4.4 BIOLOGICAL RESOURCES

SECTION 4.0

4.4 BIOLOGICAL RESOURCES

This Draft Environmental Impact Report (Draft EIR) analysis section considers the potential for the North Canyon Ranch residential project and Required Island Annexations to result in impacts to biological resources and identifies opportunities to avoid, reduce, or otherwise mitigate potential significant impacts to biological resources, where warranted.

This analysis consists of a description of the existing conditions at the proposed project site and surrounding area, a summary of the regulatory framework that guides the decision-making process, thresholds for determining if the proposed project would result in significant impacts, anticipated impacts (direct, indirect, and cumulative), mitigation measures, and residual impacts (i.e., level of significance after mitigation). The significance of project impacts has been determined in accordance with Appendix G of the CEQA Guidelines, as well as other applicable law, where they apply. Sources used in the analysis are cited where relevant to the analysis; a comprehensive list of references is provided Section 7.0, Organizations and Persons Consulted and References, of this Draft EIR. Project-related reports and materials to support this biological resources analysis are provided in **Appendix D, Biological Resources**, including the Biological Resources Inventory,[1] Jurisdictional Delineation,[2] Gnatcatcher Surveys,[3] and Protected Tree Survey.[4] Biological surveys to inventory the resources at the North Canyon Ranch site were conducted in Spring and Summer 2015, Spring, Summer, and Fall 2017, Spring 2019, and Spring 2023 by Envicom Corporation (Envicom); the results of these surveys is incorporated into this Draft EIR Section.

4.4.1 Existing Conditions

The environmental setting and regulatory setting, below, establish existing conditions relevant to the project. The analysis of project impacts is based upon these baseline conditions.

Environmental Setting

North Canyon Ranch

The environmental setting is a description of the physical environmental conditions on and in the vicinity of the project site.

Literature Review and Field Surveys

The environmental setting is based on a literature review as well as field surveys of the project site.

Literature Review

The literature review included information available in standard biological references and relevant lists and databases pertaining to the status and known occurrences of sensitive and special-status biological resources. Other sources of information included aerial photographs, topographic maps, soil survey maps,

[1] Envicom Corporation, Biological Resources Inventory, North Canyon Ranch Residential Project, July 2023.
[2] Envicom Corporation, Jurisdictional Delineation, North Canyon North Canyon Ranch, Unincorporated Ventura County, June 25, 2015.
[3] TW Biological Services, LLC, Presence/Absence Surveys for Coastal California Gnatcatcher on the North Canyon Ranch Project, Ventura County, California, Permit TE-19843C-0, July 11, 2023; Cooper Ecological Monitoring, Inc., Protocol Survey for California Gnatcatcher *Polioptila californica* at "North Canyon Ranch," Ventura County, California, May 18, 2017; and Cooper Ecological Monitoring, Inc., Protocol Survey for California Gnatcatcher *Polioptila californica* at "North Canyon Ranch", Ventura County, California, June 5, 2015.
[4] CalPacific Sciences, Tree Survey and Arborist Report Update for North Canyon Ranch (TTM 5658-A) in Ventura County, California, February 7, 2024.

climatic data, relevant policy and planning documents, and previous biological studies of the site. The following sources were among those reviewed (for a complete list see Section 7.0, References):

- Biogeographic Information and Observation System (BIOS), California Department of Fish and Wildlife (CDFW), data as of June 20, 2023.
- California Natural Diversity Database (CNDDB) Rarefind 5 report for the 7.5' USGS Simi quadrangle and eight surrounding quadrangles, CDFW, data as of June 20, 2023.
- Inventory of Rare and Endangered Vascular Plants of California report for the 7.5' USGS Simi quadrangle and eight surrounding quadrangles, California Native Plant Society (CNPS), data as of June 20, 2023.
- Protocols for Surveying and Evaluating Impacts to Special-Status Native Plant Populations and Sensitive Natural Communities, CDFW, March 20, 2018.
- California Natural Communities List, CDFW, June 1, 2023.
- United States Fish and Wildlife Service (USFWS) Critical Habitat Mapper, USFWS, data as of June 20, 2023.
- List of Special Vascular Plants, Bryophytes, and Lichens, CDFW, April 2023.
- Special Animals, CDFW, April 2023.

The results of the literature review with respect to the status and known occurrences of sensitive and special-status biological resources at the site and in the surrounding area are discussed under relevant sections later in this section.

General Biological and Botanical Surveys

Biological surveys to inventory the resources at the site were conducted in Spring and Summer 2015, Spring, Summer, and Fall 2017, Spring 2019, and Spring 2023 by Envicom. Envicom also performed natural community mapping using high-resolution aerial imagery of the site. The dates and times as well as survey conditions are provided in the Biological Resources Inventory report in Appendix D.

The field surveys included a search for protected biological resources, including rare, threatened, and endangered plant and wildlife species, special habitats, and rare and sensitive natural communities, as well as an evaluation of the value of the site for wildlife movement. A comprehensive inventory of vascular plants was recorded with all species identified to the taxonomic level necessary to determine their status. Vascular plant species determinations were made using Baldwin B., et al. (2012).[5] Vertebrate wildlife species were identified by direct observation, vocalization, or sign (e.g., tracks, scat, or burrows). Wildlife species identification relied upon Reid (2006),[6] Sibley (2016),[7] and Stebbins (2003).[8]

California Gnatcatcher Protocol Surveys

Focused surveys for the California Gnatcatcher (*Polioptila californica*), a bird species listed as Threatened under the Federal Endangered Species Act (FESA), were conducted by Cooper Ecological Monitoring, Inc. in Spring 2015 and Spring 2017, and by TW Biological Services, LLC in Spring 2023. The survey methodology followed required USFWS protocols. The survey methodology including dates, times and

[5] Baldwin, B. G., D.H. Goldman, D.J. Keil, R. Patterson, T.J. Rosatti, and D.H. Wilken, editors. 2012. The Jepson manual: vascular plants of California, second edition. University of California Press, Berkeley.
[6] Reid, Fiona. A Field Guide to Mammals of North America, 4th ed., Houghton Mifflin Company, New York, New York, 2006.
[7] Sibley, D.A., 2016. The Sibley Field Guide to Birds of Western North America, 2nd edition. A.A. Knopf, New York.
[8] Stebbins, Robert C. (Robert Cyril). A Field Guide to Western Reptiles and Amphibians, 3rd ed., Houghton Mifflin Company, New York, New York, 2003.

conditions of each site visit are discussed in the California gnatcatcher survey reports, which are provided in Appendix D.

Jurisdictional Delineation

A jurisdictional delineation was conducted to satisfy the requirements of the ACOE under Section 404 of the Clean Water Act (CWA), the Los Angeles Regional Water Quality Control Board (RWQCB) under Section 401 of the CWA, and CDFW under California Fish and Game ("F&G") Code section 1600, et seq. Before the delineation, Mr. Tyler Barns, Biologist/Environmental Specialist, reviewed relevant background reference materials such as historic and aerial photographs (Google Earth 2014, Microsoft 2015), the Natural Resources Conservation Service (NRCS) web soil survey (USDA 2015), the National Hydrography Dataset (NHD), and the National Wetland Inventory (NWI) (USFWS 2015). Following review of reference materials as well as a preliminary pre-field identification of potential wetland areas, Mr. Barns conducted field investigations on May 6 and 7, 2015 to delineate the extent of jurisdictional wetlands, waters, and riparian habitat. The field delineation was conducted in accordance with the *1987 ACOE Wetlands Delineation Manual* (ACOE 1987), the Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Arid West Region (Version 2.0) (ACOE 2008a), and *A Field Guide to the Identification of the Ordinary High Water Mark (OHWM) in the Arid West Region of the Western United States* (ACOE 2008b), and *A Field Guide to Mapping Episodic Stream Activity* [where applicable] (Brady and Vyverberg 2013). The study area for the delineation included the entire subject property.

During the field investigation, potential jurisdictional areas were examined for Ordinary High Water Marks (OHWMs), riparian vegetation, and the wetland indicators of hydrophytic vegetation, hydric soils, and wetland hydrology. The potential presence of wetlands was evaluated at test plots, and Wetland Determination Data Forms were used to record observations of vegetation, soils, and hydrology. A Trimble GEOXH 6000 Series GPS unit with sub-meter accuracy was used to geo-reference jurisdictional boundaries and the test plot locations. The results of the jurisdictional delineation are summarized later in this section. Also, the *North Canyon Ranch Jurisdictional Delineation* (Envicom, June 25, 2015) report for the project is provided in Appendix D.

Protected Tree Survey

An arborist survey and health assessment of protected trees within the project area was conducted by George J. Wirtes, ISA Certified Arborist, on June 4, 2022, and is incorporated into the CalPacific Sciences report. The assessment documented the health and stature parameters of each tree onsite, which included but was not limited to total diameter a breast height (DBH), canopy spread, tree height, apparent disease/decay, other signs of potential hazard, and pest damage. The subject trees were tagged with an aluminum tag containing a unique number. A potential risk assessment was also conducted with public safety in mind. The results of the survey are summarized later in this section. Also, the "Tree Survey and Arborists Report Update with Fuel Modification Zones for North Canyon Ranch (TTM 5658-A) in Ventura County, California" (CalPacific Sciences, February 7, 2024) report for the project is provided in Appendix D.

Natural Geographic Features

The site consists primarily of north to south trending ridges and ravines in the northern portion of the site and previously cleared or graded areas in the southern portion of the site. Elevations range from approximately 960 to 1,300 feet above mean sea level (MSL). The site is naturally vegetated and contiguous to the north and west with extensive areas of natural habitat. Portions of the site have been modified, which include cleared and graded areas, unimproved dirt roads, manufactured slopes, and two detention basins. The level, graded areas contain soils that were that deposited on-site during development of the Simi Valley Town Center Mall. There are some "two-track" roads that follow the north-south trending ridgelines, and

these roads continue off-site. There is a fuel reduction zone along the eastern boundary of the site, which protects the adjacent residential development.

The natural vegetation at the site was substantially impacted by cattle grazing, and as a result the site consists predominately of open stands of disturbed native scrub and herb-dominated habitats that are infested with invasive weeds. The geology of the site consists of non-marine sedimentary rocks of the Sespe Formation as well as alluvial deposits along drainage courses.[9] There are some rock outcrops associated with the steep slopes and ridgelines in the northern portion of the site, but the site is otherwise not notably rocky. The soils at the site consist of silty clay loams, shaly loams, gravelly loams, sandy loams, and river wash deposits derived from sedimentary rocks including sandstones, shales, mudstones, and conglomerates.[10] The average high/low temperatures in the area in August are 97/57°F, the average high/low temperatures in December are 68/38°F, and precipitation is approximately 18 inches per year.[11]

The project site is located within the Calleguas Creek watershed. Several ephemeral drainages and one intermittent drainage converge and flow southerly through the site and discharge to man-made ditches that surround the previously graded areas as well as the detention basins at the southern boundary of the site. Flows from the site ultimately discharge into the Arroyo Simi via storm drains, which is approximately 1.15 miles southwest of the site.

Three fires have burned the project site since 1958. The 1958 Brea Canyon Fire burned the western edge and the southwestern corner of the site and the 1970 Clampitt Fire burned the entire site. The most recent fire to burn the site was the Simi Fire of 2003, which burned all but the southeastern corner of the site.

Vegetation

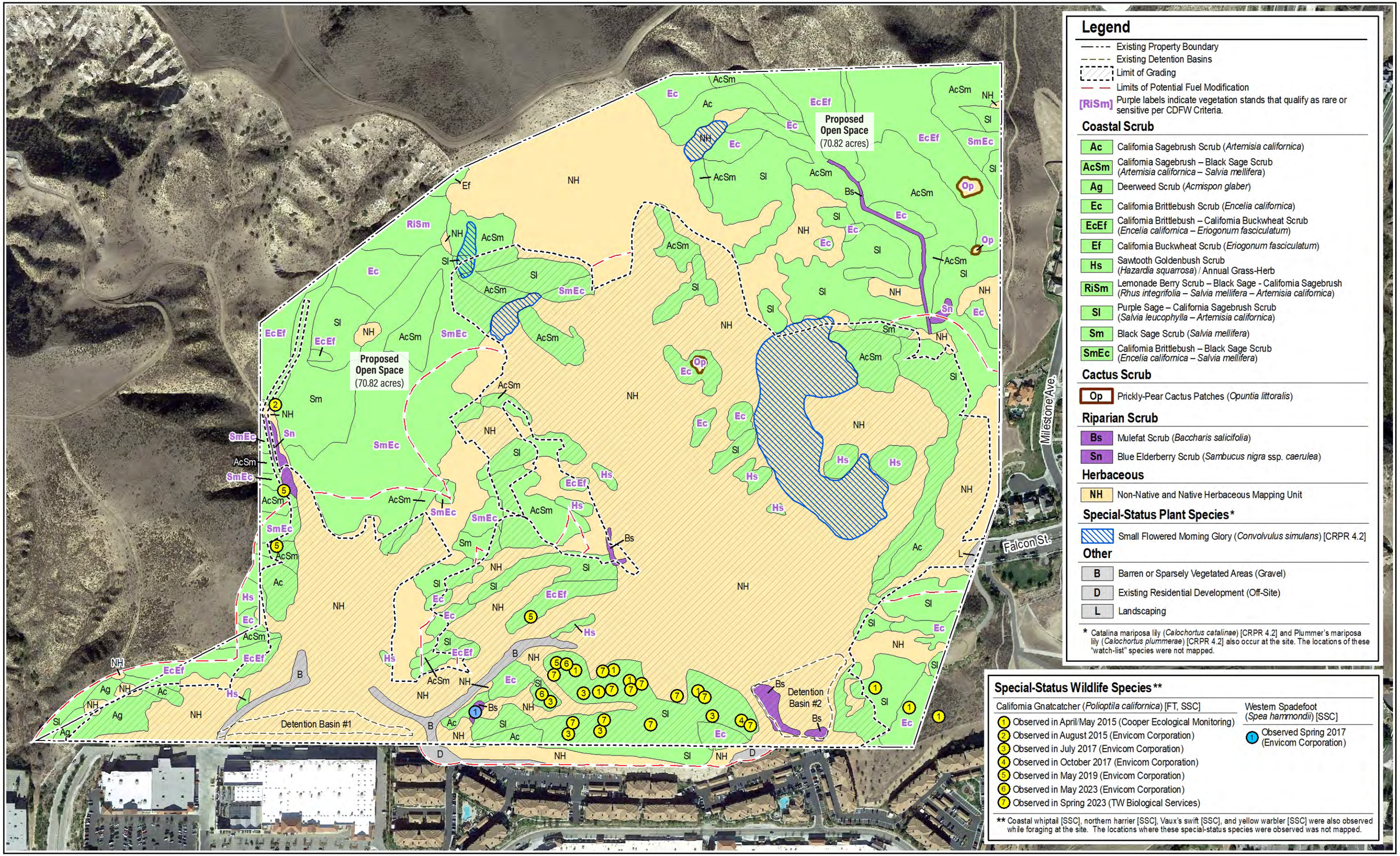
The vegetation at the site consists of coastal sage scrub, small patches of cactus scrub, and non-native grass/forb habitats, as well as patches of riparian scrub along drainage courses and within detention basins. The majority of the natural habitats at the site have been disturbed to some extent by grazing. There are a few planted coast live oak trees (*Quercus agrifolia*) on the manufactured slopes in the southern portion of the site, but there are no oak woodlands at the site. The vegetation and natural communities at the site are shown on **Figure 4.4-1, Vegetation and Special Status Species**. A discussion of the vegetation at the site is provided below, which is organized by habitat class.

Coastal Scrub and Cactus Scrub

The ridgelines and hillsides at the site contain coastal sage scrub dominated or co-dominated by California sagebrush (*Artemisia californica*), California brittlebush (*Encelia californica*), California buckwheat (*Eriogonum fasciculatum*), bush mallow (*Malacothamnus fasciculatus*), purple sage (*Salvia leucophylla*), black sage (*Salvia mellifera*), lemonade berry (*Rhus integrifolia*), sawtooth goldenbush (*Hazardia squarrosa*), or Palmer's goldenbush (*Ericameria palmeri*). The majority of these stands have been grazed over many years, and consequently the shrub canopies are often sparse, open, or intermittent. In a few areas the scrub has not been grazed, including a fenced-off patch near the southern boundary as well as on the steeper hillslopes in the northwestern and northeastern portions of the site.

California brittlebush, California buckwheat, black sage, and sawtooth goldenbush are in general more prevalent on the drier, exposed slopes at the site, while purple sage and California sagebrush occupy the more shaded slopes, including the north-facing slopes. On some of the more exposed slopes there are

[9] United States Geologic Service, https://ngmdb.usgs.gov/mapview/?center=-118.766,34.288&zoom=15
[10] Web Soil Survey, https://websoilsurvey.nrcs.usda.gov/app/
[11] The Weather Channel, www.weather.com



Legend

- Existing Property Boundary
- Existing Detention Basins
- Limit of Grading
- Limits of Potential Fuel Modification
- [RiSm] Purple labels indicate vegetation stands that qualify as rare or sensitive per CDFW Criteria.

Coastal Scrub

- Ac — California Sagebrush Scrub (*Artemisia californica*)
- AcSm — California Sagebrush – Black Sage Scrub (*Artemisia californica – Salvia mellifera*)
- Ag — Deerweed Scrub (*Acmispon glaber*)
- Ec — California Brittlebush Scrub (*Encelia californica*)
- EcEf — California Brittlebush – California Buckwheat Scrub (*Encelia californica – Eriogonum fasciculatum*)
- Ef — California Buckwheat Scrub (*Eriogonum fasciculatum*)
- Hs — Sawtooth Goldenbush Scrub (*Hazardia squarrosa*) / Annual Grass-Herb
- RiSm — Lemonade Berry Scrub – Black Sage - California Sagebrush (*Rhus integrifolia – Salvia mellifera – Artemisia californica*)
- Sl — Purple Sage – California Sagebrush Scrub (*Salvia leucophylla – Artemisia californica*)
- Sm — Black Sage Scrub (*Salvia mellifera*)
- SmEc — California Brittlebush – Black Sage Scrub (*Encelia californica – Salvia mellifera*)

Cactus Scrub

- Op — Prickly-Pear Cactus Patches (*Opuntia littoralis*)

Riparian Scrub

- Bs — Mulefat Scrub (*Baccharis salicifolia*)
- Sn — Blue Elderberry Scrub (*Sambucus nigra* ssp. *caerulea*)

Herbaceous

- NH — Non-Native and Native Herbaceous Mapping Unit

Special-Status Plant Species*

- Small Flowered Morning Glory (*Convolvulus simulans*) [CRPR 4.2]

Other

- B — Barren or Sparsely Vegetated Areas (Gravel)
- D — Existing Residential Development (Off-Site)
- L — Landscaping

* Catalina mariposa lily (*Calochortus catalinae*) [CRPR 4.2] and Plummer's mariposa lily (*Calochortus plummerae*) [CRPR 4.2] also occur at the site. The locations of these "watch-list" species were not mapped.

Special-Status Wildlife Species**

California Gnatcatcher (*Polioptila californica*) [FT, SSC]

1. Observed in April/May 2015 (Cooper Ecological Monitoring)
2. Observed in August 2015 (Envicom Corporation)
3. Observed in July 2017 (Envicom Corporation)
4. Observed in October 2017 (Envicom Corporation)
5. Observed in May 2019 (Envicom Corporation)
6. Observed in May 2023 (Envicom Corporation)
7. Observed in Spring 2023 (TW Biological Services)

Western Spadefoot (*Spea hammondii*) [SSC]

1. Observed Spring 2017 (Envicom Corporation)

** Coastal whiptail [SSC], northern harrier [SSC], Vaux's swift [SSC], and yellow warbler [SSC] were also observed while foraging at the site. The locations where these special-status species were observed was not mapped.

Aerial Source: GoogleEarth Pro, Dec. 10, 2013.

envicom

Vegetation and Special Status Species Map

0 350 Feet

FIGURE 4.4-1

patches or scattered elements of cactus scrub, which consists of coast prickly-pear cactus (*Opuntia littoralis*) and/or coastal cholla cactus (*Cylindropuntia prolifera*). However, there is not a substantial amount of cactus scrub at the site. Bush mallow is common in some areas of the site, mixing with coastal sage species such as purple sage or black sage. Bush mallow is a relatively short-lived plant and where common is often indicative of recent fire or other disturbance. Lemonade berry, an evergreen scrub species, is scattered at higher elevations in the northwestern portion of the site. Numerous cattle and other animal trails traverse the coastal sage scrub habitats at the site, and much of the scrub is infested with naturalized weeds, such as southern Russian thistle (*Salsola australis*), red-stemmed filaree (*Erodium cicutarium*), hoary mustard (*Hirschfeldia incana*), wild oats (*Avena* spp.), and brome grasses (*Bromus* spp).

Some of the other notable native species within the coastal sage scrub at the site are bladderpod (*Peritoma arborea*), bush lupine (*Lupinus succulentus*), California matchweed (*Gutierrezia californica*), sessile-flower goldenaster (*Heterotheca sessiliflora*), narrowleaf bedstraw (*Galium angustifolium*), caterpillar phacelia (*Phacelia cicutaria*), common eucrypta (*Eucrypta chrysanthemifolia*), whispering bells (*Emmenanthe penduliflora*), white everlasting (*Pseudognaphalium microcephalum*), cardinal Indian pink (*Silene laciniata*), elegant clarkia (*Clarkia unguiculata*), threadleaf woolly-star (*Eriastrum filifolium*), Turkish rugging (*Chorizanthe staticoides*), paintbrush (*Castilleja affinis*), golden stars (*Bloomeria crocea*), and blue dicks (*Dipterostemon capitatus* ssp. *capitatus*), coast melic grass (*Melica imperfecta*), crested needlegrass (*Stipa coronata*), and foothill needlegrass (*Stipa lepida*).

Riparian Scrub

Riparian scrub is not extensive at the site. Mulefat scrub (*Baccharis salicifolia*) occurs in small patches or in strips along incised drainages and the man-made drainage ditches as well as within the detention basins along the southern boundary, and blue elderberry (*Sambucus nigra* ssp. *caerulea*) is also found within the drainages at a couple of locations. The mulefat and blue elderberry shrubs typically co-occur with coastal sage species rather than riparian or wetland species, which indicates the drainages on-site are relatively dry habitats.

Herbaceous

The herbaceous communities on-site, which are dominated by non-native grasses and forbs, include previously graded / cleared areas, heavily grazed hillslopes and valleys, and the fuel reduction zone along the site's eastern boundary. Many of the herbs in these areas are naturalized invasive plants. The most prevalent non-native invasive species throughout the site is southern Russian thistle (*Salsola australis*), which due to its spiny bracts and leaves has avoided grazing by herbivores. Other non-native herbs at the site include annual bursage (*Ambrosia acanthacarpa*), tocalote (*Centaurea melitensis*), hoary mustard (*Hirschfeldia incana*), London rocket (*Sisymbrium irio*), goosefoot (*Chenopodium* sp.), bur-clover (*Medicago polymorpha*), sourclover (*Melilotus indicus*), red-stemmed filaree (*Erodium cicutarium*), long-beaked filaree (*Erodium botrys*), small-flowered cheeseweed (*Malva parviflora*), wild oats (*Avena barbara, A. fatua*), ripgut brome (*Bromus diandrus*), red brome (*Bromus madritensis* ssp. *rubens*), soft chess (*Bromus hordeaceous*), and foxtail barley (*Hordeum murinum*). Although dominated by non-natives, native herbs and shrubs are also present in the herbaceous habitats at the site. Some of these native species include sawtooth goldenbush (*Hazardia squarrosa*), deerweed (*Acmispon glaber*), common fiddleneck (*Amsinckia intermedia*), slender tarplant (*Deiandra fasciculata*), succulent lupine (*Lupinus succulentus*), telegraph weed (*Heterotheca grandiflora*), virgate wire-lettuce (*Stephanomeria virgata*), and turkey mullein (*Croton setiger*). The composition and cover of herbs varied somewhat year to year depending on climate conditions. For example, native succulent lupine was dominant throughout much of the previously graded areas in 2023, a year of high precipitation. In drier years these same areas were strongly dominated by non-native species.

Protected Trees

A tree survey was conducted for the project on June 4, 2022, which evaluated 16 trees located at the project site involving five distinct species, including native Englemann oak (*Quercus engelmanii*), Pacific willow (*Salix lasiandra*), and Mexican elderberry (*Sambucus mexicana*), and non-native black locust (*Robinia pseudoacacia*) and Peruvian pepper (*Schinus molle*). The black locust and Peruvian pepper are considered invasive by the California Invasive Plant Council. All 16 trees are within the proposed grading limits. There is also a patch of scrub oaks (*Quercus berberidifolia*) in the northeastern portion of the site. These scrub oaks are well outside the project grading limits and potential fuel modification zones. All trees in 2022 were in fair to good health with good vigor and limited signs of decay or disease. Simi Valley Municipal Code (SVMC) Chapter 9-80 establishes the following terms for the purposes of SCVMC Chapter 9-38, the Mature Tree Preservation regulations:

- Historic Tree. A living tree designated by resolution of the Council as an historic tree because of an association with some event or person of historical significance to the community, or because of special recognition due to aesthetic qualities, condition, or size.
- Mature Native Oak Tree. A living native oak tree with a cross-sectional area of all major stems, as measured four and one-half feet above the root crown, of 20 or more square inches.
- Mature Tree. A living tree with a cross-sectional area of all major stems, as measured four and one-half feet above the root crown, of 72 or more square inches. Mature trees shall not include stump regrowths.
- Native Oak Tree. A living tree of the genus *Quercus* and species *agrifolia, berberidifolia, lobata*, or hybrids thereof.
- Protected Trees. All historic trees, all mature native oak trees, or any mature trees which are associated with a proposal for urban development or are located on a vacant parcel.

Five of the 16 trees meet criteria are protected as mature trees under the SVMC and would require a permit by the Planning Director before removal. The five Protected trees at the project site include two Mexican elderberries, two Pacific willows, and a Peruvian pepper. A Garmin 64s handheld GPS device was used to record the locations of the trees within the site. The locations of the trees surveyed in 2022 are shown on maps in The Tree Survey and Arborists Report Update report in Appendix D, along with the methods and results of the survey.

Natural Communities of Special Concern

Natural Communities of Special Concern are communities that are of limited distribution statewide or within a county or region and are often vulnerable to the environmental effects of projects. They are also referred to as rare or sensitive plant communities. Natural Communities of Special Concern require special consideration and protection pursuant to the California Environmental Quality Act, specifically based on CEQA Thresholds Guidelines Appendix G Section 1V.b.[12] Natural communities with global or state conservation status ranks of G1 through G3, or S1 through S3, respectively, or a "Sensitive" designation, are considered to be Natural Communities of Special Concern. The conservation status ranks and sensitive designations for natural communities in the state are provided in the *California Natural Communities List* (CDFW, June 1, 2023).[13]

[12] CEQA Guidelines Appendix G Biological Resources IV.b reads as follows: "would the 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 Game or US Fish and Wildlife Service?"

[13] California Department of Fish and Wildlife, California Natural Community List Accessed at: https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=153398&inline

The natural communities at the site were correlated with the *California Natural Communities List* and are mapped on Figure 4.4-1. Natural communities are classified based on plant species composition and abundance as well as underlying abiotic conditions, such as slope, aspect, or soil type. The acreages and conservation status ranks of the natural communities at the site are provided in **Table 4.4-1**, **Natural Communities at Project Site,** below.

Table 4.4-1
Natural Communities at Project Site

Habitat Class	Natural Community*	Conservation Status Rank	Study Area Acreage (On-Site)	Study Area Acreage (Off-site)
Coastal Scrub	Black Sage Shrubland Association (*Salvia mellifera*) [32.020.03]	G4S4	3.30	0.00
	California Sagebrush Shrubland Alliance (*Artemisia californica*) [32.015.00]	G5S5	2.82	0.19
	Lemonade Berry - Black Sage – California Sagebrush Shrubland Association (*Rhus integrifolia - Artemisia californa –Salvia mellifera*) [37.803.05]	G3S3; Sensitive	1.09	0.00
	California Sagebrush – Black Sage Shrubland Alliance (*Artemisia californica – Salvia mellifera*) [32.210.00]	G4S4	14.68	0.05
	Deerweed Shrubland Alliance (*Acmispon glaber*) [37.070.00]	G5S5	0.93	0.25
	California Brittlebush Shrubland Alliance (*Encelia californica*) [32.051.00]	G3S3	6.41	0.14
	California Brittlebush – California Buckwheat Shrubland Phase of California Brittlebush Shrubland Association *(Encelia californica – Eriogonum fasciculatum*)	G3S3; Sensitive	8.57	0.22
	California Buckwheat Shrubland Alliance (*Eriogonum fasciculatum*) [32.040.00]	G5S5	0.14	0.00
	Sawtooth Goldenbush Shrubland Alliance (*Hazardia squarrosa*) [32.055.00]	G3S3	1.56	0.21
	Purple Sage – California Sagebrush Shrubland Association (*Salvia leucophylla – Artemisia californica*) [32.090.01]	G4S4	24.12	0.96
	California Brittlebush – Black Sage Shrubland Association (*Encelia californica – Salvia mellifera*) [32.050.05]	G3S3?; Sensitive	11.12	0.02
Cactus Scrub	**Coast Prickly-Pear Shrubland Alliance (*Opuntia littoralis*) [32.150.00]**	G4S3	0.20	0.00
Riparian Scrub	**Blue Elderberry Shrubland Association (*Sambucus nigra* ssp. *caerulea*) [63.410.01]**	Sensitive	0.38	0.00
	Mulefat Shrubland Alliance (*Baccharis salicifolia*) [63.510.00]	G5S4	0.80	0.00
Herbaceous	Non-Native and Native Herbaceous	Not ranked	82.82	1.34

Habitat Class	Natural Community*	Conservation Status Rank	Study Area Acreage (On-Site)	Study Area Acreage (Off-site)
Other Landcover	Barren or Sparsely Vegetated	n/a	1.16	0.00
	Existing Residential Development	n/a	0.00	0.47
	Landscaping	n/a	0.09	0.00
		Total Acreages	**160.19**	**3.85**

* Numbers in brackets are unique codes for each plant community, as provided in the *California Natural Communities List* (CDFW, June 1, 2023). Plant communities in **bold type** are CDFW Natural Communities of Special Concern (Rare or Sensitive Plant Communities).

GLOBAL RANKING
The global rank (G-rank) is a reflection of the overall status of a natural community throughout its global range. Both Global and State ranks represent a letter+number score that reflects a combination of Rarity, Threat and Trend factors, with weighting being heavier on Rarity than the other two. "?"- Denotes an inexact numeric rank due to insufficient samples over the full, expected range of the vegetation type, but existing information points to the rank given.
G1 - Critically Imperiled—At very high risk of extinction due to extreme rarity (often 5 or fewer occurrences), very steep declines, or other factors.
G2 - Imperiled—At high risk of extinction due to very restricted range, very few occurrences (often 20 or fewer), steep declines, or other factors.
G3 - Vulnerable—At moderate risk of extinction due to a restricted range, relatively few occurrences (often 80 or fewer), recent and widespread declines, or other factors.
G4 - Apparently Secure—Uncommon but not rare; some cause for long-term concern due to declines or other factors.
G5 - Secure—Common; widespread and abundant.

STATE RANKING
The state rank (S-rank) is assigned much the same way as the global rank, but state ranks refer to the imperilment status only within California's state boundaries.

S1 - Critically Imperiled—Critically imperiled in the state because of extreme rarity (often 5 or fewer occurrences) or because of factor(s) such as very steep declines making it especially vulnerable to extirpation from the state.
S2 - Imperiled—Imperiled in the state because of rarity due to very restricted range, very few occurrences (often 20 or fewer), steep declines, or other factors making it very vulnerable to extirpation from the state.
S3 - Vulnerable—Vulnerable in the state due to a restricted range, relatively few occurrences (often 80 or fewer), recent and widespread declines, or other factors making it vulnerable to extirpation from the state.
S4 - Apparently Secure—Uncommon but not rare in the state; some cause for long-term concern due to declines or other factors.
S5 - Secure—Common, widespread, and abundant in the state.

There are seven rare or sensitive natural communities at the site, including:

1. California Brittlebush Shrubland Alliance (*Encelia californica*)
2. California Brittlebush – Black Sage Shrubland Association (*Encelia californica – Salvia mellifera*)
3. California Brittlebush – California Buckwheat Shrubland Phase (*Encelia californica – Eriogonum fasciculatum*)
4. Coast Prickly-Pear Shrubland Alliance (*Opuntia littoralis*)
5. Blue Elderberry Shrubland Alliance (*Sambucus nigra* ssp. *caerulea*)
6. Lemonade Berry – Black Sage – California Sagebrush Shrubland Association (*Rhus integrifolia – Salvia mellifera – Artemisia californica*)
7. Sawtooth Goldenbush Shrubland Alliance (*Hazardia squarrosa*)

These rare or sensitive communities are indicated on the Figure 4.4-1 with purple labels, and in Table 4.4-1 by bold lettering. At many locations these rare or sensitive communities are open in structure and highly disturbed by non-native species, particularly in the central and southern portion of the site. The most highly disturbed stands are not quality examples of these habitats and are unlikely to recover by natural processes.

Plant Communities/Habitats Listed in CNDDB

A review of the CNDDB Rarefind 5 application reveals 13 Sensitive Plant Communities/Habitats have been reported in the Simi Quadrangle area or within adjacent quadrangles. These Sensitive Plant Communities/Habitats include California Walnut Woodland, Cismontane Alkali Marsh, Southern California Threespine Stickleback Stream, Southern Coast Live Oak Riparian Forest, Southern Cottonwood Willow Riparian Forest, Southern Mixed Riparian Forest, Southern Riparian Forest, Southern Riparian Scrub, Southern Sycamore Alder Riparian Woodland, Southern Willow Scrub, Valley Needlegrass Grassland, Valley Oak Woodland, and Walnut Forest. None of these Sensitive Plant Communities/Habitats occur at the site. Psomas reported valley (purple) needlegrass grassland on a north-facing slope in the southern portion of the site in 2005, in an opening in purple sage and California sagebrush scrub.[14] However, this area as well as the entire site was searched for native grassland in 2015, 2017, 2019, and 2023 and no patches of native grassland were found. This patch of needlegrass grassland appears to be extirpated.

Plant Species

Plant Species Observed

A total of 219 vascular plant taxa were identified during the surveys of the site by Envicom in 2015, 2017, 2019, and 2023 including two ferns or fern allies and 217 flowering plants, including 182 dicots and 35 monocots. Of these, 164 were naturally occurring native species and 55 were non-native or introduced, representing moderate diversity of native species for a 160-acre site and a moderate proportion of non-natives. A complete list of the vascular plant species observed within the survey area is provided in the Biological Resources Inventory in Appendix D.

Special-Status Plant Species

Special-status plant species either have unique biological significance, limited distribution, restricted habitat requirements, particular susceptibility to human disturbance, or a combination of these factors. For the purposes of this report, special-status plant species are those plants listed, proposed for listing, or candidates for listing as Threatened or Endangered under the FESA; those listed or proposed for listing as Threatened or Endangered under the California Endangered Species Act (CESA); those listed as Rare under the Native Plant Protection Act; and plants on the CNPS Inventory of Rare and Endangered Vascular Plants with a California Rare Plant Rank (CRPR) 1A (plants presumed extirpated in California and either rare or extinct elsewhere), 1B (which includes plants considered to be rare, threatened, or endangered species in California and elsewhere), 2A (plants presumed extirpated in California, but more common elsewhere), 2B (plants rare, threatened, or endangered in California, but more common elsewhere), and 3 (plants about which more information is needed - a review list).

The term special-status also denotes species on the CNPS Inventory with a CRPR 4 that meet criteria to be considered locally significant. Plants with a CRPR of 4 are not rare, but rather are included on a "watch list" of species with limited distribution. However, while plants in this category cannot be called "rare" from a statewide perspective, and very few, if any, are eligible for state listing, many of them are significant locally. For this reason, CNPS strongly recommends that CRPR 4 plants be evaluated for consideration during preparation of environmental documents, which may be particularly appropriate for the type locality of a CRPR 4 plant; populations at the periphery of a species' range; areas where the taxon is especially uncommon; areas where the taxon has sustained heavy losses; or populations exhibiting unusual morphology or occurring on unusual substrates.

[14] Psomas, North Canyon Ranch Residential Development Bio Constraints and Opportunities, December 2006.

Species on the Ventura County's list of locally important species are also considered special-status.[15] According to the County's General Plan, a Locally Important Species is a plant (or animal) that is not an endangered, threatened, or rare species, but is considered by qualified biologists to be quality example or unique species within the County and region. The County's list includes plant species that are declining throughout their range and have five or fewer occurrences in Ventura County, based on Consortium of California Herbaria records and other sources. Although the City is the lead agency for this project, Ventura County Locally Important Species are included as the site is currently in unincorporated Ventura County.

The status codes for special-status plants are described in **Table 4.4-2, Status Codes for Special-Status Plants**.

Table 4.4-2
Status Codes for Special-Status Plants

FEDERALLY PROTECTED SPECIES	
FE (Federal Endangered)	A species that is in danger of extinction throughout all or a significant portion of its range.
FT (Federal Threatened)	A species that is likely to become Endangered in the foreseeable future.
FC (Federal Candidate)	A species for which USFWS has sufficient information on its biological status and threats to propose it as Endangered or Threatened under the Endangered Species Act (ESA), but for which development of a proposed listing regulation is precluded by other higher priority listing activities.
STATE PROTECTED SPECIES	
CE (California Endangered)	A native species or subspecies which is in serious danger of becoming extinct throughout all, or a significant portion, of its range due to one or more causes, including loss of habitat, change in habitat, overexploitation, predation, competition, or disease.
CT (California Threatened)	A native species or subspecies that, although not presently threatened with extinction, is likely to become an Endangered species in the foreseeable future in the absence of the special protection and management efforts required by this chapter. Any animal determined by the commission as "Rare" on or before January 1, 1985, is a "Threatened species."
CR (California Rare)	A species, subspecies, or variety of plant is rare under the Native Plant Protection Act (NPPA) when, although not presently threatened with extinction, it is in such small numbers throughout its range that it may become Endangered if its present environment worsens. Animals are no longer listed as Rare; all animals listed as Rare before 1985 have been listed as threatened.
CALIFORNIA RARE PLANT RANK (CRPR) (formerly CNPS Lists)	
CRPR 1A	Plants presumed extirpated in California and either rare or extinct elsewhere.
CRPR 1B	Plants rare, threatened, or endangered in California and elsewhere.
CRPR 2A	Plants presumed extirpated in California, but more common elsewhere.
CRPR 2B	Plants rare, threatened, or endangered in California, but more common elsewhere.
CRPR 3	A review list for plants for which there is inadequate information to assign them to one of the other lists or to reject them.
CRPR 4	A watch list for plants that are of limited distribution in California.

[15] County of Ventura, Ventura County Planning Division 2022 Locally Important Plant List, Access at: https://docs.vcrma.org/images/pdf/planning/conservation/2022-Locally-Important-Plant-List.pdf

CALIFORNIA NATIVE PLANT SOCIETY (CNPS) THREAT RANK	
The CNPS Threat Rank is an extension added onto the California Rare Plant Rank and designates the level of endangerment, as follows: • 0.1-Seriously threatened in California (over 80% of occurrences threatened / high degree and immediacy of threat) • 0.2-Fairly threatened in California (20-80% occurrences threatened / moderate degree and immediacy of threat) • 0.3-Not very threatened in California (<20% of occurrences threatened / low degree and immediacy of threat or no current threats known)	
LOCALLY IMPORTANT SPECIES	
VCLIP	Ventura County Locally Important Plant Species

Survey Results

No special-status plant species that are considered to be rare, threatened, or endangered were found at the site during surveys conducted by Envicom in 2015, 2017, 2019, and 2023 or during prior surveys of the site by Psomas in May and August 2005.

Three CRPR 4 species were found during the surveys conducted by Envicom, including Catalina mariposa lily (*Calochortus catalinae*) [CRPR 4.2], Plummer's mariposa lily (*Calochortus plummerae*) [CRPR 4.2], and small-flowered morning glory (*Convolvulus simulans*) [CRPR 4.2]. Plummer's mariposa lilies were also found during surveys conducted by Psomas in May and June 2005. At the time of Psomas' surveys in 2005, the Plummer's mariposa lily was considered a rare species with a CRPR 1B.2 but is has since been downlisted with CNPS reporting it is "not as rare as initially thought."

The Catalina mariposa lily is a perennial bulbiferous herb in the lily family (Liliaceae) that occurs in chaparral, cismontane woodland, coastal scrub, and valley and foothill grassland in portions of coastal southern California. It is common in intact and grazed scrub and herbaceous habitats throughout the site, but generally absent from previously cleared or graded areas. Bulbs of this species emerged and bloomed in very high numbers estimated to be in the 10,000s in Spring 2017, when conditions were obviously very favorable. The majority of the bulbs remained dormant in 2015 and 2019, when this species bloomed in lower numbers, estimated to be in the 100s in 2015, and in the 1000s and 2019 and 2023. Due to the high numbers and wide distribution over the site as well as its non-protected status, the locations of this species were not mapped during the surveys.

The Plummer's mariposa lily is a perennial bulbiferous herb in the lily family that is generally found in rocky habitats in chaparral, cismontane woodland, coastal scrub, lower montane coniferous forest, and valley and foothill grassland. It is also restricted to portions of southern California and is primarily found in the Los Angeles region. Plummer's mariposa lily is uncommon at the site and occurs primarily on ridgelines and other exposed open areas with low shrub cover. Psomas documented 360 flowering Plummer's mariposa lilies in 2005 while there were only two flowering plants in 2015; zero in 2017 or 2019; and 24 in 2023. The Plummer's mariposa lily is a fire-follower and can be common where it occurs after a fire. The Psomas surveys were conducted two growing seasons after the 2003 Simi Fire, which burned nearly the entire site. This may account for the greater number of blooming plants found in 2005 when compared to the 2015, 2017, 2019, and 2023 surveys. Due to its non-protected status, the locations of this species were not mapped during the surveys. This species was formerly considered a Ventura County Locally Important Plant, but it has since been removed from the County's list.

The small-flowered morning-glory is an annual herb in the morning-glory family (*Convolvulaceae*) that occurs on clay substrates in chaparral, coastal scrub, and valley and foothills grassland habitats. It occurs at four general locations at the site primarily in herbaceous habitats but also in open scrub, and notably in

significant numbers in the understory of dense stands of non-native black mustard (*Brassica nigra*). At the time of surveys this species was considered a Ventura County Locally Important Plant, but it has since been removed from this list. The locations of this species are shown in blue hatch on Figure 4.4-1. This is an annual species with seed germination varying substantially each year depending on conditions. The number of plants observed at the site in 2017 in 2023 was estimated to be in the 1000s, and in much lower numbers in 2015 and 2019.

Potential for Occurrence – Special-Status Plant Species

An evaluation of the potential for occurrence at the site of special-status plant species known to occur in the region was undertaken through a search of the *CNPS Online Inventory of Rare and Endangered Plants, 8th ed.* (CNPS 2023) and the California Department of Fish and Wildlife's CNDDB Rarefind 5 application (CDFW 2023) for sensitive "elements" reported within the Simi quadrangle, and eight others that surround it: Calabasas, Fillmore, Moorpark, Newbury Park, Piru, Santa Susana, Thousand Oaks, and Val Verde. CRPR 4 species and Ventura County Locally Important Plant Species were not included in the analysis. Many of the special-status plant species known to occur in the region are precluded from occurring at the site due to lack of suitable habitat, and given the intensity and correct timing of the 2015, 2017, 2019, and 2023 springtime field surveys, other than the CRPR 4.2 species discussed above, special-status species are considered absent from the site (see the Biological Resources Inventory report in Appendix D for additional information):

Wildlife Species

Wildlife Observed

Many wildlife species were observed during biological surveys of the site some of which are common or relatively common and others that are uncommon or rare in the region. A list of the species observed during surveys by Envicom and/or Cooper Ecological Monitoring is provided in the Biological Resources Inventory report in Appendix D. In addition to the species observed, many additional species can be expected to utilize habitats at the site for cover, foraging, and reproduction. Also, in general, the species observed include those that are more easily detected during daytime surveys. Several vertebrate species including many species of reptiles, birds, mammals can be expected to inhabit and reproduce at the site, and a wide range of additional species can be expected to utilize the site's resources routinely, such as foraging raptors, and medium to large-sized mammals, such as coyotes, bobcats, and skunks. Large burrows potentially attributable to coyotes were observed along the steep banks of the washes in the northeastern portion of the site, and the site's expansive area of open scrub and herbaceous habitats, which are contiguous with similar habitats to the west, north, and northeast, are highly suitable for foraging raptors. Numerous small mammal burrows were observed throughout the site. Of note were erodable rock substrates containing numerous small cavities in the southern portion of the site, which were inhabited by nesting rock wrens. These cavities may provide refuge for many other species as well. The bird species observed during the 2015, 2017, 2019, and 2023 surveys consisted primarily of year-round residents, summer residents, and potential migrants. Several species of birds, particularly those that inhabit coastal scrub, non-native grassland, or sparse riparian scrub habitats, are expected to nest at the site in any given year.

Special-Status Wildlife Species

For the purposes of this report, special-status wildlife species are those species that are listed, proposed for listing, or that meet the criteria for listing as Endangered or Threatened under the FESA or CESA; and those that are listed on the CDFW's Special Animals list with a designation of SSC (California Species of Special Concern) or CFP (California Fully Protected). Mandatory special consideration or protection of these species is required pursuant to FESA, CESA, and/or CEQA. The status codes for special-status wildlife are described shown below in **Table 4.4-3, Status Codes for Special-Status Wildlife**.

Federal and State Listed Wildlife Species

The only species listed under FESA or CESA that has been observed at the site is the California gnatcatcher (*Polioptila californica*). The California gnatcatcher is a small non-migratory blue-gray songbird that occupies coastal scrub habitats. It is listed as Threatened under the FESA and is considered a Species of Special Concern by the State of California.

USFWS protocol presence/absence surveys for the California gnatcatcher were conducted in Spring 2015 and Spring 2017 by Cooper Ecological Monitoring and by TW Biological Services in Spring 2023. Cooper Ecological Monitoring detected two California gnatcatchers during the 2015 protocol survey and zero California gnatcatchers during the 2017 protocol survey. TW Biological Services observed a breeding pair including an adult male and female and two juvenile California gnatcatchers during the 2023 protocol survey. The methods and results of the protocol surveys are discussed in separate reports by Cooper Ecological Monitoring and TW Biological Services. [16, 17, 18.]

Table 4.4-3
Status Codes for Special-Status Wildlife

FEDERALLY PROTECTED SPECIES	
FE (Federal Endangered)	A species that is in danger of extinction throughout all or a significant portion of its range.
FT (Federal Threatened)	A species that is likely to become endangered in the foreseeable future.
FC (Federal Candidate)	A species for which USFWS has sufficient information on its biological status and threats to propose it as endangered or threatened under the Endangered Species Act (ESA), but for which development of a proposed listing regulation is precluded by other higher priority listing activities.
FSC (Federal Species of Concern)	A species under consideration for listing, for which there is insufficient information to support listing at this time. These species may or may not be listed in the future, and many of these species were formerly recognized as "Category-2 Candidate" species.
STATE PROTECTED SPECIES	
CE (California Endangered)	A native species or subspecies which is in serious danger of becoming extinct throughout all, or a significant portion, of its range due to one or more causes, including loss of habitat, change in habitat, overexploitation, predation, competition, or disease.
CT (California Threatened)	A native species or subspecies that, although not presently threatened with extinction, is likely to become an endangered species in the foreseeable future in the absence of the special protection and management efforts required by this chapter. Any animal determined by the commission as "rare" on or before January 1, 1985, is a "threatened species."
SSC (California Species of Special Concern)	Animals that are not listed under the California Endangered Species Act, but which nonetheless 1) are declining at a rate

[16] Cooper Ecological Monitoring, *Protocol survey for California gnatcatcher Polioptila californica at "North Canyon Ranch,"* June 5, 2015.
[17] Cooper Ecological Monitoring, *Protocol survey for California gnatcatcher Polioptila californica at "North Canyon Ranch,"* May 18, 2017.
[18] TW Biological Services, *Presence/Absence Surveys for Coastal California Gnatcatcher on the North Canyon Ranch Residential Project, Ventura County, California.* July 11, 2023.

	that could result in listing, or 2) historically occurred in low numbers and known threats to their persistence currently exist.
CFP (California Fully Protected)	This designation originated from the State's initial effort in the 1960's to identify and provide additional protection to those animals that were rare or faced possible extinction. Lists were created for fish, mammals, amphibians, reptiles, and birds. Most fully protected species have also been listed as threatened or endangered species under the more recent endangered species laws and regulations. California Fully Protected species may not be taken or possessed at any time and no licenses or permits may be issued for their take except for collecting these species for necessary scientific research and relocation of the bird species for the protection of livestock.
SA (Special Animal)	Species on CDFW's Special Animals list that is not listed under the FESA or CESA, or as Species of Special Concern or California Fully Protected.

As summarized in the 2015 report, "the survey determined that the California Gnatcatcher is present at the site, with an adult male detected on each visit, and a second bird, either an adult female or a young-of-the-year, seen on the last of six visits. While I observed the male engaged in likely territorial behavior (on the final visit only), I observed no nest-building or other breeding behavior by the end of the survey." All detections during the 2015 protocol survey were made in areas of intact (i.e., ungrazed, and with a dense canopy structure) coastal sage scrub in the southern and southeastern portions of the site, as well as intact coastal sage scrub located off-site to the southeast. As stated, no California gnatcatchers were detected during the 2017 protocol survey.

As summarized in the 2023 report, "A single coastal California gnatcatcher pair was detected onsite during the 2023 surveys. This pair was located on the ridge along the southern boundary of the property, just north of the Avalon apartments. One or both adults were observed on each of the six survey dates and the pair was observed with juveniles on June 2." The report also identifies approximately 14 acres of suitable coastal California gnatcatcher habitat at the following locations: "a ridge along the southern border just north of the Avalon apartments, a west facing slope in the southeastern corner, an east facing slope along the western border, an east facing slope in the northeast corner, and a bench in the canyon bottom above the incised drainage in the northeast part of the site." These patches of suitable habitat are shown on maps in the 2023 survey report.

In addition to the detections by Cooper Ecological Monitoring and TW Biological Services, Envicom observed one California gnatcatcher in August 2015; two in July 2017; two in October 2017; three in May 2019; and three in May 2023 during biological surveys of the site. The locations of the detections by Cooper Ecological Monitoring, TW Biological Services, and Envicom are shown on Figure 4.4-1. The observations by Envicom in May 2023 included a male in breeding plumage foraging with two other birds, likely an adult female and a juvenile. Most of these observations were in the relatively intact coastal sage scrub in the southern portion of the property, in the same general location where the birds were detected during the 2015 protocol survey, as well as in suitable coastal sage scrub in the western portion of the site.

The site is nearly entirely within USFWS-designated Critical Habitat for the California gnatcatcher (specifically Ventura County and Los Angeles County Unit 13). Critical habitat is a term in the FESA that identifies geographic areas containing physical or biological features essential for the conservation of a Threatened or Endangered species. Critical habitat is considered essential for the long-term conservation and recovery of the species. The designation of critical habitat does not affect land ownership or establish

a refuge, wilderness, reserve, preserve, or other conservation area. Federal agencies that undertake, fund or permit activities that may affect critical habitat are required to consult with the USFWS to ensure such actions do not adversely modify or destroy designated critical habitat, but the designation does not affect purely private or state actions on private or state lands, nor require private or other non-federal lands to be managed for conservation.

California Species of Special Concern

Seven species that are considered Species of Special Concern by the State of California have been detected at the site. These species include the western spadefoot (*Spea hammondii*), coastal whiptail (*Aspidoscelis tigris stejnegeri*), yellow warbler (*Setophaga petechia*), Vaux's swift (*Chaetura vauxi*), northern harrier (*Circus cyaneus*), and grasshopper sparrow (*Ammodramus savannarum*). The California gnatcatcher is also a Species of Special Concern.

The western spadefoot is a terrestrial toad, which occurs in grasslands, oak woodlands, coastal sage scrub, and chaparral. They use temporary pools for breeding, but they will also readily breed in artificial water bodies such as cattle ponds. This species bred in a small temporary pond near the southern boundary of the site in Spring 2017. Several hundred western spadefoot tadpoles were observed at the pond in March and April 2017, and numerous young toadlets, which had metamorphosed from tadpoles, were also observed buried in the sandy soils and moving through the scrub around the perimeter of the pond in April and May 2017. This species is only dependent upon aquatic habitats such as the small temporarily pond for breeding, and otherwise resides in terrestrial habitats. The juvenile spadefoot toads will have dispersed into the open grassland and scrub habitats at the site, where they will have become cryptic occupying refugia such as burrows and conducting most movements at night. The amount and timing of rainfall in 2017 was adequate for water to remain in the pond for a sufficient period to support the breeding requirements of this species. The pond did not fill for any notable duration in 2015 or 2019, which were lower rainfall years. It did fill for an extended period in 2023, and it was visited in March, April, May, and June 2023 but there were no spadefoot tadpoles. Based on review of historical aerials, this pond appears to be man-made or to be a result of prior land modifications at the site. The western detention basin at the site also pools in some years and may also be suitable breeding habitat for this species, but no significant pooling of any duration was observed in the eastern detention basin, including in 2017 or 2023. There is no other potential spadefoot breeding habitat on-site.

The coastal whiptail is an active, slim-bodied diurnal lizard that typically forages in openings near vegetative cover. It is found in a variety of habitats, but primarily in hot and dry areas with sparse foliage. A few of these lizards were observed in open scrub habitats during surveys of the site in 2015, 2017, 2019, and 2023. This species is potentially present throughout much of site, especially within and near scrub habitats.

The yellow warbler is small migratory songbird that generally occupies riparian vegetation in close proximity to water along streams and in wet meadows. Yellow warblers were detected during surveys of the site in May 2015 and May 2017. Due to the lack of well-developed riparian habitats at the site, these individuals were probably migrants resting and/or foraging temporarily. This species would probably not nest in the riparian scrub at this particular site.

The Vaux's swift is a small, aerial forager, which is a commonly seen as migrant in the region. Vaux's swifts were observed flying over the site in 2017. This species may forage overhead during migration but is not expected to roost or breed at the site.

The grasshopper sparrow is small, solitary bird, which is rare and declining in the region and is typically found on dry ground in large expanses of dense tall grass with scattered scrubs or weeds. A grasshopper

sparrow was heard vocalizing on two separate occasions in weedy non-native and native herbaceous habitats at the same location in the southwestern portion of the site in April 2023. This species may occur as a resident or may have been passing through during migration. This species could potentially nest at the site.

The northern harrier, which is a long-winged, low-flying migratory hawk, was observed at the site in 2005 or 2006, as well as in 2017. This species is an uncommon migrant and winter visitor to extensive open freshwater and saltwater marshes, grasslands, and agricultural fields in the Los Angeles region. This species is expected to forage at least occasionally if not routinely at the site as a winter visitor or migrant. As this species typically nests on the ground in marshes, it would not nest at the site. Also, breeding populations have been virtually extirpated from the coastal lowlands of the Los Angeles region. However, the site does provide good foraging habitat for this species, as well as several other common species of diurnal and nocturnal raptors that can be expected to occur.

Special Animals

A few additional species on CDFW's Special Animals list have been observed at the site by Envicom and/or Cooper Ecological Monitoring, including five birds on CDFW's Watch List: Bell's sage sparrow (*Artemisiospiza belli*), California horned lark (*Eremophila alpestris actia*), Cooper's hawk (*Accipiter cooperii*), sharp-shinned hawk (*Accipter striatus*), and southern California rufous-crowned sparrow (*Aimophila ruficeps canescens*). California horned lark, southern California rufous-crowned sparrow, and the Bell's sage sparrow were observed nesting at the site. Other Special Animals observed include rufous hummingbird (*Selasphorus rufus*) [SA], Costa's hummingbird (*Calypte costae*) [SA], and Lawrence's goldfinch (*Spinus lawrencei*) [SA].

Other than the western spadefoot, the locations where Species of Special Concern and other Special Animals were observed were not mapped. However, most of these species could occur throughout or at many possible locations at the site.

Potential for Occurrence – Special-Status Wildlife Species

A number of additional special-status wildlife species that were not observed during the surveys have potential to occur at the site and in the vicinity of the site, even if in some cases only infrequently, in transit, or on a temporary basis. An analysis of the potential for occurrence of special-status wildlife at the site is presented in the Biological Resources Inventory report in Appendix D, which includes the species' protected status, primary habitat associations, and an assessment of their potential for occurrence (Observed, Potentially Present, Presumed Absent, or Absent). The potential for occurrence was undertaken through research of the CDFW Natural Diversity Database (CDFW 2023) using the Rarefind 5 application for special-status "elements" on the USGS 7.5' Simi quadrangle and eight adjacent quadrangles. The potential for occurrence analysis provides a speculative assessment of the potential for the occurrence of special-status animals on the basis of their known distribution and habitat requirements. Species listed under the FESA or CESA, Species of Special Concern, and California Fully Protected Species were included in the analysis. In addition to the western spadefoot [SSC], coastal whiptail [SSC], California gnatcatcher [FT, SSC], northern harrier [SSC], grasshopper sparrow [SSC], Vaux's swift [SSC], and yellow warbler [SSC], which were observed at the site, the following 22 special-status animals, including two (2) invertebrates, five (5) reptiles, seven (7) birds, and eight (8) mammals were determined to have at least some potential to occur at the site with varying probabilities ranging from high to very low depending on the species:

Invertebrates

Crotch bumble bee (*Bombus crotchii*) [Candidate CE]

Riverside fairy shrimp (*Streptocephalus woottoni*) [FE]

Reptiles

California glossy snake (*Arizona elegans occidentalis*) [SSC]
California legless lizard (*Anniella* sp.) [SSC]
Coast horned lizard (*Phrynosoma blainvillii*) [SSC]
Coast patch-nosed snake (*Salvadora hexalepis virgultea*) [SSC]
Southern California legless lizard (*Anniella stebbinsi*) [SSC]

Birds

American peregrine falcon (*Falco peregrinus anatum*) [CPF]
Bank swallow (*Riparia riparia*) [CT]
Black swift (*Cypseloides niger*) [SSC]
Burrowing owl (*Athene cunicularia*) [SSC]
Golden eagle (*Aquila chrysaetos*) [CFP]
Loggerhead shrike (*Lanius ludovicianus*) [SSC]
White-tailed kite (*Elanus leucurus*) [CFP]

Mammals

American badger (*Taxidea taxus*) [SSC]
Big free-tailed bat (*Nyctinomops macrotis*) [SSC]
Mountain lion (*Puma concolor*) [Candidate CT - Southern California / Central Coast ESU]
Pallid bat (*Antrozous pallidus*) [SSC]
San Diego black-tailed jackrabbit (*Lepus californicus bennetii*) [SSC]
San Diego desert woodrat (*Neotoma lepida*) [SSC]
Western mastiff bat (*Eumops perotis californicus*) [SSC]
Western red bat (*Lasiurus blossevillii*) [SSC]

There are three potentially occurring wildlife species listed under the FESA or CESA, including the bank swallow, Riverside fairy shrimp, and mountain lion. The bank swallow has limited potential to forage rarely and temporarily over the site, but it would not reproduce at the site as the site does not contain preferred nesting habitat. However, the potential for occurrence of this species is low, even during migration because of its rarity. The federally Endangered Riverside fairy shrimp has low potential to occur at the small temporary pond at the site. Based on a review of historical aerials, the temporary pond is a relatively recent development and may be man-made or may have been induced by former land modifications at the site. Therefore, the pond is not expected to contain fairy shrimp. Also, with respect to water depth, ponding duration, and substrate characteristics the pond is probably not suitable for this species. However, the Riverside fairy shrimp occurs in large temporary ponds approximately 4 to 5 miles southwest of the site and could have been introduced to this pond by migratory birds, although the probability of this is low. The mountain lion is expected to forage within and move through the project site occasionally.

The Crotch's bumble bee is currently a Candidate for listing as Endangered under the CESA. The site contains suitable habitat for this species.

The potential use of the site by special-status wildlife species also includes a few species of reptiles, birds, and mammals listed as California Fully Protected or Species of Special Concern by the State of California. Many of these species would occur only rarely or occasionally. They include residents, migrants, and winter

visitors that may forage over the site, such as the American peregrine falcon, black swift, burrowing owl, golden eagle, white-tailed kite, and all of the bat species. Some of these species may also roost temporarily at the site. Several of the other special-status species with potential to occur on-site may be year-round or summer residents that have all or part of their home ranges or territories on the site and may routinely use all or a portion of the site to meet their life history requirements for refuge, breeding and/or foraging. These species include the California glossy snake, coast horned lizard, southern California legless lizard, silvery legless lizard, coast patch-nosed snake, loggerhead shrike, San Diego black-tailed jackrabbit, San Diego desert woodrat, and American badger. For example, species with small home ranges or territories such as the coast horned lizard may spend their entire life within the confines of the site while other species such as the American badger may use the site for only a portion of their foraging habitat. Some of these species would have the potential for their entire home range or territory to be within the site; in this case the California glossy snake, coast horned lizard, coast patch-nosed snake, loggerhead shrike, silvery legless lizard, southern California legless lizard, and San Diego desert woodrat. However, these and other potentially occurring special-status species such as the American badger could also use adjacent off-site habitat within the surrounding area as resident and foraging habitat. For additional information, see the Biological Resources Inventory report in Appendix D.

Wildlife Movement

Habitat linkages are physical connections that allow wildlife to move between areas of suitable habitat in both intact as well as fragmented and disturbed landscapes. They can be critical at both the local and regional scale. Habitat linkages are necessary for wildlife not only to access essential resources, such as water sources or habitat for foraging, breeding, or cover, but also for dispersal and migration, to ensure the mixing of genes between populations, and so wildlife can respond and adapt to environmental stress, and thus are necessary to maintain healthy ecological and evolutionary processes. Wildlife corridors are areas of open space of sufficient width to permit the movement of larger, mobile species to move from one major open space region to another. Regional habitat linkages are larger wildlife corridors or regions of connectivity that are important for movement of multiple species and maintenance of ecological processes at a regional scale.

Wildlife crossings are generally small, narrow areas allowing wildlife to pass through an obstacle or barrier, such as a roadway to reach another patch of habitat. Examples of barriers or impediments to movement include housing and other urban development, roads, fencing, or open areas with little vegetative cover. Examples of wildlife crossings include culverts, drainage pipes, underpasses, and tunnels.

Habitat loss and fragmentation are the leading threats to biodiversity, both globally and in southern California. Efforts to combat these threats include identifying and conserving large “core” areas of habitat and well as habitat linkages between them.

Based on a review of the following documents the project site is not within an area that has been identified as important to wildlife movement, such as a regional-scale habitat linkage or a wildlife movement corridor:

- *City of Simi Valley 2030 General Plan Update* (June 2012).
- *South Coast Missing Linkages Project: A Linkage Design for the Santa Monica Mountains-Sierra Madre Connection* (Penrod, K. et. al., 2006).
- *California Essential Connectivity Project: A Strategy for Conserving a Connected California* (February 2010).

The nearest area identified as an important wildlife movement corridor is approximately 1.5 miles to the west of the site.

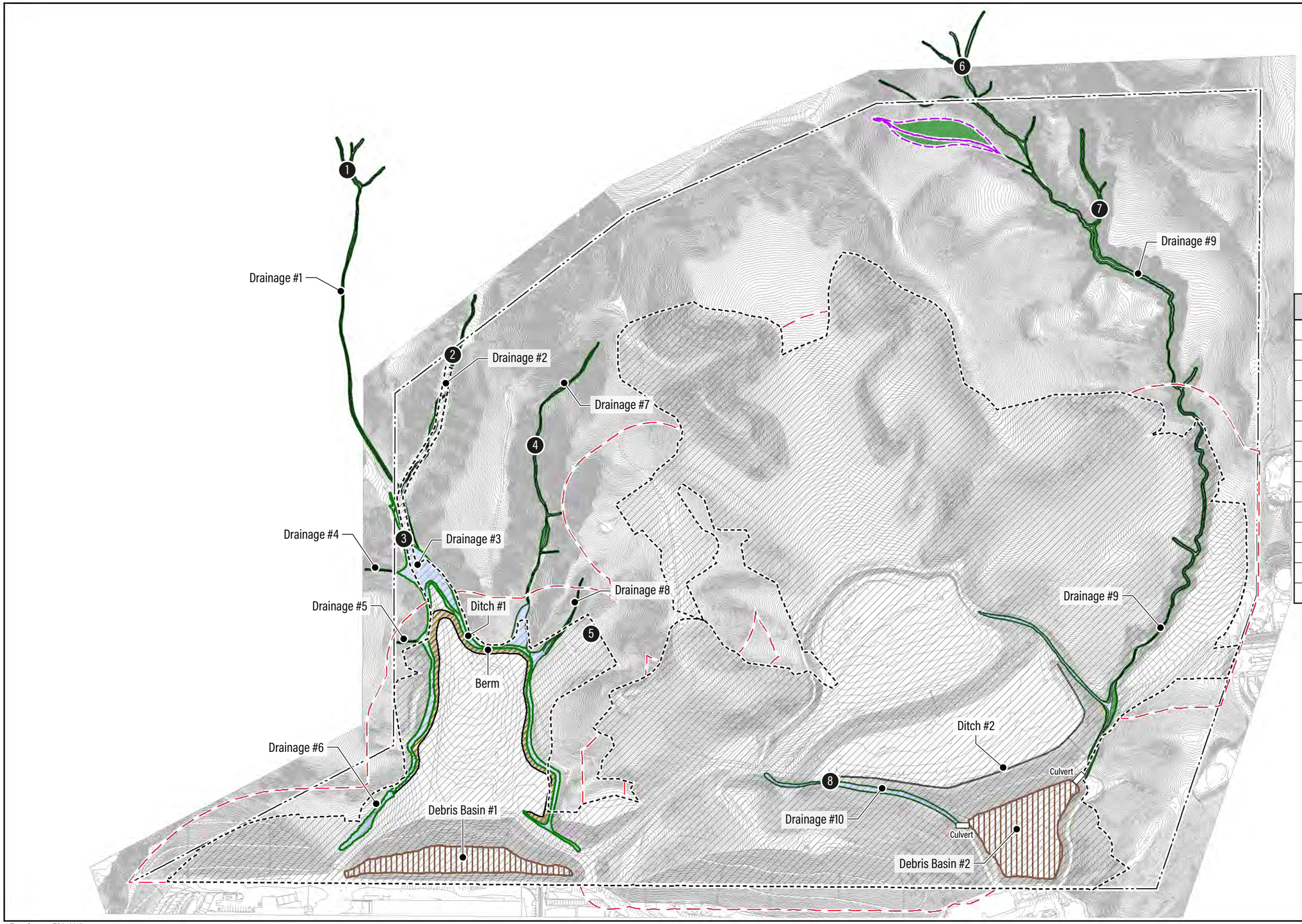
The potential importance of the project site to wildlife movement was also evaluated in the field and by reviewing recent aerial photographs of the site and the surrounding area. The project site provides vegetative cover and native habitats suitable for the movement for wildlife, and some wildlife species likely use the ridgelines and ephemeral drainages at the site for local movements and may move through the site to reach the water at the small ephemeral pond and western detention basin, when those features contain water. Also, western spadefoot toads can be expected to move through the site to access breeding habitats including the ephemeral pond and perhaps also the western detention basin. There are reported occurrences of western spadefoot in the CNDDB reproducing in pools and cattle ponds to the north and northwest of the site, so there is a population of this species in this area of the Santa Susana Mountains and movement of spadefoot can be expected to occur between the suitable foraging and breeding habitats on-site and in the surrounding area. It is also likely that the site is used or may be used in the future by the Federally Threatened California gnatcatcher for dispersal movements to suitable coastal scrub habitats to the west and north, given its presence on-site, which include observations in the southern, southeastern, and western portions of the site.

Otherwise, the site does not contain particularly important habitats for forage, cover, or reproduction that are not also available in the surrounding area, and the project is situated adjacent to the northern margin of the City and is not situated within a habitat bottleneck. Therefore, the project would not fragment larger areas of habitat. The northern portion of the site would remain undeveloped and undeveloped natural habitats to the west, north, and northeast of the site would continue to provide habitat for wildlife and opportunities for wildlife movement through the area. Although they may potentially be used for local movements, the ephemeral drainages at the site are not regionally important wildlife movement corridors as the drainages terminate at the southern end of the property at detention basins, which then flow into storm drains.

Jurisdictional Waters and Habitat

Features under the jurisdiction of ACOE, RWQCB, and CDFW at the site include natural intermittent and ephemeral streams as well as man-made debris basins and ditches. The jurisdictional delineation identified ten drainages, two debris basins, and two earthen ditches at the site, which are shown on **Figure 4.4-2, Jurisdictional Delineation Map,** and listed in **Table 4.4-4, Summary of Potential Jurisdictional Features in Survey Area**. As shown on Figure 4.4-2 and in Table 4.4-4, these features contain 4.37 acres / 16,216 linear feet of non-wetland waters of the U.S., 4.37 acres / 16,216 linear feet of waters of the State, and 5.99 acres / 16,216 linear feet of jurisdictional streambed and riparian habitat. There are no wetland waters at the site.

The debris basins are located along the southern boundary of the site, north of the Simi Town Center. The basins detain flows and retain sediment from the drainages at the site, and ultimately connect to the Arroyo Simi. Both basins support some riparian vegetation. The drainages at the site are typically well-incised channels, although the lower reaches of ephemeral Drainages 3, 7, and 8 widen and flows become more diffuse. There are two man-made ditches at the site, both a result of former grading activities. Ditch 1 in the western portion of the site wraps around a formerly graded plateau area. It receives and then conveys waters from Drainages 1 through 5 via Drainage 6 and a culvert to Debris Basin 1. Ditch 2 in the eastern portion of the site also wraps around another formerly graded plateau area. This ditch is drained by a smaller southeast trending tributary of Drainage 9. Drainage 10 conveys waters from the southern portion of the site, and it also drains into Debris Basin 2.



Legend

- Property Boundary
- Limit of Grading
- Limits of Potential Fuel Modification

Jurisdictional Delineation

- Debris Basins
- Swale
- # Test Pit

CDFW Jurisdiction

- USACE Non-Wetland Waters of the U.S. / RWQCB Waters of the State
- CDFW (Riparian)

Features	ACOE / RWQCB Acres / Ft.	CDFW Acres / Ft.
Drainage #1	0.05 / 1,507'	0.22 / 1,507'
Drainage #2	0.04 / 930'	0.11 / 930'
Drainage #3	0.04 / 477'	0.04 / 477'
Drainage #4	0.003 / 107'	0.008 / 107'
Drainage #5	0.001 / 77'	0.007 / 77'
Drainage #6	0.11 / 263'	0.11 / 263'
Drainage #7	0.18 / 1,250'	0.27 / 1,250'
Drainage #8	0.05 / 330'	0.08 / 330'
Drainage #9	0.40 / 5,822'	1.55 / 5,822'
Drainage #10	0.19 / 710'	0.19 / 710'
Debris Basin #1	1.07 / NA	1.07 / NA
Debris Basin #2	1.64 / NA	1.64 / NA
Ditch 1	0.58 / 2,533'	0.58 / 2,533'
Ditch 2	0.02 / 2,180'	0.07 / 2,180'

Topo Source: TGA, 2015.

Jurisdictional Delineation Map

FEET 0 162.5 325

FIGURE 4.4-2

Table 4.4-4
Summary of Potential Jurisdictional Features in Survey Area

Feature	Latitude*	Longitude*	ACOE Non-Wetland Waters of U.S./RWQCB Non-Wetland Waters of the State (Acres/Linear Feet)	CDFW Streambed and Habitat (Acres/Linear Feet)
Debris Basins				
Debris Basin 1	34.286490	-118.775237	1.07/NA	1.07/NA
Debris Basin 2	34.286753	-118.768877	1.64/NA	1.64/NA
		Subtotal	2.71/NA	2.71/NA
Ditches				
Ditch 1	34.289409	-118.775806	0.58/2,533	0.58/2,533
Ditch 2	34.288704	-118.769367	0.02/2,180	0.07/2,180
		Subtotal	0.6/4,713	0.65/4,713
Drainages				
Drainage 1	34.293111	-118.776623	0.05/1,507	0.22/1,507
Drainage 2	34.291668	-118.775067	0.04/930	0.11/930
Drainage 3	34.289828	-118.776001	0.04/477	0.04/477
Drainage 4	34.289127	-118.775986	0.003/107	0.008/107
Drainage 5	34.288484	-118.775663	0.001/77	0.007/77
Drainage 6	34.287087	-118.775973	0.11/263	0.11/263
Drainage 7	34.291241	-118.773698	0.18/1,250	0.27/1,250
Drainage 8	34.288948	-118.77389	0.05/330	0.08/330
Drainage 9	34.294261	-118.769521	0.40/5,852	1.59/5,852
Drainage 10	34.287278	-118.771825	0.19/710	0.19/710
		Subtotal	1.07/11,503	2.63/10,997
		Total	**4.47 acres/16,216 linear feet**	**5.99 acres/16,216 linear feet**

* North American Datum 1983, California State Plane Zone V. GPS coordinates are given for the upstream origin of the drainage or ditch and center point of debris basins as accessed during field surveys and/or as digitized from aerial imagery.

All the jurisdictional features have discernible beds, banks, and OHWMs, and they typically support upland vegetation, such as bush mallow, coastal sage scrub, and/or non-native upland herbs, although patches of riparian habitat such as mulefat (*Baccharis salicifolia*) and blue elderberry (*Sambucus nigra* ssp. *caerulea*) occur at some locations, including along Drainage 3, Drainage 9, and in the debris basins. At some locations in their upper reaches the drainages lack vegetation. In many instances, the drainages have been degraded to some extent by former cattle grazing activities.

For additional information on the jurisdictional features at the site, see the North Canyon Ranch Jurisdictional Delineation (Envicom, June 26, 2015) report for the project in Appendix D.

Required Island Annexations

This section discusses the results of a literature review and site visit to nine (9) County of Ventura "island" areas proposed for annexation to the City. The locations of these County Islands are provided on Figure 2-1, North Canyon Ranch and Island Annexation Properties Regional Location Map, and in greater detail in Figures 2-2 through 2-5, located in the Project Description Section of this Draft EIR. A description of general site conditions of each of the County Islands is provided below. The nine County Islands including the following:

- Island Area 1 (Anderson Drive)
- Island Area 2 (Sharp Road)

- Island Area 3 (Ditch Road)
- Island Area 4 (Township Avenue)
- Island Area 5 (Flood Street)
- Island Area 6 (Walnut Street)
- Island Area 7 (Vista Lago Drive)
- Island Area 8 (Sinaloa Lake)
- Island Area 9 (N. Belhaven Avenue)

Literature Review and Site Visits

The following sources were reviewed on June 20, 2023 to determine if special-status or sensitive biological resources have been reported at the annexation properties:

- *Biogeographic Information and Observation System,* CDFW.
- *CNDDB Rarefind 5* report, CDFW.
- *National Wetlands Inventory,* USFWS.
- *Critical Habitat Mapper*, USFWS.

The sites were also visited in February 2021 by a biologist from Envicom. A walk-over was performed of Island Area 9. The remaining properties were not directly accessed but rather were viewed to the extent possible with binoculars from good vantage points from streets or adjacent properties.

General Site Conditions and Potential for Occurrence for Special-Status Species

The general site conditions and the potential for occurrence of special-status plants and animals to occur at each of the Island Areas is presented below, which is based on the species' known distribution and habitat requirements. For more information on potential for occurrence of special-status species see the Biological Resources Inventory report in Appendix D.

Island Area 1 (Anderson Drive)

Island Area 1 consists entirely of single-family residential development and public streets. The vegetation consists of ornamental landscaping typical of residential properties in the area. There are no undeveloped parcels, waterbodies, or native habitat. No special-status or sensitive biological resources have been reported to occur or expected to inhabit Island Area 1. There is a channelized stream directly west of Island Area 1, which the National Wetlands Inventory classifies as riverine habitat. There is natural habitat including coastal sage scrub and herbaceous habitats to the north of Island Area 1, and additional urban development to the east and south. As Island Area 1 consists entirely of urban development, including single-family residential development, ornamental landscaping, and public streets, there is no reasonable potential for occurrence of special-status or sensitive biological resources.

Island Area 2 (Sharp Road)

The southern portion of Island Area 2 south of Sharp Road consists entirely of single-family residential development and public streets. There are two vacant parcels in this area, but they are small ruderal lots without any native habitat. Two of the larger more rural parcels (APNs 6110070175 and 6110070455) within Island Area 2 to the north of Sharp Road contain slopes with small remnant patches of disturbed coastal scrub as well as fields of non-native grass-forbs, which appear to be routinely cut and mowed. No special-status or sensitive plants, animals, or natural communities have been reported to occur within Island Area 2. There is a channelized stream or ditch that runs parallel to Sharp Road, but it does not support

significant riparian habitat. The National Wetlands Inventory classifies this channelized drainage as riverine habitat. There is natural habitat including coastal sage scrub and herbaceous habitats to the north of Island Area 2, and residential development to the west, east and south.

Given there are a few acres of disturbed coastal scrub and non-native grass-forb habitats at APNs 6110070175 and 6110070455, which are contiguous with extensive areas of natural habitats to the north, the following special-status animals have potential to occur in natural habitats at APNs 6110070175 and 6110070455, with varying probabilities ranging from moderate to very low. Special-status plants are not expected to occur in these disturbed habitats due to prior vegetation clearance and maintenance.

Special-Status Wildlife

Crotch bumble bee (*Bombus crotchii*) [Candidate CE]
California gnatcatcher (*Polioptila californica*) [CT, SSC]
Western spadefoot (*Spea hammondii*) [SSC]
California glossy snake (*Arizona elegans occidentalis*) [SSC]
Coast horned lizard (*Phrynosoma blainvillii*) [SSC]
Coast patch-nosed snake (*Salvadora haxalepis virgultea*) [SSC]
Coastal whiptail (*Aspidoscelis tigris stejnegeri*) [SSC]
Black swift (*Cypseloides niger*) [SSC]
Vaux's swift (*Chaetura vauxi*) [SSC]
Loggerhead shrike (*Lanius ludovicianus*) [SSC]
Northern harrier (*Circus cyaneus*) [SSC]
White-tailed kite (*Elanus leucurus*) [CFP]
Big free-tailed bat (*Nyctinimops macrotis*) [SSC]
Pallid bat (*Antrozous pallidus*) [SSC]
Western mastiff bat (*Eumops perotis californicus*) [SSC]

There is no reasonable potential for occurrence of special-status or sensitive biological resources throughout the remainder of Island Area 2, which consists of urban development, ornamental landscaping, and public streets.

Island Area 3 (Ditch Road)

The southwestern portion of Island Area 3 consists of single-family residential development and ornamental landscaping typical of residential properties in the area. The remainder of Island Area 3 consists of relatively large rural parcels on sloped terrain, which contain single-family residences and some large ornamental trees. Some of these parcels have been entirely or nearly entirely cleared of native vegetation, but there are still several acres of relatively intact and disturbed coastal sage scrub as well as non-native grassland remaining in Island Area 3. As viewed by binoculars from Ditch Road, the coastal sage scrub in this area is comprised of California buckwheat (*Eriogonum fasciculatum*), black sage (*Salvia mellifera*), California brittlebush (*Encelia californica*), California sagebrush (*Artemisia californica*), and bush mallow (*Malacothamnus fasciculatus*). No special-status or sensitive plants, animals, or natural communities have been reported to occur at Island Area 3. There is a channelized stream or ditch that runs parallel to unpaved Ditch Road, which does not support significant riparian habitat. The National Wetlands Inventory classifies this channelized drainage as riverine habitat. There are natural habitats including coastal sage scrub and herbaceous vegetation to the north and east of Island Area 3, and residential development to the west and south.

Given there are several acres of natural habitats, which are contiguous with extensive areas of natural habitats to the north and east, the following special-status plants and animals have potential to occur in native habitats at Island Area 3 with varying probabilities ranging from moderate to very low.

Special-Status Plants

Braunton's milkvetch (*Astragalus brauntonii*) [FE, CRPR 1B.2]
San Fernando Valley spineflower (*Chorizanthe parryi* var. *fernandina*) [FC/CE]
Chaparral nolina (*Nolina cismontana*) [CRPR 1B.2]
Gerry's curly-leaved monardella (*Monardella sinuata* ssp. *gerryi*) [CRPR 1B.2]
Malibu baccharis (*Baccharis malibuensis*) [CRPR 1B.1]
Mesa horkelia (*Horkelia cuneata* var. *puberula*) [CRPR 1B.1]
Ojai navarretia (*Navarretia ojaiensis*) [CRPR 1B.1]
Parry's spineflower (*Chorizanthe parryi* var. *parryi*) [CRPR 1B.1]
Slender mariposa-lily (*Calochortus clavatus* var. *gracilis*) [CRPR 1B.2]
Southern curly-leaved monardella (*Monardella sinuata* ssp. *sinuata*) [CRPR 1B.2]
White rabbit-tobacco (*Pseudognaphalium leucocephalum*) [CRPR 2B.2]

Special-Status Wildlife

Crotch bumble bee (*Bombus crotchii*) [Candidate CE]
California gnatcatcher (*Polioptila californica*) [CT, SSC]
Western spadefoot (*Spea hammondii*) [SSC]
California glossy snake (*Arizona elegans occidentalis*) [SSC]
Coast horned lizard (*Phrynosoma blainvillii*) [SSC]
Coast patch-nosed snake (*Salvadora haxalepis virgultea*) [SSC]
Coastal whiptail (*Aspidoscelis tigris stejnegeri*) [SSC]
Black swift (*Cypseloides niger*) [SSC]
Vaux's swift (*Chaetura vauxi*) [SSC]
Loggerhead shrike (*Lanius ludovicianus*) [SSC]
Northern harrier (*Circus cyaneus*) [SSC]
White-tailed kite (*Elanus leucurus*) [CFP]
San Diego desert woodrat (*Neotoma lepida*) [SSC]
Big free-tailed bat (*Nyctinimops macrotis*) [SSC]
Pallid bat (*Antrozous pallidus*) [SSC]
Western mastiff bat (*Eumops perotis californicus*) [SSC]
Western red bat (*Lasiurus blossevillii*) [SSC]

Island Area 4 (Township Avenue)

Island Area 4 consists of single-family residential development and public streets although the largest property, which is in the northeast portion of Island Area 4, contains a few rows of citrus trees as well as a ruderal field. The vegetation consists of ornamental landscaping typical of residential properties in the area. There are no waterbodies or native habitats. No special-status or sensitive biological resources have been reported to occur or are expected to inhabit Island Area 4. Island Area 4 is surrounded on all sides by residential development. Given that Island Area 4 lacks native habitat and consists largely of single-family residential development and public streets, as well as because the orchard and ruderal field are relatively

small and surrounded by urban development there is no reasonable potential for occurrence of special-status or sensitive biological resources.

Island Area 5 (Flood Street)

Island Area 5 consists entirely of single-family residential development, public streets, and ornamental landscaping typical of residential properties in the area. There are no undeveloped parcels, waterbodies, or native habitat. No special-status or sensitive biological resources were reported to occur or expected to inhabit Island Area 5. There is a large, channelized stream directly to the east of Island Area 5, which the National Wetlands Inventory classifies as freshwater emergent wetland habitat. There is natural habitat including coastal sage scrub and herbaceous vegetation to the north of Island Area 5, and additional urban development to the west, east, and south. As Island Area 5 consists entirely of urban development, including single-family residential development, ornamental landscaping, and public streets, there is no reasonable potential for occurrence of special-status or sensitive biological resources.

Island Area 6 (Walnut Street)

Island Area 6 consists predominately of a large, ruderal field. There are some structures and rows of trees concentrated in the southcentral portion of the property. There are some native coast live oak trees on this property, which primarily occur along roadsides, but otherwise there is no native habitat. Although some special-status birds and bats could forage and roost temporarily at Island Area 6, no special-status or sensitive biological resources have been reported to occur or are expected to inhabit Island Area 6. There is a large, channelized stream directly to the west of Island Area 6, which the National Wetlands Inventory classifies as freshwater emergent wetland habitat, but this section of the stream does not contain significant riparian habitat. There is residential development to the west, east, and south, and riparian and disturbed scrub and herbaceous habitats to the north of Island Area 6.

Given Island Area 6 consists of a large, ruderal field at the urban-wildland interface, which includes some large trees including some native trees, as well as a stream, disturbed native scrub, and riparian habitat adjacent, the following special-status animals have potential to occur at Island Area 6 with varying probabilities ranging from moderate to very low (there is no potential for occurrence of special-status plants at the site):

Special-Status Animals

Burrowing owl (*Athene cunicularia*) [SSC]

Loggerhead shrike (*Lanius ludovicianus*) [SSC]

Northern harrier (*Circus cyaneus*) [SSC]

Vaux's swift (*Chaetura vauxi*) [SSC]

White-tailed kite (*Elanus leucurus*) [CFP]

Big free-tailed bat (*Nyctinimops macrotis*) [SSC]

Pallid bat (*Antrozous pallidus*) [SSC]

Western mastiff bat (*Eumops perotis californicus*) [SSC]

Western red bat (*Lasiurus blossevillii*) [SSC]

Island Area 7 (Vista Lago Drive)

Island Area 7 consists of single-family residential development and public streets. The vegetation includes of ornamental landscaping typical of residential properties in the area, including many large trees. There are no undeveloped parcels, and no waterbodies or native habitat. No special-status or sensitive biological

resources have been reported to occur or are expected to inhabit Island Area 7. Island Area 7 is surrounded on three sides by residential development, and it is bordered on the southeast by Madera Road. There is a golf course on the opposite side of Madera Road. As Island Area 7 consists entirely of urban development, including single-family residential development, ornamental landscaping, and public streets, there is no reasonable potential for occurrence of special-status or sensitive biological resources.

Island Area 8 (Sinaloa Lake)

Island Area 8 consists predominately of single-family residential development, public streets, and ornamental landscaping typical of residential properties in the area, and it also contains private Sinaloa Lake reservoir, which is approximately 22 acres. The reservoir was not accessed during the site visit, although recent aerial imagery from June 2, 2023 of the reservoir was reviewed on Google Earth. There is a walking path around the reservoir, and a dam along its western edge. The National Wetlands Inventory classifies the reservoir as freshwater pond habitat and a stream extending from the southwestern end of the reservoir as riverine habitat. Much of the lake and stream appear to be bordered by riparian habitat and may also be bordered in some areas by wetland habitat. There are also some undeveloped upland areas adjacent to the reservoir with several large trees. There may be native oak trees in this area, but this has not been confirmed. No special-status or sensitive biological resources have been reported to occur at Sinaloa Lake or at residential areas within Island Area 8, although the least Bell's vireo, a bird that is listed as Endangered under FESA and CESA, has been reported in riparian habitats approximately 0.3 miles southwest of Sinaloa Lake as well as along the Arroyo Simi, which is approximately 1 ¼ miles north of Sinaloa Lake. This species has potential to occur in riparian habitats surrounding the lake. No special-status or sensitive biological resources are expected to inhabit any of the residential properties within Island Area 8. There is a golf course to the west of Sinaloa Lake. Otherwise, Island Area 8 is surrounded on all sides by residential development.

The following special-status animals have potential to occur at the lake and associated riparian habitats, with varying probabilities ranging from moderate to very low (there is no potential for occurrence of special-status plants at the site):

Special-Status Animals

Bank swallow (*Riparian riparia*) [CT]

Least Bell's vireo (*Vireo bellii pusillus*) [FE, CE]

Southwestern willow flycatcher (*Empidonax trailii extimus*) [FE, CE]

Western yellow-billed cuckoo (*Coccyzus americanus* spp. *occidentalis*) [FT, CE]

Two-striped garter snake (*Thamnophis hammondii*) [SSC]

Western pond turtle (*Actinemys marmorata*) [SSC]

Tricolored blackbird (*Agelaius tricolor*) [CT]

Summer tanager (*Piranga rubra*) [SSC]

Yellow warbler (*Setophaga petechia brewsteri*) [SSC]

Western red bat (*Lasiurus blossevillii*) [SSC]

There is no reasonable potential for occurrence of special-status or sensitive biological resources throughout the remainder of Island Area 8, which consists of urban development, ornamental landscaping, and public streets.

Island Area 9 (N. Belhaven Avenue)

Island Area 9 is an undeveloped hill with native chaparral, coastal scrub, and herbaceous habitats as well as numerous large sandstone outcrops. Some of the more common native shrubs at the site include chamise (*Adenostoma fasciculatum*), laurel sumac (*Malosma laurina*), California sagebrush (*Artemisia californica*), California buckwheat (*Eriogonum fasciculatum*), chaparral yucca (*Hesperoyucca whipplei*), yerba santa (*Eriodictyon crassifolius*), and deerweed (*Acmispon glaber*). There are also a few native coast live oak trees (*Quercus agrifolia*). The herbaceous layer contains a mixture of native and non-native grasses and forbs, and bedrock slabs and shaded, rocky areas support assemblages of non-vascular plants. There are no stream channels and no riparian habitat. Island Area 9 burned in the Peak Fire in November 2018. The only special-status species that may have been reported within Island Area 9 is the southern California rufous-crowed sparrow (*Aimophila ruficeps canescens*), which is a CDFW Watch List species. This bird is reported to occur in the CNDDB within a non-specific area that includes Island Area 9 as well as the rocky naturally vegetated slopes to the north of the 118 Freeway. Although it was not observed during the site walkover, this species is expected to occur at the site. There are naturally vegetated slopes and the 118 Freeway to the north and east of Island Area 9, and residential development to the west and south.

The following special-status plant and animals have potential to occur in native habitats at Island Area 9 with varying probabilities ranging from moderate to very low:

Special-Status Plants

Braunton's milkvetch (*Astragalus brauntonii*) [FE, CRPR 1B.2]
San Fernando Valley spineflower (*Chorizanthe parryi* var. *fernandina*) [FC/CE]
Santa Susana tarplant (*Deinandra minthornii*) [CR]
Chaparral nolina (*Nolina cismontana*) [CRPR 1B.2]
Gerry's curly-leaved monardella (*Monardella sinuata* ssp. *gerryi*) [CRPR 1B.2]
Malibu baccharis (*Baccharis malibuensis*) [CRPR 1B.1]
Mesa horkelia (*Horkelia cuneata* var. *puberula*) [CRPR 1B.1]
Ojai navarretia (*Navarretia ojaiensis*) [CRPR 1B.1]
Parry's spineflower (*Chorizanthe parryi* var. *parryi*) [CRPR 1B.1]
Slender mariposa-lily (*Calochortus clavatus* var. *gracilis*) [CRPR 1B.2]
Southern curly-leaved monardella (*Monardella sinuata* ssp. *sinuata*) [CRPR 1B.2]
White rabbit-tobacco (*Pseudognaphalium leucocephalum*) [CRPR 2B.2]

Special-Status Wildlife

Crotch bumble bee (*Bombus crotchii*) [Candidate CE]
California gnatcatcher (*Polioptila californica*) [CT, SSC]
Western spadefoot (*Spea hammondii*) [SSC]
California glossy snake (*Arizona elegans occidentalis*) [SSC]
Coast horned lizard (*Phrynosoma blainvillii*) [SSC]
Coast patch-nosed snake (*Salvadora haxalepis virgultea*) [SSC]
Coastal whiptail (*Aspidoscelis tigris stejnegeri*) [SSC]
Black swift (*Cypseloides niger*) [SSC]
Vaux's swift (*Chaetura vauxi*) [SSC]
Loggerhead shrike (*Lanius ludovicianus*) [SSC]
Northern harrier (*Circus cyaneus*) [SSC]

White-tailed kite (*Elanus leucurus*) [CFP]
San Diego desert woodrat (*Neotoma lepida*) [SSC]
Pallid bat (*Antrozous pallidus*) [SSC]
Western mastiff bat (*Eumops perotis californicus*) [SSC]
Western red bat (*Lasiurus blossevillii*) [SSC]

Regulatory Setting

Federal

Endangered Species Act of 1973

The Federal Endangered Species Act (FESA) and implementing regulations, 16 United States Code (USC) Section 1531, et seq. and 50 Code of Federal Regulations (CFR) Section 17.1, et seq., impose regulations for protecting and managing federally listed Threatened or Endangered plants and animals and their designated critical habitats. FESA defines an "Endangered species" as "any species which is in danger of extinction throughout all or a significant portion of its range" and a "Threatened species" as "any species which is likely to become an Endangered species within the foreseeable future throughout all or a significant portion of its range." FESA also provides the framework for protection of "Candidate species," species for which there is sufficient supporting scientific information for listing. There are two classes of candidate species. The first class is composed of species that have been proposed for listing. The second class is composed of species for which there is sufficient information on biological vulnerability and threat(s) to list, but the listing process has not begun or is in some preliminary stage.

According to FESA, it is unlawful to "take" any listed species. "Take" is defined as "harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct." Further, the USFWS, through regulations, has interpreted the terms "harm" and "harass" to include certain types of habitat modification as forms of "take." A "take" is determined on a case-by-case basis and often varies from species to species. If a project requires a permit from a federal agency and the project could affect a federally listed plant or animal species, the property owner and the federal agency must consult with the USFWS.

FESA requires a permit to take Threatened or Endangered species during lawful project activities on federal land or involving a federal action, and also provides a method for permitting incidental take resulting from state or private action. The administering agency is the USFWS for terrestrial, avian, and most aquatic species; marine and anadromous species (e.g. steelhead) are administered by the NMFS. FESA also addresses the protections afforded to listed plants. FESA also discusses recovery plans and the designation of critical habitat for listed species.

Fish and Wildlife Coordination Act

The Fish and Wildlife Coordination Act (FWCA) (16 U.S.C. 661, *et seq*.) directs USFWS to investigate and report on proposed Federal actions that affect any stream or other body of water and to provide recommendations to minimize impacts on fish and wildlife resources. The FWCA requires federal agencies that construct, license or permit water resource development projects to first consult with the USFWS (and the National Oceanic and Atmospheric Administration's (NOAA) National Marine Fisheries Service (NMFS) in some instances) and state fish and wildlife agencies regarding the impacts on fish and wildlife resources and measures to mitigate these impacts. The FWCA requires that fish and wildlife resources receive equal consideration as other project features. In the case of the proposed project, a potential Federal action requiring consultation with USFWS under FWCA would be if federal agency ACOE issues a permit for the project under Section 404 of the Clean Water Act.

Migratory Bird Treaty Act of 1918 and Bald and Golden Eagle Protection Act

The Migratory Bird Treaty Act (16 U.S.C. Sections 703 – 711) protects migratory birds, including the non-permitted take of migratory birds, under the authority of the USFWS and CDFW. The Migratory Bird Treaty Act defines "take" as "to pursue, hunt, capture, collect, kill or attempt to pursue, hunt, shoot, capture, collect or kill, unless the context otherwise requires." Most birds are considered migratory under the Migratory Bird Treaty Act. The Bald and Golden Eagle Protection Act (16 U.S. Code Section 668) prohibits the take or commerce of any part of these species. The USFWS administers both Acts and reviews federal agency actions that may affect species protected by the Acts.

Clean Water Act of 1977, Section 404 and Section 401

The ACOE and the U.S. Environmental Protection Agency (EPA) regulate the discharge of dredged or fill material into "waters of the U.S.," including wetlands, under Section 404 of the CWA (codified at 33 U.S.C. §§ 1251, *et seq*.). "Waters of the U.S." are defined as "rivers, creeks, streams, and lakes extending to their headwaters and any associated wetlands." Wetlands are defined as "areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support a prevalence of vegetation typically adapted for life in saturated soil conditions." Activities in "waters of the U.S." regulated under Section 404 include fill for development, water resource projects (such as dams and levees), infrastructure developments (such as highways and airports) and mining projects. Section 404 of the CWA requires a permit before dredged or fill material may be discharged into "waters of the U.S.," unless the activity is exempt from Section 404 regulation (e.g., certain farming and forestry activities).

Section 401 of the CWA, 33 U.S.C. Section 1341, requires an applicant for a federal license or permit to conduct any activity that may result in a discharge of a pollutant into "waters of the U.S." to obtain a certification from the state in which the discharge originates or would originate that the discharge will comply with the applicable effluent limitations and water quality standards. In California, before the ACOE will issue a CWA Section 404 permit, an applicant must obtain a "water quality certification" under Section 401 from the State Water Resources Control Board (SWRCB) or one of the nine RWQCBs in California.

The final "Revised Definition of Waters of the United States" rule is codified at 40 CFR 120.2(a). Under that rule the term "waters of the U.S." means:

1. Waters which are:
    i. 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;
    ii. The territorial seas; or
    iii. Interstate waters, including interstate wetlands;
2. Impoundments of waters otherwise defined as waters of the United States under this definition, other than impoundments of waters identified under paragraph (a)(5) of this section;
3. Tributaries of waters identified in paragraph (a)(1) or (2) of this section:
    i. That are relatively permanent, standing or continuously flowing bodies of water; or
    ii. That either alone or in combination with similarly situated waters in the region, significantly affect the chemical, physical, or biological integrity of waters identified in paragraph (a)(1) of this section;
4. Wetlands adjacent to the following waters:
    i. Waters identified in paragraph (a)(1) of this section; or

ii. Relatively permanent, standing or continuously flowing bodies of water identified in paragraph (a)(2) or (a)(3)(i) of this section and with a continuous surface connection to those waters, or

iii. Waters identified in paragraph (a)(2) or (3) of this section when the wetlands either alone or in combination with similarly situated waters in the region, significantly affect the chemical, physical, or biological integrity of waters identified in paragraph (a)(1) of this section;

5. Intrastate lakes and ponds, streams, or wetlands not identified in paragraphs (a)(1) through (4) of this section;

i. That are relatively permanent, standing or continuously flowing bodies of water with a continuous surface connection to the waters identified in paragraph (a)(1) or (a)(3)(i) of this section; or

ii. That either alone or in combination with similarly situated waters in the region, significantly affect the chemical, physical, or biological integrity of waters identified in paragraph (a)(1) of this section.

State

California Endangered Species Act of 1984

The California Endangered Species Act ("CESA") and implementing regulations in F&G Code §§ 2050, *et seq.* include regulations for the protection and management of plant and animal species listed as endangered or threatened, or designated as candidates for such listing. CESA defines an "Endangered species" as "a native species or subspecies of a bird, mammal, fish, amphibian, reptile, or plant which is in serious danger of becoming extinct throughout all, or a significant portion, of its range due to one or more causes, including loss of habitat, change in habitat, overexploitation, predation, competition, or disease." California defines a "Threatened species" as "a native species or subspecies of a bird, mammal, fish, amphibian, reptile, or plant that, although not presently threatened with extinction, is likely to become an Endangered species in the foreseeable future in the absence of the special protection and management efforts." California defines a "Candidate species" as "a native species or subspecies of a bird, mammal, fish, amphibian, reptile, or plant that the commission has formally noticed as being under review by the department for addition to either the list of Endangered species or the list of Threatened species, or a species for which the commission has published a notice of proposed regulation to add the species to either list."

CESA includes a consultation requirement "to ensure that any action authorized by a State lead agency is not likely to jeopardize the continued existence of any Endangered or Threatened species…or result in the destruction or adverse modification of habitat essential to the continued existence of the species" (F&G Code Section 2090). Plants of California declared to be Endangered, Threatened, or Rare are listed within 14 California Code of Regulations (CCR) Section 670.2.[19] Animals of California declared to be Endangered or Threatened are listed at 14 CCR Section 670.5. 14 CCR Section 15000, *et seq*. describes the types and extent of information required to evaluate the effects of a project on biological resources of a project site.

California Fish and Game Code

The F&G Code provides specific protection and listing for several types of biological resources, including:

- Fully Protected species;
- Streams, rivers, sloughs, and channels;
- Significant Natural Areas; and
- Designated Ecological Reserves.

[19] The "Rare" designation is discussed under the Native Plant Protection Act (NPPA) of 1977 heading.

Fully Protected Species are listed in F&G Code Section 3511 (Fully Protected Birds), F&G Section 4700 (Fully Protected Mammals), F&G Section 5050 (Fully Protected Reptiles and Amphibians), and F&G Section 5515 (Fully Protected Fishes). California law prohibits taking of species designated as Fully Protected. Under the F&G Code, Fully Protected species "may not be taken or possessed at any time and no provision of this code or any other law shall be construed to authorize the issuance of permits or licenses to take any Fully Protected species," although take may be authorized for necessary scientific research. This language makes the "Fully Protected" designation the strongest and most restrictive regarding the "take" of these species.

F&G Code Section 1602 requires a Streambed Alteration Agreement for any activity that may "substantially divert or obstruct the natural flow of, or substantially change or use any material from the bed, channel, or bank of, any river, stream, or lake, or deposit or dispose of debris, wastes or other material containing crumbled, flaked, or ground pavement where it may pass into any river, stream, or lake." Typical activities that require a Streambed Alteration Agreement include excavation or fill placed within a channel, vegetation clearing, structures for diversion of water, installation of culverts and bridge supports, cofferdams for construction dewatering, and bank reinforcement. A Streambed Alteration Agreement includes measures to protect the affected resource.

The term "stream," which includes creeks and rivers, is defined in the CCR as "a body of water that flows at least periodically or intermittently through a bed or channel having banks and supports fish or other aquatic life. This includes watercourses having a surface or subsurface flow that supports or has supported riparian vegetation" (14 Cal. Code of Regulations § 1.72). In addition, the term "stream" can include ephemeral streams, dry washes, watercourses with subsurface flows, canals, aqueducts, irrigation ditches, and other means of water conveyance if they support aquatic life, riparian vegetation, or stream-dependent terrestrial wildlife. "Riparian" is defined as "on, or pertaining to, the banks of a stream;" therefore, riparian vegetation is defined as "vegetation which occurs in and/or adjacent to a stream and is dependent on, and occurs because of, the stream itself."

F&G Code Sections 1930 to 1940 designate Significant Natural Areas. These areas include refuges, natural sloughs, riparian areas, and vernal pools and significant wildlife habitats. An inventory of Significant Natural Areas is maintained by the CDFW Natural Heritage Division and is part of the NDDB. F&G Code Section 1580 lists Designated Ecological Reserves. Designated Ecological Reserves are significant wildlife habitats to be preserved in natural condition for the general public to observe and study.

F&G Code Section 2081(b) and (c) allow CDFW to issue an incidental take permit for a State listed Threatened and Endangered species only if specific criteria are met. These criteria can be found in Title 14 CCR Section 783.4(a) and (b). F&G Code Section 2081(b) permit may authorize the take of "fully protected" species and "specified birds." If a project is planned in area where a species or specified bird occurs, an applicant must design the project to avoid all take; the CDFW cannot provide take authorization under this act.

F&G Code Section 3503 prohibits taking, possessing, or needlessly destroying the nest of any bird, except as otherwise provided by applicable law. Additionally, F&G Code Section 3503.5 makes it is unlawful to take, possess, or destroy any birds in the orders *Falconiformes* or *Strigiformes* (birds-of-prey), to take, possess, or needlessly destroy the nest of any such bird, except as otherwise allowed by applicable law.

Porter-Cologne Water Quality Control Act

The Porter-Cologne Water Quality Control Act (Porter-Cologne Act) preserves, enhances and restores the quality of California's water resources. The Act established the SWRCB and nine RWQCBs as the principal state agencies with the responsibility for controlling water quality in California. "Waters of the State" are

defined by the Porter-Cologne Act as "any surface water or groundwater, including saline waters, within the boundaries of the state." The RWQCB protects all waters in its regulatory scope but has special responsibility for isolated wetlands and headwaters. These water bodies have high resource value, are vulnerable to filling, and may not be regulated by other programs, such as Section 404 of the CWA. "Waters of the State" are regulated by the RWQCB under the State Water Quality Certification Program, which regulates discharges of dredged and fill material under Section 401 of the CWA and the Porter-Cologne Act. Projects that require an ACOE permit, or fall under other federal jurisdiction, and have the potential to impact waters of the State are required to comply with the terms of the Water Quality Certification Program. If a project does not require a federal license or permit, but does involve activities that may result in a discharge of harmful substances to waters of the State, the RWQCB has the option to regulate such activities under its State authority in the form of Waste Discharge Requirements or Certification of Waste Discharge Requirements.

The SWRCB adopted Procedures for Discharges of Dredged or Fill Materials to Waters of the State (Procedures) on April 2, 2019, which went into effect on May 28, 2020. The Procedures ensure that the Water Boards' regulation of dredge or fill activities will be conducted in a manner "to ensure no overall net loss and long-term net gain in the quantity, quality, and permanence of wetlands acreage and values …." The Procedures also include procedures for the submission, review, and approval of applications for activities that could result in the discharge of dredged or fill material to any waters of the State.

The Procedures include a state wetland definition and wetland delineation procedures that apply to all Water Board programs. The wetland definition encompasses the full range of wetland types commonly recognized in California, including some features not protected under federal law. Wetlands that meet the current definition, or any historic definition, of waters of the United States are also waters of the State. The Water Boards define an area as wetland as follows:

> "An area is wetland if, under normal circumstances, (1) the area has continuous or recurrent saturation of the upper substrate caused by groundwater, or shallow surface water, or both; (2) the duration of such saturation is sufficient to cause anaerobic conditions in the upper substrate; and (3) the area's vegetation is dominated by hydrophytes or the area lacks vegetation."

The following wetlands are waters of the State:

1. Natural wetlands,
2. Wetlands created by modification of a surface water of the State, and
3. Artificial wetlands that meet any of the following criteria:
    a. Approved by an agency as compensatory mitigation for impacts to other waters of the State, except where the approving agency explicitly identifies the mitigation as being of limited duration;
    b. Specifically identified in a water quality control plan as a wetland or other water of the State;
    c. Resulted from historic human activity, is not subject to ongoing operation and maintenance, and has become a relatively permanent part of the natural landscape; or
    d. Greater than or equal to one acre in size, unless the artificial wetland was constructed, and is currently used and maintained, primarily for one or more of the following purposes (i.e., the following artificial wetlands are not waters of the State unless they also satisfy the criteria set forth in 2, 3a, or 3b):
        i. Industrial or municipal wastewater treatment or disposal,
        ii. Settling of sediment,

iii. Detention, retention, infiltration, or treatment of stormwater runoff and other pollutants or runoff subject to regulation under a municipal, construction, or industrial stormwater permitting program,
iv. Treatment of surface waters,
v. Agricultural crop irrigation or stock watering,
vi. Fire suppression,
vii. Industrial processing or cooling,
viii. Active surface mining – even if the site is managed for interim wetlands functions and values,
ix. Log storage,
x. Treatment, storage, or distribution of recycled water, or
xi. Maximizing groundwater recharge (this does not include wetlands that have incidental groundwater recharge benefits), or
xii. Fields flooded for rice growing.

The Procedures require the permitting authority to rely on any wetland area delineation from a final aquatic resource report verified by the ACOE for the purposes of determining the extent of wetland waters of the United States. A delineation of any wetland areas potentially impacted by the project that are not delineated in a final aquatic resource report verified by the ACOE shall be performed using the methods described in federal ACOE Wetlands Delineation Manual and Regional Supplement to determine whether the area meets the state definition of a wetland as defined above, with the exception that lack of vegetation does not preclude the determination of such an area that meets the definition of wetland.

CEQA

CEQA requires public agencies to analyze and publicly disclose the environmental impacts to biological resources from projects they approve, and adopt feasible alternatives and mitigation measures to mitigate for the significant impacts they identify. The Lead Agency for CEQA in this case is the City.

Native Plant Protection Act (NPPA) of 1977

The Native Plant Protection Act of 1977 is codified in F&G Code Section 1900, *et seq*., and designates rare and endangered native plants and provides specific protection measures for identified populations. The NPPA directs the CDFW to "preserve, protect, and enhance rare and endangered plants in this State." The NPPA gives the California F&G Commission the power to designate native plants as Endangered or Rare, and to require permits for collecting, transporting, or selling such plants. In 1984 the CESA expanded on the original NPPA and enhanced legal protection for plants by creating the categories of "Threatened" and "Endangered" species. Plants that were listed as "Endangered" under the NPPA are protected as "Endangered" species under the CESA, but the CESA does not provide protection for species listed as "Rare" under the NPPA. There are currently 64 species, subspecies, and varieties of plants that are protected and designated as "Rare" under the NPPA. A native plant is "Rare" when "although not presently threatened with extinction, it is in such small numbers throughout its range that it may become endangered if its present environment worsens." The NPPA prohibits take of plants that are protected as Endangered or Rare, but includes some exceptions for agricultural and nursery operations; emergencies; and after properly notifying CDFW for vegetation removal from canals, roads, and other sites, changes in land use, and in certain other situations.

CDFW Special Animals List

"Special Animals" is a general term that refers to all of the taxa the CNDDB tracks, regardless of their legal or protection status. The CDFW considers the taxa on this list to be those of greatest conservation need. The species on this list generally fall into one or more of the following categories: (1) officially listed or proposed for listing under CESA or FESA; (2) State or Federal candidate for possible listing; (3) taxa which meet the criteria for listing, even if not currently included on any list, as described in CEQA Guidelines Section 15380; (4) taxa considered by the CDFW to be a Species of Special Concern; (5) taxa that are biologically rare, very restricted in distribution, declining throughout their range, or have a critical, vulnerable stage in their life cycle that warrants monitoring; (6) populations in California that may be on the periphery of a taxon's range, but are threatened with extirpation in California; (7) taxa closely associated with a habitat that is declining in California at an alarming rate (e.g., wetlands, riparian, old growth forests, desert aquatic systems, native grasslands, vernal pools); and (8) taxa designated as a special status, sensitive, or declining species by other state or federal agencies, or a non-governmental organization.

California Native Plant Society

CNPS publishes and maintains an Inventory of Rare and Endangered Vascular Plants of California, which is currently in its 8th edition. The inventory assigns plants to the following Rare Plant Ranks:

- 1A – Presumed extirpated in California and either rare or extinct elsewhere.
- 1B – Rare, threatened, or endangered in California and elsewhere.
- 2A – Presumed extirpated in California, but more common elsewhere.
- 2B – Rare, threatened, or endangered in California, but more common elsewhere.
- 3 – Plants for which more information is needed – a review list.
- 4 – Plants of limited distribution – a watch list.

Additional endangerment codes are assigned to each taxon as follows:

- 1 – Seriously endangered in California (over 80 percent of occurrences threatened/high degree of immediacy of threat).
- 2 – Fairly endangered in California (20–80 percent occurrences threatened/moderate degree and immediacy of threat).
- 3 – Not very endangered in California (< 20 percent of occurrences threatened or no current threats known).

Plants assigned to Rare Plant Ranks 1A, 1B, 2A, 2B, and 3 of the CNPS Inventory consist of plants that may qualify for listing and are given special consideration under CEQA during project review. Although plants assigned to Rare Plant Rank 4 have little or no protection under CEQA, they are usually included in the project review process.

Species of Special Concern

"Species of Special Concern" are broadly defined as animals not listed under FESA or CESA, but which are nonetheless of concern to the CDFW because they are declining at a rate that could result in listing or historically occurred in low numbers and known threats to their persistence currently exist. This designation is intended to result in special consideration for these animals by the CDFW, land managers, consulting biologists, and others, and is intended to focus attention on the species to help avert the need for costly listing under FESA and CESA and cumbersome recovery efforts that might ultimately be required. This designation is also intended to stimulate collection of additional information on the biology, distribution, and status of poorly known at-risk species, and focus research and management attention on them. Although

these species generally have no special legal status, they are given special consideration under CEQA during project review.

Sensitive Vegetation Communities

Sensitive vegetation communities are natural communities and habitats that are either unique, of relatively limited distribution in the region, or of particularly high value to wildlife. These resources have been defined by federal, state, and local conservation plans, policies or regulations. The CDFW ranks sensitive communities and has tracked occurrences of some sensitive communities in its CNDDB. Sensitive vegetation communities are also identified by the CDFW on its *California Natural Communities List*. Impacts to sensitive natural communities and habitats identified in local or regional plans, policies, regulations, or by federal or state agencies must be considered and evaluated (CEQA Guidelines Appendix G).

Regional and Local

City of Simi Valley General Plan Natural Resources Element

The City of Simi Valley General Plan Natural Resources Element adopted June 2012 guides future development within the City and its sphere of influence with respect to the protection of water, biological species and habitat, urban forest, air, energy, and scenic amenities. General goals of the Natural Resource Element related to biological resources include the preservation and enhancement of plant and wildlife habitat as well as the protection of wildlife movement corridors. The Natural Resources Element includes specific policies related to preservation of trees and native vegetation, protection of wetlands and other sensitive habitats, maintenance of habitat connectivity, installation of wildlife crossing structures, compatibility of trails with sensitive habitats, biological site assessment, and collaboration with resource and conservation agencies and organizations.

City of Simi Valley Mature Tree Preservation Ordinance (Chapter 9-38)

The City considers trees a uniquely valuable natural resource. SVMC Chapter 9-38 (Tree Preservation, Cutting, and Removal) applies to Protected Trees within the City limits, and requires protection and preservation of trees to the greatest extent possible in order to protect the health, safety, or welfare of the citizens of the City. The following terms and phrases are defined in SVMC Chapter 9-80 for the purposes of implementing SVMC Chapter 9-38:

- Protected Trees. All historic trees, all mature native trees, or any mature trees which are associated with a proposal for urban development, or are located on a vacant parcel.
- Historic Tree. A living tree designated by resolution of the Council as an historic tree because of an association with some event or person of historical significance to the community, or because of special recognition due to aesthetic qualities, condition, or size.
- Mature Native Oak Tree. A living oak tree with a cross-sectional area of all major stems, as measured four and one-half feet above the root crown, of 20 or more square inches.
- Mature Tree. A living tree with a cross-sectional area of all major stems, as measured four and one-half feet above the root crown, of 72 or more square inches. Mature trees shall not include stump regrowths.
- Native Oak Tree. A living tree of the genus *Quercus* and species *agrifolia, berberidifolia, lobata*, or hybrids thereof.

According to SVMC Chapter 9-38, no Protected Tree may be removed, cut down, relocated, or otherwise destroyed except as provided for in SVMC Sections 9-38.070 (Tree Removal Permits) through 9-38.090 (Exceptions).

4.4.2 Thresholds of Significance

The potential for the proposed project to result in impacts related to biological resources has been analyzed in relation to the thresholds below, based upon the state CEQA Guidelines Appendix G Checklist. The proposed project would be considered to have a significant impact to biological resources when the proposed project has potential to:

- 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 Game or U.S. Fish and Wildlife Service. ***(Candidate, Sensitive, and Special Status Species)***
- 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. ***(Sensitive Natural Communities)***
- Substantial adverse effect on state or federally protected wetlands as defined by Section 404 of the Clean Water Act (including, without limitation, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means. ***(Protected Wetlands, Waters, and Riparian Habitat)***
- Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites. ***(Wildlife Movement, Wildlife Corridors, and Wildlife Nursery Sites)***
- Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. ***(Local Policies and Ordinances Protecting Biological Resources)***
- Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. ***(See No Analysis Warranted, below)***

No Analysis Warranted

There are no Habitat Conservation Plans, Community Conservation Plans, or other approved local, regional or state habitat conservation plans that are applicable to the project site. Therefore, the project would have no impact with respect to that issue, and no further analysis in this Draft EIR is required.

4.4.3 Project Impacts and Mitigation Measures

The impact analysis for the North Canyon Ranch project relies on the Master Grading Plan for Tentative Map No. 5658-A prepared by Christiansen and Company, dated January 5, 2023, and the Conceptual Landscape and Fuel Modification Plan prepared by Land Arq, Inc., dated November 29, 2023. The project limits of disturbance including grading and potential fuel modification are shown overlain on the site's biological resources on Figure 4.4-1, Vegetation and Special-Status Species Map, and on Figure 4.4-2, Jurisdictional Delineation Map.

The North Canyon Ranch project site consists of one (1) parcel totaling approximately 160 acres. The proposed project limits of disturbance would total 106.92 acres, including 89.02 acres of on-site grading, 14.10 acres of potential on-site fuel modification that would extend beyond the grading footprint, and 3.80 acres of off-site fuel modification would extend beyond the grading footprint. All proposed utilities and landscaping would be within the grading limits. Approximately 71 acres of the site on Parcel L to the north of the proposed development would be designated as open space. Portions of Parcel L would be subject to fuel modification to protect the residential development. A total of approximately 57 acres of habitat on Parcel L (the proposed open space lot) and Parcel N (a detention basin lot) would be preserved and would not be subject to project grading or fuel modification.

The Annexation Islands are developed and are not currently proposed for any changes in land use or infrastructure. For the purposes of CEQA, the only action for this part of the project is to annex the Island properties to the City. Any future development proposals in the annexation areas would require City review to determine whether CEQA applies, and if so, determine the appropriate level of CEQA documentation would be required.

4.4.3.1 Candidate, Sensitive, and Special Status Species

North Canyon Ranch

A significant impact may occur if the proposed project were to 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 CDFW or USFWS.

Impacts to Special-Status Plant Species

This evaluation of impacts to special-status plants considers those species that require mandatory special consideration and/or protection pursuant to FESA, CESA, and/or CEQA. Ventura County Locally Important Species are also considered as well as CRPR 4 species if they meet criteria to be locally significant. Botanical surveys of the project site were conducted in Spring 2015, Spring 2017, Spring 2019, and Spring 2023. No rare, threatened, or endangered plant species or Ventura County Locally Important Plant species were found during surveys of the project site. Therefore, impacts to rare, threatened, and endangered plant species and Ventura County Locally Important Species would be less than significant.

Three special-status plant species on the CNPS watch list occur at the project site, Catalina mariposa lily (*Calochortus catalinae*) [CRPR 4.2], Plummer's mariposa lily (*Calochortus plummerae*) [CRPR 4.2], and small-flowered morning glory (*Convolvulus simulans*) [CRPR 4.2]. These species are not rare but are of limited distribution in California. Catalina mariposa lily is common in scrub and herbaceous habitats throughout the site, but generally absent from previously cleared or graded areas. Tens of thousands of bulbs of this species bloomed at the project site in 2017, and thousands of bulbs bloomed in 2019 and 2023. Project grading would remove several thousand bulbs of this species, and several thousand bulbs would remain undisturbed and preserved on the 71-acre proposed open space parcel. Plummer's mariposa lily is uncommon at the project site and occurs at the site primarily along ridgelines. A total of 24 Plummer's mariposa lily bulbs bloomed in 2023, and two Plummer's mariposa lily bulbs bloomed in 2015. These plants occur outside of the project grading limits and potential fuel modification zones, and all would be preserved on the open space parcel. Small-flowered morning-glory occurs at four locations at the project site primarily in herbaceous habitats but also in open scrub, and notably in significant numbers in the understory of dense stands of non-native black mustard (See Figure 4.4-1, Vegetation and Special-Status Species Map). Thousands of small-flowered morning-glory plants were observed site in 2017 and 2023, and hundreds of plants were observed in 2015 and 2019. Small-flowered morning glory is an annual species, and the four colonies including their seed banks occupy an estimated 6.29 acres. A total of 5.66 acres of occupied small-flowered morning glory habitat would be removed by project grading, and the remaining 0.63 acres of occupied small-flowered morning glory habitat would be preserved on the open space parcel. Although project impacts to these CNPS watch-list species would be adverse, these species are not rare, are secure locally, and do not meet CNPS criteria to be considered locally significant. Therefore, impacts to Catalina mariposa lily, Plummer's mariposa lily, and small-flowered morning glory would be less than significant.

No other special-status plant species have been found at the site. As discussed in the potential for occurrence analysis for special-status plant species earlier in this section, many of the special-status species known to occur in the region have no reasonable potential to occur due to lack of suitable habitat or because the site

is outside of the species known range or distribution. Also, the remaining special-status plant species known to occur in the region are presumed absent from the site, as they were not detected during the spring botanical surveys conducted in 2015, 2017, 2019, and 2023, and this impact would be less than significant.

Impacts to Special-Status Wildlife Species

This assessment of impacts to special-status wildlife considers those species that are listed, proposed for listing, or that meet the criteria for listing as Endangered or Threatened under the FESA or CESA; and those with a designation of SSC (California Species of Special Concern) or CFP (California Fully Protected), as mandatory special consideration and/or protection of these species is required pursuant to the FESA, CESA, and/or CEQA. Wildlife species considered Locally Important by the County of Ventura are also considered.

Surveys of the project site, which included general wildlife observations, were conducted in Spring 2015, Summer 2015, Spring 2017, Summer 2017, Fall 2017, Spring 2019, and Spring 2023. As discussed earlier in this section, seven special-status wildlife species have been observed during surveys of the project site, including the California gnatcatcher (*Polioptila californica*) [FT, SSC], western spadefoot (*Spea hammondii*) [SSC], coastal whiptail (*Aspidoscelis tigris stejnegeri*) [SSC], grasshopper sparrow (*Ammodramus savannarum*) [SSC], yellow warbler (*Setophaga petechia*) [SSC], Vaux's swift (*Chaetura vauxi*) [SSC], and northern harrier (*Circus hudsonius*) [SSC], and several additional special-status wildlife species are potentially occurring. The site is also within USFWS-designated Critical Habitat for the California gnatcatcher, specifically Ventura County and Los Angeles County Unit 13.

Many of the special-status wildlife species that may potentially occur at the site are capable of escaping harm during project development (e.g., foraging birds that would not nest at the site and foraging bats that would not roost at the site), including grading or fuel modification, while others are vulnerable to direct impacts including injury and mortality. In this case, the special-status species that could be directly impacted with varying probabilities ranging from moderate to very low depending on the species include potentially occurring land dwelling animals, including the coast horned lizard (*Phrynosoma blainvillii*) [SSC], coast patch-nosed snake (*Salvadora hexalepis virgultea*) [SSC], California glossy snake (*Arizona elegans occidentalis*) [SSC], California legless lizard / southern California legless lizard (*Anniella* sp. / *A. stebbinsi*) [SSC], San Diego black-tailed jackrabbit (*Lepus californicus bennetii*), and the San Diego desert woodrat (*Neotoma lepida*); two burrowing animals, the western spadefoot (*Spea hammondii*) [SSC] and American badger (*Taxidea taxus neglecta*) [SSC]; and one insect that may nest in burrows, the Crotch bumble-bee (*Bombus crotchii*) [Candidate CE]. The habitat loss associated with the project would not significantly impact a population of any of these species, given the amount of remaining suitable habitat in the surrounding area, much of which is proposed to be protected as open space. Direct impacts to these special-status wildlife species including injury and mortality would be potentially significant but mitigable impact. Implementation of mitigation measures **BIO-1, BIO-2,** and **BIO-3**, which require biological monitoring during grading and construction, implementation of protective measures during grading and construction, and pre-construction surveys for special status wildlife species would reduce these potential impacts to less than significant. Impacts to nesting birds, including nesting special-status bird species, are addressed under the Impacts to Nesting Birds heading, below.

California Gnatcatcher

California gnatcatchers were observed at the project site in 2015, 2017, and 2019, and a pair nested at the site in Spring 2023. The project footprint intersects the breeding territory of the pair that was observed in 2023, which included the relatively intact coastal sage scrub in the southern portion of the project site. Although the California gnatcatcher is strongly associated with low growing coastal sage scrub communities that occur on moderate slopes, this resident species also uses adjacent communities year-round for foraging, as the young disperse from the nest, and during the hot summer months. Most of the project

site is also designated as California gnatcatcher Critical Habitat. The project site contains approximately 14 acres of coastal sage scrub that are suitable breeding habitat this species, the locations of which are shown on maps in the California gnatcatcher survey report by TW Biological Services in Appendix D. Of the 14 acres of suitable breeding habitat, 7.7 acres would be within the project footprint and the remaining 6.3 acres would be preserved in the proposed open space parcel. The other habitats at the site could also be used by the species for foraging and dispersal movements during the non-breeding season. The loss of suitable coastal scrub habitat at the project site including the breeding territories and home ranges of this species would be significant, but mitigable impact. The loss of designated critical habitat is also potentially significant. In addition to the direct loss of habitat potentially occupied by this species, as well as potential direct loss of individuals if nesting, potentially significant and indirect impacts could also occur due to edge effects including increased human presence and pets, noise, and artificial night lighting. The presence of this federally listed species requires USFWS consultation and potentially take authorization under FESA with the USFWS, which would consist of obtaining an Incidental Take Permit (ITP) and implementation of a Habitat Conservation Plan (HCP) to avoid, minimize, and reduce impacts to this species. The applicant will be required to submit documentation from USFWS and other Federal and State agencies to the City Planning Division that the ITP has been obtained or that an ITP was not required. Implementation of mitigation measure BIO-1, BIO-2**, BIO-4,** and **BIO-7**, which require biological monitoring during grading and construction, implementation of protective measures during grading and construction, nesting bird surveys, consultation with USFWS, obtaining an ITP from USFWS if required, and restoration and/or enhancement and protection of occupied habitats would reduce potential impacts to a less than significant level.

Mountain Lion

The project site provides suitable habitat for mountain lions, and mountain lions may pass through the project site occasionally. The listing petition[20] for the mountain lion Southern California – Central Coast Evolutionary Significant Unit details the factors that were identified as relevant to the decline of this species, which include the following: low genetic diversity and inbreeding depression; vehicle strikes; depredation and illegal kills; intraspecific strife; abandonment; poisoning from rodenticides and other environmental toxicants, wildfires, and climate change. As discussed below, except for the potential for poisoning from anticoagulant rodenticides, if anticoagulant rodenticides are used in association with the project, the project would not result in a potentially significant impact to mountain lions. The project would not contribute directly or indirectly to adverse effects on mountain lions caused by low genetic diversity, inbreeding depression, or infraspecific strife as the project would not fragment or result in substantial loss of mountain lion habitat, restrict habitat connectivity, or disrupt wildlife movement corridors (see the wildlife movement analysis under the Wildlife Movement heading, below. Also, the project would not be a contributing factor to adverse effects on mountain lions caused by wildfires or climate change as the project would be constructed in accordance with applicable State, County and/or City Fire and Building Codes, such that the project would not represent a particular fire hazard or otherwise be a cause of increased wildfire frequency, and the project would comply with applicable State and County policies adopted for reducing greenhouse gas emissions. The project would not involve containment of livestock or other animals in outdoor areas, and therefore the project would not potentially result in conflicts between mountain lions and animals that could necessitate depredation permits that could result in the death of a mountain lion. With respect to vehicle strikes on mountain lions, the potential for the project to result in vehicle strikes on mountain lions is low given mountain lions generally avoid areas of human activity and the project would be at the edge of an extensive urban area and therefore mountain lions would not be

[20] Center for Biological Diversity and Mountain Lion Foundation, CESA Petition for Southern California Central Coast Mountain Lions, Accessed at: (https://www.biologicaldiversity.org/species/mammals/California-mountain-lion/pdfs/CESA-petition-for-Southern-California-Central-Coast-Mountain-Lions.pdf.

inclined to enter the proposed development and it would not be necessary for mountain lions to cross the roads within the proposed development to reach other suitable habitat.

The use of anticoagulant rodenticides in association with the project could indirectly result in loss or harm to mountain lions as well as other potentially occurring special-status and common wildlife species in natural habitats the surrounding area, which would be a potentially significant impact. The potentially significant impact of anticoagulant rodenticides to the mountain lion and other species would be reduced to a less than significant impact with mitigation measure **BIO-5**, which prohibits the use of anticoagulant rodenticides in public areas in association with the project, such as at pocket parks and landscaping lots.

Western Spadefoot

Western spadefoot bred in the small temporary pond near the southern boundary of the site in Spring 2017, and is therefore expected to occur in the grassland and scrub habitats within the project footprint where they would occupy refugia such as burrows and conduct most movements at night. The small temporary pond appears to be man-made or perhaps is a result of prior grading at the site. The western detention basin at the site also pools in wet years and may also be suitable breeding habitat for western spadefoot, although spadefoot have not been observed in the western detention basin during the surveys of the site. No pooling of adequate duration for spadefoot breeding has been observed in the eastern detention basin, including in years with high rainfall. There are no other potential spadefoot breeding habitats at the project site. The proposed project would remove the temporary pond, modify the western and eastern detention basins, and potentially impact an unknown number of western spadefoot toads potentially occurring in terrestrial habitats within the project footprint, which would be a significant and mitigable impact. Potential direct impacts could result from ground disturbance, vegetation clearing, and trampling or crushing from construction equipment, vehicles, and foot traffic. Impacts would result from the loss of known suitable breeding habitat. The detention basins would remain, although with development of the project the basins would be separated from the remaining natural habitats to the north by paved roads and residential properties and it would therefore be unlikely these basins even if suitable for breeding would be used by spadefoot. The potentially significant impact would be reduced to a less than significant with mitigation measures BIO-1, BIO-2, BIO-3**, and BIO-6**, which would require biological monitoring during grading and construction, implementation of protective measures during grading and construction, pre-construction surveys of terrestrial habitats to locate and move western spadefoot individuals within the project footprint, and creation, restoration, and/or preservation of suitable western spadefoot breeding habitat onsite or in the Calleguas Creek watershed.

The proposed open space parcel would preserve approximately 71 acres of terrestrial habitats that would be suitable for cover, foraging, and movement for western spadefoot. The open space parcel would be connected to additional terrestrial western spadefoot habitats to the north of the project site, and ultimately to known spadefoot breeding habitats reported in the CNDDB approximately one mile to the north and northwest of the project site in upper Brea Canyon and at the Simi Landfill and Recycling Center.

Nesting Birds

The Federal Migratory Bird Treaty Act (MBTA) and the California F&G Code (Sections 3503, 3503.5, 3511, 3513 and 3800) protect most native birds. In addition, the federal and state Endangered Species Acts protect some bird species listed as Threatened or Endangered. Project-related impacts to birds protected by these regulations could occur during the breeding season, because unlike adult birds, eggs and nestlings are unable to escape impacts.

F&G Code Section 3513 upholds the MBTA by prohibiting any take or possession of birds that are designated by the MBTA as migratory nongame birds except as allowed by federal rules and regulations

promulgated pursuant to the MBTA. In addition, there are F&G Code Sections 3503, 3503.5, 3511, and 3800, which further protect nesting birds and their parts, including passerine birds, raptors, and state "fully protected" birds.

Ground and vegetation disturbing activities including but not limited to grading and fuel modification if conducted during the nesting bird season (February 1 to August 31) would have the potential to result in the loss of trees and shrubs that could contain active bird nests. In addition, these activities would also affect herbaceous vegetation that could support and conceal ground-nesting species. Project activities that result in the loss of bird nests, eggs, and young, would be in violation of one or more of F&G Code sections 3503 (any bird nest), 3503.5 (birds-of-prey), or 3511 (Fully Protected birds). In addition, removal or destruction of one or more active nests of any other birds listed by the MBTA, whether nest damage was due to vegetation removal or to other construction activities, would be considered a violation of the MBTA and F&G Code Section 3511. The significant impact of loss of protected bird nests, eggs, or young due to project activities would be reduced to a less than significant impact with mitigation measure BIO-7, which requires preconstruction nesting bird surveys.

Required Island Annexations

The Annexation Islands are developed and are not proposed for any changes in land use or infrastructure at this point in time. For the purposes of CEQA, the only action for this part of the project is to annex the Island properties to the City. Any future development proposals in the annexation areas would require City review to determine whether CEQA applies, and if so, determine the appropriate level of CEQA documentation that would be required. As no physical changes within the Annexation Islands are proposed with this project that could potentially impact candidate, sensitive, or special-status species, impacts would be less than significant.

Mitigation Measures

MM BIO-1: Biological Monitor

Before the Building Official issues a grading permit, the permittee must retain a qualified lead biologist (see qualifications below) subject to the approval of the Environmental Services Director, or designee, and the California Department of Fish and Wildlife (CDFW), if applicable. The lead biologist must ensure that impacts to all biological resources are minimized or avoided and conduct (or supervise) pre-project field surveys and routine monitoring for species that may be avoided, affected, or eliminated as a result of grading or any other site preparation activities. The lead biologist must also conduct a pre-project environmental education program for all personnel working at the site, which is focused on conditions and protocols necessary to avoid and minimize potential impacts to biological resources. The lead biologist must also ensure that daily monitoring reports (e.g., survey results, protective actions, results of protective actions, adaptive measures) are prepared, and make these monitoring reports available to the Environmental Services Director, or designee, and CDFW at their request.

The qualified lead biologist must meet the following minimum qualifications:

- Have an undergraduate or graduate degree with coursework in biology, botany, wildlife biology, natural resources, ecology, conservation biology or environmental biology;
- Have an up-to-date subscription to and experience using the California Natural Diversity Database/BIOS;
- Be able to map survey findings in GIS;

- Be at a senior level with a high-level of local biological experience and proficiency in evaluating compliance with federal and state regulations, policies, and procedures applicable to biological resources and jurisdictional waters and riparian habitat;
- Have at least four years of experience as a lead biologist supervising biological monitoring projects;
- Have at least four years of experience performing botanical and wildlife surveys within the region (e.g., Ventura, Santa Barbara, Kern, San Luis Obispo, and/or Los Angeles Counties); and
- Possess any necessary permits and memoranda of understanding with USFWS and CDFW for handling potentially occurring special-status species.

MM BIO- 2: Protection Measures During Construction Activities

The following measures must be implemented during the construction phase to avoid impacts to native habitats adjacent to or in the vicinity of the limits of disturbance, as well as special-status flora and fauna that could potentially be associated with these habitats.

a. Before any ground disturbing and construction activities, the permittee must demarcate the project limits of disturbance with temporary exclusionary fencing to prevent encroachment of project activities into adjacent native habitats and jurisdictional waterways, and to dissuade wildlife from entering the construction area. The fencing must be marked with highly visible flagging. Temporary signs must be posted or placed at regular intervals along the fencing prohibit access beyond the project limits. The Environmental Services Director, or designee, must verify fencing was correctly installed before to the start of ground disturbance or construction activities. The temporary fencing must be routinely inspected and maintained in functional condition for the duration of project construction.

b. The monitoring biologist must conduct routine surveys to locate and remove wildlife within the work site.

c. No construction and maintenance activities may occur during nighttime hours, except in an emergency or if authorized by the Environmental Services Director, or designee.

d. If construction lighting is required, then lighting must be pointed away from native habitats and be pointed downward and shielded to the extent practicable.

e. To the extent feasible, the following measures to avoid excessive construction noise must be implemented at the construction site:

- Construction equipment must be properly maintained per manufacturer's specifications and fitted with noise suppression devices (e.g., mufflers, silences, wraps).
- Impact tools must be shrouded or shielded, and intake and exhaust ports on power equipment must be muffled or shielded.
- Low-noise emission equipment must be used.
- Construction equipment must be shut down when not in use and must not idle for extended periods of time.
- Work areas such as stationary construction noise sources must be situated so louder activities occur as far from native habitats as possible.
- Noise pads or dampers must be used, where necessary.
- The use of generators must be minimized.
- Construction activities must not occur during nighttime hours.

f. No pets are allowed on the project site.

g. Trash must be disposed of in closed-containers, and all food-related trash must be disposed of in closed animal-proof containers. The permittee must provide sufficient containers on-site during construction.

h. Standard measures to control fugitive dust shall be implemented at the construction site, including sufficient watering of disturbed areas and reduced vehicle speeds below 15 m.p.h.

i. All trenches must be filled within the same day or escape ramps for animals will be constructed if trenches are to be left open overnight.

j. All project related equipment and vehicles must be cleaned and decontaminated of weeds and soils before entering the project site to reduce the potential for the spread and introduction of invasive and noxious weeds.

k. The project must obtain and implement a Stormwater Pollution Prevention Plan to prevent discharge and runoff of pollutants into streams and riparian habitats as well as the natural habitats adjacent to the construction footprint.

The City or City-approved construction monitor must conduct site inspections to ensure these construction phase measures are implemented. The construction monitor must maintain a record of monitoring notes including construction activities and observations for submittal to the City, when requested.

MM BIO-3: Pre-Construction Surveys for Special-Status Wildlife

Before the Permittee commences ground or vegetation disturbing activities including, without limitation, grading and fuel modification, pre-construction surveys must be conducted by qualified wildlife biologist(s) (see qualifications below) approved by the Environmental Services Director, or designee, and CDFW (if applicable) to determine the presence/absence of the following ground dwelling special-status wildlife species at the site: coast horned lizard (*Phrynosoma blainvillii*) [SSC], coast patch-nosed snake (*Salvadora hexalepis virgultea*) [SSC], California glossy snake (*Arizona elegans occidentalis*) [SSC], California legless lizard / southern California legless lizard (*Anniella sp. / A. stebbinsi*) [SSC], San Diego black-tailed jackrabbit (*Lepus californicus bennetii*), San Diego desert woodrat (*Neotoma lepida*), western spadefoot (*Spea hammondii*) [SSC], American badger (*Taxidea taxus neglecta*) [SSC], and Crotch bumble-bee (*Bombus crotchii*) [Candidate CE]. These special-status species are potentially occurring within the grading and fuel modification zones and could be susceptible to potential impacts, if they are present. At a minimum, one survey must be conducted within 14 days before commencing activities that will disturb the ground or vegetation and a second survey must be conducted within three days before commencing ground or vegetation disturbing activities. The pre-construction surveys must incorporate appropriate methods and timing to detect the species that may potentially occur at the site. If a special-status species is found, avoidance is the preferred option (e.g., waiting for the animal(s) to leave the grading/construction footprint or the use of exclusionary devices to prevent the animal(s) from entering the grading/construction footprint). If avoidance is not feasible, with notification to the Environmental Services Director, or designee, and CDFW, the animal(s) may be captured and transferred to appropriate habitat and location where they would not be harmed by project activities, preferably to open space habitats in the vicinity of the project site. If a federally or State listed species is found, the United States Fish and Wildlife Service (USFWS) and CDFW, as applicable, and the Environmental Services Director, or designee, must be consulted before the start of project activities. A letter report

summarizing the methods and results of the surveys and relocation efforts, if applicable, must be submitted to the Environmental Services Director, or designee, CDFW, and USFWS, as applicable, before commencement of project activities.

The qualified wildlife biologist(s) must meet the following minimum qualifications:

- Have an undergraduate or graduate degree with coursework in biology, botany, wildlife biology, natural resources, ecology, conservation biology or environmental biology;
- Have an up-to-date subscription to and experience using the California Natural Diversity Database/BIOS;
- Be able to map survey findings in GIS or have access to an individual or firm with the ability to map survey findings in GIS;
- Have at least four years of experience performing wildlife surveys within the region (e.g., Ventura, Santa Barbara, Kern, San Luis Obispo, and/or Los Angeles Counties); and
- Possess the necessary permits and memoranda of understanding with USFWS and CDFW before handling potentially occurring special-status species.

MM BIO-4: California Gnatcatcher

Within one year after the Building Official issues a grading permit, the applicant must retain a City and USFWS-approved biologist authorized under Section 10(a)(1)(A) of the Endangered Species Act to conduct protocol surveys for the California gnatcatcher, in accordance with the USFWS's "Coastal California Gnatcatcher Presence/Absence Survey Guidelines" (February 28, 1997). The survey area must include the entire project site. The applicant must provide the protocol survey report to the Environmental Services Director, or designee, and USFWS. In addition to all standard protocol survey requirements, the survey report shall include maps depicting the extent and acreages of occupied habitat, which includes the breeding territories and/or home ranges of the birds.

The applicant must initiate consultation with USFWS and if required by USFWS the applicant must implement one of the following procedures:

a. If the project involves federal permitting or funding (collectively, "federal nexus"), then the applicant must complete consultation with the relevant federal agency and USFWS pursuant to Section 7(a)(2) of the Endangered Species Act; or
b. If the project does not involve a federal nexus but may result in the take of coastal California gnatcatcher, the applicant must apply to the USFWS for an Incidental Take Permit, pursuant to Section 10(a)(1)(B) of the Endangered Species Act. To qualify for the Incidental Take Permit, the applicant must submit an application to the USFWS together with a Habitat Conservation Plan (HCP) that describes (at a minimum) how the impacts of the proposed taking of coastal California gnatcatcher are minimized and mitigated, and how the plan will be funded.

The applicant must submit the following to the Environmental Services Director, or designee:

a. If the project involves federal permitting or funding, the applicant must submit a copy of one of the following documents: (a) a Biological Opinion issued by the USFWS; or (b) a written concurrence letter from the USFWS stating the project is unlikely to adversely affect the California gnatcatcher; or

b. If the project does not involve federal permitting or funding, the applicant must submit a copy of one of the following documents: (a) an Incidental Take Permit and HCP or (b) a written concurrence letter from the USFWS stating that the project is unlikely to adversely affect the California gnatcatcher.

Compensatory mitigation requirements will be addressed in the Biological Opinion or HCP. Compensatory mitigation for project impacts to the California gnatcatcher must include the following, or as otherwise required by USFWS:

a. For permanent impacts to occupied California gnatcatcher habitat including habitat permanently removed, modified, or degraded, the applicant shall restore and/or enhance and permanently preserve by conservation easement or deed restriction suitable onsite California gnatcatcher habitat at a 2:1 mitigation-to-impact ratio, and/or permanently preserve currently unprotected suitable California gnatcatcher habitat offsite at a 3:1 mitigation-to-impact ratio. In addition, a minimum 100-foot vegetated buffer around the suitable mitigation habitat shall also be preserved to minimize potential edge effects of existing or future urban development on the mitigation habitat. Performance standards for restoration, enhancement, and establishment shall be based on conditions at high-quality reference sites of the habitats being mitigated. The applicant shall provide an endowment for the long-term management of mitigation lands that are permanently preserved.
b. The permittee must mitigate for any temporary impacts to occupied California gnatcatcher habitat by in-kind restoration and re-vegetation within the temporarily disturbed area at a 1:1 ratio. Performance standards for restoration and re-vegetation shall be based on conditions at high-quality reference sites of the habitats being mitigated.
c. If grading for the project is to occur outside of the one-year survey timeframe, the applicant will be required to obtain a new survey report and consultation with USFWS before the Building Official issues a grading permit.

MM BIO-5: **Anticoagulant Rodenticides**

Rodenticides containing any anticoagulant compounds including, without limitation, Warfarin, Brodifacoum, Bromadiolone, or Diphacinone may not be used in public areas associated with the project, including fuel modification zones, public streets, detention basins, landscaping lots, and pocket parks. The permittee must maintain a record of rodenticides used at the project site including their labels for review by the Environmental Services Director, or designee, when requested.

MM BIO-6: Creation and/or Restoration of Western Spadefoot Breeding Habitat

The permittee must retain a qualified herpetologist approved by the Environmental Services Director, or designee, and CDFW to prepare a Western Spadefoot Habitat Mitigation Plan, which includes creation of spadefoot breeding habitat within suitable areas onsite. The breeding habitat impacted must be replaced at a minimum 2:1 ratio. Two mitigation pools must be created at disparate locations to off-set the loss of the existing breeding pool. The mitigation pools and a minimum 50-foot buffer around the pools must be preserved as permanent open space in a manner approved by the Environmental Services Director, or designee. The pools must be as far as feasible from existing and proposed development. The Western Spadefoot Habitat Mitigation Plan must include at a minimum the breeding pool locations and design, an implementation plan, success criteria, maintenance activities, a monitoring program, and contingency measures. The mitigation

pools must be designed such that they only support standing water for several weeks following seasonal rains to reduce the ability of aquatic predators (e.g., fish, bullfrogs, and crayfish) to become established. Terrestrial habitat surrounding the mitigation pools must be similar in type, aspect, and density as the location of the existing pool, as feasible. Success criteria include verifiable evidence of toad reproduction at the mitigation pools. If suitable locations are not available onsite, the impact must be mitigated by creation and/or restoration of offsite spadefoot breeding habitat at a 2:1 ratio within the Calleguas Creek watershed.

The Western Spadefoot Habitat Mitigation Plan must be approved by the Environmental Services Director, or designee, and CDFW and implemented before the Building Official issues a grading permit. The existing breeding pool may not be impacted during the spadefoot breeding season (January to May), and the existing breeding pool, a buffer, and a movement corridor connecting the existing pool to the natural habitats to the north of the proposed development may not be impacted until creation of the mitigation pools is complete.

The qualified herpetologist must monitor the mitigation pools for five years, which involves annual monitoring during and immediately following peak breeding season such that surveys can be conducted for adults as well as for egg masses and larval and post-larval toads. Survey data must be provided to CDFW following each monitoring period. Five years after project start, a final report must be submitted to the Environmental Services Director, or designee, and CDFW, which (at a minimum) discusses the implementation, monitoring, and management of the project over the five-year period, and determine whether the project met the success criteria, which include replacement of breeding habitat at a minimum 2:1 ratio, including two mitigation pools created at disparate locations, and verifiable evidence of spadefoot toad reproduction at the mitigation pools. The spadefoot toad mitigation effort must be extended if the success criteria are not met at the end of the five-year period to the satisfaction of the Environmental Services Director, or designee, and CDFW.

The qualified herpetologist must meet the minimum qualifications listed below:

- Have an undergraduate or graduate degree with coursework in biology, wildlife biology, natural resources, ecology, conservation biology or environmental biology;
- Be at a senior level and have specialized education and experience in herpetology;
- Be able to map mitigation sites in GIS or have access to an individual or firm with the ability to map mitigation sites in GIS;
- Experience as the primary author and director in the preparation and implementation of at least three mitigation plans for western spadefoot and/or other special-status amphibians; and,
- Possess any necessary permits and memoranda of understanding with USFWS and CDFW for handling western spadefoot or other special-status species, if applicable.

MM BIO-7: Nesting Bird Surveys

Not earlier than 30 days before ground or vegetation disturbing activities that would occur during the nesting/breeding season of native bird species potentially nesting on the site (typically February 1 through August 31), a qualified biologist approved by the Environmental Services Director, or designee, and CDFW (if applicable) must perform

four field surveys to determine if active nests of any bird species protected by the state or Federal Endangered Species Acts (FESA), Migratory Bird Treaty Act (MBTA), and/or the Fish and Game ("F&G) Code Sections 3503, 3503.5, or 3511 are present in the disturbance zone or within 200 feet of the disturbance zone for songbirds or within 500 feet of the disturbance zone for raptors and special-status bird species. The nesting bird survey must be performed weekly with the last survey conducted within three days of the start of ground or vegetation disturbing activities. A letter report summarizing the methods and results of the surveys must be submitted to the Environmental Services Director, or designee, and CDFW (if applicable) before commencement of project activities. Should an active nest be found within the survey area, site preparation, construction, and fuel modification activities must stop until after consultation with the Environmental Services Director, or designee, and when applicable CDFW and USFWS, is conducted and an appropriate setback buffer can be established. The buffer must be demarcated and project activities within the buffer must be postponed or halted, at the discretion of the biologist, until the nest is vacated and juveniles have fledged, as determined by the biologist, and there is no evidence of a second attempt at nesting. Project activities must be postponed and the Environmental Services Director, or designee, CDFW and USFWS, when applicable, must be consulted if there is an active nest of a special-status species at the site.

The qualified biologist(s) must meet the minimum qualifications listed below:

- Have an undergraduate or graduate degree with coursework in biology, wildlife biology, natural resources, ecology, conservation biology or environmental biology;
- Have an up-to-date subscription to and experience using the California Natural Diversity Database/BIOS;
- Be able to map survey findings in GIS or have access to an individual or firm with the ability to map survey findings in GIS; and,
- Have at least four years of experience performing nesting bird surveys within the region (e.g., Ventura, Santa Barbara, Kern, San Luis Obispo, and/or Los Angeles Counties).

Residual Impacts

North Canyon Ranch

As discussed in the impact analysis above, mitigation measure BIO-1 through BIO-7 have been designed to reduce impacts to the affected species to a level of less than significant. Impacts would be less than significant within implementation of mitigation measure BIO-1 through BIO-7.

Required Island Annexations

Impacts would be less than significant before mitigation, as no development is proposed.

4.4.3.2 Sensitive Natural Communities

North Canyon Ranch

A significant impact may occur if the proposed project were to have a substantial adverse effect on any sensitive natural community identified in local or regional plans, policies, regulations or by the CDFW or US Fish and Wildlife Service.

The acreages of on-site direct, permanent impacts to natural communities and other land cover that would result from project grading, construction, and fuel modification are shown in **Table 4.4-5, Natural**

Communities Impacted and **Preserved Onsite**. **Table 4.4-6, Natural Communities Impacted by Offsite Fuel Modification** includes the potential fuel modification impacts to natural communities that would occur off-site. Fuel modification impacts in Tables 4.4-5 and 4.4-6 include the fuel modification that would extend beyond the grading limits**.**

Table 4.4-5
Natural Communities Impacted and Preserved Onsite

General Habitat Class	Natural Community or Other Land Cover*	Status Rank	Total Acreage at Project Site	Grading and Construction Impacts	Onsite Fuel Modification Impacts	Preserved in Parcel L and Parcel N
Coastal Scrub	Black Sage Shrubland Association (*Salvia mellifera*) [32.020.03]	G4S4	3.30	0.40	0.28	2.62
	California Sagebrush Shrubland Alliance (*Artemisia californica*) [32.015.00]	G5S5	2.82	1.74	0.09	0.99
	Lemonade Berry - Black Sage – California Sagebrush Shrubland Association (*Rhus integrifolia - Artemisia californa – Salvia mellifera*) [37.803.05]	G3S3; Sensitive	1.09	0.00	0.00	1.07
	California Sagebrush – Black Sage Shrubland Alliance (*Artemisia californica – Salvia mellifera*) [32.210.00]	G4S4	14.68	4.14	1.38	9.11
	Deerweed Shrubland Alliance (*Acmispon glaber*) [37.070.00]	G5S5	0.93	0.79	0.13	0.00
	California Brittlebush Shrubland Alliance (*Encelia californica*) [32.051.00]	G3S3	6.41	1.91	0.10	4.48
	California Brittlebush – California Buckwheat Shrubland Phase of California Brittlebush Shrubland Association (*Encelia californica – Eriogonum fasciculatum*)	G3S3; Sensitive	8.57	1.15	0.74	6.46
	California Buckwheat Shrubland Alliance (*Eriogonum fasciculatum*) [32.040.00]	G5S5	0.14	0.00	0.00	0.12
	Sawtooth Goldenbush	G3S3	1.56	1.41	0.17	0.01

General Habitat Class	Natural Community or Other Land Cover*	Status Rank	Total Acreage at Project Site	Grading and Construction Impacts	Onsite Fuel Modification Impacts	Preserved in Parcel L and Parcel N
	Shrubland Alliance (*Hazardia squarrosa*) [32.055.00]					
	Purple Sage – California Sagebrush Shrubland Association (*Salvia leucophylla – Artemisia californica*) [32.090.01]	G4S4	24.12	11.49	2.04	10.59
	California Brittlebush – Black Sage Shrubland Association (*Encelia californica – Salvia mellifera*) [32.050.05]	G3S3?; Sensitive	11.12	1.31	3.42	6.49
Cactus Scrub	Coast Prickly-Pear Shrubland Alliance (*Opuntia littoralis*) [32.150.00]	G4S3	0.20	0.06	0.00	0.14
Riparian Scrub	Blue Elderberry Shrubland Association (*Sambucus nigra* ssp. *caerulea*) [63.410.01]	Sensitive	0.38	0.17	0.04	0.18
	Mulefat Shrubland Alliance (*Baccharis salicifolia*) [63.510.00]	G5S4	0.80	0.47	0.07	0.25
Herbaceous	Non-Native and Native Herbaceous	Not ranked	82.82	62.73	5.62	14.66
Other Landcover	Barren or Sparsely Vegetated	n/a	1.16	1.16	0.00	0.00
	Landscaping	n/a	0.09	0.09	0.02	0.00
		Total Acreages	**160.19**	**89.02**	**14.10**	**57.07****

* Numbers in brackets are unique codes for each plant community, as provided in the *California Natural Communities List* (CDFW, June 1, 2023). Plant communities in bold type are CDFW Natural Communities of Special Concern (Rare or Sensitive Plant Communities).
** Preserved acreage includes habitat outside the grading limits and/or fuel modification zones on Parcel L (Open Space) and Parcel N.

GLOBAL RANKING
The global rank (G-rank) is a reflection of the overall status of a natural community throughout its global range. Both Global and State ranks represent a letter+number score that reflects a combination of Rarity, Threat and Trend factors, with weighting being heavier on Rarity than the other two. "?"- Denotes an inexact numeric rank due to insufficient samples over the full, expected range of the vegetation type, but existing information points to the rank given.

G1 - Critically Imperiled—At very high risk of extinction due to extreme rarity (often 5 or fewer occurrences), very steep declines, or other factors.
G2 - Imperiled—At high risk of extinction due to very restricted range, very few occurrences (often 20 or fewer), steep declines, or other factors.
G3 - Vulnerable—At moderate risk of extinction due to a restricted range, relatively few occurrences (often 80 or fewer), recent and

General Habitat Class	Natural Community or Other Land Cover*	Status Rank	Total Acreage at Project Site	Grading and Construction Impacts	Onsite Fuel Modification Impacts	Preserved in Parcel L and Parcel N

widespread declines, or other factors.
G4 - Apparently Secure—Uncommon but not rare; some cause for long-term concern due to declines or other factors.
G5 - Secure—Common; widespread and abundant.

STATE RANKING
The state rank (S-rank) is assigned much the same way as the global rank, but state ranks refer to the imperilment status only within California's state boundaries.

S1 - Critically Imperiled—Critically imperiled in the state because of extreme rarity (often 5 or fewer occurrences) or because of factor(s) such as very steep declines making it especially vulnerable to extirpation from the state.
S2 - Imperiled—Imperiled in the state because of rarity due to very restricted range, very few occurrences (often 20 or fewer), steep declines, or other factors making it very vulnerable to extirpation from the state.
S3 - Vulnerable—Vulnerable in the state due to a restricted range, relatively few occurrences (often 80 or fewer), recent and widespread declines, or other factors making it vulnerable to extirpation from the state.
S4 - Apparently Secure—Uncommon but not rare in the state; some cause for long-term concern due to declines or other factors.
S5 - Secure—Common, widespread, and abundant in the state.

Table 4.4-6
Natural Communities Impacted by Offsite Fuel Modification

General Habitat Class	Natural Community or Other Land Cover	Status Rank	Off-Site Fuel Modification Impacts
Coastal Scrub	California Sagebrush Shrubland Alliance (*Artemisia californica*) [32.015.00]	G5S5	0.18
	California Sagebrush – Black Sage Shrubland Alliance (*Artemisia californica – Salvia mellifera*) [32.210.00]	G4S4	0.05
	Deerweed Shrubland Alliance (*Acmispon glaber*) [37.070.00]	G5S5	0.25
	California Brittlebush Shrubland Alliance (*Encelia californica*) [32.051.00]	G3S3	0.13
	California Brittlebush – California Buckwheat Shrubland Phase of California Brittlebush Shrubland Association (*Encelia californica – Eriogonum fasciculatum*)	G3S3; Sensitive	0.22
	Sawtooth Goldenbush Shrubland Alliance (*Hazardia squarrosa*) [32.055.00]	G3S3	0.21
	Purple Sage – California Sagebrush Shrubland Association (*Salvia leucophylla – Artemisia californica*) [32.090.01]	G4S4	0.95
	California Brittlebush – Black Sage Shrubland Association (*Encelia californica – Salvia mellifera*) [32.050.05]	G3S3?; Sensitive	0.02
Herbaceous	Non-Native and Native Herbaceous	Not ranked	1.33
Other Landcover	Existing Residential Development / Landscaping	n/a	0.46
		Total Acreage	**3.80**

Impacts to Sensitive Natural Communities

Grading for the proposed project would result in the removal of 1.91 acres of the California Brittlebush (*Encelia californica*) Shrubland Alliance, 1.15 acres of the California Brittlebush – California Buckwheat (*Encelia californica – Eriogonum fasciculatum*) Shrubland Association, 1.31 acres of the California Brittlebush – Black Sage (*Encelia californica – Salvia mellifera*) Shrubland Association, 1.41 acres of the Sawtooth Goldenbush (*Hazardia squarrosa*) Shrubland Alliance, 0.06 acres of the Coast Prickly-Pear (*Opuntia littoralis*) Shrubland Alliance, and 0.17 acres of the Blue Elderberry (*Sambucus nigra* ssp. *caerulea*) Shrubland Association at the site, which are considered to be rare and/or sensitive plant communities by the CDFW. On-site fuel modification for the proposed project would also impact 0.10 acres of the California Brittlebush (*Encelia californica*) Shrubland Alliance, 0.74 acres of the California Brittlebush – California Buckwheat (*Encelia californica – Eriogonum fasciculatum*) Shrubland Association, 0.17 acres of the Sawtooth Goldenbush (*Hazardia squarrosa*) Shrubland Alliance, 3.42 acres of the California Brittlebush – Black Sage (*Encelia californica – Salvia mellifera*) Shrubland Association, and 0.04 acres of the Blue Elderberry (*Sambucus nigra* ssp. *caerulea*) Shrubland Association. Off-site fuel modification for the proposed project would impact 0.13 acres of the California Brittlebush (*Encelia californica*) Shrubland Alliance, 0.22 acres of the California Brittlebush – California Buckwheat (*Encelia californica – Eriogonum fasciculatum*) Shrubland Association, 0.21 acres of the Sawtooth Goldenbush (*Hazardia squarrosa*) Shrubland Alliance, and 0.02 acres of the California Brittlebush – Black Sage (*Encelia californica – Salvia mellifera*) Shrubland Association. With the exception of the removal of deadwood and non-native vegetation, fuel modification that requires the removal, thinning, or mowing of trees, shrubs, and/or native understory vegetation within these natural communities would be a significant, but mitigable impact. Grading of these natural communities would also be a significant, but mitigable impact. As such, the project would incorporate mitigation measure **BIO-8,** which would require restoration and/or enhancement and preservation of California Brittlebush Scrub, California Brittlebush – California Buckwheat Scrub, California Brittlebush – Black Sage Scrub, Sawtooth Goldenbush Scrub, Coast Prickly-Pear Scrub, and Blue Elderberry Scrub at a 2:1 ratio. Impacts related to these natural communities would be less than significant with mitigation incorporated.

Impacts to Natural Communities from Invasive Species

Development and operation of the project could facilitate the introduction and/or spread of non-native, invasive plant species. Invasive plant species at the project site could be dispersed by stormwater, wind, wildlife, or by various other means to native habitats in the surrounding area. Invasive species could compete with native plants for resources and disrupt normal ecological processes, reducing biological diversity and potentially threatening the quality of native habitats. Also, if invasive, non-native plant species are used in project landscaping, these invasive species could be dispersed to the surrounding area.

The introduction and spread of non-native, invasive plant species could have a substantial adverse effect on native habitats at the project site and in the surrounding area. Introduction of invasive plant species would be a potentially significant impact. Implementation of mitigation measures **BIO-9** and **BIO-10,** which would require implementation of an Invasive Plant Species Management Plan and review of the project's proposed Landscaping Plan to ensure invasive species are not planted at the site, would reduce potential impacts to surrounding habitats to a less than significant level.

Required Island Annexations

The Annexation Islands are developed and are not proposed for any changes in land use or infrastructure at this point in time. For the purposes of CEQA, the only action for this part of the project is to annex the Island properties to the City. Any future development proposals in the annexation areas would require City review to determine whether CEQA applies, and if so, determine the appropriate level of CEQA documentation that would be required. As no physical changes within the Annexation Islands are proposed

with this project that could potentially impact sensitive plant communities, impacts would be less than significant.

Mitigation Measures

MM BIO-8: Sensitive Plant Communities

Grading and fuel modification impacts to the California Brittlebush (*Encelia californica*) Shrubland Alliance, the California Brittlebush – California Buckwheat (*Encelia californica – Eriogonum fasciculatum*) Shrubland Association, the California Brittlebush – Black Sage (*Encelia californica – Salvia mellifera*) Shrubland Association, the Sawtooth Goldenbush (*Hazardia squarrosa*) Shrubland Alliance, the Coast Prickly-Pear (*Opuntia littoralis*) Shrubland Alliance, and the Blue Elderberry (*Sambucus nigra* ssp. *caerulea*) Shrubland Association must be compensated for at a 2:1 ratio by creation and/or restoration of in-kind habitat in an area(s) to be preserved as permanent open space. To the extent possible, this must be accomplished onsite. If suitable onsite mitigation sites are not available, compensation for impacts to these sensitive plant communities may at the discretion of the Environmental Services Director, or designee, and CDFW be accomplished by creation and/or restoration of out-of-kind sensitive habitats on-site; creation and/or restoration of in-kind habitats off-site; or by purchase of mitigation credits from a habitat mitigation bank or contribution to an in-lieu fee program approved by the Environmental Services Director, or designee, and CDFW. Off-site mitigation must be compensated for at a minimum 5:1 replacement ratio, or as recommended by CDFW. Mitigation credits or in-lieu fees must be for creation and/or restoration of in-kind habitats.

The Ventura County Fire Protection District (VCFD) must be consulted to determine if fuel modification within rare and sensitive plant communities can be avoided. To the extent possible, fuel modification within rare and sensitive plant communities must be avoided. If impacts cannot be avoided, before the Building Official issues a grading permit for the project, the limits of fuel modification must be mapped, and a qualified restoration ecologist must determine the final acreage of fuel modification impacts to the rare and sensitive plant communities at the site.

A Mitigation and Monitoring Plan must be developed by a qualified restoration ecologist and approved by the Environmental Services Director, or designee, and CDFW before the Building Official issues a grading permit for the project. Broadly, the plan must at a minimum include:

- Description of the project/impact and mitigation site
- Specific objectives
- Success criteria
- Plant palettes
- Implementation plan
- Maintenance activities
- Monitoring plan
- Contingency measures

Success criteria is (at a minimum) evaluated based on percent cover of native species, and control of invasive plant species within the mitigation area. The performance standards for the Mitigation and Monitoring Plan are (at a minimum) the following:

- Non-native species in the treated area must be less than 15% relative cover by the end of the third year of treatment and less than 5% relative cover by the end of the fifth year of treatment.
- Within five years after introducing native plants and seeds to the mitigation site, the absolute cover of native species for each natural community must be not less than the absolute cover of native species found at high quality reference sites occurring onsite or in the surrounding area.

Habitat creation and restoration will be considered successful after the success criteria have been met for a period of at least two years without any maintenance or remediation activities other than invasive species control.

The mitigation program must be initiated before the Building Official issues a grading permit for the project and be implemented over a minimum five-year period. The mitigation program must incorporate an iterative process of annual monitoring and evaluation of progress, and allow for adjustments to the plan, as necessary, to achieve desired outcomes and meet success criteria. Annual reports discussing the implementation, monitoring, and management of the project must be submitted to the Environmental Services Director, or designee, and CDFW. Five years after project start, a final report must be submitted to the Environmental Services Director, or designee, and CDFW. At a minimum, the City officials and CDFW officials must (at a minimum) discuss the implementation, monitoring, and management of the project over the five-year period, and determine whether the project has been successful based on established success criteria. The project must be extended if success criteria have not been met at the end of the five-year period to the satisfaction of the Environmental Services Director, or designee, and CDFW.

If impacts are mitigated by purchasing credits from a mitigation bank or by contribution to an in-lieu fee program, the permittee must provide evidence of purchase of mitigation credits or payment of the in-lieu fee before the Building Official issues a grading permit. The in-lieu fee is based on the cost per acre to create and/or restore in-kind habitat and the acreage of the plant community impacted. In-lieu fees shall be used for creation and/or restoration of in-kind habitat.

The qualified restoration ecologist(s) must meet the minimum qualifications listed below:

- Have an undergraduate or graduate degree with coursework in restoration ecology, biology, botany, horticulture, landscape architecture, soil sciences, conservation biology, environmental biology, or a related field;
- Be able to map restoration sites in GIS or have access to an individual or firm with the ability to map restoration sites in GIS;
- Be at a senior level with local restoration experience with the plant communities being restored; and
- Have experience as the primary author and director in the preparation and the successful implementation of at least three habitat restoration and monitoring plans for plant communities in Ventura, Santa Barbara, Kern, San Luis Obispo, or Los Angeles

MM BIO-9: Invasive Plant Species in Landscaping

Before the Building Official issues a grading permit, a Landscaping Plan must be reviewed and approved by the Environmental Services Director, or designee, to ensure that only non-

invasive ornamental plant species or appropriate native plant species are used in landscaping in future development of the project site. The review must include, without limitation, the most current versions of the California Invasive Plant Inventory Database (California Invasive Plant Council), the California Invasive Plant Council Watchlist, the Federal Noxious Weed List, and the California Department of Food and Agriculture Pest Ratings of Noxious Weed Species and Noxious Weed Seed. The Landscaping Plan must include all plant species that would be planted as part of the proposed project. The Environmental Services Director, or designee, will conduct site inspections to confirm the appropriate plant materials have been planted.

MM BIO-10: Invasive Plant Species Management

An Invasive Plant Species Management Plan that emphasizes eradication and control of invasive plant species within public spaces associated with the project including fuel modification zones, detention basins, landscaping lots, and pocket parks must be prepared by a qualified restoration ecologist. The Plan should emphasize control of novel introductions and species likely to invade wildlands. The Plan must be approved by the Environmental Services Director, or designee, before the Building Official issues a grading permit for the project. Implementation of the Plan within fuel modification zones must be to the satisfaction of the VCFD. Broadly, the Plan must at least include:

- Specific objectives;
- Target species and problem areas;
- Prioritization of threats;
- Success criteria;
- Management strategies that would result in eradication and/or control of problem species;
- Implementation plan;
- Monitoring plan; and
- Contingency measures.

The following success criteria must be incorporated:

- Eradication or the substantial reduction in cover and the control of invasive plant species, and prevention of the spread of invasive plant species from the project site to surrounding natural areas. Total cover of all targeted invasive species in treated areas shall be less than 25% by the end of the first year of treatment, less than 10% by the end of the second year of treatment, and less than 5% thereafter.

The target species as well as methods for evaluating whether the project has been successful at meeting the above-mentioned success criteria must be determined by the qualified restoration ecologist and included in the Invasive Plant Species Management Plan.

Implementation of the Plan must begin with commencement of ground disturbance for the project and continue until development of the project is completed, and for an additional five years after the Building Official issues the final certificate of occupancy for the last structure on the project site. The Plan must allow for adaptation of management strategies, as necessary, and include annual monitoring, reporting, and evaluation of progress. Annual reports must be prepared by the qualified restoration ecologist and submitted by December 31 of each year to the Environmental Services Director, or designee, for review. A final

report must be prepared and submitted to the Environmental Services Director, or designee, at the end of the invasive species removal project that documents methods, treatments, and monitoring, and evaluates the implementation of the plan and whether success criteria have been met. The invasive plant species removal requirement shall be extended, as necessary, until success criteria are met to the satisfaction of the Environmental Services Director, or designee.

The qualified restoration ecologist(s) must meet the minimum qualifications listed below:

- Have an undergraduate or graduate degree with coursework in restoration ecology, biology, botany, horticulture, landscape architecture, conservation biology, environmental biology, or a related field;
- Be able to map invasive species in GIS or have access to an individual or firm with the ability to map invasive species in GIS;
- Have at least four years of experience performing botanical surveys within Ventura, Santa Barbara, Kern, San Luis Obispo, or Los Angeles Counties;
- Have at least four years of professional experience in the management of invasive plant species; and,
- Have experience as the primary author and director in the preparation and the implementation of invasive species management plans for sites in Ventura, Santa Barbara, Kern, San Luis Obispo, or Los Angeles Counties.

Residual Impacts

North Canyon Ranch

Impacts would be less than significant within implementation of mitigation measure BIO-8 through BIO-10.

Required Island Annexations

Impacts would be less than significant before mitigation, as no development is proposed.

4.4.3.3 Protected Wetlands, Waters, and Riparian Habitat

North Canyon Ranch

A significant impact may occur if the proposed project were to have a substantial adverse effect on state or federally protected wetlands as defined by Section 404 of the Clean Water Act (CWA) (including, without limitation, marsh, vernal pool, and coastal) through direct removal, filling, hydrological interruption, or other means.

A delineation of jurisdictional waters and habitat was conducted in May 2015 to satisfy the requirements of the Army Corps of Engineers (ACOE) under Section 404 of the CWA, the RWQCB under Section 401 of the CWA, and CDFW under California F&G Code sections 1600, et seq. The jurisdictional delineation identified ten drainages, two debris basins, and two earthen ditches at the site. These features contain 4.37 acres / 16,216 linear feet of non-wetland waters of the U.S., 4.37 acres / 16,216 linear feet of waters of the State, and 5.99 acres / 16,216 linear feet of jurisdictional streambed and riparian habitat. There are no wetlands at the site.

The jurisdictional areas that would be permanently impacted by the project are shown on Figure 4.4-2, Jurisdictional Delineation Map. The acreages and linear footages of jurisdictional features including streams, ditches, and debris basins, that would be impacted are shown below in **Table 4.4-7, Grading and Construction Impacts to ACOE, RWQCB, and CDFW Jurisdictional Areas** and **Table 4.4-8, Fuel Modification Impacts to CDFW Jurisdictional Drainages.**

Table 4.4-7
Grading and Construction Impacts to ACOE, RWQCB, and CDFW Jurisdictional Areas

Jurisdictional Feature	ACOE Non-Wetland Waters of United States (Acres / Linear Ft.)	RWQCB Waters of the State (Acres / Linear Ft.)	CDFW Riparian (Acres / Linear Ft.)
Drainage #1	0 / 0	0 / 0	0 / 0
Drainage #2	0.02 / 313	0.02 / 313	0.04 / 385
Drainage #3	0.25 / 365	0.25 / 365	0.25 / 365
Drainage #4	0 / 0	0 / 0	0 / 0
Drainage #5	0 / 0	0 / 0	0 / 0
Drainage #6	0.11 / 263	0.11 / 263	0.11 / 263
Drainage #7	0.08 / 90	0.08 / 90	0.08 / 90
Drainage #8	0.04 / 160	0.04 / 160	0.06 / 160
Drainage #9	0.19 / 1,920	0.19 / 1,920	0.38 / 1,920
Drainage #10	0.19 / 710	0.19 / 710	0.19 / 710
Debris Basin #1	1.07 / --	1.07 / --	1.07 / --
Debris Basin #2	1.64 / --	1.64 / --	1.64 / --
Ditch #1	0.49 / 1,805	0.49 / 1,805	0.49 / 1,805
Ditch #2	0.02 / 1,090	0.02 / 1,090	0.07 / 1,090
Total Jurisdictional Acreage	**4.11 / 6,716**	**4.11 / 6,716**	**4.39 / 6,788**

Table 4.4-8
Fuel Modification Impacts to CDFW Jurisdictional Drainages

Jurisdictional Feature	CDFW Riparian (Acres / Linear Ft.)
Drainage #1	0 / 0
Drainage #2	0 / 0
Drainage #3	0 / 0
Drainage #4	0 / 0
Drainage #5	0.01 / 79
Drainage #6	0 / 0
Drainage #7	0.05 / 165
Drainage #8	0.01 / 148
Drainage #9	0.04 / 193
Drainage #10	0 / 0
Debris Basin #1	0 / 0
Debris Basin #2	0 / 0
Ditch #1	0.09 / 360
Ditch #2	0 / 0
Total Jurisdictional Acreage	**0.20 / 945**

Project grading and construction would permanently impact a total of 4.49 acres / 6,788 linear feet of jurisdictional features, including drainages, debris basins, and ditches. Of the 4.49 acres / 6,788 linear feet that would be impacted, 4.11 acres / 6,716 linear feet are ACOE "non-wetland" waters of the United States, 4.11 acres / 6,716 linear feet are "non-wetland" RWQCB waters of the State, and all 4.49 acres / 6,788 linear feet are CDFW jurisdictional habitat. Also, project fuel modification would permanently impact a

total of 0.20 acres / 945 linear feet of CDFW jurisdictional habitat located outside the project grading footprint.

The project would have a substantial adverse effect on riparian habitat identified by the CDFW and federally and state protected waters as defined by Section 404 and Section 401 of the CWA and the Porter-Cologne Water Quality Control Act, which would be a significant but mitigable impact. Implementation of mitigation measure **BIO-11,** which would require implementation of a final approved Habitat Mitigation and Monitoring Program would reduce these impacts to a less than significant level.

Required Island Annexations

The Annexation Islands are developed and are not proposed for any changes in land use or infrastructure at this point in time. For the purposes of CEQA, the only action for this part of the project is to annex the Island properties to the City. Any future development proposals in the annexation areas would require City review to determine whether CEQA applies, and if so, determine the appropriate level of CEQA documentation that would be required. As no physical changes within the Annexation Islands are proposed with this project that could potentially impact wetlands, waters, or riparian habitat, impacts would be less than significant.

Mitigation Measures

MM BIO-11: Habitat Mitigation and Monitoring Program

The project must implement the requirements of the final approved Habitat Mitigation and Monitoring Program, which mitigates for permanent impacts to 4.59 acres / 7,733 linear feet of CDFW jurisdictional habitat, 4.11 acres / 6,716 linear feet of ACOE "non-wetland" waters of the U.S., and 4.11 acres / 6,716 linear feet of "non-wetland" RWQCB waters of the State at a 2:1 ratio. Due to the overlap of the jurisdictional areas that would be permanently impacted, a total of 4.49 acres consisting of 4.11 acres of "non-wetland" waters of the United States / RWQCB waters of the State / CDFW jurisdictional habitat, and 0.48 acres of habitat solely under CDFW jurisdiction must be mitigated.

The Habitat Mitigation and Monitoring Program must mitigate for permanent impacts to jurisdictional areas by the creation and/or restoration of degraded in-kind jurisdictional habitats, or by purchase of mitigation bank credits or by contribution to an in-lieu fee program approved by the Environmental Services Director, or designee, ACOE, RWQCB, and CDFW. To the extent possible, this must be accomplished on-site. If the mitigation will be performed off-site, to the extent feasible the mitigation sites should be implemented within the Calleguas Creek watershed. Off-site mitigation must be compensated for at a minimum 5:1 replacement ratio, or as recommended by CDFW. To the extent feasible, in-lieu fees must be used for the creation and/or restoration of in-kind jurisdictional habitat within the Calleguas Creek watershed.

The Habitat Mitigation and Monitoring Program must be developed by a qualified restoration ecologist (see qualifications below) approved by the Environmental Services Director, or designee, ACOE, RWQCB, and CDFW, in compliance with the Porter-Cologne Water Quality Control Act, CWA Sections 401 and 404, and Fish and Game Code 1602 and supporting regulations, before the Building Official issues a grading permit for the project. Broadly, this Program (at a minimum) include:

- Description of the project/impact and mitigation sites;
- Specific objectives;

- Success criteria;
- Plant palette;
- Implementation plan;
- Maintenance activities;
- Monitoring plan; and
- Contingency measures.

Success criteria is (at a minimum) evaluated based on appropriate survival rates and percent cover of planted native species, as well as eradication and control of invasive plant and animal species within the restoration area.

The target species and native plant palette, as well as the specific methods for evaluating whether the project was successful at meeting the above-mentioned success criteria shall be determined by the qualified restoration ecologist and included in the mitigation program.

To the extent possible, the mitigation project, the purchase of mitigation bank credits, or contribution to an in-lieu fee program must be initiated before development of the project. The mitigation project must be implemented over a five-year period and incorporate an iterative process of annual monitoring and evaluation of progress and allow for adjustments to the program, as necessary, to achieve desired outcomes and meet success criteria. Annual reports discussing the implementation, monitoring, and management of the mitigation project must be submitted to the Environmental Services Director, or designee, ACOE, RWQCB, and CDFW. Five years after project start, a final report must be submitted to the Environmental Services Director, or designee, ACOE, RWQCB, and CDFW, which (at a minimum) discusses the implementation, monitoring and management of the mitigation project over the five-year period, and indicate whether the mitigation project has, in part, or in whole, been successful based on established success criteria. Habitat creation and restoration will be considered successful after the success criteria are met for a period of at least two years without any maintenance or remediation activities other than invasive species control. The mitigation project must be extended if success criteria have not been met at the end of the five-year period to the satisfaction of the Environmental Services Director, or designee, ACOE, RWQCB, and CDFW.

The qualified restoration ecologist(s) must meet the following minimum qualifications:

- Have an undergraduate or graduate degree with coursework in restoration ecology, biology, botany, horticulture, landscape architecture, soil sciences, conservation biology, environmental biology, or a related field;
- Be able to map habitat restoration sites in GIS or have access to an individual or firm with the ability to map habitat restoration sites in GIS;
- Be at a senior level with local restoration experience with the jurisdictional habitats being restored; and,
- Have experience as the primary author and director in the preparation and the successful implementation of at least three restoration and monitoring plans for jurisdictional habitats in Ventura, Santa Barbara, Kern, San Luis Obispo, or Los Angeles Counties.

Residual Impacts

North Canyon Ranch

Impacts would be less than significant with implementation of mitigation measure BIO-11.

Required Island Annexations

Impacts would be less than significant before mitigation, as no development is proposed.

4.4.3.4 Wildlife Movement, Wildlife Corridors, and Wildlife Nursery Sites

North Canyon Ranch

A significant impact may occur if the proposed project were to interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors or impede the use of native wildlife nursery sites. The project would be situated at the northern edge of the City adjacent to existing urban development and would not be situated within a habitat bottleneck. Also, the project site is not within an area that has been specifically identified as important to wildlife movement, such as a regional-scale habitat linkage or wildlife movement corridor. The nearest recognized wildlife movement corridor is approximately 1.5 miles to the west of the site.

The project site does however contain natural habitats suitable for wildlife movement, and animals can be expected to pass through the site or to utilize the ridgelines and drainages at the site for local movements, such as to access additional foraging habitat or the small temporary pond and detention basins when those features contain water. Although the project would develop the southern portion of the site, the northern portion of the site would remain undeveloped and additional natural habitats to the west, north, and northeast of the site would also continue to provide habitat for wildlife and opportunities for wildlife movement through the area. Although the drainages at the site may be used for local movements, they are not regionally important wildlife movement corridors as the drainages terminate at the southern end of the property at detention basins, which then flow into storm drains within urban areas.

The small temporary pond in the southern part of the site is known breeding habitat for the western spadefoot, and some individuals from the western spadefoot population in the surrounding area can be expected to move through the site to access the temporary pond for breeding. The site would also be used by juvenile western spadefoot to disperse from the breeding pond to terrestrial habitats both on and offsite. The federally Threatened California gnatcatcher, which also breeds at the site, has been observed moving between the coastal sage scrub patches in the southern portion of the site and coastal sage scrub habitat located to the east of the site. California gnatcatchers have been observed at the western edge of the site, and the site is likely also used by California gnatcatchers for dispersal movements to other suitable coastal scrub habitats offsite to the west and north. The site therefore has value for dispersal movements of at least two special-status wildlife species.

The project would interfere with western spadefoot access to the breeding pond in the southern portion of site. However, as discussed in Section 4.4.3.1, the breeding pond would be removed by the project, and this impact would be mitigated by mitigation measure BIO-6. BIO-6 requires creation of additional spadefoot breeding habitat onsite to offset the loss of the breeding pond. The 71 acres of habitat that would be preserved as open space in the northern portion of the site provides suitable cover and foraging habitat, and it would continue to be of value to the population of western spadefoot in the area. Breeding habitat if created in this open space area could be accessed by spadefoot occurring onsite as well as in habitats to the north of the site.

Currently, California gnatcatchers can move unimpeded through the southern portion of the site to other suitable habitats to the east, west and north, and development of the project would be a significant impediment to movement of California gnatcatchers through the southern portion of the site. However, the species is mobile and can potentially cross over developed areas to reach other suitable habitats, and with development of the project the possibility would also remain for California gnatcatchers located offsite to the east to move into and occupy the northern portion of the site, which would remain undeveloped and contains suitable habitat for breeding, foraging, and dispersal. California gnatcatchers located offsite to the west could also move unimpeded into the northern portion of the site.

For the above reasons, although the project would adversely affect wildlife movement, wildlife corridors, or nursery sites, impacts to wildlife movement would be less than significant.

Required Island Annexations

The Annexation Islands are developed and are not proposed for any changes in land use or infrastructure at this point in time. For the purposes of CEQA, the only action for this part of the project is to annex the Island properties to the City. Any future development proposals in the annexation areas would require City review to determine whether CEQA applies, and if so, determine the appropriate level of CEQA documentation that would be required. As no physical changes within the Annexation Islands are proposed with this project that could potentially impact wildlife movement, impacts would be less than significant.

Mitigation Measures

No mitigation measures would be required.

Residual Impacts

North Canyon Ranch

Impacts would be less than significant without the need for mitigation.

Required Island Annexations

Impacts would be less than significant before mitigation, as no development is proposed.

4.4.3.5 Local Policies and Ordinances Protecting Biological Resources

North Canyon Ranch

A significant impact may occur if the proposed project were to conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.

Simi Valley Mature Tree Preservation (SVMC Chapter 9-38)

Five trees at the project site meet criteria for protection as mature trees under the City's Mature Tree Preservation regulations, including two native Mexican elderberries (*Sambucus mexicana*), two native Pacific willows (*Salix lasiandra*), and one non-native Peruvian pepper (*Schinus molle*). Project grading activities would remove all five Protected Trees and 11 additional trees that do not qualify as Protected Trees under the SVMC. The locations and descriptions of these trees are provided in the *Tree Survey and Arborists Report Update* report in Appendix D. No historic trees would be impacted by the project. Compliance with SVMC Chapter 9-38 and implementation of mitigation measure **BIO-12,** which would

protect Protected Trees during construction, would reduce impacts to Protected Trees to a less than significant level.

Required Island Annexations

The Annexation Islands are developed and are not proposed for any changes in land use or infrastructure at this point in time. For the purposes of CEQA, the only action for this part of the project is to annex the Island properties to the City. Any future development proposals in the annexation areas would require City review to determine whether CEQA applies, and if so, determine the appropriate level of CEQA documentation that would be required. Also, future development proposals would be subject to all applicable local policies and ordinances protecting biological resources. As no physical changes within the Annexation Islands are proposed with this project that could potentially conflict with a local policy or ordinance protecting biological resources, impacts would be less than significant.

Mitigation Measures

MM BIO-12: Tree Protection During Construction

During construction, protected trees to be preserved, relocated or newly planted onsite must be fenced and monitored periodically by a qualified arborist throughout grading and construction to reduce the chance of adverse impacts. Changes in soil compaction, irrigation, plantings, and other conditions may diminish the health of existing trees to remain. BMPs must be identified on the landscaping and preservation plan, which must address the following:

- Soil compaction.
- Lack of water or changes in the site hydrology.
- Change of grade in the root zone.
- Physical damage to tree roots and structure.
- Dumping of potentially toxic construction wastes.
- Lack of pest control and other care.
- Dust. Construction creates large amounts of dust, and the oaks and any other trees to be preserved will need to be kept clean. Dust reduces photosynthesis on all trees. Strict dust control measures must be implemented during construction to minimize this impact, and an occasional rinsing with a solution of water and insecticidal soap will help control pests.
- Human error. Dripline fencing must be erected that is visible and structurally sound enough to deter foot traffic and preclude the storing of equipment under tree canopies. The landscaping and preservation plan must specify that such fencing be placed a minimum of 1 foot in radius from the tree per 1 inch of diameter at breast height.
- Raising or lowering the grade in the root zone of trees can be fatal or ruin the health of trees for years to come. Grade change and soil compaction force out the oxygen and literally press the life out of the soil. A retaining wall can be used to minimize the amount of the root zone that is affected, but it is essential that the footing is not continuous. Gravel and aeration pipes should be placed inside the retaining wall before the fill is placed. Consult with a qualified civil engineer for proper design calculations.
- Trenching within the protection zone must be avoided wherever possible. Most of the roots are in the top 1 to 2 feet of soil, and trenching can sever a large percentage of roots.

- Oil from construction equipment, cement, concrete washout, acid washes, paint, and solvents are toxic to tree roots. Signs should be posted on the fencing around trees notifying contractors of the fines for dumping. Portable latrines that are washed out with strong detergents can damage the fine roots of the trees. Portable latrines should not be placed near trees, nor where frequent and regular foot traffic to them will compact the soil below the trees.

Residual Impacts

North Canyon Ranch

Impacts would be less than significant with implementation of mitigation measure BIO-12.

Required Island Annexations

Impacts would be less than significant before mitigation, as no development is proposed.

4.4.4 Cumulative Impacts

For the purposes of biological resources, cumulative impacts consider where relevant buildout of the General Plan, the list of related projects in Chapter 3.0, and with regard to particular species and habitats, the range and status of those species and habitats.

North Canyon Ranch

The evaluation of proposed project impacts determined that multiple mitigation measures are required to assure that the project would have less than significant impacts to biological resources. These measures include the requirements for pre-construction nesting bird surveys and general surveys for special-status wildlife, protocol surveys and an incidental take permit for the California gnatcatcher, biological monitoring and reporting during construction, placement of exclusionary fencing to protect specified biological resources, a prohibition on anticoagulant rodenticides during construction, creation and/or restoration of western spadefoot breeding habitat, sensitive plant communities mitigation and monitoring, protected tree permit approval and implementation. These address multiple species including those with special status, that exist off-site but are by definition limited in range and/or numbers. Continued development within the regions these species inhabit will have the potential to adversely impact the species' welfare and survival.

As the proposed project is currently subject to lead agency and other regulatory agency's direction to conduct biological review and CEQA review, so would other development with these species' potential presence be similarly directed. This review would determine existing conditions, assess potential impacts, and require mitigation to reduce impacts. Mitigation measures would be appropriate to the site, its location, and its component or potential habitats. While it is speculative to determine all potential impacts without knowing all projects that may occur within a species' range, for example, the fact of listing of species and establishment of environmental review and permitting procedures, works toward the overall avoidance of further endangerment of listed species. Given the proposed project's mitigation to avoid significant impacts, and the review process required for future projects, cumulative biological resources impacts would be considered less than significant.

Required Island Annexations

No development of the Required Island Annexation areas is proposed at this time and any proposed development in these areas is unknown at this time. All future development is subject to lead agency review for potential significant environmental impacts. No significant cumulative impacts would occur.