the potential to significantly impact biological resources. However, these are site-specific impacts of the proposed project and mitigation measures are identified to reduce these impacts to less than significant levels. The development of other sites within Camarillo could result in impacts to sensitive biological resources, but the proposed project would have no contribution to any cumulative impacts associated with the disturbance of biological resources elsewhere within Camarillo. However, at the present time, the only other related project within the Camarillo Springs area is the request to modify the conditional of approval for the Village Greens Market located at 795 Camarillo Springs Road. No other new development is proposed or approved within the Camarillo Springs area. As such, no other related projects would potentially impact the biological resources in the vicinity of the project site.

UNAVOIDABLE SIGNIFICANT IMPACTS

The proposed project would not create any unavoidable significant impacts to biological resources.