3.3 BIOLOGICAL RESOURCES

INTRODUCTION

This section discusses the biological resources occurring on the approximately 277.30-acre Project site, evaluates the significance of potential impacts to these resources based on thresholds defined in the California Environmental Quality Act (CEQA) and the State CEQA Guidelines*, and includes measures to mitigate potentially significant impacts.*

State and federal regulatory agencies that have jurisdiction over biological resources in the project area include the California Department of Fish and Wildlife (CDFW), US Fish and Wildlife Service (USFWS), US Army Corps of Engineers (USACE), and the California Regional Water Quality Control Board (RWQCB). This section addresses potential impacts to biological resources that are governed by these agencies' laws and regulations.

3.3.1. REGULATORY FRAMEWORK

3.3.1.1 Federal Laws and Regulations

Federal Endangered Species Act

Under the federal Endangered Species Act (FESA), the Secretary of the Interior and the Secretary of Commerce have joint authority to list a species as Threatened or Endangered (16 United States Code [USC] 1533[c]). Pursuant to the requirements of the FESA, an agency reviewing a proposed project within its jurisdiction must determine whether any federally listed or proposed species may be present in the project region, and whether the proposed project would result in a "take" of such species. The "take" provision of the FESA applies to actions that would result in injury, death, or harassment of a single member of a species protected under the Act. In addition, the agency is required to determine whether the project is likely to jeopardize the continued existence of any species proposed to be listed under the FESA or result in the destruction or adverse modification of critical habitat for such species (16 USC 1536[3][4]). If it is determined that a project may result in the "take" of a federally listed species, a permit from the U.S. Fish and Wildlife Service (USFWS) would be required under Section 7 or Section 10 of the FESA. Section 7 applies if there is a federal nexus (e.g., the project is on federal land, the lead agency is a federal entity, a permit is required from a federal agency, or federal funds are being used). Section 10 applies if there is no federal nexus.

Clean Water Act

The Federal Water Pollution Control Act of 1972, often referred to as the Clean Water Act, is the nation's primary law for regulating discharges of pollutants into waters of the United States. The objective of the Clean Water Act is to restore and maintain the chemical, physical, and biological integrity of the nation's waters. The regulations adopted pursuant to the Act deal extensively with the permitting of actions in waters of the United States, including wetlands. The U.S. Environmental Protection Agency (US EPA) has primary authority under the Clean Water Act to set standards for water quality and for effluents, but the USACE has primary responsibility for permitting the discharge of dredge or fill materials into streams, rivers, wetlands, and other waters of the United States.

On April 21, 2020, the US EPA and USACE published a final rule (Navigable Waters Protection Rule) in the Federal Register redefining the term "waters of the United States" ("WOTUS") under the Clean Water Act. The final rule replaced both the 2015 Rule and the 2019 Rule by redefining the definition of WOTUS. However, this rule was officially vacated in September 2021 by the USACE and EPA. The agencies have halted implementation of the Navigable Waters Protection Rule and are interpreting "waters of the United States" consistent with the pre-2015 regulatory regime until further notice.

The pre-2015 regulations and guidance include the following categories of WOTUS:

- The territorial seas and traditional navigable waters (TNWs);
- tributaries of such waters;
- certain lakes, ponds, and impoundments of jurisdictional waters;
- wetlands adjacent to other jurisdictional waters (other than waters that are themselves wetlands)
- Intermittent tributaries AND ephemeral features that possess a significant nexus to TNWs

Migratory Bird Treaty Act

The federal Migratory Bird Treaty Act (16 USC, Section 703, Supplement I, 1989) prohibits killing, possessing, or trading in migratory birds, except in accordance with regulations prescribed by the Secretary of the Interior. The Migratory Bird Treaty Act (MBTA) encompasses whole birds, parts of birds, and bird nests and eggs. With a few exceptions, most birds are considered migratory under the MBTA. Disturbances that causes nest abandonment and/or loss of reproductive effort or loss of habitat upon which these birds depend could be in violation of the MBTA. A December 2017 opinion from the Office of the Solicitor for the U.S. Department of the Interior (M-opinion) concluded the MBTA restrictions apply only to affirmative

and purposeful actions, such as hunting and poaching that reduce migratory birds and their nests and eggs, by killing or capturing, to human control and not incidental taking. April 2018 guidance from the Principal Deputy Director of the USFWS provides further guidance on revisions to past policies and guidance regarding the MBTA. This guidance concludes the MBTA's prohibitions on take of migratory birds apply only when the purpose of the action is to take migratory birds, their eggs, or their nests. The USFWS issued a new Director's Order on October 5, 2021. As of December 3, 2021, the USFWS will go back to interpreting the MBTA as prohibiting the incidental take of migratory birds and will enforce the statute accordingly.

3.3.1.2 State Laws and Regulations

California Endangered Species Act

Under the California Endangered Species Act (CESA), the CDFW has the responsibility for maintaining a list of Threatened and Endangered species (California Fish and Game Code Section 2070). The CDFW also maintains a list of "candidate species," which are species formally under review for addition to either the list of Endangered species or the list of Threatened species. In addition, the CDFW maintains lists of "species of special concern," which serve as watch lists. Pursuant to the requirements of the CESA, an agency reviewing a proposed project within its jurisdiction must determine whether any state-listed Endangered or Threatened species could be present on the Project site and determine whether the proposed project could have a potentially significant impact on such species.

California Native Plant Protection Act

State listing of plant species began in 1977 with the passage of the California Native Plant Protection Act (NPPA), which directed the CDFW to carry out the legislature's intent to "preserve, protect, and enhance Endangered plants in this state." The NPPA gave the California Fish and Wildlife Commission the power to designate native plants as Endangered or Rare and to require permits for collecting, transporting, or selling such plants. The CESA expanded upon the original NPPA and enhanced legal protection for plants. There are three listing categories for plants in California: Rare, Threatened, and Endangered.

California Fish and Game Code

The California Fish and Game Code provides a variety of protections for riparian resources and species that are not federally or state-listed as Threatened, Endangered, or of special concern.

- Section 1600 requires a Streambed Alteration Agreement for any activity that may alter the bed and/or bank of a stream, river, or channel. 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.

- Sections 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 14 C.C.R. § 783.4(a) and (b). No Section 2081(b) permit may authorize the taking of "fully protected" species and "specified birds." If a project is planned in an area where a fully protected species or specified bird occurs, an applicant must design the project to avoid all takings; the CDFW cannot authorize takings under these circumstances.

- Section 3503 protects all breeding native bird species in California by prohibiting the take,[1] possession, or needless destruction of nests and eggs of any bird, with the exception of non-native English sparrows and European starlings (Section 3801).

- Section 3503.5 protects all birds of prey (in the orders Falconiformes and Strigiformes) by prohibiting the take, possession, or killing of raptors and owls, their nests, and their eggs.

- Section 3513 of the code prohibits the take or possession of migratory nongame birds as designated in the MBTA or any parts of such birds except in accordance with regulations prescribed by the Secretary of the Interior.

- Section 3800 of the code prohibits the taking of nongame birds, which are defined as birds occurring naturally in California that are not game birds or fully protected species.

- Section 3511 (birds), Section 5050 (reptiles and amphibians), and Section 4700 (mammals) designate certain wildlife species as fully protected in California.

- *CEQA and CEQA Guidelines.* The CEQA Guidelines provide a framework for the analysis of impacts to biological resources. The administering agency is the CEQA Lead Agency, which is in this case the City of Moorpark.

- *Native Plant Protection Act of 1977*. The Native Plant Protection Act of 1977 and implementing regulations in Fish and Game Code §§ 1900, et seq. designates rare and endangered plants and provides specific protection measures for identified populations. It is administered by the CDFW.

1 "Take" in this context is defined in Section 86 of the California Fish and Game Code as to "hunt, pursue, catch, capture, or kill, or to attempt to hunt, pursue, catch, capture, or kill."

- *Public Resources Code Sections 25500 & 25527*. These code sections prohibit the siting of development in certain areas of critical concern for biological resources, such as ecological preserves, wildlife refuges, estuaries, and unique or irreplaceable wildlife habitats of scientific or educational value. If there is no alternative, strict criteria are applied under the authority of the CDFW.

California Regional Water Quality Control Board

Wetlands and permanent and intermittent drainages, creeks, and streams that fall under the jurisdiction of the USACE are also regulated by the California Regional Water Quality Control Board (RWQCB), as defined by Section 401 of the Clean Water Act, which authorizes the State of California to certify that federal permits and licenses do not violate the state's water quality standards. The state's implementing regulations to conduct certifications are codified under the California Code of Regulations, Title 23 Waters, Sections 3830 through 3869. In addition, waters into which discharge may occur are regulated by the RWQCB, pursuant to the California Porter-Cologne Water Quality Act. This includes surface waters (such as wetlands), groundwater, and point and non-point sources of pollution.

3.3.1.3 Local Regulations

City of Moorpark General Plan

The goals and policies of the *City of Moorpark General Plan* that are applicable to the proposed Hitch Ranch Specific Plan project are listed below.

Land Use Element

Goal 15: Maintain a high-quality environment that contributes to and enhances the quality of life and protects public health, safety, and welfare.

Policy 15.1: Public and private projects shall be designed so that significant vegetation shall be maintained and protected, including riparian and oak woodland vegetation and mature trees (as defined in the City Code).

Policy 15.2: Ecologically sensitive habitats shall be protected and preserved or replaced with no net loss of habitat so long as there is substantial public benefit to any relocation program.

Policy 15.3: Natural and cultural resources having significant educational, scientific, scenic, recreational or social value shall be protected and preserved.

Policy 15.5: The City shall require developers to maintain wildlife corridors to allow for the passage of animals between designated open space or recreational areas.

Open Space, Conservation and Recreation Element

Goal 4: Preserve and maintain the physical and biological environment from future growth-related degradation. In those areas where degradation is inevitable, ensure the restoration of affected areas.

Policy 4.3: Conserve, preserve, and enhance the quality of biological and physical environments throughout the City of Moorpark. Require restoration of those areas unsatisfactorily maintained or subsequently degraded.

3.3.2 METHODOLOGY

3.3.2.1 Literature Review

Impact Sciences conducted a review of relevant environmental documents to gain an understanding of those biological resources documented on, or in the vicinity of, the project location, with emphasis on special-status biological resources. In order to identify special-status plant and animal species (those species considered rare, threatened, endangered, or otherwise sensitive by various state and federal resource agencies) recorded in the vicinity of the Project site, the California Natural Diversity Database (CNDDB) and the California Native Plant Society (CNPS) electronic database were reviewed for the Moorpark U.S. Geological Survey (USGS) 7.5-minute quadrangle, in which the Project site is located, as well as the eight surrounding quadrangles: Thousand Oaks, Newbury Park, Santa Paula, Santa Paula Peak, Camarillo, Simi, Piru, and Fillmore. The 2018 CDFW Special Animals List and the CNPS online Inventory of Rare and Endangered Plants - 7th Edition Interface v7 3-19-18 CDFW were also reviewed to determine the current status of sensitive plant and animal species potentially occurring on the Project site. Refer to **Appendices 3.3-B** and **3.3-J**.

3.3.2.2 Tree Surveys, Vegetation Mapping, and Focused Plant Surveys

Tree Surveys

Mike Starr of Nature Buffs conducted a survey in 1995 of all trees on the site that had trunks of at least 4 inches in diameter (72 square inches cross sectional area) at 4.5 feet above grade (also referred to as diameter at breast height, or DBH). The trees meeting this criterion were tagged and mapped in the field.

Subsequent field surveys of the Project site were conducted on July 11 and 12, 2001, by Impact Sciences biologists to update the 1995 tree survey. All trees with a DBH of 4-inches or more were measured. On July 25 to 27, 2011 Rincon Consultants, Inc. (Rincon) conducted a new tree inventory of the Hitch Ranch Project site in accordance with the requirements set forth by the City of Moorpark. Data were collected for all mature trees within the project area boundary. Tree presence and health were re-assessed during 2018 and 2019 biological survey updates. In July 2020, a tree survey was performed by a certified arborist with the L. Newman Design Group (LNDG). Refer to **Appendix 3.3-G**.

Vegetation Mapping

Impact Sciences initially conducted a general biological survey on the site on September 12, 1993. The plant communities on the site were mapped, characterized, and analyzed for their potential to support special-status species. Since a wildfire occurred on the Project site in 2003, Impact Sciences characterized and mapped the plant communities again on September 28, 2006, to update and evaluate the current condition of habitats on the Project site and to assist in determining the potential of each habitat to support special-status species. Shortly after the plant communities were characterized in 2006, another fire burned the entire property, and an additional site visit was made in January 2007 to assess the effects of the fire on trees and plant communities on site. Plant communities were characterized and mapped again in June 2021 by Rincon. Plant communities were mapped with the aid of a color aerial photograph of the site and field verified by a qualified biologist (1 inch = 500 feet). The communities were digitized and the total area of each plant community on site was calculated using ArcGIS. As appropriate, on-site plant community descriptions used in this document are based on the current list of vegetation types, available from the CDFW Vegetation Classification and Mapping Program (VCMP).[2] A **Vegetation Map** for the project area was produced in 2011 and reconfirmed by site visits in 2019, 2020, and 2021 (see **Figure 3.3-2)**.

Focused Plant Surveys

Focused plant surveys were conducted on April 21, 22, and 29, and May 15, 1998, and again in May and June of 2000 to update the plant information obtained during the initial 1993 surveys. Focused plant surveys were conducted by Impact Sciences in the spring of 2006 and on March 26, April 20, and May 13, 2016. These surveys followed protocol defined by the CNPS and CDFW to search for rare plant occurrences. All areas of the Hitch Ranch property were walked, and a comprehensive list of all native plants observed was compiled (planted and non-native ornamental plants were excluded). The taxonomic reference for all species was the current Jepson Manual. Special attention was afforded to those portions of the site

2 California Department of Fish and Game, Biogeographic Data Branch. 2020. *Vegetation Classification and Mapping Program List of California Vegetation Alliances*, September 9, 2020.

potentially supporting sensitive flora or fauna. A rare plant report was prepared dated July 2016 (**Appendix 3.3-F**).

3.3.2.3 General Wildlife Surveys and Protocol Animal Surveys

General wildlife surveys were conducted concurrent with the vegetation mapping, tree surveys, and focused plant and animal surveys, beginning in 1993, with other surveys conducted in 1995, and 2001. All animals and sign of presence (scat, footprints, burrows, trails, *etc.*) observed were noted during all visits to the site.

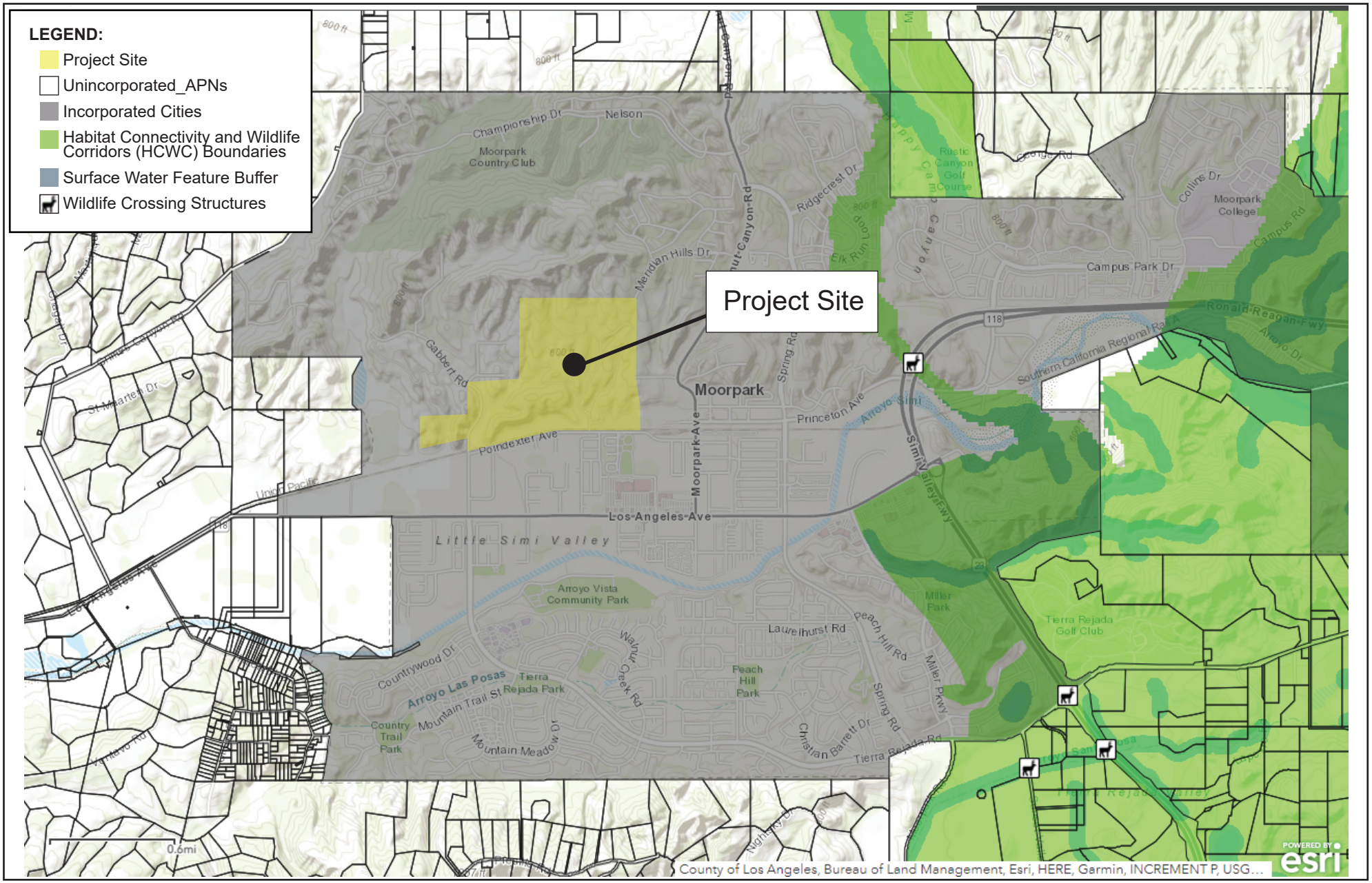
On May 15, 2009, June 29, 2011, April 3, 2018, and April 12, 2019, biologists conducted additional field visits to confirm whether conditions had remained the same on the site or had changed since the preparation of the previous reports, and to further update the conclusions regarding the potential of special-status species to utilize the site.

Protocol surveys for coastal California gnatcatcher (CAGN, *Polioptila californica californica*), a bird species federally listed as threatened, were performed in 1998, 2000, 2003, 2005, 2009, 2011, 2016, and 2021. All surveys were conducted in accordance with USFWS survey protocols, which require that six surveys be conducted at least one week apart from March 15 through June 30, or a minimum of nine surveys at least two weeks apart be conducted July 1 through March 14. Refer to **Appendices 3.3-C**, **3.3-D**, and **3.3-E**.

All surveys were conducted between the hours of 6:00 AM and 12:00 PM Surveys were conducted on approximately 25 acres in 2005 and approximately 20 acres of potentially suitable scrub habitat and a surrounding buffer zone in 2009, 2011, and 2016. In 2021, California gnatcatcher surveys were conducted throughout the entire 277.30-acre Project site. Potential habitat areas were systematically surveyed on foot by walking methodically along transect routes. To ensure complete coverage, the general location of transects and survey points along each transect were based on the vegetation and topographic conditions (size, location, and shape of habitat). A combination of taped vocalizations and "pishing" sounds were used at each calling point, to encourage bird and wildlife movement for sightings. Refer to **Appendices 3.3-C**, **3.3-D**, and **3.3-E**.

3.3.2.4 Wildlife Movement

Analysis of potential wildlife movement corridors associated with the project area was based on information compiled from a review of pertinent literature, results of field surveys, and analysis of aerial photographs and topographic maps of the area. **Figure 3.3-1, Habitat Connectivity and Wildlife Corridor Overlay Zone Map,** shows important migration corridors identified by the South Coast Missing Linkages Project, a joint effort of South Coast Wildlands, the County of Ventura, and the National Park Service.



SOURCE: County of Ventura, Resource Management Agency, December 2021.

FIGURE **3.3-1**

IMPACT SCIENCES

Habitat Connectivity and Wildlife Corridors Map

1318.001•12/2021

3.3.2 ENVIRONMENTAL CONDITIONS

3.3.2.1 General Site Characteristics

The Project site is situated within the Transverse Ranges at the southern limit of the Simi Hills, between the Oak Ridge Mountains to the north and the Las Posas Hills to the south. Various densities of development surround the site, with residential development currently under construction to the north, the railroad, Poindexter Avenue, and light industrial and residential development to the south, rural residential and Walnut Canyon School to the east, and rural residential and a Southern California Edison transmission corridor to the west. The site is characterized by gently rolling hills and a series of north-south trending ridges and canyons. The topography ranges from moderately steep to relatively flat, and is highly variable; elevation at the site ranges from approximately 475 to 720 feet above mean sea level. The site has been previously disturbed by agricultural operations and several fires in recent years. Numerous dirt roads, concrete foundations of old farm buildings, and culverts in old agricultural ditches are still present as well as a livestock shed and goats in a fenced pen. The Project site historically was used for commercial grazing operations, and apricot production in the 1950s and infrequent limited dry farming since then. More recent farming ventures failed commercially, and no crop farming has occurred on site for more than a decade. Remnants of the former apricot farming operations burned down in 2003. Limited grazing operations still occur on site. The majority of vegetation consists of annual, non-native brome grassland (including that mixed with non-native forbs and coyote brush scrub), with scattered California sagebrush-deerweed, coyote brush scrub, mulefat thicket, and non-native woodland communities. In 2003 and 2006, fires entirely burned these plant communities, but they have since grown back in similar proportions, because these communities are comprised of species largely adapted to periodic fires. Several ephemeral drainages convey storm water down the steep slopes of the site, but no defined beds and banks or well-developed riparian plant communities were observed. Some evidence of erosion was noted in 2018 and 2019 at areas previously disturbed, such as where pipelines were installed and along Gabbert Road.

Soils

The Soil Conservation Service's (SCS) Ventura Area Soil Survey was reviewed to determine soil types on the Project site. The majority of the site is included within the Rincon-Huerhuero-Azule Association, which is a very deep, well to moderately well-drained soil that is located on level to moderately steep slopes. It consists of very fine sandy loams to silty clay loams that have a slowly to very slowly permeable sandy clay subsoil. The Mocho-Sorrento-Garretson Association occurs in the southern portion of the site. This association is typically found in alluvial fans, plains, and basins, and is a very deep soil that consists of well-drained loams to silty clay loams.

Within these two soil associations, six soil series occur on the Project site and include the Chesterson series (Chesterson sandy loam, 9 to 30 percent slopes, severely eroded and the Chesterson coarse sandy loam, 5 to 15 percent slopes, eroded), the Garretson series (Garretson loam, 2 to 9 percent slopes), the Metz series (Metz loamy sand, 2 to 9 percent slopes), the Mocho series (Mocho loam, 0 to 2 percent slopes), the San Andreas Series (San Andreas sandy loam, 30 to 50 percent slopes), and the Soper Series (Soper gravelly loam, 30 to 50 percent slopes, eroded).

Vegetation

The CDFW Biogeographic Data Branch, Vegetation Classification and Mapping Program (VCMP), has developed a List of California Vegetation Alliances. The most recent version of this list, dated September 2010 provides the currently accepted list of vegetation type Alliances. It is based on the classification put forth in the second edition of *A Manual of California Vegetation*[3] which is the California expression of the National Vegetation Classification.[4]

Vegetation within the Project site was identified, characterized, and mapped (using geographic information system [GIS] technology) (**Figure 3.3-2, Vegetation Map**). Vegetation nomenclature used to describe plant communities is based on the current list of vegetation types, available from the CDFW VCMP.[5] Common plant names of plant taxa are taken from various informal sources.

The majority of the site is disturbed by active cattle grazing and covered in non-native brome grasslands, specifically to the east of Gabbert Road. Native plant communities present on site are substantially disturbed by grazing and include California sagebrush-deerweed scrub, California sagebrush scrub, cactus scrub, blue elderberry stands, and chaparral yucca scrub. Also present are disturbed areas that are actively disced for required fire clearance, developed areas, and non-native woodland. **Table 3.3-1, Vegetation Types and Acreages**, and the following discussion provide a description of the botanical characteristics of each of the plant communities found on the Project site. Because one of the primary purposes of the VCMP is to assist in the location and determination of significance and rarity of vegetation types for tracking purposes in the CNDDB, sensitivity rankings are also given following the headings of each vegetation type in the discussion paragraphs to follow. These rankings incorporate "Global" and "State" rankings, 1

3 Sawyer, JO, Keeler-Wolf, T. and Evens, JM. 2008. *A Manual of California Vegetation, second edition.* California Native Plant Society, Sacramento.

4 Grossman, DH, K Goodin, M Anderson, P Bourgeron, MT Bryer, R Crawford, L Engelking, D Faber-Langendoen, M Gallyoun, S Landaal, K Metzler, KD Patterson, M Pyne, M Reid, L Sneddon, and AS Weakley. 1998. *International classification of ecological communities: Terrestrial vegetation of the United States.* The Nature Conservancy. Arlington, Virginia.

5 California Department of Fish and Game, Biogeographic Data Branch. 2009. *Vegetation Classification and Mapping Program List of California Vegetation Alliances*, December 28, 2009.

through 5, using NatureServe's standard heritage program methodology.6 Alliances given a G1 through a G3 code are considered sensitive. Alliances given a G4 or G5 code are generally considered common enough to not be of concern.

Table 3.3-1
Vegetation Types and Acreages

Vegetation type	Acres*	% of Site
Annual brome grassland	1.35.	0.47
Annual brome grasslands (Disturbed/Grazed)	152.45	53.54
Total annual brome grassland	**153.79**	**54.01**
Non-native woodland	**10.65**	**3.73**
Blue Elderberry Stands	1.62	0.56
Blue Elderberry Stands (Disturbed/Grazed)	5.38	1.88
Total blue elderberry stands	**7.00**	**2.46**
California sagebrush-deerweed scrub	23.85	9.20
California sagebrush-deerweed scrub (Disturbed/Grazed)	12.92	4.53
Total California sagebrush-deerweed scrub	**39.13**	**13.74**
Cactus Scrub (Disturbed/Grazed)	**1.76**	**0.62**
Chaparral yucca scrub (Disturbed/Grazed)	**0.43**	**0.15**
Developed	**1.44**	**0.51**
Disturbed/Disced	**70.53**	**24.78**
TOTAL	**284.73**	**100.00**

* Acreages include the 277.3-acre Project site and off-site improvement areas associated with the development (e.g., roadway connections) as depicted in **Figure 3.3-2**.

Source: Rincon Consultants, Inc., July 2021

Annual Brome Grassland (unranked)

Annual brome grassland covers 153.79 acres of the site. Many of the areas dominated by annual brome grasslands were previously disturbed by agricultural activities (*e.g.*, row crops and orchards), cattle grazing, and placement of irrigation lines, dirt roads, and yard clipping piles, which consists of 152.45 acres of this community within the Project site. The majority of the vegetation consists of dense non-native annual grasses, including slender oat (*Avena barbata*), wild oat (*A. fatua*), ripgut brome (*Bromus diandrus*), soft chess

6 NatureServe. 2019. NatureServe Conservation Status descriptions. Available at http://www.natureserve.org /conservation-tools/conservation-status-assessment, accessed June 4, 2019

(*B. hordeaceus*), red brome (*B. madritensis* ssp. *rubens*), hare barley (*Hordeum murinum* ssp. *leporinum*), Italian rye (*Lolium multiflorum*), perennial rye (*L. perenne*), and mouse-tail fescue (*Vulpia myuros* var. *myuros*).

Other prevalent non-native herbs include fennel (*Foeniculum vulgare*), Italian thistle (*Carduus pycnocephalus*), tocolote (*Centaurea melitensis*), prickly lettuce (*Lactuca serriola*), black mustard (*Brassica nigra*), summer mustard (*Hirschfeldia incana*), wild radish (*Raphanus sativus*), coast prickly-pear (*Opuntia littoralis*), burclover (*Medicago polymorpha*), yellow sweet-clover (*Melilotus indicus*), hairy vetch (*Vicia villosa*), red-stem filaree (*Erodium cicutarium*), horehound (*Marrubium vulgare*), scented gaura (*Gaura drummondii*), sand plantain (*Plantago arenaria*), and Torrey's nightshade (*Solanum dimidiatum*).

Common native herbs include narrow-leaf milkweed (*Asclepias fascicularis*), scapellote (*Acourtia microcephala*), western ragweed (*Ambrosia psilostachya*), tarragon (*Artemisia dracunculus*), horseweed (*Conyza canadensis*), clustered tarplant (*Deinandra fasciculata*), telegraph weed (*Heterotheca grandiflora*), small wirelettuce (*Stephanomeria exigua*), twiggy wreathplant (*Stephanomeria virgata*), Menzies' fiddleneck (*Amsinckia menziesii*), branching phacelia (*Phacelia ramosissima* var. *latifolia*), coastal chaparral morning-glory (*Calystegia macrostegia* ssp. *cyclostegia*), turkey mullein (*Croton setigerus*), miniature lupine (*Lupinus bicolor*), arroyo lupine (*L. succulentus*), vinegar weed (*Trichostema lanceolatum*), dense-flowered owl's-clover (*Castilleja densiflora*), and jimsonweed (*Datura wrightii*).

California sagebrush (*Artemisia californica*) is scattered along the slopes within low-lying grasslands that have not been recently disked, mowed or grazed; other emergent species include blue elderberry (*Sambucus nigra* ssp. *caerulea*), Coyote brush (*Baccharis pilularis*), Peruvian-pepper (*Schinus molle*), coast prickly-pear cactus (*Opuntia littoralis*), calabazilla (*Cucurbita foetidissima*), castor-bean (*Ricinus communis*), deerweed (*Acmispon glaber* var. *glaber*), and blue gum (*Eucalyptus globulus*).

Blue Elderberry Stands (unranked)

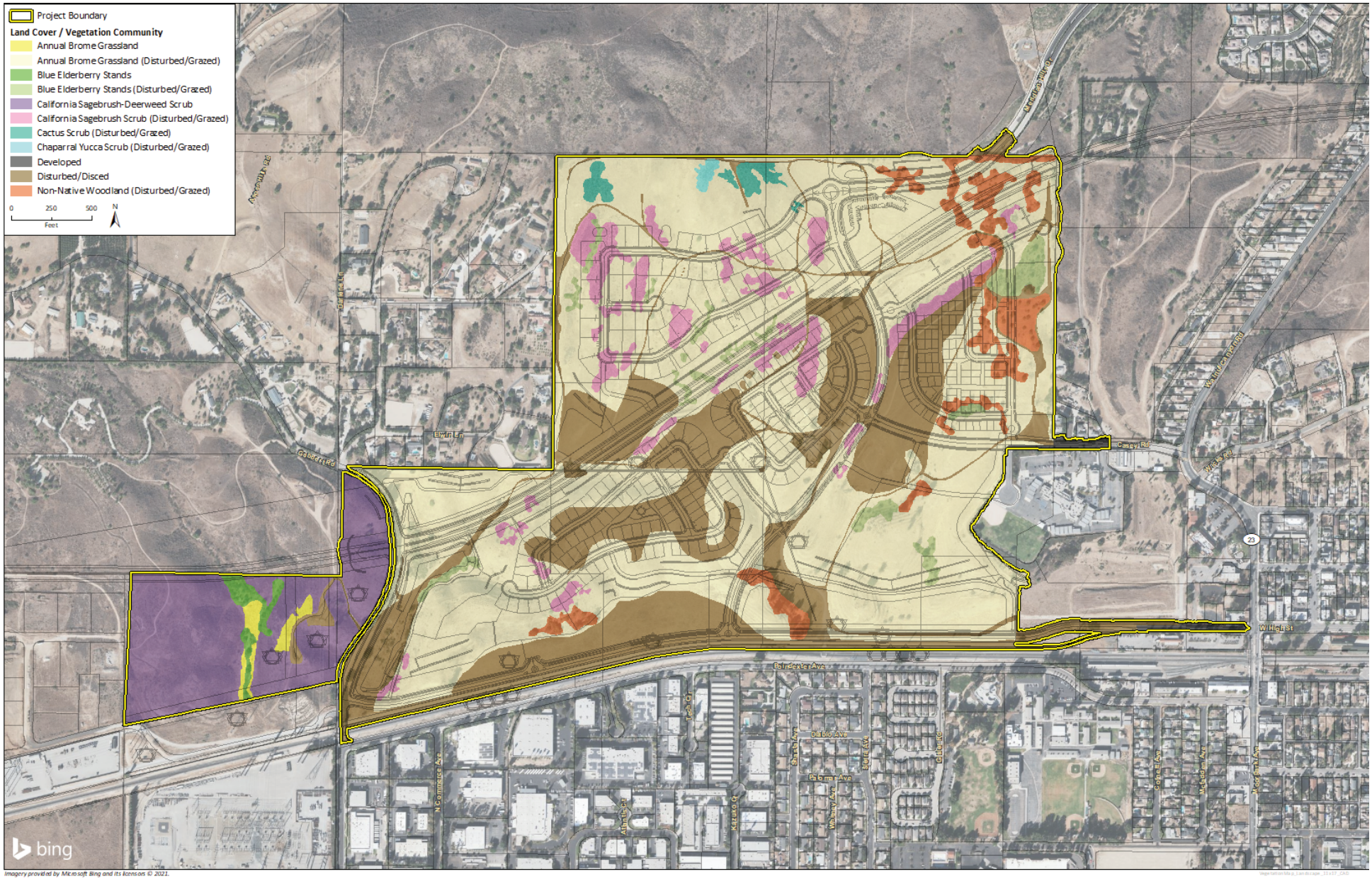
Blue elderberry stands are present to the west of Gabbert Road that covers 1.62 acre. Dominated by blue elderberry, other species present within this community include mulefat (*Baccharis salicifolia*), castor-bean, and non-native tree tobacco (*Nicotiana glauca*), with an understory dominated by annual non-native grassland species such as brome grasses, mustards, wild oats, and horehound, along with a few natives such as fireweed (*Chamerion angustifolium*), and tarragon. In addition, there are 5.38 acres of scattered blue elderberry stands on the Project site to the east of Gabbert Road; however, these stands are highly disturbed by cattle grazing and include an understory dominated by annual brome grassland species. Collectively, this community covers 7.00 acres of the entire Project site.

Non-native Woodland (unranked)

The term "non-native woodland," as used in this document is a collective term referring to eucalyptus groves and pepper tree or *Myoporum* groves. Several patches throughout the northeastern and central portions of the site are comprised of non-native woodland, totaling 10.65 acres. The non-native woodland is composed of non-native tree species that were planted or have spread and naturalized on the Project site. Blue gum eucalyptus have been planted along roads in the eastern portions of the Project site, presumably as wind breaks. Scattered clumps of African sumac (*Rhus lancea*) and Peruvian-pepper trees occur throughout the site. Many of the peppers and eucalyptus have regenerated after fires.

California Sagebrush-Deerweed Scrub (G5 S5)

Remnant patches of the California sagebrush-deerweed community, which together total 39.13 acres, occur in the western portion of the Project site. There is 26.21 acres of this community to the west of Gabbert Road that is relatively undisturbed; whereas 12.92 acres of this community located to the east of Gabbert Road is substantially disturbed by ongoing cattle grazing and other disturbances that have occurred (e.g., fires and agriculture). The vegetation within this community on the east-side of Gabbert Road is sparce and generally stunted from ongoing cattle grazing and drought conditions that have persisted since 2019. These disturbances have limited regeneration and natural recruitment from occurring. The overstory of the California sagebrush-deerweed community is dominated by California sagebrush (*Artemisia californica*) and deerweed (*Acmispon glaber*), which forms a nearly uniform stand within the plant community. Occasional individuals of coyote brush, sawtooth goldenbush (*Hazardia squarrosa*), coast prickly-pear, and giant wildrye (E*lymus condensatus*) occur within this community, along with a few blue elderberry, Peruvian-pepper, and chaparral yucca (Hespero*yucca whipplei*). The understory is composed of non-native grasses. However, one area in the far western portion of the site (west of Gabbert Road) is vegetated with an understory of native purple needlegrass (*Stipa pulchra*), along with other native herbs such as California everlasting (*Pseudognaphalium californicum*), miniature lupine, rancheria clover (*Trifolium albopurpureum* var. *albopurpureum*), and dense-flowered owl's-clover. Non-native filaree, hairy vetch, and fennel also occupy this area.



SOURCE: Bing, 2021.

FIGURE **3.3-2**

IMPACT SCIENCES

Vegetation Map

1318.003•07/2021

Cactus Scrub (G3/S3)

On-site cactus scrub series is dominated by native coast prickly pear. This community is extensive in the undisturbed open space to the north, and remnant patches are present along the northern perimeter of the Project site, which totals 1.76 acres. Occasional California sagebrush shrubs, saw-toothed goldenbush, and California-aster (*Corethrogyne filaginifolia*) occur within this community. Understory vegetation is dominated by species present in the surrounding annual brome grasslands. During the 2021 vegetation mapping and coastal California gnatcatcher survey, it was noted that cattle were grazing on this community and elsewhere on the ranch, leaving grasses and forbs to dominate.

Chaparral Yucca Scrub (G3G4/S3S4)

On-site chaparral yucca scrub series is dominated by native chaparral yucca. This community is interspersed within the undisturbed open space to the north of the Project site, and a remnant patch is present along the northern perimeter of the project that totals 0.43 acre. The vegetation within this community is stunted from ongoing cattle grazing and drought conditions that have persisted since 2019. These disturbances have limited regeneration and natural recruitment from occurring. Occasional California sagebrush shrubs, coast prickly pear, and saw-toothed goldenbush occur within this community. Understory vegetation is dominated by species present in the surrounding annual brome grasslands.

Non-vegetated Areas (unranked)

Non-vegetated areas of the Project site predominantly consist of developed and disturbed/disced areas. Developed areas generally include existing roads and disturbed/disced areas include concrete foundations of previous farm buildings, areas actively disced for required fire clearances, a livestock shed and pens land that is actively disced, and numerous dirt (unpaved) roads that traverse the property. Both developed and disturbed/disced areas are generally devoid of vegetation. Developed areas cover 1.44 acres and disturbed/disced areas cover 70.53 acres, totaling 71.97 acres of non-vegetated areas on the Project site. During early vegetation surveys, approximately 36.1 acres of the Project site were characterized as devoid of vegetation.

Common Wildlife

Plant communities present on the Project site provide habitat for a variety of animal species. While a few species of wildlife may be entirely dependent on a single plant community, most species require a mosaic of plant communities to provide the necessary shelter, water, food, and other life cycle resources. Since some species occur in a particular area for a short period of time (such as during migration), and some are nocturnal or reclusive in nature, they are not always observable during individual surveys. Therefore, a

comprehensive, quantitative assessment of wildlife populations would not be possible without long-term investigations and in some cases, live-trapping. Species presence is discussed in qualitative terms based on information derived from site-specific surveys, the quality and extent of available habitat on the site, and the known habitat requirements and home ranges of species occurring in the region.

Discussed below are common wildlife species observed or expected to occur on the Project site. Special-status wildlife species known to occur, or those with a high potential for occurrence on the site, are discussed under **Special-Status Biological Resources** in this section.

Reptiles and Amphibians

No amphibian species were observed on the Project site during the field investigations. The ephemeral nature of the few, small drainages on site does not provide suitable habitat necessary to sustain those amphibian species that may occur in the region. However, during very wet years, a few common species may have the potential to occur, some of which include California toad (*Anaxyrus boreas halophilus*), Baja California chorus frog (*Pseudacris hypochondriaca*), and blackbelly slender salamander (*Batrachoseps nigriventris*).

Several common reptile species were observed during field investigations, including Great Basin fence lizard (*Sceloporus occidentalis longipes*), California side-blotched lizard (*Uta stansburiana elegans*), red coachwhip (*Masticophis flagellum piceus*), and San Diego gopher snake (*Pituophis catenifer annectens*). Other common reptile species that have the potential to occur on the Project site include western skink (*Plestiodon skiltonianus skiltonianus*), California kingsnake (*Lampropeltis getula californiae*), and southern Pacific rattlesnake (*Crotalus helleri*).

Birds

Birds were observed to be the most diverse of the vertebrates inhabiting the Project site. Thirty-eight bird species were observed during the 2000 spring bird surveys, and during the 2005, 2009, 2011, and 2016 CAGN surveys many of these same species were observed, as well as 21 additional species. Each habitat type present on the Project site supports several resident bird species, and many other species are expected to occur as seasonal migrants to or through the area.

Annual brome grasslands dominating the site provide marginal habitat for several common bird species. Those observed during field surveys include mourning dove (*Zenaida macroura*), western kingbird (*Tyrannus verticalis*), American crow (*Corvus brachyrhynchos*), common raven (*C. corax*), loggerhead shrike (*Lanius ludovicianus*), lark sparrow (*Chondestes grammacus*), and Brewer's blackbird (*Euphagus*

cyanocephalus). Cliff swallow (*Petrochelidon pyrrhonota*), house finch (*Carpodacus mexicanus*), and house sparrow (*Passer domesticus*), are common throughout the area regardless of habitat type.

In the areas that support shrubs, birds observed included California quail (*Callipepla californica*), greater roadrunner (*Geococcyx californianus*), Say's phoebe (*Sayornis saya*), cactus wren (*Campylorhynchus brunneicapillus*), Bewick's wren (*Thryomanes bewickii*), house wren (*Troglodytes aedon*), California thrasher (*Toxostoma redivivum*), spotted towhee (*Pipilo maculatus*), California towhee (*Melozone crissalis*), and white-crowned sparrow (*Zonotrichia leucophrys*). Loggerhead shrike and cactus wren are special-status species and are discussed in more detail under **Special-Status Wildlife** in this section.

Within the prevalence of non-native woodlands on the site, bird species observed were generally those that require the increased structural diversity that trees provide. Several species were observed in this community including red-tailed hawk (*Buteo jamaicensis*), northern flicker (*Colaptes auratus*), California scrub-jay (*Aphelocoma californica*), bushtit (*Psaltriparus minimus*), phainopepla (*Phainopepla nitens*), western tanager (*Piranga ludoviciana*), hooded oriole (*Icterus cucullatus*), Bullock's oriole (*I. bullockii*), lesser goldfinch (*Spinus psaltria*), and American goldfinch (*S. tristis*).

The blue elderberry stands located in the western portion of the site also supports many bird species that commonly occur near seasonal water sources. The following species were observed in this blue elderberry community: warbling vireo (*Vireo gilvus*), common yellowthroat (*Geothlypis trichas*), and song sparrow (*Melospiza melodia*).

Raptor (bird of prey) species observed on the Project site include turkey vulture (*Cathartes aura*), white-tailed kite (*Elanus leucurus*), Cooper's hawk (*Accipiter cooperii*), red-tailed hawk (*Buteo jamaicensis*), American kestrel (*Falco sparverius*), barn owl (*Tyto alba*), and great horned owl (*Bubo virginianus*). Two large nests in tall eucalyptus trees (one near the northern boundary and one near the southern boundary) were observed during the 2018 survey. During the 2019 survey, a red-tailed hawk pair was using the northern nest, which contained three nestlings. Cooper’s hawks were also observed both in 2018 and 2019 during the nesting season. Cooper’s hawk and white-tailed kite are special-status species and are discussed in more detail under **Special-Status Wildlife** in this section.

In addition to those species listed above that were observed during the 2000 spring bird surveys, the following birds were observed during the 2005, 2009, and 2011 CAGN surveys: red-shouldered hawk (*Buteo lineatus*), western gull (*Larus occidentalis*), rock pigeon (*Columba livia*), Anna's hummingbird (*Calypte anna*), Nuttall's woodpecker (*Picoides nuttallii*), black phoebe (*Sayornis nigricans*), ash-throated flycatcher (*Myiarchus cinerascens*), northern rough-winged swallow (*Stelgidopteryx serripennis*), ruby-crowned kinglet (*Regulus calendula*), American robin (*Turdus migratorius*), wrentit (*Chamaea fasciata*), northern mockingbird

(*Mimus polyglottos*), European starling (*Sturnus vulgaris*), cedar waxwing (*Bombycilla cedrorum*), yellow-breasted chat (*Icteria virens*), savannah sparrow (*Passerculus sandwichensis*), Lincoln's sparrow (*Melospiza lincolnii*), black-headed grosbeak (*Pheucticus melanocephalus*), red-winged blackbird (*Agelaius phoeniceus*), western meadowlark (*Sturnella neglecta*), and brown-headed cowbird (*Molothrus ater*).

Mammals

Several species of mammals were observed during the field surveys or were identified by the presence of tracks, scats, dens, or remains in owl pellets. The mammals observed appear to be common generalist species, and most were observed in all habitat types. This was particularly true of coyotes (*Canis latrans*), which were observed in several locations on the site. A California mule deer (*Odocoileus hemionus*) was also observed on the site during the 2006 site visit. Other mid-sized mammal species such as bobcat (*Lynx rufus*), striped skunk (*Mephitis mephitis*), common raccoon (*Procyon lotor*), and opossum (*Didelphis virginiana*) were not observed during the field survey, but can be reasonably expected to occur on, or in the vicinity of, the Project site.

Smaller mammals, such as Audubon's cottontail (*Sylvilagus audubonii*), brush rabbit (*S. bachmani*), Botta's pocket gopher (*Thomomys bottae*), agile kangaroo rat (*Dipodomys agilis*), California mouse (*Peromyscus californicus*), and California ground squirrel (*Spermophilus beecheyi*) were observed or detected in both the grassland and scrub communities. Other common small mammals such as California pocket mouse (*Chaetodipus californicus*), deermouse (*Peromyscus maniculatus*), brush mouse (*P. boylii*), and long-tailed weasel (*Mustela frenata*) can be reasonably expected to use on-site resources.

Wildlife Movement

Wildlife corridors link together large, undisturbed areas of wildlife habitat that are otherwise separated by topography, changes in vegetation, suburbanization, roads, or by other human barriers or disturbance. The fragmentation of wildlife habitat by suburbanization creates isolated "islands" of wildlife habitat. Corridors allow animals to move between remaining habitats, which enables depleted populations to be replenished and promotes genetic exchange with separate populations; provide escape routes from fire, predators, and human disturbances, thus reducing the risk that catastrophic events (*e.g.*, fire or disease) would result in population or species extinction; and serve as travel paths for individual animals that require large home ranges to satisfy normal requirements such as food, water, and mates. Wildlife movement corridors are generally defined at the regional level as habitat linkages that connect large and otherwise disjunct open space areas such as local, state, and national parks, forests, preserves, and wilderness areas. Within these habitat linkages, riparian strips, canyon bottoms, drainages, and even dirt roads and trails are used by species to facilitate movement. However, within a large natural habitat block

or patch, these features are generally not referred to as movement corridors but, rather, travel paths to facilitate movement within the habitat patch.

The Project site is almost entirely surrounded by various densities of development, with open space and residential development to the north; a railroad, Poindexter Avenue, and light industrial and residential uses to the south; rural residential and Walnut Canyon School to the east, and rural residential and agricultural uses to the west. The surrounding developments and roadways, which include Championship Drive, and Meridian Hills Drive to the north, Walnut Canyon Road/State Route 23/Moorpark Avenue to the east, Poindexter Avenue to the south, fenced Gabbert Road separating the western portion, and Grimes Canyon Road to the west, separate the Project site from the remnant open space outside of the City of Moorpark. Due to the degree of disturbance on site and barriers created by the surrounding development, the Project site is not expected to be used as a movement corridor by wildlife. The drainage that traverses the western portion of the site does not connect to other open space; therefore, it would not serve as a movement corridor. Happy Camp Canyon Regional Park is the nearest designated open space area with potentially suitable habitat for terrestrial animal species such as coyote and deer. This local open space recreation area is situated 3.25 miles northeast of the Project site. Busy State Route 23 and low-density rural development separate the Project site from the park and create deterrents to movement to and from the Project site.

Special-Status Biological Resources

For the purposes of analysis in this EIR, "special-status" refers to those resources that meet one or more of the following criteria:

- Plant and animal species listed by the USFWS or CDFW as threatened or endangered; proposed for listing as threatened or endangered; or listed as a candidate for listing as threatened or endangered.

- Plant and animal species considered as "endangered, rare or threatened" as defined by Section 15380 of the *State CEQA Guidelines*. Section 15380(b) states that a species of animal or plant is "'endangered" when its survival and reproduction in the wild are in immediate jeopardy from one or more causes, including loss of habitat, change in habitat, overexploitation, predation, competition, disease, or other factors. A species is "rare" when either (A) although not presently threatened with extinction, the species is existing in such small numbers throughout all or a significant portion of its range that it may become endangered if its environment worsens; or (B) the species is likely to become endangered within the foreseeable future throughout all or a portion of its range and may be considered "threatened" as that term is used in the Federal Endangered Species Act (FESA).

- Plants included on CNPS Lists 1 or 2. These species are included because the CNPS is an authority recognized by the CDFW on the status of rare plant species in California, and because the criteria for placement on List 1 or List 2 are similar to criteria that CDFW and USFWS use for species considered as candidates for listing or that are already listed as threatened or endangered.

- Animal species designated as "Species of Special Concern" or "Fully Protected" by the CDFW. Although these species have no legal status under the California Endangered Species Act (CESA), the CDFW recommends their protection as the populations of these species are generally declining and they could be listed as threatened or endangered (under CESA) in the future.

- Birds designated by the USFWS as "Birds of Conservation Concern." Although these species have no legal status under FESA, the USFWS recommends their protection as populations of these species are generally declining and they could be listed as threatened or endangered (under FESA) in the future.

- Riparian habitat or other natural communities considered sensitive or otherwise regulated, by the CDFW.

- Drainages or other aquatic habitats under the jurisdiction of the USACE.

- Established resident or migratory wildlife movement corridors.

- Trees, habitats, or other resources protected by local policies, ordinances, or otherwise considered of local concern.

One special-status plant and eight special-status animal species have been observed on the Project site. An additional 27 special-status plants and 52 special-status animal species were evaluated as to their potential to occur on the site based on the presence of suitable habitat, their known geographical range, or historical observations in the site vicinity.

Sensitive Plant Communities

Of the seven vegetation types on the Project site, none have been denoted as G1, G2, or G3 by CDFW.[7] However, on a local level, Ventura County considers coastal sage scrub (inclusive of California sagebrush-

7 *CDFW. Vegetation Classification and Mapping Program, List of California Vegetation Alliances. https://wildlife.ca.gov/Data/VegCAMP/Natural-Communities, accessed June 2021.*
***G1 = Critically Imperiled**—At very high risk of extinction due to extreme rarity (often 5 or fewer populations), very steep declines, or other factors.*
***G2 = Imperiled**—At high risk of extinction due to very restricted range, very few populations (often 20 or fewer), steep declines, or other factors.*

deerweed on the Project site) to be a locally important plant community in the general plan. This plant community is protected by Ventura County and requires mitigation if impacted. In addition, the mulefat thicket would be considered sensitive by CDFW due to its regulatory status under Sections 1601–1603 of the Fish and Game Code (see below). Please see the **Vegetation** section, above, for a more detailed discussion of these plant communities and their distributions on the Project site.

California Sagebrush-Deerweed

California sagebrush-deerweed community is considered a component of coastal sage scrub habitat by CDFW, which have a disproportionately high number of rare and endangered plants and thus are of particular conservation concern. Coastal sage scrub is considered a sensitive habitat type by resource agencies because of its scarcity, declining status in Southern California, and known function as preferred habitat for CAGN, cactus wren, and several other special-status animals. Coastal sage scrub habitat is the focus of the state's Natural Community Conservation Planning (NCCP) process within several southern California counties. Most plant communities within coastal sage scrub in Southern California are of high priority for preservation due to the encroachment of development and the large number of special-status species that occur within them. California sagebrush-deerweed community is scattered over the Project site and occurs as discontinuous patches of vegetation, covering approximately 39.13 acres of the approximately 284.73-acre Project site. Because of the community occurrence as disconnected small patches, it is considered of low habitat value on the Project site.

Special-Status Plants

Those plant species listed as endangered or threatened, proposed for listing as endangered or threatened, are candidate species for listing by federal or state resource agencies, or are classified as species-of-concern are all considered special-status. In addition, plants included on Lists 1 or 2 of the CNPS inventory are also considered special-status. Trees under protection by Moorpark City ordinance are considered special-status plants (*e.g.*, Southern California black walnut). All special-status plant species observed, historically occurring, or potentially occurring on the Project site or in its vicinity, are presented in **Table 3.3-2, Summary of Special-Status Plant Species Previously Recorded in the Vicinity of the Hitch Ranch Project Site**.

Assessments for the potential occurrence of special-status species are based upon known ranges, habitat preferences for the species, species database records, and species records from other parcels near the Project

***G3 = Vulnerable**—At moderate risk of extinction due to a restricted range, relatively few populations (often 80 or fewer), recent and widespread declines, or other factors.*

site. The potential for each special-status species to occur on the Project site was evaluated according to the following criteria:

- **None.** Habitat on and adjacent to the Project site is clearly unsuitable for the species requirements (e.g., foraging, breeding, cover, substrate, elevation, hydrology, plant community, site history, disturbance regime), and species would have been identifiable within the Project site if present (e.g., perennial woody species).
- **Low Potential.** Few of the habitat components meeting the species requirements are present, and/or the majority of habitat on and adjacent to the site is unsuitable or of very poor quality. The species is not likely to be found on the Project site.
- **Moderate Potential**. Some of the habitat components meeting the species requirements are present, and/or only some of the habitat on or adjacent to the Project site is unsuitable. The species has a moderate probability of being found on the Project site.
- **High Potential.** All of the habitat components meeting the species requirements are present and/or most of the habitat on or adjacent to the Project site is highly suitable. The species has a high probability of being found on the Project site.
- **Present.** Species is observed on the Project site or has been recorded (e.g., CNDDB, other reports) on or immediately adjacent to the Project site within the last five years.

Table 3.3-2
Summary of Special-Status Plant Species Previously Recorded in the Vicinity of the Hitch Ranch Project Site

Common Name *Scientific Name*	Federal/ State/CNPS Status	Habitat	Growth Form Blooming Period*	Potential to Occur on Site
Lichens				
Woven-spored lichen *Texosporium sancti-jacobi*	—/CDFW Special Plants List/1B.2	Arid to semi-arid shrub-steppe, grassland or savannah communities up to 1000 m msl. Requires natural openings in arid vegetation that are not maintained by fire, and non-saline, non-calcareous soils. Intolerant of disturbed sites.	Lichen N/A	**None**—appropriate habitat is not present on the Project site
Dicots				
Abrams' oxytheca *Acanthoscyphus parishii* var. *abramsii*[8]	—/—/1B.2	Sandy or shale habitats in chaparral communities between 1143 and 2057 m msl	Annual herb June – August	**None** —chaparral habitats are not present on site, and the site lies below the known elevational range of the species.

8 *Treated as Oxytheca parishii var. abramsii in the 1993 edition of The Jepson Manual.*

Common Name *Scientific Name*	**Federal/ State/CNPS Status**	**Habitat**	**Growth Form Blooming Period***	**Potential to Occur on Site**
Braunton's milk-vetch *Astragalus brauntonii*	FE/—/1B.1	Usually on recent burns or disturbed communities in sandstone soils with carbonate layers in closed-cone coniferous forest, chaparral, coastal scrub, valley and foothill grassland communities between 4 and 640 m msl.	Perennial herb January – August	**None —**limestone soils and outcrops are not present on site.
Round-leaved filaree *California macrophylla*	—/—/1B.2	Clay soils in cismontane woodland, valley and foothill grassland communities between 15 and 1200 m msl.	Annual herb March – May	**Low—**appropriate soils are present within areas supporting other native grassland species; however, habitat is substantially disturbed and required vegetation assemblages are unsuitable.
Southern tarplant *Centromadia parryi* ssp. *australis*	—/—/1B.1	Vernally mesic habitats in marshes and swamp margins, valley and foothill grassland, and vernal pool communities between 0 and 427 m msl. Often in disturbed sites near the coast; also in alkaline soils, sometimes with saltgrass (*Distichlis spicata*).	Annual herb May – November	**None—**vernally mesic habitats are not present on site.
Santa Susana tarplant *Deinandra minthornii*[9]	—/Rare/1B.2	Sandstone outcrops and crevices in chaparral and coastal scrub communities between 280 and 760 m msl.	Perennial Deciduous shrub July – November	**None—**suitable sandstone outcroppings or rocky areas are not present on site.
Dune larkspur *Delphinium parryi* ssp. *blochmaniae*	—/—/1B.2	Maritime chaparral and coastal dunes between 0 and 200 m msl.	Perennial herb April – May	**None—**suitable near-shore dune habitat is not present on site.
Umbrella larkspur *Delphinium umbraculorum*	—/—/1B.3	Cismontane woodland communities between 400 and 1600 m msl.	Perennial herb April – June	**None —**suitable native woodland habitat is not present on site.
Blochman's dudleya *Dudleya blochmaniae* ssp. *blochmaniae*	—/—/1B.1	Rocky, clay or serpentinite substrates in coastal bluff scrub, chaparral, coastal scrub, and valley and foothill grassland communities between 5 and 450 m msl.	Perennial herb April – June	**None—**suitable volcanic rocky or clay soils are not present, and the site lies outside the known range of the species, which is confined to Conejo volcanic outcrops in the western Santa Monica Mountains.

9 *State-listed as Hemizonia minthornii; see this name in the 1993 edition of The Jepson Manual.*

Common Name *Scientific Name*	**Federal/ State/CNPS Status**	**Habitat**	**Growth Form Blooming Period***	**Potential to Occur on Site**
Agoura Hills dudleya *Dudleya cymosa* ssp. *agourensis*[10]	FT/—/1B.2	Rocky, volcanic substrates in chaparral and cismontane woodland communities between 200 and 500 m msl.	Perennial herb May – June	**None**—suitable habitat and soils are not present on site, and the site lies outside the geographic range of the species, which is confined to Agoura Hills and the surrounding area in the central-northern Santa Monica Mountains.
Marcescent dudleya *Dudleya cymosa* ssp. *marcescens*	FT/Rare/1B.2	Rocky, volcanic substrates in chaparral communities between 150 and 520 m msl.	Perennial herb April – June	**None**—suitable chaparral habitat, and volcanic cliffs and canyon walls are not present. The site lies outside the geographic range of the species, which is confined to the Malibu Canyon area of the Santa Monica Mountains.
Santa Monica dudleya *Dudleya cymosa* ssp. *ovatifolia*[11]	FT/—/1B.2	Volcanic, rocky substrates in chaparral and coastal scrub communities between 150 and 1675 m msl.	Perennial herb March – June	**None**—suitable chaparral habitat and volcanic rocky habitats are not present. The site is located outside the geographic range of this species.
Conejo dudleya *Dudleya parva*[12]	FT/—/1B.2	Clay or volcanic substrates in coastal scrub and valley and foothill grassland communities between 60 and 450 m msl.	Perennial herb May – June	**None**—suitable volcanic rocky habitats are not present. The site lies outside the geographic range of the species which is confined to the western Santa Monica Mountains.
Verity's dudleya *Dudleya verityi*	FT/—/1B.2	Volcanic outcrops in chaparral, cismontane woodland, and coastal scrub communities between 60 and 120 m msl.	Perennial herb May – June	**None**—suitable volcanic outcrops are not present. The site is located outside the geographic range of this species which is confined to the westernmost Santa Monica Mountains.

10 A synonym of *Dudleya cymosa ssp. ovatifolia* in the 1993 edition of *The Jepson Manual*; USFWS also uses this name.
11 CNPS listing does not include *Dudleya cymosa ssp. agourensis*.
12 Federally-listed as *Dudleya abramsii ssp. parva*; see this name in the 1993 edition of *The Jepson Manual*.

Common Name *Scientific Name*	**Federal/ State/CNPS Status**	**Habitat**	**Growth Form Blooming Period***	**Potential to Occur on Site**
Conejo buckwheat *Eriogonum crocatum*	—/Rare/1B.2	Conejo volcanic outcrops in chaparral, coastal scrub, valley and foothill grassland communities between50 and 580 m msl.	Perennial herb April – July	**None**—suitable volcanic outcrops are not present. The site is located outside the geographic range of this species which is confined to the westernmost Santa Monica Mountains.
Mesa horkelia *Horkelia cuneata* ssp. *puberula*	—/—/1B.1	Sandy or gravelly sites in chaparral, cismontane woodland, and coastal scrub communities between 70 and 810 m msl.	Perennial herb February – July (September)	**None**—although suitable habitat is present, this perennial herb would be recognizable at any time of year regardless of flowering condition. It has not been detected within suitable habitat areas over the course of repeated surveys and is presumed absent on site.
Southern California black walnut *Juglans californica*[13]	—/—/4.2	Chaparral, cismontane woodland and coastal scrub communities between 50 and 900 m msl.	Deciduous tree March – August	**Present**—Southern California black walnut individuals were observed on-site prior to the 2006 fire; 14 were inventoried in 2011; 2 multi-stemmed clumps were observed in 2018. During the most recent inventory in 2020 by LNDG, 6 Southern California black walnut trees were documented on the Project site.
Ross's pitcher sage *Lepechinia rossii*	—/—/1B.2	Soils derived from fine-grained, reddish sedimentary rock in chaparral communities between 305 and 790 m msl.	Perennial shrub May – September	**None**—the site is outside the known geographic and elevational range of the species.
Lyon's pentachaeta *Pentachaeta lyonii*	FE/SE/1B.1	Rocky and clay soils in openings within chaparral, coastal scrub, and valley and foothill grassland communities between 30 and 630 m msl.	Annual herb March – August	**None**—suitable grassland habitat is present; however appropriate volcanic-derived clay soils are not present on the site.

13 A synonym of *Juglans californica var. californica* in the 1993 edition of *The Jepson Manual*.

Common Name *Scientific Name*	**Federal/ State/CNPS Status**	**Habitat**	**Growth Form Blooming Period***	**Potential to Occur on Site**
White rabbit-tobacco *Pseudognaphalium leucocephalum*[14]	—/—/2B.2	Sandy or gravelly soils in chaparral, cismontane woodland, coastal scrub, and riparian woodland habitats between 0 and 2100 m msl.	Perennial herb (July) August – November (December)	**Low**—appropriate soils are present in low lying areas of the site, including drainage courses and swales; however, habitat is substantially disturbed and required vegetation assemblages are unsuitable.
Chaparral ragwort *Senecio aphanactis*	—/—/2.2	Drying alkaline flats in chaparral, cismontane woodland, and coastal scrub habitats between 15 and 800 m msl.	Annual herb January – April	**None**—suitable habitat, drying alkaline flats, is not present on site.
Greata's aster *Symphyotrichum greatae*[15]	—/—/1B.3	Mesic habitats in broadleaved upland forest, chaparral, cismontane woodland, riparian woodland and lower montane coniferous forest communities between 300 and 2010 m msl.	Perennial rhizomatous herb June – October	**None**—suitable mesic woodland habitat is not present on the Project site.
Monocots				
Plummer's mariposa lily *Calochortus plummerae*	—/—/4.2	Rocky and sandy sites, usually of granitic or alluvial material in coastal scrub, chaparral, valley and foothill grassland, cismontane woodland, and lower montane coniferous forest communities between 100 and 1700 m msl.	Perennial bulbiferous herb May – July	**Low**—suitable habitat is present in scrub and grassland habitats on site; however, habitat is substantially disturbed and required vegetation assemblages are not suitable.
Intermediate mariposa lily *Calochortus weedii* var. *intermedius*	—/—/1B.2	Rocky, calcareous soils in chaparral, coastal scrub, and valley and foothill grassland communities between 105 and 855 m msl.	Perennial bulbiferous herb May – July	**None**—appropriate soils are not present on site.
Ojai fritillary *Fritillaria ojaiensis*	—/—/1B.2	Mesic, rocky habitats in broad-leafed upland forest, chaparral, lower montane coniferous forest communities between 300 and 998 m msl.	Perennial bulbiferous herb February – May	**None**—suitable mesic, rocky habitat is not present on the site.
Vernal barley *Hordeum intercedens*	—/—/3.2	Saline flats and depressions in coastal dune, coastal scrub, valley and foothill grassland and vernal pool communities between 5 and 1000 m msl.	Annual herb March – June	**None**—seasonally mesic or saline habitats required by this species are not present on the Project site.

14 Treated in the 1993 edition of *The Jepson Manual* as *Gnaphalium leucocephalum*.

15 Treated as *Aster greatae* in the 1993 edition of *The Jepson Manual*.

Common Name *Scientific Name*	Federal/ State/CNPS Status	Habitat	Growth Form Blooming Period*	Potential to Occur on Site
Peninsular nolina *Nolina cismontana*	—/—/1B.2	Sandstone, shale and gabbro substrates in chaparral and coastal scrub communities between 140 and 1275 m msl.	Perennial evergreen shrub May – July	**None**—suitable substrate is not present on the site. This species is highly conspicuous at all times and was not observed on site during the course of numerous surveys
California Orcutt grass *Orcuttia californica*	FE/SE/1B.1	Vernal pools between 15 and 660 m msl.	Annual herb April – August	**None**—suitable vernal pool habitat is not present.

** – Months given in parentheses indicate dates on which unusually early or late flowering records have been reported*

Status Abbreviations

Federal
FE: federal listed as Endangered
FT: federally listed as Threatened

State
SE: state listed as Endangered

CNPS lists
1B: rare, threatened, or endangered in California and elsewhere
2: rare, threatened, or endangered in California, but more common elsewhere
3: more information needed to determine rarity
4: limited distribution

CNPS threat ranks
0.1: seriously threatened in California
0.2: fairly threatened in California
0.3: not very threatened in California

Special-Status Plant Species Observed on the Project Site

Southern California Black Walnut (*Juglans californica* var. *californica*); CNPS List 4.

In Ventura County, California walnut trees over 3-inches DBH on private property within Scenic Resources Protection Zones are considered protected trees. CNPS ranks the black walnut as "4.2, limited in distribution, fairly threatened in California." Four walnut trees with a DBH equal to or greater than 8-inches were observed within the coyote brush scrub and annual brome grassland plant communities in the western portion of the Project site (**Figure 3.3-2**) during the 2001 tree surveys. The trees were of varying ages and appeared to be in good health; however, the 2006 fire burned the walnut trees. The 2011 tree survey concluded that one qualifying tree survived the fire, along with 11 additional non-qualifying trees. However, the most recent Tree Survey performed by the L. Newman Design Group, Inc. in December 2019 (LNDG, August 6, 2020) indicates that there are currently six Southern California black walnut trees on the Project site.

Locally Protected Trees

Mature non-native trees, which are of local special interest, are present on the site. The City of Moorpark tree ordinance (No. 101) provides for the protection of mature trees with a cross-sectional area of all major stems of 72 or more square inches (equivalent to greater than 9.6 inches DBH), as measured at 4.5 feet above

the root crown. As previously stated, a tree survey was initially conducted on the site in 1995 by Nature Buffs. A total of 528 trees were observed at that time which qualified as mature trees, including gum, pepper (*Schinus sp.)*, olive (*Olea europaea*), ash (*Fraxinus velutina*), tamarisk (*Tamarix ramosissima*), African sumac (*Rhus lancea),* and California black walnut (*Juglans californica*). Most of these trees were affected by the 2003 and 2006 fires. During July 2011, a new tree survey was conducted by Rincon in accordance with the requirements set forth by the City of Moorpark. Mature/qualifying trees were located in 2011 by GPS and identified to genus and species and common name. DBH, and approximate canopy height and diameter were also measured, and overall health was assessed. A letter grade of health, per City requirements, was assigned: A for outstanding; B for good; C for average; D for below average, and Dead, as applicable. Immature/non-qualifying trees were not assessed for health and thus not assigned a letter grade although it should be noted that most of the immature trees were classified as resprouts or root sprouts of burned trees and were for the most part in excellent health.

A Tree Survey performed by LNDG, included as **Appendix 3.3-G** to this Draft EIR, in July 2020 found 282 mature trees on the Project site. Nearly all of the trees on the Project site are either blue gums (35 percent) or Peruvian pepper trees (52 percent). The blue gums were historically planted for agricultural purposes and have become naturalized. The pepper trees are a common landscape plant and also have become naturalized.

The two dominant species on this site, along with four other species present, are included on the 410 - Prohibited Plant List (April 2019) put out by the Ventura County Fire Protection District. This is a list of plants that the Ventura County Fire Department recommends be removed or thinned in Defensible Spaces and Fuel Modification Zones as they define them. The number and species of trees present on the subject site are shown in **Table 3.3-3, Mature Trees on the Hitch Ranch Site**.

Table 3.3-3
Mature Trees on the Hitch Ranch Site

Common name	*Scientific name*	Number of mature trees
Cypress*	*Cupressus sp*	1
Blue gum*	*Eucalyptus globulus*	98
White gum*	*Eucalyptus viminalis*	3
Pine tree*	*Pinus sp.*	1
African sumac	*Rhus lancea*	2
Elderberry	*Sambucus mexicana*	19
Peruvian pepper tree*	*Schinus molle*	146
Chinese elm	*Ulmus parvifolia*	1
Mexican fan palm*	*Washingtonia robust*	5
California black walnut	*Juglans californica*	6
Totals		**282**

** - Trees that are included on the Ventura County Fire Protection District, 410-Prohibited Plant List.*

Source:
L. Newman Design Group, Inc., Tree Report, August 2020

Special-Status Wildlife

A list of all special-status wildlife species observed, historically occurring, or potentially occurring on the Project site or in the vicinity is provided below in **Table 3.3-4, Summary of Special-Status Wildlife Species Observed or with Potential to Occur on the Hitch Ranch Project Site**. Those species observed during site surveys or with a high potential of occurring within the Project site boundary are discussed in greater detail later in this section. The potential-to-occur criteria indicated in **Table 3.3-4** is the same as the criteria indicated previously for **Table 3.3-2**.

Table 3.3-4
Summary of Special-Status Wildlife Species Observed or with Potential to Occur on the Hitch Ranch Project Site

Common name *Scientific name*	Federal/State/Other status	Habitat	Current potential to occur on site
Insects			
Santa Monica grasshopper *Trimerotropis occidentiloides*	—/—/CDFW Special Animals List	Known from the Santa Monica Mountains Found on bare hillsides and along dirt trails in chaparral.	**None**—the site is outside the known range of the species, and chaparral communities are not present on site.
Fish			
Santa Ana sucker *Catostomus santaanae*	FT, FSS/SSC/—	Habitat generalist, but prefers sand, rubble, or boulder bottoms, in cool, clear water with algae to graze.	**None**—aquatic habitats are not present on the Project site.
Arroyo chub *Gila orcuttii*	FSS/SSC/—	Slow water stream sections with mud or sand bottoms. Feeds heavily on aquatic vegetation and associated invertebrates.	**None**—aquatic habitats are not present on the Project site.
Southern steelhead—Southern California ESU *Oncorhynchus mykiss irideus*	FT/SSC/—	Federal listing refers to populations from the Santa Maria River south to the southern extent of the species range (San Mateo Creek in San Diego County).	**None**—aquatic habitats are not present on the Project site.
Amphibians			
Sierra Madre yellow-legged frog *Rana muscosa*	FE, FSS/SSC/—	Always encountered within a few ft. of water. Tadpoles may require 2 to 4 years to complete their aquatic development.	**None**—no suitable habitat on site.
Western spadefoot *Spea hammondii*	BLMS/SSC/—	Vernal pools and other areas of seasonally ponded water, primarily in grasslands habitats, but can be found in valley-foothill hardwood woodlands.	**Low**—suitable habitat may be present in low-lying areas subject to ponding. No evidence of ponding (*e.g.*, shrink-swell soils) was noted on site in May 2009 or June 2011.

Common name *Scientific name*	Federal/State/Other status	Habitat	Current potential to occur on site
Reptiles			
Coastal whiptail *Aspidoscelis tigris stejnegeri*	—/—/CDFW Special Animals List	Various habitats in firm, sandy or rocky soils within sparse vegetation, open areas, woodlands and riparian communities of deserts and semi-arid areas.	**Moderate**—suitable habitat is present over much of the site in grassland and scrub vegetation. This species is typically common where it occurs, and the lack of any observation of this species suggests that if it is present on site, it is likely to occur in very low numbers.
Western pond turtle *Emys marmorata*	BLMS, FSS/SSC/—	Requires basking sites such as partially submerged logs, vegetation mats or open mud banks and needs suitable nesting sites in permanent or near permanent bodies of water in many habitat types below 2000 m msl.	**None**—no suitable habitat on site.
Coast horned lizard *Phrynosoma blainvillii*	BLMS, FSS/SSC/—	Prefers friable, rocky or shallow sandy soils in scrub and chaparral habitats in arid and semi-arid regions. Requires the presence of native ants for prey.	**Moderate**—suitable habitat is present over much of the site in grassland and scrub vegetation.
Coast patch-nosed snake *Salvadora hexalepis virgultea*	—/SSC/—	A low shrub structure of minimum density. Presumed to take refuge and perhaps overwinter in burrows or woodrat nests. Preys on whiptail lizards (*Aspidoscelis*).	**Low**—suitable habitat is present in scrub vegetation on site; however, woodrat nests have not been reported on site, and whiptail lizards were not observed.
Two-striped garter snake *Thamnophis hammondii*	BLMS, FSS/SSC/—	Associated with permanent or semi-permanent bodies of water in a variety of habitats from sea level to 2400 m (8000 ft). Take cover in mammal burrows, crevices, and surface objects. Basks on streamside rocks or on densely vegetated stream banks.	**None**—no suitable habitat on site.
South coast garter snake *Thamnophis sirtalis* ssp.	—/SSC/—	Marsh and upland habitats near permanent water with well-developed strips of riparian vegetation on the Southern California coastal plain from Ventura County to San Diego County and from sea level to approximately 850 m msl.	**None**—no suitable habitat on site.

Common name *Scientific name*	Federal/State/Other status	Habitat	Current potential to occur on site
Birds			
Cooper's hawk (nesting) *Accipiter cooperi*	—/CDFW Watch List/—	Nests in dense oak or riparian woodlands, or low scrub of treeless areas. The wooded area is often near the edge of a field or water opening.	**High**—observed foraging and perched on site during nesting season in 2018 and 2019 so potential exists for nesting.
Sharp-shinned hawk (nesting) *Accipiter striatus*	—/CDFW Watch List/—	Breeds in ponderosa pine, black oak, riparian deciduous, mixed conifer, and Jeffrey pine habitats. Prefers, but not restricted to, riparian habitats. North facing slopes, with plucking perches are critical requirements. All habitats except alpine, open prairie, and bare desert used in winter.	**Low**—foraging individuals may be occasionally present during migration. The site is outside the breeding range of the species.
Tricolored blackbird (nesting colony) *Agelaius tricolor*	BCC, BLMS/SSC/ USBC, AWL, ABC	Highly colonial species, requiring open water, protected nesting substrate and foraging areas with insect prey within a few km of the colony.	**None**—no suitable habitat on site.
Southern California rufous-crowned sparrow *Aimophila ruficeps canescens*	—/CDFW Watch List/—	Frequents relatively steep, often rocky hillsides with grass and forb patches. Resident in Southern California coastal sage scrub and mixed chaparral.	**Present**—observed foraging. Suitable nesting habitat is primarily concentrated within coastal sage scrub habitat located to the west of Gabbert Road and off-site to the north.
Grasshopper sparrow *Ammodramus savannarum*	—/—/CDFW Special Animals List	Occurs in dry, dense grasslands, especially those with a variety of grasses and tall forbs and scattered shrubs for singing perches.	**High**—suitable habitat is present over most of the site in annual grassland vegetation.
Bell's sage sparrow *Amphispiza belli belli*	BCC/CDFW Watch List/—	Nests on the ground beneath shrubs or in shrubs 6 to 18 inches above the ground within chaparral communities dominated by fairly dense stands of chamise or in coastal scrub in southern part of the range.	**High**—suitable habitat is present in scrub vegetation on site.
Golden eagle (nesting and wintering) *Aquila chrysaetos*	BCC, BLMS/CDFW Watch List, CDFW Fully Protected/—	Nests and winters in cliff walls, large trees and rolling foothill and mountain areas supporting sage-juniper and desert vegetation.	**Moderate**—foraging habitat is present, but nesting would not occur on site.

Common name *Scientific name*	Federal/State/Other status	Habitat	Current potential to occur on site
Long-eared owl (nesting) *Asio otus*	—/SSC/—	Riparian bottomlands grown to tall willows and cottonwoods, also belts of live oak paralleling stream courses. Require adjacent open land productive of mice and the presence of old nests of crows, hawks or magpies for breeding.	**None**—no suitable habitat on site.
Burrowing owl (burrow sites) *Athene cunicularia*	BCC, BLMS/SSC/—	Open, dry grassland and desert habitats throughout California, or scrublands characterized by low-growing, widely spaced vegetation. Dependent upon burrowing mammals, especially California ground squirrel.	**Moderate**—annual vegetation on-site varies significantly in height and density from year to year. Annual vegetation in 2011 was low-growing (less than 12 inches) in many areas of the site, and ground squirrels and their burrows were abundant. No evidence of owl use was noted in 2018 and 2019 surveys.
Ferruginous hawk (wintering) *Buteo regalis*	BCC, BLMS/CDFW Watch List/AWL	Open grasslands, sagebrush flats, desert scrub, low foothills and fringes of pinyon/juniper habitats. Eats mostly lagomorphs, ground squirrels and mice. Population trends may follow lagomorph cycles.	**Moderate**—foraging habitat is present, but nesting would not occur on site due to the disturbed condition of the site.
Costa's hummingbird (nesting) *Calypte costae*	—/—/USBC, AWL, ABC	Occurs primarily in arid scrub and chaparral habitats and in riparian edge. Various herbaceous and woody plants provide flower nectar; also takes small insects and spiders. In winter, exotic shrubs such as bottlebrush important. Nest sometimes located close to water source, but more often well away from water.	**Moderate**—suitable habitat is present within scrub vegetation on site.

Common name *Scientific name*	**Federal/State/Other status**	**Habitat**	**Current potential to occur on site**
Coastal cactus wren *Campylorhynchus brunneicapillus sandiegensis*	BCC, FSS/SSC/—	Southern California coastal sage scrub. Tall *Opuntia* cacti are required for nesting and roosting. Sensitive designation includes San Diego and Orange County populations only.	**High**—this species was heard calling on site during coastal California gnatcatcher surveys in 2021. Suitable nesting habitat is present in the undisturbed coast prickly pear scrub to the north; however, the coast prickly pear habitat on-site is disturbed and of low quality for nesting. Nonetheless, this species likely forages (and could nest) on the Project site.
Northern harrier (nesting) *Circus cyaneus*	—/SSC, CDFW Fully Protected/—	Frequents meadows, grasslands, open rangelands, desert sinks, fresh and saltwater emergent wetlands; seldom found in wooded areas. Nests on ground in shrubby vegetation, in emergent wetland or along rivers or lakes, but may nest in grasslands, grain fields, or on sagebrush flats several miles from water.	**Moderate**—foraging habitat is present, but nesting would not occur on site.
Western yellow-billed cuckoo (nesting) *Coccyzus americanus occidentalis*	FC, BCC, FSS/SE/—	Nests in riparian jungles of willow often mixed with cottonwood with an understory of blackberry, nettles or wild grape.	**None**—no suitable habitat on site.
Yellow warbler (nesting) *Dendroica petechia brewsteri*	—/SSC/—	Riparian plant associations, preferably of willow, cottonwood, aspen, sycamore and alder for nesting and foraging. Also nests in montane shrubbery of open conifer forests.	**Low**—may occur seasonally as a migrant, but nesting would not occur on site due to the disturbed condition of the site.
White-tailed kite (nesting) *Elanus leucurus*	—/CDFW Fully Protected/—	Rolling foothills and valley margins with scattered oaks and river bottomlands or marshes next to deciduous woodland. Open grasslands, meadows or marshes for foraging close to close to isolated, dense-topped trees for nesting and perching.	**Moderate**—observed foraging on site. An active nest was observed adjacent to the eastern site boundary during biological surveys. The species is presumed to forage on site; and may rarely nest in trees on site.

Common name *Scientific name*	Federal/State/Other status	Habitat	Current potential to occur on site
Southwestern willow flycatcher (nesting) *Empidonax traillii extimus*	FE, FSS (full species)/SE (full species)/USBC, AWL, ABC (all include full species)	Dense willow thickets are required for nesting and roosting. Nesting site usually near languid stream, standing water, or seep.	**None**—no well-developed riparian woodlands with water present are found on site. No suitable nesting habitat on site.
Horned lark *Eremophila alpestris actia*	—/CDFW Watch List/—	Builds grass-lined nest; cup-shaped in depression on ground in the open. Frequents grasslands and other open habitats with low, sparse vegetation.	**High**—suitable habitat is present over much of the site in sparse annual grassland and scrub vegetation.
Prairie falcon (nesting) *Falco mexicanus*	BCC/CDFW Watch List/—	Breeds on cliffs in dry, open terrain and forages far afield, even to marshlands and ocean shores.	**Moderate**—foraging habitat is present, but nesting would not occur on site.
California condor *Gymnogyps californianus*	FE/SE, CDF, CDFW Fully Protected/ USBC, AWL, ABC	Nets in deep canyons containing clefts in rocky walls of mountain ranges of moderate altitude. Forages up to 100 miles from nest sites over vast expanses of open savanna, grasslands and foothill habitats.	**Low**—there are no known recorded occurrences on condor in the vicinity of the site and nesting habitat is not present.
Yellow-breasted chat (nesting) *Icteria virens*	—/SSC/—	Summer resident in riparian thickets of willow and other brushy tangles such as blackberry and wild grape near water courses. Forages and nests within 10 ft. of the ground.	**Low (nesting)**—one transient individual observed on site; however, no suitable nesting habitat is present.
Loggerhead shrike (nesting) *Lanius ludovicianus*	BCC/SSC/—	Found in broken woodlands, savanna, pinyon-juniper woodland, Joshua tree woodland, riparian woodland, desert oases, scrub, and washes. Prefers open country for hunting, with perches for scanning, and fairly dense shrubs and brush for nesting.	**Moderate**—this species has been observed foraging on site and nesting habitat is present.
Coastal California gnatcatcher *Polioptila californica californica*	FT/SSC/USBC, AWL, ABC	Obligate permanent resident of coastal sage and alluvial scrub habitats below 800 m msl in Southern California.	**Present**— A known occupied site is situated approximately 1-mile east of the subject property. Surveys following USFWS protocol guidelines were completed in 1998, 2000, 2003, 2005, 2009, 2011, 2016 and 2021. In 1998, 2003, 2005, and 2011 no CAGN were observed or detected. In 2000 a single

Common name *Scientific name*	Federal/State/Other status	Habitat	Current potential to occur on site
			juvenile CAGN was observed on a single occasion. . In 2021, individuals and a pair were observed foraging within California sagebrush-deerweed scrub on the site. However, no nests were observed on site and the individuals observed were nesting within the undisturbed habitat offsite to the north. Conditions on the Hitch Ranch Project site have changed considerably since 2003 as a result of the brush fires that occurred on site. Fires resulted in initially reducing the potential habitat for CAGN, some of which has regrown. The Easy Fire in late 2019 further removed suitable and occupied habitat in the region to the southeast, and ongoing cattle grazing has substantially suppressed native plant growth throughout the Project site to the east of Gabbert Road. Two pair of mature CAGN and one juvenile female were observed on the Project site during the 2021 survey.
Bank swallow (nesting) *Riparia riparia*	—/ST/—	Colonial nester; nests primarily in riparian and other lowland habitats west of the desert. Requires vertical banks/cliffs with fine-textured/sandy soils near streams, rivers, lakes, ocean to dig nesting hole.	**None**—no suitable habitat on site.
Allen's hummingbird *Selasphorus sasin*	—/—/AWL, USBC	Breeds in sparse and open woodlands, coastal redwoods, and sparse to dense scrub habitats.	**Moderate**—foraging and nesting habitat are both present in trees and scrub vegetation on site.

Common name *Scientific name*	Federal/State/Other status	Habitat	Current potential to occur on site
Least Bell's vireo *Vireo bellii pusillus*	FE, BCC/SE/USBC, AWL, ABC	Thickets of willow and other low shrubs afford nesting and roosting cover. Usually found near water, but also inhabits thickets along dry, intermittent streams.	**None**—no suitable habitat on site.
Mammals			
Pallid bat *Antrozous pallidus*	FSS, BLMS/SSC/ WBWG High	A wide variety of habitats is occupied, including grasslands, shrublands, woodlands, and forests from sea level to mixed conifer forests. Most common in open, dry habitats with rocky areas for roosting. Forages over open ground. Day roosts are in caves, crevices, mines, and occasionally in hollow trees and buildings. Roost must protect bats from high temperatures. Night roosts may be in more open sites, such as porches and open buildings. Needs water. Very sensitive to disturbance of roosting sites.	**Low**—foraging habitat is present but roosting would not occur on site.
Townsend's big-eared bat *Corynorhinus townsendii*	FSS, BLMS/SSC/WBWG High	Caves and buildings in desert scrub, pine and pinyon juniper habitats throughout the western U.S.	**Low**—foraging habitat is present but roosting would not occur on site.
Spotted bat *Euderma maculatum*	BLMS	Habitats occupied include arid deserts, grasslands and mixed conifer forests from below sea level in California to above 3000 m (10000 ft) in New Mexico. Feeds in flight, over water, and near the ground. Prefers to roost in rock crevices. Occasionally found in caves and buildings. Cliffs provide optimal roosting habitat. Drinks water, but has high ability to concentrate urine compared to bats of mesic habitats.	**Low**—foraging habitat is present but roosting would not occur on site.

Common name *Scientific name*	**Federal/State/Other status**	**Habitat**	**Current potential to occur on site**
Western mastiff bat *Eumops perotis californicus*	BLMS/SSC/WBWG High	Roosts in crevices in cliff faces, high buildings, trees and tunnels within many open, semi-arid to arid habitats, including conifer and deciduous woodlands, coastal scrub, grasslands, chaparral, *etc.*	**Low**—foraging habitat is present but roosting would not occur on site.
Hoary bat *Lasiurus cinereus*	—/—/WBWG Medium	Habitats suitable for bearing young include all woodlands and forests with medium to large-size trees and dense foliage. Generally roosts in dense foliage of medium to large trees. Preferred sites are hidden from above, with few branches below, and have ground cover of low reflectivity. Requires water. Prefers open habitats or habitat mosaics, with access to trees for cover and open areas or habitat edges for feeding.	**Low**—foraging habitat is present but roosting would not occur on site.
San Diego black-tailed jackrabbit *Lepus californicus bennettii*	—/SSC/—	Shrub habitats and intermediate canopy stages of shrub habitats and open shrub/herbaceous and tree/herbaceous edges.	**Moderate**—One San Diego black-tailed jackrabbit was observed on site during the 1993 site survey. No jackrabbits were observed during the 1998 or subsequent surveys, indicating that the level of disturbance to habitat on site may have resulted in the dispersal of this species onto more suitable habitat.
California leaf-nosed bat *Macrotus californicus*	FSS	Roosts in rocky, rugged terrain with mines or caves in riparian, wash, succulent scrub, alkali scrub and palm oasis habitats of deserts.	**Low**—foraging habitat is present but roosting would not occur on site.

Common name *Scientific name*	Federal/State/Other status	Habitat	Current potential to occur on site
Western small-footed myotis *Myotis ciliolabrum*	BLMS/—/WBWG Medium	A common bat of arid uplands in California. Coastal California from Contra Costa County to the Mexican border, and west and east sides of the Sierra Nevada, and Great Basin and desert habitats from Modoc to Kern and San Bernardino Counties It occurs in a wide variety of habitats, primarily in relatively arid wooded and brushy uplands near water from sea level to 8900 ft. Often seen foraging among trees and over water. Seeks cover in caves, buildings, mines, crevices, and occasionally under bridges and under bark. Separate night roosts may be used, and have been found in buildings and caves. Maternity colonies of females and young are found in buildings, caves, and mines. Requires water. Humid roost sites are preferred.	**Low**—foraging habitat is present but roosting would not occur on site.
Long-eared myotis *Myotis evotis*	BLMS/—/WBWG Medium	Widespread in California, but generally uncommon in most of its range. Occurring along the entire coast and in the Sierra Nevada, Cascades, and Great Basin from Oregon south through the Tehachapi Mts. to the Coast Ranges. Found in nearly all brush, woodland, and forest habitats, from sea level to at least 2700 m (9000 ft), but coniferous woodlands and forests seem to be preferred. Roosts in buildings, crevices, spaces under bark, and snags. Caves used primarily as night roosts. Roosts singly, or is found in fairly small groups. Nursery colonies of 12 – 30 individuals are found in buildings, crevices, snags, and behind bark. Probably requires water.	**Low**—foraging habitat is present but roosting would not occur on site.

Common name *Scientific name*	Federal/State/Other status	Habitat	Current potential to occur on site
Fringed myotis *Myotis thysanodes*	BLMS/—/WBWG High	Widespread in California, occurring in all but the Central Valley and Colorado and Mojave deserts. Irregular but may be common locally. Occurs in a wide variety of habitats from sea level to 2850 m (9350 ft). Optimal habitats are pinyon-juniper, valley foothill hardwood and hardwood-conifer, generally at 1300 – 2200 m (4000 – 7000 ft). Roosts in caves, mines, buildings, and crevices. Separate day and night roosts may be used. Maternity colonies of up to 200 individuals located in caves, mines, buildings, or crevices. Requires water. Uses open habitats, early successional stages, streams, lakes, and ponds as foraging areas.	**Low**—foraging habitat is present but roosting would not occur on site.
Long-legged myotis *Myotis volans*	BLMS/SSC/WBWG Medium	Restricted in California to lowlands of Colorado River and adjacent mountain ranges, in San Bernardino, Riverside, and Imperial Counties, although more common farther east. Once common; has experienced significant declines, and status in California is uncertain. Habitats occupied in California include desert scrub, desert succulent shrub, desert wash, and desert riparian. Colonial cave-dweller, occurring in colonies of several thousand individuals in most of its range. Mines and buildings also may be used. Hibernation caves have high humidity, often with standing or running water and little air movement. Uses temporary night roosts. Nursery colonies are in the hibernation cave or another cave. Occasionally other sites, such as bridges, are used. Optimal sites are relatively warm, with little human disturbance. Probably requires water.	**Low**—foraging habitat is present but roosting would not occur on site.

Common name *Scientific name*	**Federal/State/Other status**	**Habitat**	**Current potential to occur on site**
Yuma myotis *Myotis yumaensis*	BLMS/—/WBWG Low – Medium	Common and widespread in California outside the Mojave and Colorado Desert regions, except for the mountain ranges bordering the Colorado River Valley. Found in a wide variety of habitats ranging from sea level to 11000 ft., uncommon to rare above 8000 ft. Optimal habitats are open forests and woodlands with sources of water over which to feed. Roosts in buildings, mines, caves, or crevices, abandoned swallow nests and under bridges. Maternity colonies of several thousand females and young may be found in buildings, caves, mines, and under bridges. Warm, dark sites are preferred.	**Low**—foraging habitat is present but roosting would not occur on site.
San Diego desert woodrat *Neotoma lepida intermedia*	—/SSC/—	Moderate to dense canopies in coastal scrub of Southern California from San Diego County to San Luis Obispo County Particularly abundant in rock outcrops, rocky cliffs and slopes.	**Moderate**—suitable habitat is present, but woodrat nests have not been reported on site.
American badger *Taxidea taxus*	—/SSC/—	Drier, open stages of most shrub, forest, and herbaceous habitats with friable soils.	**Moderate**—despite the lack of records in the site vicinity, and one individual was observed during a biological survey in March 2016 and its burrow on the site was mapped suitable habitat is present, and this wide-ranging species is known to occur in the region.

Status abbreviations

Federal
FE: Federally listed as Endangered
FC: Federal Candidate species
BLMS: Bureau of Land Management Sensitive Species
FSS: USDA Forest Service Sensitive Species
BCC: Fish and Wildlife Service Birds of Conservation Concern

State
AWL: Audubon Watchlist
ST: State-listed as Threatened
CDF: California Department of Forestry and Fire Protection Sensitive Species
SSC: CDFW Species of Special Concern

Other
ABC: American Bird Conservancy Green List
USBC: United States Bird Conservation Watch List
WBWG: Western Bat Working Group: High, Medium and Low priority

Special-Status Wildlife Species Observed on Site

White-tailed kite (*Elanus leucurus*); California Fully Protected.

White-tailed kites most commonly occur near mature riparian habitat, where mature riparian-associated trees provide suitable nesting habitat. This species is relatively common to the area, but in small numbers. Two kites were observed foraging over the site during the spring 1998 surveys and this species was also detected in the vicinity during CAGN surveys in 2021. The open space on the Project site provides foraging habitat, but nesting habitat is not present.

Cooper's hawk (*Accipiter cooperii*); California Species of Special Concern.

This small hawk hunts small birds in flight and is most commonly associated with woodland habitat for nesting and roosting. The open space on and adjacent to the Project site serves as suitable foraging habitat, and Cooper's hawks have been observed to forage on site during the breeding season as recently as in 2018, 2019, and during CAGN surveys in 2021. However, suitable nesting habitat comprised of dense oak or riparian woodlands is not present on site.

Yellow-breasted chat (*Icteria virens*); California Species of Special Concern.

Yellow-breasted chats are occasional winter and spring migrants in the region, most commonly occurring in dense riparian habitat. A single chat was observed on site during the spring 1998 surveys. As mature willow riparian habitat is not present on the site, it is assumed that the observed bird was a transient.

Loggerhead shrike (*Lanius ludovicianus*); Federal Species of Concern, California Species of Special Concern.

The loggerhead shrike is a predator of insects, small rodents, and reptiles. Steady declines in populations in the Midwest and eastern United States have led to the loggerhead shrike's federal and state status, although Southern California populations have remained stable. This species was observed during the 1993, 1998, 2007, and 2011 surveys. Nesting and foraging habitat is present for the loggerhead shrike on the site. However, no nests have been observed.

Southern California rufous-crowned sparrow (*Aimophila ruficeps canescens*); Federal Species of Concern, California Species of Special Concern.

The Southern California rufous-crowned sparrow is commonly associated with coastal sage scrub communities in Southern California. Optimal habitat consists of low density shrub associations on south-

facing slopes adjacent to grasslands. This bird was observed on the Project site during the spring 1998 surveys and during CAGN surveys in 2021. Suitable nesting habitat is present on the site.

Coastal cactus wren (*Campylorhynchus brunneicapillus couesi*); California Species of Special Concern.

The coastal cactus wren typically inhabits coastal sage scrub vegetation with thickets of prickly pear or cholla cactus. This species was heard calling on site during the 2005 and 2021 CAGN surveys. Nests and suitable habitat are present in the coast prickly pear scrub adjacent to and north of the Project site.

Coastal California gnatcatcher (*Polioptila californica californica*); Federally Listed Threatened, California Species of Special Concern.

A site known to be occupied by CAGN is situated approximately 1-mile east of the subject property. USFWS requires that focused (protocol) surveys be conducted where suitable habitat (coastal sage scrub) exists on Project sites within this species' range. To determine the presence or absence of CAGN on the Project site, surveys following USFWS protocol guidelines were completed in 1998, 2000, 2003, 2005, 2009, 2011, 2016 and 2021. In 1998, 2003, 2005, and 2011 no CAGN were observed or detected. In 2000 a single CAGN was observed on a single occasion. As previously discussed, brush fires have occurred on site over the years, initially reducing the potential habitat for CAGN. By 2019, some of this scrubland habitat had regrown, and with the Easy Fire of late 2019 having burned suitable habitat to the south and east, this habitat on Hitch Ranch may have become attractive to surviving individuals or pairs seeking for new habitat. In 2021, a USFWS protocol survey for CAGN was conducted that consisted of six surveys. During these surveys, CAGN were observed within the disturbed California sagebrush-deerweed scrub on the Project site. The individuals, including a pair, were observed onsite that were presumed to be nesting within the undisturbed habitat offsite to the north. No nests were observed on site and this species is not expected to nest on site due to the disturbed condition of the habitat from previous fires that scorched the property and active cattle grazing. Refer to **Appendices 3.3-C**, **3.3-D, and 3.3-E, Gnatcatcher Surveys**.

San Diego black-tailed jackrabbit (*Lepus californicus bennettii*); Federal Species of Concern, California Species of Special Concern.

The San Diego black-tailed jackrabbit was observed in the California sagebrush-deerweed habitat on the Project site during the 1993 survey. While there is little scientific data available on the habitat requirements of this subspecies, much of its historic range along the coastal plain of Southern California has been lost. Remaining populations of this hare are now widely scattered and the remnant populations are substantially smaller. Although the site supports suitable habitat for this species, no jackrabbits have been observed during subsequent biological surveys since 1993, indicating that the level of disturbance to habitat on site may have resulted in the dispersal of this species onto more suitable habitat.

Jurisdictional Water Resources

A jurisdictional delineation field survey was conducted by Rincon (included as **Appendix 3.3-I** to this EIR) on December 30, 2019 and May 26, 2021 (Rincon Senior Biologist Robin Murray) that included walking the entire study area to identify potentially jurisdictional resources, including potential wetlands and non-wetland waters that exhibit an ordinary high-water mark (OHWM) and that may constitute WOTUS, waters of the State, and/or riparian resources subject to the jurisdiction of the CDFW.

Literature Review

Prior to the field survey, Rincon reviewed available background information and published datasets to understand the environmental setting and context of the study area to aide in characterizing the nature and extent of jurisdictional waters potentially occurring on the subject site. These existing resources included aerial imagery depicting the study area (Google Earth 2019), the most recent Moorpark, California USGS 7.5-minute topographic quadrangle map[16], and the Web Soil Survey.[17] The National Hydrography Dataset[18] and the National Wetlands Inventory (NWI)[19] were reviewed to determine if any potential wetlands and/or other waters had been previously mapped on or in the vicinity of the proposed Project site. The State Soils Data Access (SDA) Hydric Soils List[20] was also reviewed to determine if any soil map unit types mapped on or near the study area were classified as hydric. Rincon also reviewed precipitation records for the area to understand typical precipitation patterns and average annual precipitation totals.

Field Delineation

Rincon surveyed the study area on foot for potential wetlands and non-wetland aquatic resources including streams that might exhibit an OHWM and that might constitute waters of the U.S. and/or State. During the field delineation, the general site characteristics and dominant vegetation on the Project site were noted. Current federal and state policies, methods and guidelines were used to identify and delineate potential jurisdictional areas and are described in detail below.

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16 United States Geological Survey (USGS) 7.5-minute topographic quadrangle, accessed via Google Earth. January 2020

17 United States Department of Agriculture, Natural Resources Conservation Service. 2020. Soil Survey Ventura Area, California. Available at: https://websoilsurvey.nrcs.usda.gov/app/WebSoilSurvey.aspx.

18 United States Geological Survey. 1978. Hydrologic Unit Code Number https://viewer.nationalmap.gov/basic/?basemap=b1&category=nhd&title=NHD%20View, accessed January 2020

19 United States Fish and Wildlife Service. 2020. National Wetland Inventory Data Mapper Available at: https://www.fws.gov/wetlands/Data/Mapper.html.

20 United States Department of Agriculture, Natural Resources Conservation Service. 2020. State Soils Data Access (SDA) Hydric Soils List: California. Available at https://www.nrcs.usda.gov/Internet/FSE_DOCUMENTS/nrcseprd1316619.html.

Non-Wetland Waters of the United States

The lateral limits of USACE jurisdiction (i.e., width) for non-wetland waters were determined by the presence of physical characteristics indicative of the OHWM. The OHWM was identified in accordance with the applicable Code of Federal Regulations (CFR) sections (33 CFR 328.3 and 33 CFR 328.4) and Regulatory Guidance Letter 05-05[21], as well as in reference to various relevant technical publications, including, but not limited to: Review of Ordinary High Water Mark Indicators for Delineating Arid Streams in the Southwestern United States[22], Distribution of Ordinary High Water Mark (OHWM) Indicators and Their Reliability in Identifying the Limits of "Waters of the United States" in Arid Southwestern Channels[23], and A Field Guide to Identification of the OHWM in the Arid West Region of the United States.[24] The regulations were also reviewed in the determination of non-jurisdictional features including ephemeral drainages, artificially irrigated areas and roadway ditches excavated in uplands.

Additionally, Rincon evaluated sources of water, potential connections, and distances to Traditional Navigable Waters (TNWs), streams that are perennial or intermittent in nature and other factors that affect whether waters qualify as WOTUS under the pre-2015 regulations and guidance. A more detailed regulatory definition of USACE jurisdiction can be found in **Appendix 3.3-I, Attachment B**.

Wetland Waters of the United States

Potential wetland features were evaluated for presence of wetland indicators; specifically, hydrophytic vegetation, hydric soils, and wetland hydrology, according to routine delineation procedures within the Wetlands Delineation Manual[25] and Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Arid West Region.[26] The USACE Arid West 2018 Regional Wetland Plant List was used to

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21 United States Army Corps of Engineers. 2005. Regulatory Guidance Letter No. 05-05: Ordinary High-Water Mark Identification. U.S. Army Corps of Engineers. Washington, D.C.

22 United States Army Corps of Engineers. 2004. Review of Ordinary High-Water Mark Indicators for Delineating Arid Streams in the Southwest United States. Technical Report ERDC TR-04-1. U.S. Army Engineer Research and Development Center, Cold Regions Research and Engineering Laboratory. Hanover, New Hampshire.

23 United States Army Corps of Engineers. 2008. Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Arid West Region (Version 2.0). United States Army Corps of Engineers Research and Development Center. Vicksburg, MS. September.

24 United States Army Corps of Engineers. 2008. A Field Guide to the Identification of the Ordinary High Water mark (OHWM) in the Arid West Region of the Western United States. Technical Report ERDC/CRREL TR-08-12. U.S. Army Engineer Research and Development Center, Cold Regions Research and Engineering Laboratory. Hanover, New Hampshire.

25 United States Army Corps of Engineers. Environmental Laboratory. 1987. Technical Report Y-97-1. In: United States Army Corps of Engineers Wetlands Delineation Manual. United States Army Corps of Engineers Waterways Experiment Station. Vicksburg, MS.

26 United States Army Corps of Engineers. 2008. Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Arid West Region (Version 2.0). United States Army Corps of Engineers Research and Development Center. Vicksburg, MS. September.

determine the wetland status of the examined vegetation by the following indicator status categories: Upland (UPL), Facultative Upland (FACU), Facultative (FAC), Facultative Wetland (FACW), and Obligate Wetland (OBL).[27] Representative sample points were sited in aeras most likely to exhibit wetland characteristics, i.e., a prevalence of hydrophytic vegetation and suitable landform, and examined in the field for potential wetland indicators. Sample points were not conducted in areas with an obvious prevalence of upland vegetation or in areas where the landform would not support wetland features, i.e., concrete channels and sloped areas. A more detailed regulatory definition of USACE jurisdiction can be found in **Appendix 3.3-I, Attachment B**.

Waters of the State

The limits of "waters of the State," as defined under the Porter-Cologne Water Quality Control Act, are any surface water or groundwater, including saline waters, within the boundaries of the state. In those areas where a OHWM was present, the OHWM was determined to represent the limits of waters of the State based on current interpretation of jurisdiction by the Los Angeles RWQCB. In those areas where an OHWM was not present, but surface water was present, i.e., roadside ditches that are hydrologically connected to tributaries and TNWs, the limits of waters of the State were determined to be bounded by the top of slope or top of "bank."

Potential State wetland features were evaluated pursuant to the State Water Resources Control Board's (SWRCB) State Wetland Definition and Procedures for Discharges of Dredged or Fill Material to Waters of the State (SWRCB 2019). Potential state wetlands were evaluated following the SWRCB's definition, which relies on the same three parameters as the USACE definition (hydrophytic vegetation, wetland hydrology, and hydric soils) but allows for naturally unvegetated areas meeting the other two parameters to be considered wetlands. A more detailed regulatory definition of RWQCB jurisdiction can be found in **Appendix 3.3-I, Attachment B**.

CDFW Streambeds

The extent of potential streambeds, streambanks, lakes and riparian habitat subject to CDFW jurisdiction under Sections 1600 et seq. of the California Fish and Game Code was delineated by reviewing the topography and morphology of potentially jurisdictional features to determine the outer limit of riparian vegetation, where present, or the tops of banks for stream features. A more detailed regulatory definition of CDFW jurisdiction can be found in **Appendix 3.3-I, Attachment B**.

[27] Lichvar, R.W. et al. The National Wetland Plant List: 2016 wetland ratings. Phytoneuron 2016-30: 1–17. Published 28 April 2016.

Ventura County

Potential redline channels were evaluated, specifically those channels that Ventura County has determined to convey about 500 cubic feet per second or more in a 100-year runoff event. A list of redline channels that were adopted in 1994 by the Ventura County Watershed Protection District were reviewed (Ventura County 2019). For the purposes of this report, the jurisdictional limits of redline channels were determined to be coterminous with USACE jurisdiction since Ventura County does not have guidance on extent of jurisdiction. A more detailed regulatory definition of Ventura County Watershed Protection District jurisdiction can be found in **Appendix 3.3-I, Attachment B**.

Data Collection and Processing

Data points representing the top of bank, OHWM, and other observation points were mapped using a Trimble R1 Global Positioning System (GPS) with sub-meter accuracy and were also plotted on aerial photographs. The data were subsequently transferred to Rincon's geographic information system (GIS) and used in combination with recent, high resolution aerial photographs and, topographic datasets to map the extent of streams in the study area. The delineation data were used to produce **Figure 3.3-3, Figure 3.3-4,** and **Figure 3.3-5, Potential Jurisdictional Areas within the Study Area**. Representative photographs of delineated features and surrounding conditions are presented in **Appendix 3.3-I, Attachment C**.

Field Results

Based upon the findings of Rincon's jurisdictional delineation, the intermittent storm drain channel Walnut Canyon Channel, one unnamed ephemeral drainage (Drainage 1), and one unnamed erosional feature (Erosional Feature 1) are present in the study area. These features are depicted on **Figures 3.3-3, 3.3-4,** and **3.3-5**.

Walnut Canyon Channel

The Walnut Canyon Channel is a rectangular concrete-lined drainage channel that extends along the southern edge of the study area. It is classified by the National Wetland Inventory (NWI)[28] as a R4SBCx drainage (riverine, intermittent streambed, seasonally flooded, excavated). Constructed in 1962 (Ventura Countywide Stormwater Quality Management Program 2021), the Walnut Canyon Channel is also considered a redline stream by the Ventura County Watershed Protection District (VCWPD). Stormwater and runoff flows from residential developments and a natural drainage enter Walnut Canyon Channel north of the study area. Within the study area, the drainage flows from east to west, paralleling Poindexter

[28] United States Fish and Wildlife Service. 2020. National Wetland Inventory Data Mapper Available at: https://www.fws.gov/wetlands/Data/Mapper.html

Avenue. West of the study area, the drain travels in a southwesterly direction, until it connects to Arroyo Las Posas approximately 2.5 miles southwest of the study area. Arroyo Las Posas converges with Calleguas Creek, which then flows south to Mugu Lagoon, and ultimately to the Pacific Ocean. Based on its position within the watershed, it appears likely that the feature was a natural drainage prior to its excavation and channelization. VCWPD is responsible for the on-going maintenance for flood control purposes of the Walnut Canyon Channel; there is an existing 25' easement in favor of VCWPD on Project Site, and additional records indicate that there is a 15' wide easement on the railroad property in favor of VCWPD (for a total easement corridor width of 40'). VCWPD also maintains an access road within their easement.

The Walnut Canyon Channel contains a distinct OHWM, bed, and banks, which were defined by the break in slope. The OHWM and top of bank measure eight feet wide, with the top of bank measuring five feet above the concrete-lined bed of the channel. Water was present in the drain during the May 26, 2021 survey, suggesting the feature transmits flows on an intermittent basis. The water appeared to be fed by runoff from the upstream residential developments. Walnut Canyon Channel is likely subject to regulations by the USACE and RWQCB under Sections 404 and 401 of the CWA, respectively, as well as CDFW pursuant to Section 1600 et seq. of the CFGC (refer to **Figure 3.3-3, Potential Jurisdictional Areas within the Study Area,** and **Figure 3.3-5, Potential Jurisdictional Areas within the Study Area with Site Plan Overlay**).

Unnamed Drainage 1

Drainage 1 is an ephemeral drainage that experiences surface flow during the winter/wet season and during storm events. It is classified by the NWI as a R4SBC drainage (riverine, intermittent streambed, seasonally flooded). Within the northern portion of the drainage, a clearly incised channel with steeply defined bed and banks was observed. An OHWM was discernible within Drainage 1, and was mapped based on the presence of shelving, sediment and debris deposits, and matted vegetation indicating ordinary hydrologic flows associated with rain events. As the feature flows downstream into lower elevations and gradient, defined banks become less incised and recognizable, though transport of sediment within the feature remained consistent throughout its length. Drainage 1 flows south and converges with the Walnut Canyon Channel.

The bed of the channel is largely unvegetated and consists of coarse sand. The banks of the channel are primarily vegetated by annual brome grassland, which is contiguous with the surrounding landscape in its vicinity. This community is dominated by non-native grasses and forbs, including ripgut brome (*Bromus diandrus*), soft chess (*Bromus hordeaceus*), red brome (*Bromus madritensis*), slender oat (*Avena barbata*), fennel (*Foeniculum vulgare*), Italian thistle (*Carduus pycnocephalus*), tocalote (*Centaurea melitensis*), black mustard (*Brassica nigra*), red stem filaree (*Erodium cicutarium*), horehound (*Marrubium vulgare*), and turkey mullein (*Croton setiger*). Within the northern portion of the drainage, it is vegetated by non-native woodland

dominated by blue gum eucalyptus (*Eucalyptus globulus*), with an herbaceous layer of annual brome grassland. As the drainage flows south, it parallels a windrow of Peruvian pepper trees (*Schinus molle*), with an herbaceous layer of annual brome grassland.

Soft chess and horehound are ranked as FACU species, and red brome is ranked as an UPL species.[29][30] The remaining dominant plant species within the annual brome grassland observed along the banks of the drainage do not have a wetland indicator status. Based on the dominance of upland plant species throughout the drainage and the soils consisting of coarse sand, Drainage 1 is not considered a wetland.

Under the pre-2015 regulations and guidance, ephemeral features are within USACE jurisdiction if they possess a significant nexus to a TNW. Based on the hydrologic connectivity of Drainage 1 to Calleguas Creek, a TNW, it is expected that Drainage 1 is subject to USACE, RWQCB and CDFW jurisdiction (refer to **Figure 3.3-4, Potential Jurisdictional Areas within the Study Area, Drainage 1 and Figure 3.3-5, Potential Jurisdictional Areas within the Study Area with Site Plan Overlay**).

Erosional Feature 1 (Non-jurisdictional)

Erosional Feature 1 originates at the northern boundary of the property, near the southern terminus of Meridian Hills Drive, which is situated directly north of the property boundary. It is not mapped by the NWI.[31] The feature originates at a culvert outfall, and travels in a southerly direction into the study area. Erosional Feature 1 is very steeply incised in the north, but quickly becomes less defined as the surrounding topography becomes less steep and abates into the landscape after approximately 500 feet. No indicators of hydrophytic vegetation or hydric soils were evident. The erosional feature may briefly convey flow from upland areas during storm events over a short period of time, but it does not exhibit a defined bed, bank, channel, or OHWM indicative of a jurisdictional drainage feature. Review of historical aerial photographs confirms that the feature was not present prior to 2005, when Meridian Hills Drive was constructed. Therefore, Erosional Feature 1 is not expected to be subject to USACE, RWQCB, and CDFW jurisdictions.

Summary of Jurisdictional Areas and Wetland Classification

Potentially jurisdictional areas within the study area are identified below in **Table 3.3-5, USACE, RWQCB, and CDFW Jurisdictional Areas**, and shown on **Figures 3.3-3** through **3.3-5**.

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[29] Lichvar, R.W. et al. The National Wetland Plant List: 2016 wetland ratings. Phytoneuron 2016-30: 1–17. Published 28 April 2016.

[30] United States Army Corps of Engineers. 2017. National Wetland Plant List. Website. Available at: http://rsgisias.crrel.usace.army.mil/NWPL/

[31] United States Fish and Wildlife Service. 2020. National Wetland Inventory Data Mapper Available at: https://www.fws.gov/wetlands/Data/Mapper.html

Table 3.3-5
USACE, RWQCB, and CDFW Jurisdictional Areas

Waters of the U.S.[1]				
Feature	**Non-wetland Waters of the U.S. (acres/linear feet)**	**Wetland Waters of the U.S. (acres/linear feet)**	**Waters of the State (acres/linear feet)**	**CDFW Jurisdictional Streambed[2] (acres/linear feet)**
Walnut Canyon Channel	1.02 acre / 4,996 feet	--/--	1.02 acre / 4,996 feet	1.02 acre / 4,996 feet
Unnamed Drainage 1	0.30 acre / 1,755 feet	--/--	0.30 acre / 1,755 feet	1.06 acre / 1,755 feet
Erosion Feature 1	--/--	--/--	--/--	--/--
Totals	**1.32 acre / 6,751 feet**	**--/--**	**1.32 acre / 6,751 feet**	**2.08 acre / 6,751 feet**

[1] Calculated to OHWM

[2] Calculated to top of bank

Source: Rincon Consultants, Inc., June 2021

As discussed in above and summarized below in **Table 3.3-6, Data Summary by Waters Feature, Routine Wetland Determination,** no wetlands have been identified on the Project site.

Table 3.3-6
Data Summary by Waters Feature
Routine Wetland Determination[1]

Aquatic Resource	Area	Cowardin Class[2]	Wetland Indicator Summary
Walnut Canyon Channel	1.02 acre / 4,996 feet	Riverine intermittent streambed, seasonally flooded, excavated (R4SBCx)	• Hydrophytic vegetation absent • No hydric soils • Hydrology[3] (A1, B1)
Unnamed Drainage 1	0.30 acre / 1,755 feet	Riverine intermittent streambed, seasonally flooded (R4SBC)	• Hydrophytic vegetation absent • No hydric soils • Hydrology[3] (B2, B3, B10)

1 USACE Wetland Delineation Manual, January 1987, https://usace.contentdm.oclc.org/digital/collection/p266001coll1/id/4532/

2 https://www.fws.gov/wetlands/documents/classification-of-wetlands-and-deepwater-habitats-of-the-united-states.pdf

3 Wetland hydrology indicators, https://www.sas.usace.army.mil/Portals/61/docs/regulatory/Workshop_Hydrology_Fall2011.pdf

A1 – Surface Water

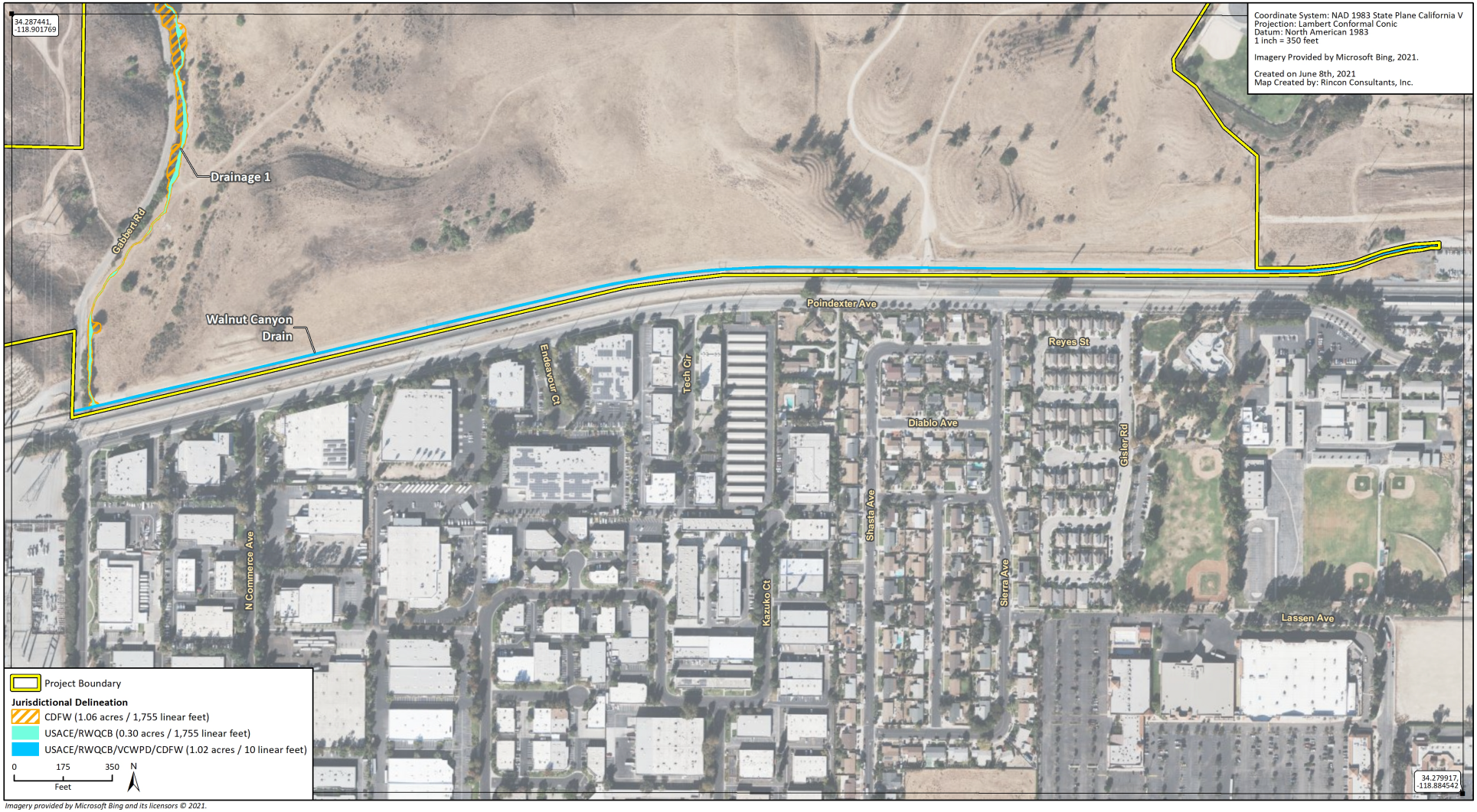
B1 -Water Marks

B2 – Sediment Deposits

B3 – Drift Deposits

B10 – Drainage Patterns

Source: Rincon Consultants, Inc., June 2021

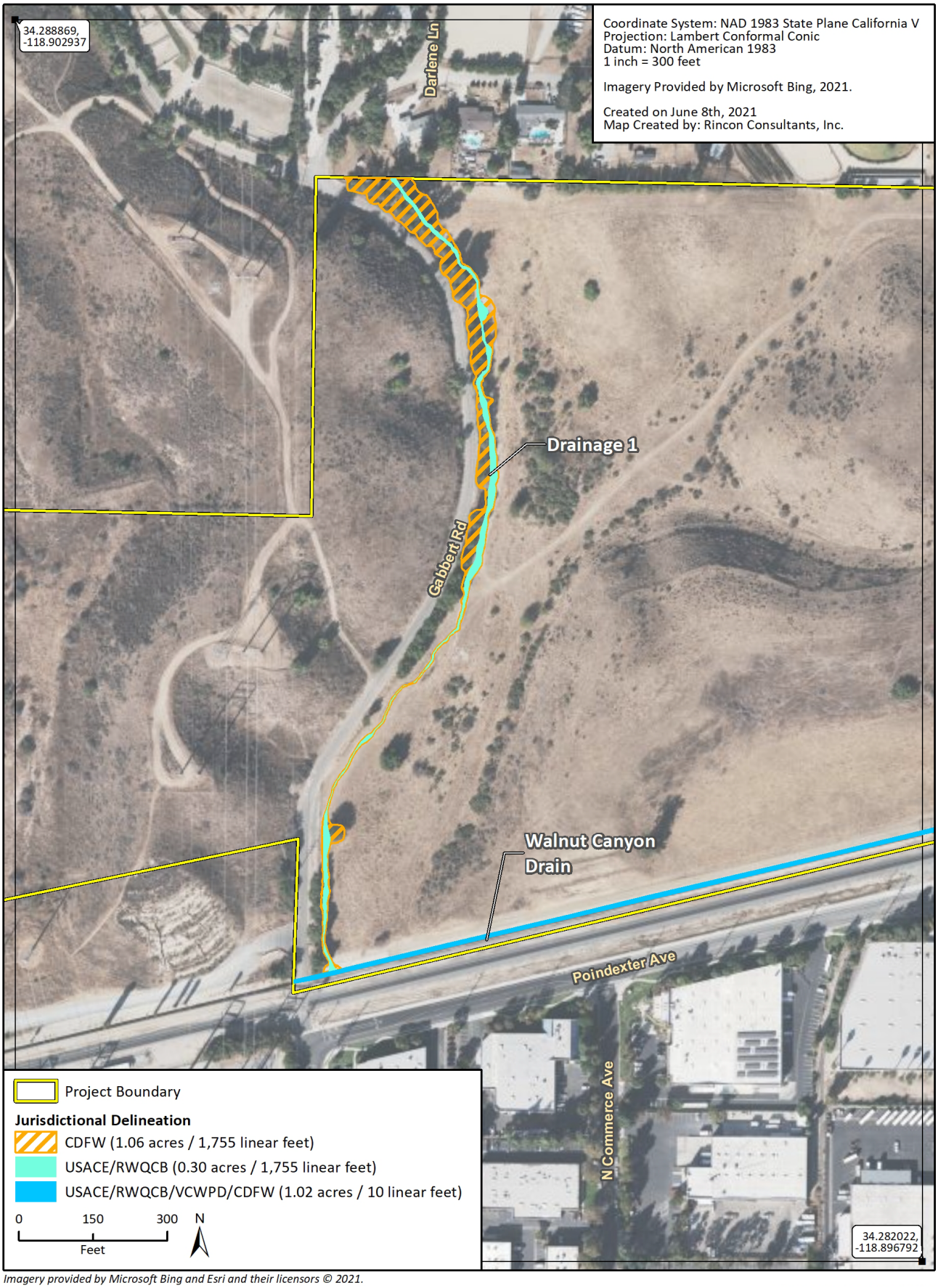


SOURCE: Rincon Consulting, November 2021.

FIGURE **3.3-3**

IMPACT SCIENCES

Potential Jurisdictional Areas within the Study Area - Walnut Canyon Drain



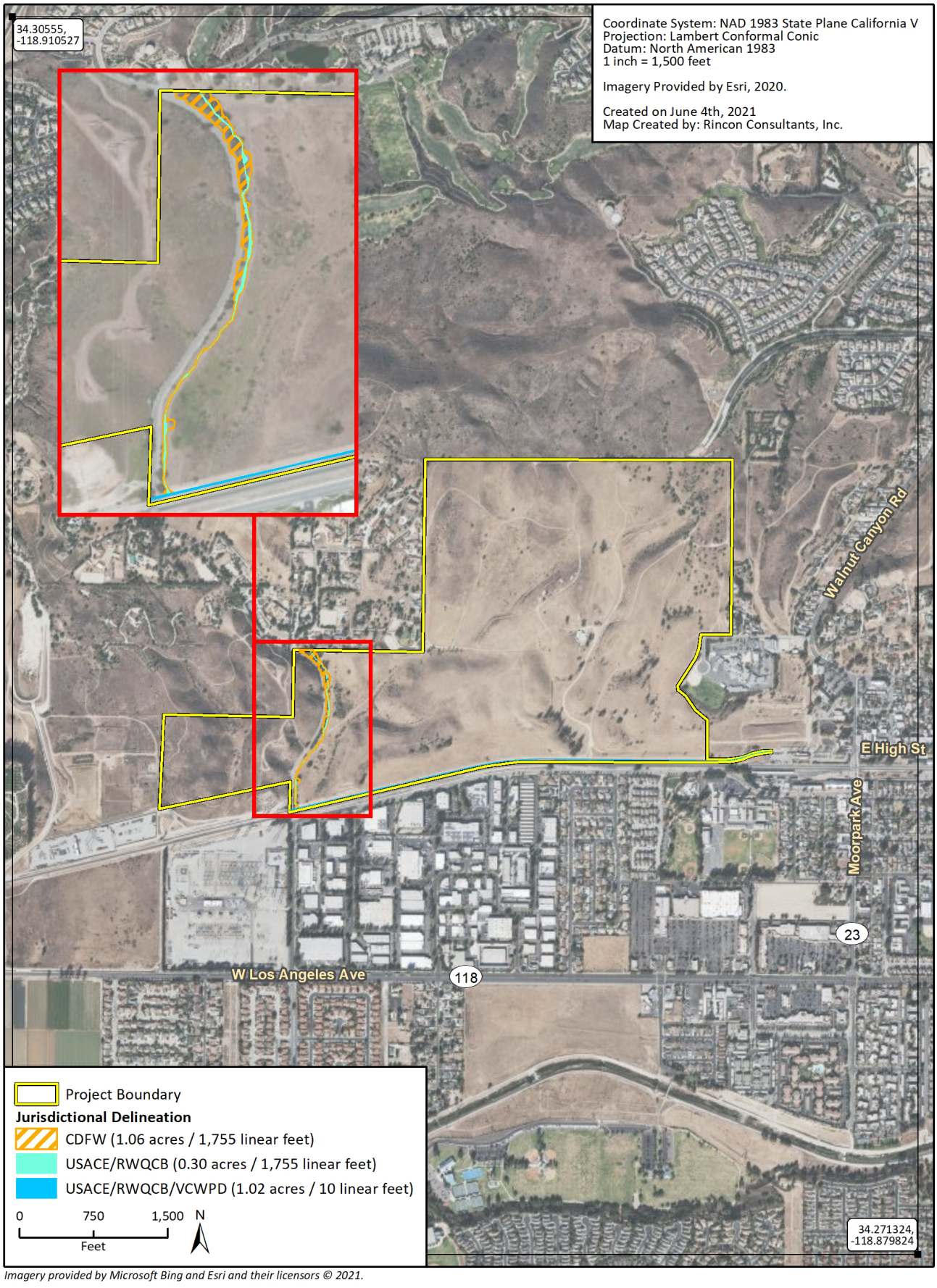
Imagery provided by Microsoft Bing and Esri and their licensors © 2021.

SOURCE: Rincon Consulting, November 2021.

FIGURE **3.3-4**

IMPACT SCIENCES

Potential Jurisdictional Areas within the Study Area - Drainage 1



Imagery provided by Microsoft Bing and Esri and their licensors © 2021.

SOURCE: Rincon Consulting, November 2021.

FIGURE **3.3-5**

IMPACT SCIENCES

Potential Jurisdictional Areas within the Study Area with Project Site Overlay

1318.004•11/2021

3.3.4 THRESHOLDS OF SIGNIFICANCE

Appendix G of the *State CEQA Guidelines* contains the Initial Study Environmental Checklist form that includes questions relating to biological resources. The criteria presented in the Initial Study Checklist have been used as thresholds of significance to assess the project's impacts to biological resources. Accordingly, a project may create a significant environmental impact if one or more of the following occurs:

- The project has 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.

- The project has a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations of the CDFW or USFWS.

- The project has a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, *etc.*) through direct removal, filling, hydrological interruption, or other means.

- The project interferes substantially with the movement of any native or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impedes the use of native wildlife nursery sites.

- The project conflicts with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.

- The project conflicts with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

In addition to the above criteria, *State CEQA Guidelines* Section 15065(a), Mandatory Findings of Significance, states that a project may have a significant effect on the environment if "… the project has the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of an endangered, rare or threatened species …" These mandatory findings of significance are considered in assessing the project's impacts on biological resources.

The following is an evaluation of whether proposed impacts to biological resources are significant, considering how each resource is important in a regional or local context. "Significant" impacts are those that would substantially diminish, or result in the loss of, an important biological resource or those impacts

that would conflict with local, state, or federal resource conservation plans, goals, or regulations. Impacts are sometimes locally adverse, but not significant, because, although they would result in an adverse alteration of existing conditions, they would not substantially diminish or result in the permanent loss of an important resource on a population or regional level.

State CEQA Guidelines Section 15380 states that a lead agency shall consider a non-listed species to be rare or endangered for the purposes of CEQA, if the species can be determined to meet the applicable criteria established in the section. For the purposes of this impact analysis, the current scientific knowledge on the population size and distribution for each special-status species was considered, as instructed in the *State CEQA Guidelines* Section 15380.

3.3.5 PROJECT IMPACTS

3.3.5.1 Direct Impacts

Impact Bio-1 **Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service.**

Less than Significant with Mitigation

Summary of Biological Resource Values

Based on an evaluation using the criteria described below, on-site plant communities were assigned one of three biological values: low, moderate, or high. To assess the quality of the biological resources present within the Project site boundaries, the habitats on site were compared to habitats in open space in the vicinity or region. Four criteria were employed to complete this assessment: disturbance history (undisturbed sites rated higher than disturbed sites), parcel size (larger parcels tend to support greater numbers of species and populations than smaller sites), surrounding environment (higher values when the surrounding environment has a buffering influence rather than a disturbing influence), and presence of sensitive resources (a higher value is placed on the support of a sensitive resource because the sensitive resource would likely not occur if environment has been significantly altered in a negative way).

Disturbance History

The Project site was subject to nearly complete disturbance by row crop farming operations until the mid-1980s. The site was graded into terraces for orchards in areas, and disked repeatedly for hay or other crops in other areas. Livestock grazing has also occurred on the site. The result of these disturbances is the

nearly complete conversion of the natural vegetation into non-native associations of ruderal species. These plant associations have limited biological resource value, compared to undisturbed, high-quality native associations. The majority of the Project site burned in both the 2003 and 2006 brush fires, diminishing the small quantity of mature coastal sage scrub habitat that was present on the site. Some of this vegetation community has regrown, but includes numerous invasive species in the understory.

Parcel Size and Surrounding Environment

The Project site totals approximately 277.30 acres, constituting a relatively large parcel of undeveloped land in the City of Moorpark. As stated previously, the site is surrounded on each of its sides by some development. Development to the south is very dense, and adjacent lands to the east and west are mixed rural residential, institutional, open space, and agriculture. A residential development is currently under construction to the northeast of the Project site.

A parcel of this size in a natural state and surrounded by other natural open space areas would have a high biological resource value. However, because the proposed Project site supports mostly non-native vegetation on disturbed lands and is bordered by development on all sides, its biological resource value with respect to the parcel size criterion is low.

Presence of Special-Status Resources

The special-status plant community present on the site is the locally important California sagebrush-deerweed, which is included in the coastal sage scrub community. Mature trees that occur within the non-native woodland and other areas of the site are protected under City of Moorpark ordinance. Seven bird species and one mammal species considered special-status were recorded on the site during past and present biological surveys. These were observed in low numbers and usually outside of any identified sensitive period of their life histories, as identified by CDFW[32] or when seen during nesting season, a nest was not identified. Due to the disturbed nature of the site, few special-status plants and animals are expected to rely on the site in the future as an important part of their home range. With the exception of providing open foraging habitat for raptors, habitat quality for other sensitive species is low.

Biological Resource Values

The analysis of impacts to biological resources focuses on the following actions or activities associated with project implementation:

32 California Department of Fish and Wildlife. 2017. Special Animals List.

- permanent impacts associated with clearing and grading activities; and
- permanent construction of suburban lots, industrial, and institutional buildings, flood control facilities, detention basins, recreational areas, roads (including the North Hills Parkway extension stub west of Gabbert Road), parks, and other facilities and structures associated with the proposed project.

Since plants and wildlife are dependent upon the condition, extent, and character of specific ecosystems and habitat types, impacts to these resources are generally discussed in terms of the effect of project-related activities on natural habitat areas (*i.e.*, on plant communities). However, direct impacts with respect to specific plant and wildlife resources (*e.g.*, active nests, dens, and individual plants and animals) are also evaluated and discussed when impacts to these resources, in and of themselves, could be considered significant or conflict with local, state, and federal laws or regulations.

Plant and Vegetation Types

The evaluation of on-site plant communities according to the criteria described above are summarized in **Table 3.3-7, Biological Resource Values of Plant Communities—Hitch Ranch Property**. Annual brome grassland and non-vegetated areas (i.e., developed and disturbed/disced) are considered to have a low biological resource value. Although substantially disturbed by ongoing cattle grazing, the following plant communities have a moderate biological value for supporting wildlife: California sagebrush-deerweed, blue elderberry scrub, cactus scrub, and chaparral yucca scrub, and non-native woodland areas provide suitable habitat for nesting birds.

Table 3.3-7
Biological Resource Values of Plant Communities
Hitch Ranch Property

Plant Community	Relative Biological Value
Annual brome grassland	Low
Annual brome grasslands (Disturbed/Grazed)	Low
Total annual brome grassland	**Low**
Non-native woodland	**Low**
Blue Elderberry Stands	Moderate
Blue Elderberry Stands (Disturbed/Grazed)	Low
Total blue elderberry stands	**Low-Moderate**
California sagebrush-deerweed scrub	High
California sagebrush-deerweed scrub (Disturbed/Grazed)	Low-Moderate
Total California sagebrush-deerweed scrub	**Moderate**
Cactus Scrub (Disturbed/Grazed)	**Moderate**
Chaparral yucca scrub (Disturbed/Grazed)	**Moderate**
Developed	**Low**
Disturbed/Disced	**Low**

Source: Rincon Consultants, Inc., July 2021

The direct impact of implementation of the proposed project converts approximately 79 percent of the vegetated area on the site (including disturbed/disced areas) from an undeveloped to a developed condition, as a result of brush clearance, grading, and construction. Analysis of direct impacts assumes a maximum buildout scenario, as proposed for this project. Areas of each plant community expected to be disturbed on the site as a result of the project are provided in **Table 3.3-8, Natural Plant Communities Impacted by Project Implementation**. Impacts to each of these plant communities are described in the following paragraphs.

Table 3.3-8
Natural Plant Communities Impacted by Project Implementation

Plant Community	Relative Biological Value	Total Acres* Present	Acres* Disturbed	Acres* Remaining On Site
Annual brome grassland	Low	1.35	0.00	1.35
Annual brome grasslands (Disturbed/Grazed)	Low	152.45	131.88	0.00
Total annual brome grassland	**Low**	**153.80**	**131.88**	**20.57**
Non-native woodland	**Low**	**10.65**	**9.76**	**0.88**
Blue Elderberry Stands	Moderate	1.62	0.00	1.62
Blue Elderberry Stands (Disturbed/Grazed)	Low	5.38	5.29	0.09
Total blue elderberry stands	**Low-Moderate**	**7.00**	**5.29**	**1.71**
California sagebrush-deerweed scrub	High	26.21	2.36	23.85
California sagebrush-deerweed scrub (Disturbed/Grazed)	Moderate	12.92	12.19	0.73
Total California sagebrush-deerweed scrub	**Moderate-High**	**39.13**	**14.55**	**24.58**
Cactus Scrub (Disturbed/Grazed)	**Moderate**	**1.76**	**0.08**	**1.68**
Chaparral yucca scrub (Disturbed/Grazed)	**Moderate**	**0.43**	**0.00**	**0.43**
Developed	**Low**	**1.44**	**1.44**	**0.00**
Disturbed/Disced	**Low**	**70.53**	**63.16**	**7.37**

** Acreages include the Project site and off-site improvement areas*

Source: Rincon Consultants, Inc., July 2021

Annual Brome Grassland

Implementation of the proposed project would result in the direct loss of 131.88 acres (85.7 percent) of non-native annual brome grassland communities on site, including annual brome grassland and annual brome grassland that is disturbed by cattle grazing. These communities are not known to support rare, threatened, or endangered plant or animal species on the site. Annual brome grassland communities can provide foraging habitat for several raptor species, and breeding habitat for some small mammal species.

A migratory individual of loggerhead shrike was observed within annual brome grassland vegetation in July 2011; however, due to the presence of additional annual brome grasslands in the vicinity of the site,

the loss of these annual brome grassland habitat areas is not considered a substantial loss of nesting or foraging habitat for birds. As a result of the severely disturbed nature of the grassland on the site and the dominant presence of non-native species, the grassland vegetation on the site has relatively low botanical value. Any special-status plant species occurring in these areas are expected to occur in low numbers due to the high level of disturbance of this habitat. The project-associated loss of annual brome grassland with relatively low botanical value is not expected to substantially affect special-status resources or cause a population of plant or animal species to drop below self-sustaining levels. Therefore, the overall loss of annual brome grassland habitat on the site is not a significant impact.

Blue Elderberry Stands

Development of proposed land uses would eliminate 5.29 acres (98 percent) of the disturbed/grazed blue elderberry stand habitat on site, which is substantially disturbed by active cattle grazing and considered to be of low habitat value. The 1.62 acres of moderate value blue elderberry habitat on site will be entirely avoided. No rare, threatened, or endangered plant or animal species was observed or is expected to occur in this habitat on the site. Although most of this habitat east of Gabbert Road will be lost with development of the site, grazing pressures have substantially disturbed this habitat on site resulting in low biological diversity. Project site. Yellow-breasted chat and loggerhead shrike, both California Species of Special Concern, were observed within this community (identified as mulefat vegetation in the 2019 Biological Survey Update, Barringer Biological Services, April 2019). Yellow-breasted chat during the 1998 bird surveys and loggerhead shrike during both 1998 bird surveys and January 2007 site visit. The observed individuals were most likely transients and are not expected to nest on the site. The blue elderberry stands on the western part of the Project site, west of Gabbert Road, is moderate in biological value due to the high coverage of non-native plants surrounding and intermixing and the small size of this plant community, and the portions of this community within the Project site east of Gabbert Road is low in biological value for the same reasons, and also because these areas are highly disturbed by cattle grazing. The loss of 5.29 acres east of Gabbert Road would represent a potentially significant impact, although the avoidance and availability of higher-quality habitat west of Gabbert Road and in the site vicinity (northeast of the Project site and adjacent developments) will help offset this impact. Additionally, implementation of **Mitigation Measure BR-6** would mitigate this impact to a less than significant level.

California Sagebrush-Deerweed Scrub

Implementation of the project would result in the direct loss of 14.55 acres (37.2 percent) of the California sagebrush-deerweed scrub community on site, 12.19 acres of which is substantially disturbed by active cattle grazing. The California sagebrush-deerweed community found on the Project site provides habitat for a variety of plant and animal species and is part of the coastal sage scrub habitat considered sensitive

in California. Southern California rufous-crowned sparrow and loggerhead shrike, both special-status species, were observed in California sagebrush-deerweed community during the spring 1998 field surveys; loggerhead shrike was again observed during the January 2007 site visit and Southern California rufous-crowned sparrow was detected onsite during coastal California gnatcatcher surveys in 2021. Coastal California gnatcatcher, a federally listed threatened species, were observed during protocol surveys in 2021 foraging within the portions of this community that are disturbed by cattle grazing. Plummer's mariposa lily, a federal Species of Concern, has a moderate potential of occurring within the California sagebrush-deerweed scrub community.

Even with the occasional presence of special-status wildlife species observed over several years, the overall wildlife habitat value of the fragmented patches of disturbed California sagebrush-deerweed scrub community on the project area portion to be developed is considered low to moderate in biological value. The permanent loss of 37.2 percent of the on-site California sagebrush-deerweed represents a loss of habitat that has been used by special-status species. Therefore, the permanent loss of 14.55 acres of this California sagebrush-deerweed community represents a potentially significant impact. Implementation of **Mitigation Measure BR-6** would mitigate this impact to a less than significant level.

Cactus Scrub

Vegetation disturbance of cactus scrub would consist of 0.08 acre of the total 1.76 acre (4.5 percent) of this community on site. Cactus wren were detected foraging within the on-site cactus scrub community during the coastal California gnatcatcher surveys conducted in 2021. Cactus wren are not expected to nest within the portion of this community that is on site due to its disturbed condition from cattle grazing; however, are likely nesting within the undisturbed cactus scrub that is present offsite to the north within the undisturbed open space. The cactus scrub on-site is moderate in biological value due to the high coverage of non-native plants surrounding and intermixing and the small size of this plant community. Because of the sensitive status of this habitat, the loss of 1.76 acres would represent a potentially significant impact. Implementation of **Mitigation Measure BR-6** would mitigate this impact to a less than significant level.

Chaparral Yucca Scrub

There is 0.43-acre of Chaparral Yucca Scrub community on the Project site, none of which would be impacted by the proposed project.

Non-native Woodland

Implementation of the project would result in the direct loss of 9.76 acres (91.6 percent) of the non-native woodland community on site, all of which is substantially disturbed by active cattle grazing. Additionally,

this community is dominated with non-native Peruvian pepper trees; therefore, impacts to this community would be less than significant.

Wildlife

In addition to the loss of wildlife habitat, construction activity and operation of the proposed project would directly disturb wildlife that use the Project site and lands immediately adjacent to it. Some species are expected to be displaced to adjacent areas of similar habitat, provided such habitat is available at the onset of construction activity. However, wildlife able to leave from the site would be vulnerable to predation and unsuccessful competition for food and territory. Within the project footprint, species of low mobility (particularly young, burrowing mammals and reptiles) would be lost during site preparation.

Much of the proposed development area consists of habitat disturbed by past ranching activities including grazing and agriculture. The relatively common nature of most of the wildlife that would be displaced or eliminated by construction activities indicates that project implementation is not expected to cause an existing wildlife population on or adjacent to the Project site to drop below self-sustaining levels. Therefore, no significant impacts on common wildlife species are expected to occur.

Bird nests with eggs or young are protected under the Migratory Bird Treaty Act and the *California Fish and Game Code*. The loss of an active nest as a result of construction or other site-preparation activities would be a violation of these laws. In addition, depending on the total number of native birds nesting on the site prior to construction, the loss of active nests could substantially affect on-site bird populations. This would be a potentially significant impact. However, with the implementation of **Mitigation Measure BR-9**, impacts would be mitigated to a less than significant level.

Special-Status Biological Species

The following impact analysis focuses on special-status plant and wildlife species actually observed on the site and those with potential to occur there. The remaining special-status plant and wildlife species addressed in **Tables 3.3-2** and **3.3-4** are either not expected to occur, based on habitat and range unsuitability, or are presumed absent due to negative survey results.

Special-Status Plants

Nine individuals of the special-status plant, Southern California black walnut, were previously observed on the site; however, the most recent Tree Survey performed by LNDG in December 2019 (LNDG, August 2020) observed 6 Southern California black walnuts on the Project site. No other special-status plants were observed during the focused plant surveys.

Round-leaved filaree (*California macrophylla*, CNPS List 1B.2), white rabbit-tobacco (*Pseudognaphalium leucocephalum*, CNPS List 2B.2), Plummer's mariposa lily (*Calochortus plummerae*, CNPSA List 4.2) — Suitable habitat is present on site for each of these species, and they are therefore considered to have a low potential to be present. Nonetheless, the lack of observation of these species during surveys conducted from 1993 to 2016 renders the likelihood that they are present on site so low as to be presumed absent, and project impacts to these species are therefore not expected.

Project site clearing and grading would result in the loss of up 267 mature trees. The loss of these trees would be in conflict with the City of Moorpark mature tree preservation ordinance. A Tree Survey, including a valuation of the existing trees, has been conducted and permits to remove any mature trees on-site shall be obtained from the City of Moorpark prior to project construction. Since this loss would conflict with this adopted policy and diminish wildlife habitat for some common species, the loss of mature trees on the site would be a potentially significant impact. However, the City's standard Conditions of Approval, provided in **Section 3.1, Aesthetics**, require the submission of landscaping plans for review and approval by the Community Development Director. The landscape plans for the development include the planting of street trees, trees to identify and enhance project and neighborhood entries, and trees in all of the proposed park areas. Implementation of the project landscape plans would increase the tree canopy on the Project site, and impacts would be less than significant. Implementation of **Mitigation Measure BR-10** would further reduce this impact.

Special-Status Wildlife

Western spadefoot, coastal western whiptail, coast horned lizard, coast patch-nose snake — None of these amphibian and reptile species have been observed on the Project site, but each may potentially occur. Suitable habitat for western spadefoot may be present in low-lying areas subject to ponding; however, no evidence of ponding (*e.g.*, shrink-swell soils) was noted on site in May 2009 or June 2011. Suitable habitat for coastal whiptail, coast horned lizard, and coast patch-nose snake is present over much of the site in grassland and California sagebrush-deerweed vegetation on site. If any of these species are present on the site, clearing and grading would be a significant impact to these species, as they are not able to escape as easily as the birds or mammals. Implementation of **Mitigation Measure BR-1**, which requires preconstruction surveys for and relocation of these special-status amphibian and reptiles would mitigate this impact to less than significant.

White-tailed kite and Cooper's hawk — These special-status raptor species were observed foraging over the site during multiple field surveys. Since no nests were observed and the typical nesting habitat of these species—dense oak or riparian woodlands—is not present on the site, nesting by either species is not expected. During construction and site-preparation activities, any individuals of these species occurring

within or adjacent to habitat proposed for development on the site are expected to be displaced to remaining suitable habitat areas in the project vicinity. Due to the general availability of suitable foraging habitat for these species in unincorporated open space areas adjacent to the City of Moorpark, the loss of suitable foraging habitat on the site is not considered a significant impact to these species. However, should either of these species be found nesting on the site or immediately adjacent to the site, direct loss of active nests, including eggs, young, or nesting adults, could result if construction and site-preparation activities are conducted during these species' nesting season (generally March through August). Potential loss during critical life stages would be a potentially significant impact. Implementation of **Mitigation Measure BR-9** would mitigate this impact to a less than significant level.

Southern California rufous-crowned sparrow, loggerhead shrike, grasshopper sparrow, Costa's hummingbird, Allen's hummingbird — Individuals of southern California rufous-crowned sparrow and loggerhead shrike were observed during the biological field surveys; despite not being observed during surveys, suitable nesting and foraging habitat for grasshopper sparrow, Costa's hummingbird, and Allen's hummingbird is present on site. During construction and site-preparation activities, individuals of these species occurring within or adjacent to habitat proposed for conversion are expected to be displaced to suitable habitat areas in the project vicinity. However, should either of these species be nesting on the site, a direct loss of active nests, including eggs, young, or nesting adults, could result if construction and site preparation activities are conducted during these species' nesting season (March through August). This loss would be a potentially significant impact. Implementation of **Mitigation Measure BR-9** would mitigate this impact to a less than significant level.

Yellow-breasted chat — A single yellow-breasted chat was observed in the patch of mulefat habitat on site. This species requires riparian thickets of willow and other brushy tangles in dense riparian woodland near water courses for cover and nesting.[33] Since suitable nesting habitat does not occur on the Project site or in the immediate vicinity, this recorded occurrence was most likely a transient bird. As such, it is not expected that this species would nest on the Project site or be substantially affected by project implementation; therefore, the construction of the project is not to be a significant impact to this species.

Sharp-shinned hawk, ferruginous hawk, northern harrier, and prairie falcon — These special-status raptor species were not observed during field surveys; however, they have a high potential of foraging on the site. In addition, there is marginally suitable nesting habitat for northern harrier. During construction and site-preparation activities, individuals of these species occurring within or adjacent to habitat proposed for conversion are expected to be displaced to suitable habitat areas in the project vicinity. Due to the

33 Zeiner, D.C., W.F. Laudenslayer, Jr., K.E. Mayer, and M. White, eds. 1988-1990. *California's Wildlife*. Vol. I-III. California Department of Fish and Game, Sacramento, California.

general availability of suitable foraging habitat for these species in the unincorporated open space areas adjacent to the City of Moorpark, the loss of suitable foraging habitat on the site is not considered a significant impact to these species. However, should the northern harrier be found nesting on the site, direct loss of active nests, including eggs, young, or nesting adults, could result if construction and site preparation activities are conducted during these species' nesting season (generally March through August). This loss would be a potentially significant impact. Implementation of **Mitigation Measure BR-9** would mitigate this impact to a less than significant level.

Bell's sage sparrow — This special-status species was not observed on site during field surveys, but it has a high potential for occurrence. As its name implies, Bell's sage sparrow often occurs in sage scrub habitat. However, it most commonly breeds in fairly dense chaparral and desert scrub habitats.[34] These habitats do not occur on the Project site. The sage scrub habitat on site is marginal for the seasonal occurrence of this species, as Bell's sage sparrows tend to select denser stands of scrub habitat than is present on site. If present during site preparation or construction activities, individuals of these species are expected to be displaced to more suitable habitat in the project vicinity. Even though the site is marginally suitable for this species, should Bell's sage sparrows be found nesting on the site, a direct loss of active nests, including eggs, young, or nesting adults, could result if construction and site preparation activities are conducted during the species' nesting season (March through August). This loss would be considered a potentially significant impact. Implementation of **Mitigation Measure BR-9** would mitigate this impact to a less than significant level.

California horned lark — Although this species was not detected during the field surveys, suitable habitat is present on site within the grassland and scrub communities. During construction and site preparation activities, individuals of this species occurring within or adjacent to habitat proposed for conversion are expected to be displaced to suitable habitat areas in the project vicinity. However, should California horned lark be found nesting on site, a direct loss of active nests, including eggs, young, or nesting adults, could result if construction and site-preparation activities are conducted during the species' nesting season (March through July). This loss would be considered a potentially significant impact. Implementation of **Mitigation Measure BR-9** would mitigate this impact to a less than significant level.

Burrowing owl — Burrowing owls occupy open, dry grassland and desert habitats throughout California, or scrublands characterized by low-growing, widely spaced vegetation. They are dependent upon burrowing mammals for prey and also as a source for burrows, especially California ground squirrel. Previous (pre-2009) survey results indicated that vegetation on site was generally too dense and tall to be

34 Zeiner, D.C., W.F. Laudenslayer, Jr., K.E. Mayer, and M. White, eds. 1988-1990. *California's Wildlife*. Vol. I-III. California Department of Fish and Game, Sacramento, California.

appropriate for this species. However, the annual nature of much of the vegetation on site predisposes it to seasonal and yearly variation in density and stature, and annual vegetation in 2009 and 2011 was low-growing (less than 12-inches) in many areas of the site. Furthermore, ground squirrels and their burrows were abundant in 2009 and 2011. Although no evidence of owl use was noted in 2009, 2011, or 2018, it is possible that they may occasionally utilize the site. The loss of individuals of this species from the subject property would be a potential violation of CEQA and the Fish and Game Code. Implementation of **Mitigation Measure BR-2** would mitigate this impact to a less than significant level.

Coastal California gnatcatcher – Surveys conducted over several years detected one likely dispersing individual CAGN in 2000 and CAGN were observed foraging within the disturbed coastal sagebrush-deerweed scrub community on the Project site in 2021. Frequent fires within Hitch Ranch have changed the scrubland habitat, reducing its wildlife value for several years following each burn. Since good rain years in winter 2017-18 and 2018-19, many scrub habitats had been recovering. However, severe drought conditions have since persisted through 2021, limiting regeneration and natural recruitment, and the Easy Fire in October 2019 burned known suitable and occupied CAGN habitat to the east of the Project site.

Informal consultation with USFWS Ventura Field Office resulted in their recommendation to conduct protocol CAGN surveys again prior to the commencement of construction activities in the potentially suitable habitat. USFWS protocol surveys were conducted in 2021 that revealed high quality CAGN habitat and breeding territories in the undisturbed coastal scrub habitat offsite to the north of the Project site and individuals were detected foraging within the disturbed coastal sagebrush-deerweed scrub habitat on the Project site. The individuals observed, or otherwise detected by vocalizations, had disbursed from breeding territories to the north (of the Project site) and were foraging within the disturbed coastal sagebrush-deerweed scrub on the site. No nests or breeding territories were observed on the Project site, and none are expected to occur on the eastside of Gabbert Road due to the sparse distribution and stunting of the sagebrush vegetation. Although no CAGN were detected to the west of Gabbert Road, the undisturbed sagebrush scrub vegetation in this portion of the Project site provides suitable foraging and nesting habitat for CAGN.

Construction activities that disturb or harm CAGN would be a violation of the FESA and would be a potentially significant impact. Implementation of **Mitigation Measure BR-5** would mitigate this impact to less than significant. If CAGN are detected, formal consultation with USFWS under Section 7 of the FESA would need to occur.

Implementation of **Mitigation Measure BR-5** requires formal consultation with USFWS in accordance with FESA prior to issuance of a grading permit or initiation of ground disturbing activities, whichever occurs first. Additionally, **Mitigation Measure BR-6** would mitigate impacts to suitable habitat through

compensatory mitigation consisting of on-site restoration of suitable habitat. Impacts would be less than significant level following implementation of these mitigation measures.

San Diego black-tailed jackrabbit — One San Diego black-tailed jackrabbit was observed on site during the 1993 site survey. No jackrabbits were observed during the 1998 or subsequent surveys, indicating that the level of disturbance to habitat on site may have resulted in the dispersal of this species onto more suitable habitat to the northwest of the Project site. While this species is expected to continue to periodically use the site, low numbers are expected to occur. During construction and site-preparation activities, individuals of these species occurring within or adjacent to habitat proposed for conversion are expected to be displaced to suitable habitat areas in the project vicinity. Due to the low numbers of this species potentially occurring on the site, loss of on-site habitat due to project implementation is not expected to substantially affect this special-status species or cause the regional population to drop below self-sustaining levels.

San Diego desert woodrat — San Diego desert woodrat occupies moderate to dense canopies in coastal scrub formations of Southern California from San Diego County to San Luis Obispo County. It can be particularly abundant in rock outcrops, rocky cliffs, and slopes. Suitable habitat for this species is present, although woodrat nests have not been observed on site. Impacts to this species would be a potentially significant impact under CEQA. Implementation of **Mitigation Measure BR-3** would mitigate this impact to a less than significant level.

American badger — American badger utilizes drier, open stages of most shrub, forest, and herbaceous habitats with friable soils. Despite the lack of records in the site vicinity, suitable habitat is present, this wide-ranging species is known to occur in the region, and one individual was observed during a biological survey in March 2016 and its burrow on the site was mapped. The loss of individuals of this species from the subject property would be a potential violation of CEQA. Implementation of **Mitigation Measure BR-4** would mitigate this impact to a less than significant level.

Impact Bio-2 **Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?**

Less than Significant with Mitigation

As previously discussed, and shown in **Table 3.3-6, Data Summary by Waters Feature, Routine Wetland Determination** no riparian habitat occurs on the proposed Project site, and there would be no impact.

As depicted on Figure 3.3-2, the Project would result in the loss of 14.55 acres of California sagebrush-deerweed scrub, 5.29 acres of blue elderberry scrub (disturbed/grazed), and 0.08 acre of cactus scrub that total 19.92 acres. Impacts to these vegetation communities is potentially significant. Implementation of **Mitigation Measures BR-6**, and **BR-7** would mitigate these impacts to a less than significant level through on-site restoration that will improve the biological diversity and provide higher quality habitat than the disturbed condition of these communities that currently exists.

Impact Bio-3 **Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means.**

Less than Significant with Mitigation

As previously discussed, and shown in **Table 3.3-6, Data Summary by Waters Feature, Routine Wetland Determination** no riparian habitat occurs on the proposed Project site, and there would be no impact.

Drainage 1 in the western portion of the Project site is an ephemeral drainage with a significant nexus to Walnut Canyon Creek; therefore, this drainage may be subject to Section 404 of the CWA, and section 401 of the CWA by the RWQCB. All the streambed and streambank habitats up to the top of bank are subject to the jurisdiction of the CDFW pursuant to Section 1600 et seq. of the CFGC. The loss of any waters or streambeds under the jurisdiction of CDFW would be considered significant and are subject to its regulatory and permitting authority.

Some required portions of the Ventura County Watershed Protection District (previously the Ventura County Flood Control District) flood-control master plan facilities are incorporated as part of the proposed project; these facilities would serve the Project site and provide flood control for the local drainage basin (i.e., Gabbert and Walnut Canyons). These facilities were identified as part of the *Gabbert and Walnut Canyon Channels Flood Control Deficiency Study*, which was prepared for the Ventura County Flood Control District (dated March 1997).

The Walnut Canyon Channel, which is part of this drainage system, has been identified as likely subject to regulations by the USACE and RWQCB under Sections 404 and 401 of the CWA, respectively, as well as CDFW pursuant to Section 1600 et seq. of the CFGC (refer to **Figure 3.3-3, Potential Jurisdictional Areas within the Study Area, and Figure 3.3-5, Potential Jurisdictional Areas within the Study Area with Site Plan Overlay**). Further, the following connections will be made to the Walnut Canyon Channel as part of the Project's proposed hydrological/drainage improvements:

- Parallel RCBs (Reinforced Concrete Boxes) will connect to the existing channel at the southeastern corner of the site. These will be used to convey peak flows from the channel into Basin 3. The exact size and number of the boxes will be confirmed during final design, but preliminary calculations suggest six (6) 9'-wide x 2.5'-high boxes (Kasraie Consulting, Hitch Ranch Hydrology Study Report Update, February 2020, refer to **Appendix 3.9-A**).
- Immediately downstream of the RCBs a rectangular orifice 'hanging wall' will be constructed across the full width of the channel which will allow low flows in the channel to continue downstream, but will divert peak flows into Basin 3 via the parallel RCBs.
- Parallel RCBs will connect to the channel as the primary discharge for Basin 3. The exact size and number of the boxes will be confirmed during final design, but preliminary calculations suggest three (3) 8'-wide x 4'-high boxes (Kasraie Consulting, Hitch Ranch Hydrology Study Report Update, February 2020, refer to **Appendix 3.9-A**).
- A single RCP (Reinforced Concrete Pipe) will connect to the channel as the low-flow discharge for Basin 3. This will likely be 24-inch diameter.
- Parallel RCBs will connect to the channel as the primary discharge for Basin 2. The exact size and number of the boxes will be confirmed during final design, but preliminary calculations suggest two (2) 7'-wide x 4'-high boxes (Kasraie Consulting, Hitch Ranch Hydrology Study Report Update, February 2020, refer to **Appendix 3.9-A**).
- A single RCP (Reinforced Concrete Pipe) will connect to the channel as the low-flow discharge for Basin 2. This will likely be 24-inch diameter.
- Extension of the existing box culvert beneath Gabbert Road to accommodate the proposed road widening. Culvert will need to be widened approximately 50-feet to the west.

None of these proposed improvements would result in expansion of the Channel or alter its original functional intent. As the Channel is concrete-lined, the proposed hydrological/drainage improvements would not result in the removal of riparian vegetation or result in a degradation of the overall condition of aquatic resources within the Channel.

As the Walnut Canyon Channel has been identified as jurisdictional, impacts to the Channel in order to complete the proposed hydrological/drainage improvements are potentially significant; implementation of **Mitigation Measure BR-8** would minimize impacts to jurisdictional water resources to the extent practicable, and would reduce impacts to a less than significant level.

Further, as previously discussed, VCWPD is responsible for the on-going maintenance for flood control purposes of the Walnut Canyon Channel; there is an existing 25' easement in favor of VCWPD on Project

Site, and additional records indicate that there is a 15' wide easement on the railroad property in favor of VCWPD (for a total easement corridor width of 40'). VCWPD also maintains an access road within their easement. The proposed specific plan includes a 2.7-acre VCWPD easement along the southern project boundary, south of the proposed right-of-way for the extension of High Street.

As shown on **Figure 3.3-5, Potential Jurisdictional Areas within the Study Area with Site Plan Overlay**, the construction of Basins 2, 2B, and North Hills Parkway would result in impacts to Drainage 1. Up to 0.3 acre of waters of the U.S. and waters of the State and 1.06 acre of CDFW-jurisdictional streambed would be impacted. Because this drainage has an apparent nexus with Walnut Canyon Creek, a tributary to Calleguas Creek, a TNW, Drainage 1 may be subject to the requirements of the USACE under Section 404 of the CWA, RWQCB under Section 401 of the CWA, and within the jurisdiction of CDFW pursuant to Section 1600 et. seq. of the CFGC. Implementation of **Mitigation Measure BR-8** would compensate for impacts to jurisdictional water resources and reduce impacts to less than significant.

Additional, minor on-site drainage features within the development envelope are strictly erosional, and follow unused utility roads, culvert outlets, or emerge spontaneously from hillsides where vegetative cover has been reduced. Such features do not qualify as USACE, RWQCB or CDFW jurisdiction and therefore impacts to these features would not be considered significant under CEQA.

Impact Bio-4 **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.**

Less than Significant with Mitigation

As previously discussed, the Project site is almost entirely surrounded by various densities of development, with open space and residential development to the north; a railroad, Poindexter Avenue, and light industrial and residential uses to the south; rural residential and Walnut Canyon School to the east, and rural residential and agricultural uses to the west. The surrounding developments and roadways, which include Championship Drive, and Meridian Hills Drive to the north, Walnut Canyon Road/State Route 23/Moorpark Avenue to the east, Poindexter Avenue to the south, fenced Gabbert Road separating the western portion, and Grimes Canyon Road to the west, separate the Project site from the remnant open space outside of the City of Moorpark. Due to the degree of disturbance on site and barriers created by the surrounding development, the Project site is not expected to be used as a movement corridor by wildlife and impacts would be less than significant.

However, a number of mature trees are scattered across the Project site. Although the trees are mainly ornamental and non-native, they may provide suitable habitat, including nesting habitat, for migratory

birds. The Migratory Bird Treaty Act of 1918 (MBTA) implements the United States' commitment to four treaties with Canada, Japan, Mexico, and Russia for the protection of shared migratory bird resources. The MBTA governs the taking, killing, possession, transportation, and importation of migratory birds, their eggs, parts, and nests. The US Fish and Wildlife Service administers permits to take migratory birds in accordance with the MBTA. Implementation of **Mitigation Measure BR-9** would mitigate potential impacts to migratory birds to a less than significant level.

Impact Bio-5 **Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance (e.g., oak trees or California walnut woodlands).**

Less than Significant with Mitigation

In Ventura County, California walnut trees over 3-inches DBH on private property within Scenic Resources Protection Zones are considered protected trees. As the Project site is not within a Scenic Resources Protection Zone, this protection would not be applicable.

Mature non-native trees, which are of local special interest, are present on the site. The City of Moorpark tree ordinance (No. 101) provides for the protection of mature trees with a cross-sectional area of all major stems of 72 or more square inches (equivalent to greater than 9.6 inches DBH), as measured at 4.5 feet above the root crown.

A Tree Survey performed by LNDG, included as **Appendix 3.3-G** to this Draft EIR, in July 2020 found 282 mature trees on the Project site. Nearly all of the trees on the Project site are either blue gums (35 percent) or Peruvian pepper trees (52 percent). The blue gums were historically planted for agricultural purposes and have become naturalized. The pepper trees are a common landscape plant and also have become naturalized.

The two dominant species on this site, along with four other species present, are included on the 410 - Prohibited Plant List (April 2019) put out by the Ventura County Fire Protection District. This is a list of plants that the Ventura County Fire Department recommends be removed or thinned in Defensible Spaces and Fuel Modification Zones as they define them. The number and species of trees present on the subject site are shown in **Table 3.3-3, Mature Trees on the Hitch Ranch Site** (reproduced below).

Table 3.3-3
Mature Trees on the Hitch Ranch Site

Common name	*Scientific name*	Number of mature trees
Cypress*	*Cupressus sp*	1
Blue gum*	*Eucalyptus globulus*	98
White gum*	*Eucalyptus viminalis*	3
Pine tree*	*Pinus sp.*	1
African sumac	*Rhus lancea*	2
Elderberry	*Sambucus mexicana*	19
Peruvian pepper tree*	*Schinus molle*	146
Chinese elm	*Ulmus parvifolia*	1
Mexican fan palm*	*Washingtonia robust*	5
California black walnut	*Juglans californica*	6
Totals		**282**

** - Trees that are included on the Ventura County Fire Protection District, 410-Prohibited Plant List.*

Source: L. Newman Design Group, Inc., Tree Report, August 2020

Implementation of **Mitigation Measure BR-10** would ensure that a tree removal permit is be obtained from the City prior to removal of trees that meet the mature tree criteria within the City's tree ordinance (No. 101). Permits will not be issued until the project has been approved by the City. The loss of trees shall be mitigated by using the appraised value of each removed tree and then applying the value towards upgrading the size of the tree plantings associated with the project. The proposed replacement tree species shall emphasize native species and must be consistent with the City's Landscape Design Standards and Guidelines to ensure that invasive species will not be used. In accordance with the Landscape Design Standards and Guidelines, 'enhanced landscaping' shall be installed that is equal to the value of the trees removed. Enhanced landscaping is generally defined as landscape improvements above and beyond the minimum requirements. The cost of the new trees will go towards the value of the trees removed. Impacts to protected trees resulting from the proposed project would be less than significant with implementation of this mitigation measure.

Impact Bio-6 **Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.**

No Impact

There is no habitat conservation plan in place or proposed for this region. Therefore, no impacts to such a plan would occur as a result of construction and operation of the proposed project.

3.3.5.2 Indirect Impacts

Indirect impacts to biological resources would occur within the remaining habitat areas subsequent to project buildout, as well as to natural habitat areas adjacent to the proposed Project site. It is expected that implementation of the proposed project would generally result in indirect impacts to biological resources in the following ways:

- Permanent increased human and domestic animal presence
- Increased populations of plants and wildlife species associated with a suburban environment
- Increased light and glare
- Temporary construction-related activities, workers, dust and noise

Indirect impacts associated with the proposed project are not quantifiable, but are reasonably foreseeable. As such, the discussion that follows provides a common-sense identification of the types of indirect impacts and their relative magnitude, to provide decision makers and the general public with an awareness of this project's potential for indirect impacts.

Increased Human and Domestic Animal Presence

The proposed project would increase human presence adjacent to existing and proposed open space areas both on and off the site. It can be reasonably assumed that some people who would reside on the Project site post-construction would use the remaining open space areas for recreational purposes. The most substantial effect on biological resources would be the disturbance to remaining plant communities in these open space areas, including sensitive habitats such as California sagebrush-deerweed. Increased recreation, pets on- and off-leash, and other human activity around these areas would likely displace and even endanger a number of wildlife species, potentially increase the amount of refuse and pollutants in the area, compact soils, and disturb ground-dwelling flora and fauna.

It is expected that there would be an increase in use of the site and adjacent open space by domestic animals. Domestic pets such as dogs and cats disturb wildlife nesting and roosting areas, chase or kill animals, and disrupt the normal foraging and breeding activities of wildlife. If this occurs frequently and over a long period of time, these disturbances could have a long-term effect on the behavior of remaining wildlife species, resulting in their displacement from the area.

The Project site has been subjected to a substantial amount of human and domestic animal impacts associated with agricultural activities. Therefore, increases in the presence of humans and domestic animals that would be caused by the project would be an adverse, but not significant, impact.

Increase in Populations of Plant and Wildlife Species Associated with a Suburban Environment

After project completion, a number of non-native and suburban-adapted plant and wildlife species that are typical of a suburban setting would be expected to increase in population. Due to their ability to compete more effectively for nest sites and food within and adjacent to suburban areas, non-native wildlife species, including house sparrow, house mouse (*Mus musculus*), Norway rat (*Rattus norvegicus*), and European starling (*Sturnus vulgaris*) could potentially displace native species. Ornamental and non-native plants used in landscaping and gardens could disperse seeds into surrounding open space areas and, as a result of the ability of some of these species to more readily adapt to varying soil and weather conditions, could displace native plant populations.

As a result of existing suburban development in the project area, non-native plants and animals already occur on the site and in the vicinity. However, it can be reasonably concluded that development of the proposed project would exacerbate this condition and that the additional increase in non-native species could reduce populations of native species, including special-status species, on and near the site. Therefore, the increase in populations of plant and animal species associated with a suburban environment that would be caused by the project is a potentially significant impact. Implementation of **Mitigation Measures BR-7, BR-11 and BR-12** would mitigate this impact to a less than significant level.

Increased Light and Glare

While illumination associated with adjacent residential areas may already adversely affect the resident wildlife associated with the Project site to some degree, implementation of the project would substantially increase the number of nighttime light sources on remaining habitat areas during and following construction. Such light could disrupt breeding and nesting cycles, as well as resting and roosting behavior of diurnal (daytime) wildlife species remaining on the Project site. In addition, species normally in hiding during the night could become more vulnerable to nighttime predators, thus causing an artificial increase

in predation and possible decline in the population levels of certain species. While it is difficult to determine the exact level of this impact, it can be reasonably assumed that, over a period of time, this disruption could eventually substantially reduce the animal species composition remaining on and adjacent to the site, resulting in lower species diversity and lower population levels. Therefore, the project-related increase in nighttime lighting and glare is a potentially significant impact of the project. Implementation of **Mitigation Measures BR-13 and BR-14** would mitigate this impact to a less than significant level.

Construction-Related Activities

Project construction (particularly site clearing and grading operations) would have the potential to impact surrounding areas not being developed and adversely affect remaining plant communities and plant and animal species, including coastal California gnatcatchers that may nest within the undisturbed open space that is offsite to the north. As depicted in the project's Conceptual Fuel Modification Plan (Dudek, no date), fuel modification will largely be confined to the project boundary and no brush clearance would occur offsite to the north within the undisturbed open space area. Specifically, worker presence, increased noise and dust impacts can cause displacement and disturbance of wildlife, which could result in possible nest or den abandonment during the breeding season, siltation, and erosion into drainages off-site, excessive dust accumulation on vegetation that could result in the degradation or loss of some plant species, and soil compaction around remaining trees. Depending on the level of disturbance, construction-related activities could have substantial effects on plant and wildlife habitat and, together, would be a significant impact. Implementation of **Mitigation Measures BR-9** would ensure that impacts to common birds nesting within 300-feet from construction, and raptors or special-status bird species nesting within 500-feet from construction, are avoided. Implementation of this mitigation measure, along with **BR-15** through **BR-21,** would mitigate impacts to sensitive biological resources to a less than significant level.

3.3.6 Cumulative Impacts

A variety of residential, commercial, and industrial projects are proposed within the City of Moorpark and in adjacent areas of Ventura County. Implementation of these projects would result in the incremental conversion of open space areas to "built environment." Those projects that occur within developed areas would not affect local or regional biological resources; however, projects located in natural areas would result in the removal of native vegetation and displacement/destruction of resident wildlife. Cumulative effects would include both direct and indirect biological impacts, and would result in a general loss of biological diversity in the region. The net loss of 19.92 acres of native plant and wildlife habitat and 141.64 acres of annual brome grassland and non-native woodland on the site, in conjunction with the loss of other open space areas within the City of Moorpark and in adjacent areas of Ventura County, is a substantial loss of habitat and is, therefore, considered a significant cumulative impact. Mitigation measures for the

proposed project or for any other similar large-scale project that is proposed on the edge of the existing suburban environment include the replacement or restoration of similar or better-quality habitat nearby to reduce the long-term biological effects of permanent conversion of large blocks of open space areas. Implementation of **Mitigation Measure BR-6** would reduce the identified cumulative impacts to a less than significant level by requiring on-site, off-site, or purchase of off-site mitigation credits for restoration of native vegetation communities. This mitigation measure requires replacement of coastal sage scrub habitat where coastal California gnatcatcher were observed in 2021. The loss of this grazed and degraded vegetation is not expected to cause the local coastal California gnatcatcher population to drop below self-sustaining levels when considering its poor quality and the higher quality habitat that exists offsite immediately to the west and north where this species is expected to forage, nest, and disperse. This includes most of the California sagebrush -deerweed scrub to the west of Gabbert Road that is within the project boundary that would be avoided.

3.3.7 Related Planning Programs

The following addresses the project's consistency with the policies of the *City of Moorpark General Plan* Land Use Element applicable to biological resources. As discussed in this section of the Draft EIR, the project would result in direct and indirect impacts to plants, wildlife, and their habitats. However, a mitigation program is provided to fully mitigate project-specific impacts. This mitigation program consists of resource avoidance, restoration, and revegetation to ensure no net loss of significant biological resources. Prior to mitigation, direct or indirect impacts to special-status plant species listed as threatened or endangered, or CNPS List 1 or 2 species, occurring on the site are significant. After mitigation, the project would be consistent with the identified goals and policies.

3.3.8 MITIGATION MEASURES

3.3.8.1 Standard Conditions and Requirements

If ground or vegetation disturbance is anticipated within 50 feet of the jurisdictional Drainage 1 in the western portion of the site, the applicant shall be required to obtain a CDFW Streambed Alteration Agreement pursuant to Section 1600 et seq. of the CFGC. This authorization shall be obtained prior to initiating grading permits or clearing and grubbing activities near Drainage 1. All conditions of the agreement that are designed to minimize impacts to biological resources and all measures to mitigate for the loss of jurisdictional habitats shall be implemented. Implementation of mitigation designed to offset impacts to areas of CDFW jurisdiction shall be monitored by the City (under the California Environmental Quality Assurance Program) for the project.

The City's standard Conditions of Approval, provided in **Section 3.1, Aesthetics**, require the submission of landscaping and lighting plans for review and approval by the Community Development Director.

3.3.8.2 Mitigation for Direct Impacts

Special-Status Wildlife

BR-1: The applicant shall retain a qualified biologist with a CDFW Scientific Collection Permit and Memorandum of Understanding to conduct preconstruction surveys for the western spadefoot, coastal western whiptail, and coast horned lizard, and coast patch-nose snake in areas that would be disturbed within the Project site. All western spadefoot, coastal western whiptail, and coast horned lizard, and coast patch-nose snake observed within the Project site during preconstruction surveys must be relocated, at the approval of the City and CDFW, to an approved site with suitable habitat for these species. Surveys and relocation of spadefoots, lizards, and snakes may occur prior to construction; however, focused surveys must occur within 30 days prior to construction initiation to ensure that no special-status reptiles or amphibians are present within the Project site during construction. Survey methods and relocation areas must be reviewed and approved by the CDFW prior to commencement of grading.

Timing/Implementation: Within 30 days prior to grading activities

Enforcement/Monitoring: City of Moorpark Community Development Department

BR-2: Within thirty days prior to construction activities, a qualified biologist shall conduct CDFW protocol surveys to determine whether the burrowing owl is present at the site. The surveys shall consist of up to three site visits and shall be conducted in areas dominated by field crops, disturbed habitat, grasslands, and along levee locations, if such habitats occur within 500 feet of a construction zone. If located, occupied burrows shall not be disturbed during the nesting season (February 1 through August 31) unless a qualified biologist approved by CDFW verifies through non-invasive methods that either the birds have not begun egg-laying and incubation or that juveniles from the occupied burrows are foraging independently and are capable of independent survival. If a burrowing owl is detected but nesting is not occurring, construction work can proceed after any owls have been evacuated from the site using CDFW-approved passive relocation and burrow closure procedures and after alternative nest sites have been provided in accordance with the CDFW Staff Report on Burrowing Owl Mitigation (10-17-95).

Unless otherwise authorized by CDFW, a 500-foot buffer, within which no activity will be permissible, will be maintained between project activities and nesting burrowing owls during the nesting season. The buffer area may be reduced if there is no evidence of indirect impairment to owls based on direct observations by a monitoring biologist. The protected area will remain in effect until August 31 or at CDFW's discretion and based upon monitoring evidence, until the young owls are foraging independently.

Timing/Implementation: Within 30 days prior to grading activities

Enforcement/Monitoring: City of Moorpark Community Development Department

BR-3: Within thirty days prior to construction activities in grassland and scrub vegetation a qualified biologist shall conduct a survey within the proposed construction disturbance zone and within 200 feet of the disturbance zone for San Diego black-tailed jackrabbit and San Diego desert woodrat.

If San Diego black-tailed jackrabbits are present, non-breeding rabbits shall be flushed from areas to be disturbed. Dens, depressions, nests, or burrows occupied by pups shall be flagged and ground-disturbing activities avoided within a minimum of 200 feet during the pup-rearing season (February 15 through July 1). This buffer may be reduced based on the location of the den upon consultation with CDFW. Occupied maternity dens, depressions, nests, or burrows shall be flagged for avoidance, and a biological monitor shall be present during construction. If unattended young are discovered, they shall be relocated to suitable habitat by a qualified biologist. Collection and relocation of animals shall only occur with the proper scientific collection and handling permits.

If active San Diego desert woodrat nests (stick houses) are identified within the disturbance zone or within 100 feet of the disturbance zone, a fence shall be erected around the nest site adequate to provide the woodrat sufficient foraging habitat at the discretion of the qualified biologist in consultation with CDFW. If young are present, clearing and construction within the fenced area will be postponed or halted until young have left the nest. The biologist shall serve as a construction monitor during those periods when disturbance activities will occur near active nest areas to ensure that no inadvertent impacts to these nests will occur. If avoidance is not possible, the applicant will take the following sequential steps:

1. All understory vegetation will be cleared in the area immediately surrounding active nests followed by a period of one night without further disturbance to allow woodrats to vacate the nest;

2. each occupied nest will then be disturbed by a qualified wildlife biologist until all woodrats leave the nest and seek refuge off site; and

3. the nest sticks shall be removed from the Project site and piled at the base of a nearby hardwood tree (preferably a coast live oak or California walnut).

Relocated nests shall not be spaced closer than 100 feet apart, unless a qualified wildlife biologist has determined that a specific habitat can support a higher density of nests. The applicant shall document all woodrat nests moved and provide a written report to CDFW.

All woodrat relocation shall be conducted by a qualified biologist in possession of a scientific collecting permit.

Timing/Implementation: Within 30 days prior to grading activities

Enforcement/Monitoring: City of Moorpark Community Development Department

BR-4: Within thirty days prior to construction activities in grassland, scrub, chaparral, oak woodland, riverbank, and agriculture habitats, or other suitable habitat a qualified biologist shall conduct a survey within the proposed construction disturbance zone and within 200 feet of the disturbance zone for American badger.

If American badgers are present, occupied habitat shall be flagged and ground-disturbing activities avoided within 50 feet of the occupied den. Maternity dens shall be avoided during the pup-rearing season (February 15 through July 1) and a minimum 200-foot buffer established. This buffer may be reduced based on the location of the den upon consultation with CDFW. Maternity dens shall be flagged for avoidance, identified on construction maps, and a qualified biologist shall be present during construction. If avoidance of a non-maternity den is not feasible, badgers shall be relocated either by trapping or by slowly excavating the burrow (either by hand or mechanized equipment under the direct supervision of the biologist, removing no more than 4 inches at a time) before or after the rearing season (February 15 through July 1). Any relocation of badgers shall occur only after consultation with CDFW.

Collection and relocation of animals shall only occur with the proper scientific collection and handling permits.

Timing/Implementation: Within 30 days prior to grading activities

Enforcement/Monitoring: City of Moorpark Community Development Department

BR-5: Disturbed vegetation located on the east-side of Gabbert Road that includes California sagebrush-deerweed scrub, cactus scrub, and blue elderberry stands, which are unsuitable for CAGN nesting but used as foraging habitat, shall be replaced at a ratio of 1:1. Although no individuals or breeding territories have been observed within the undisturbed California sagebrush-deerweed scrub to the west of Gabbert Road, impacts to this vegetation shall be replaced at a 2:1 ratio due to its potential to support foraging and nesting CAGN. CAGN habitat shall be restored on-site. If a suitable on-site location is not feasible, restoration may occur at a mitigation bank, approved by USFWS prior to issuance of a grading permit or any ground disturbing activities on the Project site. If mitigation requirements cannot be met on-site and/or through the purchase of credits at a mitigation bank, a suitable off-site location may be identified and utilized subject to City and USFWS approval. Moreover, consultation with USFWS in accordance with FESA will occur prior to issuance of a grading permit or any ground disturbing activities and their recommendations followed. The applicant shall be responsible for obtaining all necessary regulatory agency permits for compliance with the FESA.

Timing/Implementation: Prior to issuance of a grading permit or any ground disturbing activities.

Enforcement/Monitoring: USFWS, City of Moorpark Community Development Department

Plant Communities

BR-6: Sixty (60) days prior to scheduled site mobilization, the applicant shall submit a Native Habitat Restoration Plan for the restoration of a native habitat on the site to the satisfaction of the Community Development Director, CDFW, and USFWS, which shall be approved by the aforementioned prior to issuance of a building permit or ground disturbing activities at the Project site. At a minimum, the Restoration Plan shall identify all responsible parties/stakeholders, performance standards, success criteria, plant pallet and planting methods, irrigation details and watering schedule, maintenance measures and schedule, monitoring and reporting requirements, contingencies, adaptive management strategies,

and funding sources, such as an endowment for long-term management. Native vegetation on the Project site shall be incorporated in the plan at the ratios indicated below:

Plant Community	Replacement Ratio (area replaced : area impacted)
California sagebrush -deerweed scrub (west of Gabbert Road)	2:1
California sagebrush -deerweed scrub (east of Gabbert Road)	1:1
Blue elderberry stands (disturbed/grazed)	1:1
Cactus scrub	1:1

Source: Rincon Consultants, Inc., July 2021

Once approved, implementation of the Native Habitat Restoration Plan shall be required as a condition of approval of the Tract Map and RPD. The restoration shall be performed in accordance with current best available restoration practices and the applicant (or designee) shall be responsible for maintaining the restoration areas for a period of five years to ensure the successful establishment of the plantings, which shall be extended an additional three years if determined necessary by the Community Development Director. The applicant shall pay the costs for monitoring restoration of the Native Habitat for the full and complete restoration time period, which if extended shall require further payment. If a suitable on-site restoration is not feasible, restoration may occur at a mitigation bank, approved by CDFW and USFWS prior to issuance of a grading permit or any ground disturbing activities on the Project site. If restoration requirements cannot be met on-site and/or through the purchase of credits at a mitigation bank, a suitable off-site location may be identified and utilized. The off-site location and restoration Plan shall be reviewed and approved by the City prior to issuance of a grading permit and secured prior to any ground disturbing activities on the Project site.

Timing/Implementation: Plan submittal 60 days prior to scheduled site mobilization. Prior to issuance of grading permits (review of plan), prior to issuance of occupancy permits (site inspection)

Enforcement/Monitoring: Community Development Director

BR-7: All areas temporarily impacted by project grading and construction activities but within the fuel management zone must be revegetated with California native plant species, with densities and spacing consistent with the intent of maintaining fuel management zones as

described in the City's Landscape Standards and Guidance and the Hitch Ranch Fire Protection Plan (refer to **Appendix 3.18-A**).

Timing/Implementation: Seeding shall occur within the fall/winter season immediately following the completion of grading and construction activities to maximize successful plant establishment.

Enforcement/Monitoring: City of Moorpark Community Development Department

BR-8: In order to comply with city, state, and federal regulations regarding impacts to USACE, CDFW and RWQCB jurisdictional areas permitting must be executed pursuant to Section 404 of the federal Clean Water Act and the *California Fish and Game Code* (Section 1602), for all impacts to WOTUS and streambeds. All conditions of the agreements with these agencies designed to minimize impacts to biological resources shall be implemented.

Impacts associated with permanently disturbed areas within regulated waters would be mitigated in-kind at a minimum ratio of 1:1. Mitigation will be completed by providing adequate funding to a conservation bank for re-establishment, rehabilitation or enhancement. Mitigation lands should be located in the regional vicinity of the Project site or within the Calleguas Creek Watershed. Note: the final mitigation ratios required by regulatory agencies during the permitting process may differ from those identified above. The applicant shall be responsible for obtaining all necessary regulatory agency permits for compliance with the Clean Water Act and California Fish and Game Code.

Timing/Implementation: Prior to issuance of grading permits

Enforcement/Monitoring: City of Moorpark Community Development Department

Common and Special-Status Bird Nests

BR-9: Within seven (7) days prior to construction or site preparation activities that would occur during the nesting/breeding season of native bird species potentially nesting on the site (typically January 15 through August 30 for raptors and February 15 through September 15 for migratory passerines), the applicant shall have a field survey conducted by a qualified biologist to determine if active nests of bird species protected by the Migratory Bird Treaty Act or the *California Fish and Game Code* are present in the construction zone or within 300 feet (500 feet for raptors or federally listed endangered or threatened bird species) of the construction zone. If active nests are found, all construction activities within the 300-500-foot buffer zones must be postponed or halted, until the biologist determines

that the nest is vacated, juveniles have fledged, and there is no evidence of a second attempt at nesting. The biological monitor shall be able to adjust the size of the buffer zone dependent on the species involved (i.e., non-raptors and common species) and/or allow certain activities within the buffer zone if it can be shown that the activity will not interfere with nesting. The biologist shall serve as a construction monitor during those periods when construction activities would occur near active nest areas to ensure that no inadvertent impacts occur to these nests.

Timing/Implementation: No earlier than 7 days and no later than 5 days prior to construction or site preparation activities that would occur during the nesting/breeding season.

Enforcement/Monitoring: City of Moorpark Community Development Department

Mature Trees

BR-10: A tree removal permit must be obtained from the City prior to removal of trees that meet the mature tree criteria within the City's tree ordinance (No. 101). Permits will not be issued until the project has been approved by the City. The loss of trees shall be mitigated by using the appraised value of each removed tree and then applying the value towards upgrading the size of the tree plantings associated with the project. The proposed replacement tree species shall emphasize native species and must be consistent with the City's Landscape Standards and Guidelines to ensure that invasive species will not be used. In accordance with the Landscape Design Standards and Guidelines, 'enhanced landscaping' shall be installed that is equal to the value of the trees removed.

Timing/Implementation: Tree removal permit application and replacement plan submittal at least 30 days prior to scheduled site mobilization and grading.

Enforcement/Monitoring: City of Moorpark Community Development and Parks, Recreation, and Community Services Departments

Human and Domestic Animal Presence

BR-11: Following construction, pets and other domestic animals must be prohibited from the remaining open space areas and from any revegetation areas on the Project site unless restrained by leash and accompanied at all times by the owner or responsible party. Fencing of sufficient height and design or acceptable landscaping must be constructed between the residential areas and natural areas to the north to discourage domestic animals

from entering open space habitat areas. Human access into the open space areas may occur in designated areas along the perimeter of the habitats. Prohibitions against human and domestic animal use in sensitive habitat areas must be established by the Covenants, Conditions, and Restrictions (CC&Rs). A brochure must be prepared by the developer and distributed to all home buyers that explains the purpose and sensitivity of the mitigation area and reasons why residents and their pets are discouraged from using this area. Signage shall be provided at the entrance of trails that are nearby sensitive habitat areas to notify users of the nature of the area and it's sensitivity.

The CC&Rs must also state that no structures shall be constructed within the open space areas. As determined by a qualified biologist, interpretative signs that explain the sensitivity of natural habitats and the need to minimize impacts on these adjacent areas are to be constructed and placed in appropriate areas. The project applicant shall be responsible for installation of interpretive signs (at 200-foot intervals) and fencing along the perimeter of the mitigation area.

Timing/Implementation: Prior to issuance of first occupancy permits

Enforcement/Monitoring: City of Moorpark Community Development Department

Non-native Plant and Wildlife Species

BR-12: The landscaping plans within the project area (residential and common areas) shall be prepared by a licensed California landscape architect, and shall provide appropriate provisions to prohibit using invasive plant species, especially those listed by the California Invasive Plants Council (their website provides a current invasive plants list), to prevent those species from colonizing remaining natural areas. Landscaping plans shall be consistent with the City of Moorpark Municipal Code Section 15.23 Water Efficient Landscape Ordinance and Title 17, Zoning. These provisions may include the following: (a) review and screening of proposed plant palette and planting plans to identify and avoid the use of invasive species; (b) weed removal during the initial planting of landscaped areas; and (c) the monitoring for and removal of weeds and other invasive plant species as part of ongoing landscape maintenance activities. The frequency and method of monitoring for invasive species shall be determined by the City of Moorpark Parks, Recreation and Community Services Department.

Timing/Implementation: Prior to landscaping plan approval

Enforcement/Monitoring: City of Moorpark Community Development and Parks, Recreation and Community Services Departments

Light and Glare

BR-13: Prior to issuance of a grading permit, a lighting plan prepared by a lighting consultant consistent with the Specific Plan Design Guidelines Lighting Concept shall be submitted to the City of Moorpark Department of Community Development for review and approval by the Community Development Director. The lighting plan shall incorporate 0.5 foot-candle as a threshold for spill and the minimum streetlamp glare level of 2.0 foot-candles. All fixtures shall utilize shields to direct light downward, and the lighting plan shall also incorporate other "dark sky" friendly measures to the extent feasible. Such measures may include, but are not limited to, the following or other comparable measures:

- Use lighting fixtures that are adequately shielded to a point below the light bulb and reflector and that prevent unnecessary glare onto adjacent properties.
- Restrict the operation of outdoor lighting for construction and operation activities to the hours of 7:00 a.m. to 10:00 p.m.
- Use high pressure sodium and/or cut-off fixtures instead of typical mercury-vapor fixtures for outdoor lighting.
- Use unidirectional lighting to avoid light trespass onto adjacent properties.
- Design exterior lighting to confine illumination to the project site, and/or to areas which do not include light-sensitive uses.
- Provide structural and/or vegetative screening from light-sensitive uses.
- Shield and direct all new street and pedestrian lighting away from light-sensitive off-site uses.
- Architectural lighting shall be directed onto the building surfaces and have low reflectivity to minimize glare and limit light onto adjacent properties.

(Identical to MM AES-3)

Timing/Implementation: Prior to grading permit issuance

Enforcement/Monitoring: City of Moorpark Community Development Department

BR-14: When installed, all street lighting fixtures shall be tested and adjusted to ensure that light levels do not exceed 2.0 foot-candles of glare and 0.5 foot-candle of spill at the project boundaries. Testing of street lighting fixtures shall be conducted by factory-trained and -employed technicians only, contracted for by the master developer and subject to the approval of the Community Development Director. (Identical to MM AES-4)

Timing/Implementation: Following street lighting installation

Enforcement/Monitoring: City of Moorpark Community Development Department

Construction and Grading Activities

BR-15: A City-approved biologist must be retained by the applicant as a construction monitor to ensure that incidental construction impacts on retained biological resources are avoided or minimized. Responsibilities of the construction monitor include the following:

- Attend all pre-grading meetings to ensure that the timing and location of construction activities do not conflict with mitigation requirements.

- A pre-construction Worker Environmental Awareness Program (WEAP) training shall be conducted for all construction employees. Prior to the start of construction activities, the WEAP shall be presented to inform construction supervisors, workers, and inspectors of sensitive resources that have a moderate to high potential of occurrence on the Project site, to explain their importance and sensitivity, to review regulatory protections afforded to these resources, and to describe the project design features and mitigation measures adopted to avoid and reduce impacts. Training shall identify individual responsibilities regarding these resources, and communication procedures should sensitive resources exist or be found in the project area. Training participation shall be documented and kept as a log on site. Workers will receive a hard hat decal to show completion and receive a reference resource (i.e. wallet card, brochure, etc.) for later review as needed.

- Conduct meetings with the contractor and other key construction personnel, describing the importance of restricting work to within the project boundaries and outside of the preserved areas. The monitor shall also discuss staging/storage areas for construction equipment and materials. The biological monitor shall investigate all on-site storage areas to minimize impacts to biological resources.

- Guide the contractor in marking/flagging the construction area, in accordance with the final approved grading plan. Any construction activity areas immediately adjacent to special-status plant populations or other special-status resources may be directed to be flagged or temporarily fenced at the discretion of the monitor.

- Periodically and routinely visit the site during construction to coordinate and monitor compliance with the above provisions.

Timing/Implementation: During grading and construction activities

Enforcement/Monitoring: City of Moorpark Community Development Department

BR-16: The construction contractor shall install temporary erosion control measures, if necessary, to reduce impacts to and protect off-site drainages from excess sedimentation, siltation, and erosion. These measures shall consist of minimization of existing vegetation removal; the use of temporary soil covers, such as hydroseeding, mulch/binder, and erosion-control blankets to protect exposed soil from wind and rain erosion; or the installation of silt fencing, coirs, berms, and dikes to protect storm drain inlets and drainages.

Timing/Implementation: During grading and construction activities

Enforcement/Monitoring: City of Moorpark Public Works Department

BR-17: Refueling, changing of oil or other fluids, and vehicle maintenance may be allowed in designated areas located a minimum of 50 feet away from any drainages or proposed mitigation areas. The contractor shall be responsible for providing, and maintaining covered trash bins or dumpsters for any trash or other construction waste materials generated on the site during the project. Vehicles carrying supplies, such as concrete, may not empty, clean out, or otherwise place materials into any mitigation or opens space areas on or immediately adjacent to the site. Any spills or trash on the site, whether accidental or not, must be cleaned up at the end of each working day.

Timing/Implementation: During grading and construction activities

Enforcement/Monitoring: City of Moorpark Public Works Department

BR-18: Any equipment or vehicles driven or operated within or adjacent to drainages must be checked and maintained daily, to prevent leaks of materials that if introduced to water

could be deleterious to aquatic life. (Vehicles and equipment shall not be left idling or operated beyond periods needed to accomplish approved tasks.)

Timing/Implementation: During grading and construction activities

Enforcement/Monitoring: City of Moorpark Public Works Department

BR-19: Construction personnel are prohibited from entry into areas outside the designated construction area, except for necessary construction related activities, such as surveying. All such construction activities including access in or adjacent to remaining open space areas must be coordinated with the project biologist.

Timing/Implementation: During grading and construction activities

Enforcement/Monitoring: City of Moorpark Public Works Department

BR-20: Standard dust-control measures of the Ventura County Air Pollution Control District must be implemented to reduce impacts to nearby plants and wildlife. This includes a variety of options to reduce dust including replacing ground cover in disturbed areas as quickly as possible, using tackifiers in watering trucks on active sites regularly, and suspending all excavating and grading operations during periods of high winds.

Timing/Implementation: During grading and construction activities

Enforcement/Monitoring: City of Moorpark Public Works Department

BR-21: Upon completion of construction, the contractor shall be held responsible for scarifying and hydroseeding, using native plant seeds, on any haul roads, access roads, or staging areas that are outside of approved grading limits. This restoration must be done in consultation with the project biologist.

Timing/Implementation: Following grading and during construction activities

Enforcement/Monitoring: City of Moorpark Public Works Department

3.3.9 LEVEL OF SIGNIFICANCE AFTER MITIGATION

Implementation of recommended mitigation measures would reduce the potential direct project-specific impacts to plant communities, common and special-status bird nests, special-status plants, special-status animals, and jurisdictional water resources to a less than significant level. Indirect impacts to biological

resources resulting from project construction activities, increased light and glare, and increases in non-native plant and wildlife species would also be reduced to a less than significant level.

Despite the presence of signage and educational information on remaining sensitive habitat areas on the site, it is likely that domestic animal use of open space areas, including California sagebrush-deerweed, would continue to occur. Conformance to guidelines, CC&Rs, and prohibitions on entering natural areas would be difficult to enforce and monitor. For these reasons, disturbance and degradation of these areas would be expected to result from the project. Therefore, increased human and domestic animal presence on the Project site would be an adverse, but not significant, impact even with implementation of recommended mitigation measures.

Cumulative impacts to biological resources would be reduced to less than significant with the successful mitigation of the native habitat if human and domestic animal impacts to it remain at a minimum.