

4.3 BIOLOGICAL RESOURCES

This section identifies biological resources present on the project site and assesses the project's impacts on those resources. The discussion of biological resources incorporates the results of reconnaissance-level surveys of the project site conducted by the City's EIR consultant (see Appendix D). The surveys updated the results of previous biological surveys of the site, including the *Technical Review of Coastal Sage Scrub Environmentally Sensitive Habitat Area for the North Willow Springs Project* (Dudek, 2014a) and *Wildlife Corridor Analysis for the Heritage Ridge Project* (Dudek, 2014b).¹ The 2015 field reconnaissance surveys documented existing site conditions and the potential presence of sensitive biological resources, including sensitive plant and wildlife species, sensitive plant communities, jurisdictional waters and wetlands, and habitat for nesting birds.

4.3.1 Setting

a. Regional Setting. The project site is located within the South Coast region of Santa Barbara County within the Santa Ynez – Sulphur Mountains subsection of the Southern California Coast, an ecological unit that extends from the Santa Ynez River mouth in northern Santa Barbara County, south and east to the Sulphur Mountains in northern Ventura County. This ecological unit is generally defined by its topography and geography. Locally, the Santa Ynez Mountains to the north of the site form relatively steep hillsides vegetated by native chaparral and drained by incised streams along which grow bands of riparian shrubs and woodlands.

The presence and proximity of the 4,000+ feet high Santa Ynez Mountains adjacent to the Pacific Ocean influence climatic conditions by forcing moving air upwards, and causing an increase in precipitation along the coastal plain. Annual precipitation in this area ranges from 13 to 18 inches, increasing with elevation, and temperatures range from 45 to 65 degrees Fahrenheit (°F). Summer daytime temperatures are also often modified by morning fog and sea breezes and the growing season lasts 250 to 360 days per year.

Much of the coastal plain in the Goleta area between the Santa Ynez Mountains and Pacific Ocean is developed or has been historically disturbed by agriculture or ranching uses. Relatively undisturbed habitats are present along narrow riparian corridors, in scattered undeveloped lands of varying sizes, and in protected open space areas. The habitats and wildlife resources of the area reflect those typically found within the coastal plains of southern California. Native vegetation within the City of Goleta is fragmented, and consists primarily of riparian and upland woodlands and coastal scrub.

b. Project Site Setting. The Project is within the 47.4-square mile Goleta Slough Watershed, which is fed by five major streams: Atascadero, San Pedro, and San Jose Creeks (meet near the mouth of the slough) and Los Carneros and Tecolotito Creeks (meet "upstream" and north of the slough mouth). Not all the tributary creeks are equally important to the functioning of the slough. Atascadero (Maria Ygnacio is part of the Atascadero system), San Jose and San Pedro enter the slough on its extreme eastern edge, within a few hundred meters of the mouth, and have little influence on slough conditions during most of the year. In contrast, Tecolotito and Los Carneros, although smaller streams, enter on the northwest corner and waters, along with tidal inflows, that determine water quality for much of the wetland (Leydecker, 2006).

¹ During the development of the Willow Spring I and II projects located adjacent to the south, the Project site was previously referred to as "North Willow Springs."



Lake Los Carneros is a historic man-made duck pond built in 1936, located north of U.S. 101, approximately 1,300 feet north of the project site. The lake is part of a 136-acre City natural area (Lake Los Carneros Natural and Historic Preservation or LLCNHP).

The Goleta Slough begins 1,200 feet south of the Project between Hollister Avenue and the Pacific Ocean. The Goleta Slough is a large expanse of open water and estuarine/wetland habitats that supports a rich and diverse coastal ecosystem of biological and cultural importance, and provides important ecosystem services such as floodwater storage capacity and the filtering of pollutants contained within stormwater runoff. The Goleta Slough is the northernmost example of a large southern California estuary and represents the northern limit of distribution for several plant and animal species. The slough contains breeding populations of listed species such as the State listed as endangered Belding's savannah sparrow (*Passerculus sandwichensis beldingi*) and federally listed as endangered tidewater goby (*Eucyclogobius newberryi*), as well as other species of federal, state and local concern.

Los Carneros Creek flows intermittently approximately 90 feet to the north of the Project, parallel to U.S. 101, and then into an open, concrete-lined channel 450 feet to the east of the Project (beyond Aero Camino). It then flows from LLCNHP, to a culvert under U. S. 101, and is diverted in a concrete channel for 0.41 mile until it confluences with Tecolotito Creek and flows into the Goleta Slough, from whence its waters flow to the Pacific Ocean. The San Pedro Creek watershed (HUC 180600130202) includes San Pedro, San Jose, Los Carneros, and Tecolotito Creeks and their tributaries, and drains approximately 27.6 square miles. Tecolotito and Los Carneros Creeks had channel realignment projects implemented in 2006 as part of the airport expansion (County of Santa Barbara 2010). Compared with Tecolotito Creek, Los Carneros Creek is less developed and has fewer commercial or residential areas within its watershed (Leydecker, 2006).

The seven acre Los Carneros Wetland, classified as an Environmentally Sensitive Habitat Area (ESHA) in the City's General Plan Conservation Element, is located adjacent to South Los Carneros Road and Hollister Avenue, south of the Project site. The Wetland is just west of the Willow Springs I development, beginning approximately 80 feet from the southern corner of the Project site. Between Willow Springs I and II is an oval-shaped private open space preserve area, which is landscaped with a combination of ornamental and native species.

The Project site has undergone disturbance and import of fill, as discussed under Section 2.0, *Project Description*. Soils in the Project site are mapped as Goleta fine sandy loam, 0% to 2% slopes, Milpitas-Positas fine sandy loam, 2% to 9% slopes, and Xerorthents cut and fill areas (NRCS, 2015).

Methodology. Rincon staff reviewed literature for baseline information on biological resources potentially occurring at the Project site and in the surrounding area. The literature review included information available in peer reviewed journals, standard reference materials (e.g., Bowers et al., 2004; Burt and Grossenheider, 1980; Holland, 1986; Baldwin et al., 2012; Sawyer et al., 2009; Stebbins, 2003; Oberhauser, 2004; American Ornithologists Union, 2014; United States Army Corps of Engineers (USACE), 2008 and 2014). Site-specific reports were reviewed, including the *Technical Review of Coastal Sage Scrub Environmentally Sensitive Habitat Area for the North Willow Springs Project* (Dudek, 2014a), *Wildlife Corridor Analysis for the Heritage Ridge Project* (Dudek, 2014b), and *Preliminary Landscape Plan, Heritage Ridge* (True Nature, 2014). Rincon also conducted a review of relevant databases of sensitive resource occurrences from the California Department of Fish and Wildlife (CDFW) California Natural Diversity Data Base (CNDDDB) (CDFW, 2015a) and Biogeographic Information and Observation System (CDFW, 2015b); the U.S. Fish and Wildlife Service (USFWS) Critical Habitat Portal (USFWS, 2015a),



National Wetlands Inventory Wetlands Mapper (USFWS, 2015b), and Information, Planning and Conservation System (USFWS, 2015a); the United States Department of Agriculture, Natural Resources Conservation Service Web Soil Survey (United States Department of Agricultural, Natural Resources Conservation Service, 2015); and the California Native Plant Society (CNPS) Inventory of Rare and Endangered Plants of California (CNPS, 2015). The City of Goleta General Plan / Coastal Land Use Plan (2009) (General Plan), and the City of Goleta Environmental Review Guidelines and Environmental Thresholds Manual and State CEQA Guidelines (2014) were also reviewed. Other sources of information about the site included aerial photographs, topographic maps, geologic maps, climatic data, and project plans. The Rare Plants of Santa Barbara County list was also reviewed (Central Coast Center for Plant Conservation, 2005). Previous biological studies for projects occurring in the region were reviewed, as dated in Appendix D.

Rincon Consultants conducted a vascular plant survey; wildlife observations; vegetation mapping; and a search for rare, threatened, and endangered species, sensitive natural communities, and potential jurisdictional resources on three separate occasions from March through June 2015. Surveys were conducted on foot and covered the Project site and a 100-foot buffer surrounding the Project site. Wildlife species were identified by direct observation, vocalization, or by sign (e.g., tracks, scat, burrows). Dudek biologists also visited the site on January 22, 2014 and conducted an Environmentally Sensitive Habitat Area (ESHA) analysis of the Project site and vicinity. The Dudek biologists visited the site on five additional occasions in January and February 2013; and on four occasions from February through April 2014 to assess of the condition and quality confirm existing biological conditions; search for wildlife species, sign and tracks, and travel routes; and perform nocturnal spotlighting surveys. The site was also surveyed by Envicom in 2010 and Dudek 2008 as part of the Willow Springs II permitting process (City of Goleta, 2011). An inventory of native plant and animal species observed during the site visit was compiled, and an evaluation of potential jurisdictional features was performed. Where applicable, native vegetation communities were classified according to Sawyer et al. (2009), and cross-referenced with Holland (1986).

The following communities are present on site, as shown in Figure 4.3-1:

Baccharis pilularis (Coyote brush scrub) Alliance [32.060.00]. The Manual of California Vegetation (2009) describes this community as occurring in river mouths, stream sides, terraces, stabilized dunes of coastal bars, spits along the coastline, coastal bluffs, open slopes, and ridges, although the species is upland. Elevations range from sea level to approximately 4,900 feet above mean sea level (amsl). Stands in southern California tend to be largely at the beginning stages of ecological succession towards a steady state (e.g., maturity), such as scrub and woodland types. *B. pilularis* mixes with shrubs with southern affinities (*Artemisia californica*, *Encelia californica*, *Eriogonum fasciculatum*, *Salvia leucophylla*, *S. mellifera*). On the south coast, *Baccharis pilularis* alliance appears as more disturbance related.

Coyote brush scrub at the site is a relatively open stand dominated by coyote brush with an understory of non-native grasses and forbs. The shrub layer consists almost exclusively of coyote brush, and biological diversity is low. California sagebrush is present, but at less than one percent of the total shrub cover. There are no other sage species present (i.e., species of the genus *Salvia* or *Artemisia*). Commonly-occurring species in the understory herbaceous layer include sweet fennel (*Foeniculum vulgare*), pampas grass (*Cortaderia jubata*), short-podded mustard (*Hirschfeldia incana*), scarlet pimpernel (*Anagallis arvensis*), Harding grass (*Phalaris aquatica*), filarees (*Erodium* spp.), ripgut brome (*Bromus diandrus*), rattail fescue (*Vulpia myuros*), and soft chess (*Bromus hordeaceus*).





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Habitat Map

Figure 4.3-1
 City of Goleta

Coyote brush is an early colonizer of disturbed areas. The coyote brush scrub on-site has become established in a slight depression, since this area was last mass graded. Due to the Project site's long history of agricultural use and grading, the coyote brush scrub contains low native species diversity, is infested by invasive species, and has lower overall biological value as compared to coyote brush scrub in a less-disturbed condition. Based on these characteristics, this community is not an example of intact coastal sage scrub that would qualify as ESHA. For further discussion refer to Appendix D, Attachment F *Technical Review of Coastal Sage Scrub Environmentally Sensitive Habitat Area for the North Willow Springs Project*.

Atriplex lentiformis Shrubland (Quailbush Scrub) Alliance [36.370.00]. The Manual of California Vegetation (2009) describes this community as occurring on gentle to steep southeast- and southwest-facing slopes. Elevations range from sea level to approximately 557 feet amsl. The alliance especially occurs in disturbed areas, including roadsides and fluvial areas with alkaline soils. *Atriplex lentiformis* is dominant in the shrub canopy with *Artemisia californica*, *Atriplex canescens*, *Baccharis pilularis*, *Baccharis salicifolia* ssp. *salicifolia*, *Encelia californica*, *Kochia americana*, *Malosma laurina*, *Pluchea sericea*, *Rhus integrifolia*, *Sporobolus airoides*, *Suaeda taxifolia* and *Tamarix* spp. Emergent trees may be present at low cover, including *Myoporum laetum* or *Prosopis glandulosa*.

The community on-site is comprised almost exclusively of common disturbance following native species and non-native invasive species. As is typical with most vegetation maintained in a ruderal condition by frequent disturbance, this vegetation type within Project site does not directly fit into the CDFW plant community classification system. The shrub layer of community on-site is dominated by quailbush, with codominant coyote brush. The understory is dominated by mustard and other non-native annuals. An emergent red willow trees is present in the southeast corner. The on-site community is characterized as ruderal scrub rather than a natural community, but is described as quailbush scrub for the purposes of classification. Quailbush and coyote brush are known initial colonizers after disturbances (i.e., grading), and native plant diversity and structure within the community is low. The Quailbush scrub is established on fill material, presumably since this area of the site was last mass graded. Quailbush scrub is not considered sensitive by CDFW, and is not classified as coastal sage scrub.

Bromus (diandrus, hordeaceus)-Brachypodium distachyon Herbaceous Semi-Natural Alliance [42.026.00]. This semi-natural stand is found in all topographic settings in foothills, waste places, rangelands, openings in woodlands. Elevations range from sea level to approximately 7,200 feet amsl.

On-site areas mapped as non-native grasses and forbs consist overwhelmingly of introduced non-native species, with native species poorly represented. Ripgut brome, summer and black mustard, smilo grass (*Stipa miliacea*), soft chess, and foxtail barley (*Hordeum murinum*) are prevalent. Other selected non-native species occurring in notable quantities are long-beaked filaree (*Erodium botrys*), bristly ox-tongue (*Helminthotheca* [\leq *Picris*] *echioides*), tocalote (*Centaurea melitensis*), and Italian thistle (*Carduus pycnocephalus*). These species may be well distributed or concentrated in certain areas.

Native annual species represent much less than five percent of the vegetative cover. Among these species are Canada horseweed (*Conyza canadensis*), common tarweed (*Deinandra fasciculata*), and western ragweed (*Ambrosia psilostachya*). Emergent native shrubs include California sagebrush and coyote brush. Because they are comprised almost exclusively of non-native invasive species, areas mapped as *Bromus* grassland are not sensitive.



Brassica nigra and other mustards (Upland Mustards) Herbaceous Semi-Natural Alliance [42.011.00]. Typically occurs in fallow fields, grasslands, roadsides, levee slopes, disturbed coastal scrub, riparian areas, waste places. Elevations range from sea level to approximately 4,900 feet amsl. *Brassica nigra*, *Brassica rapa*, *Brassica tournefortii*, *Hirschfeldia incana*, *Isatis tinctoria* or *Raphanus sativus* are dominant in the herbaceous layer. Emergent trees and shrubs may be present at low cover.

Under the Willow Springs II EIR, this area was classified as “non-native grasses and forbs” (City of Goleta, 2012). On-site black mustard (*brassica nigra*) is dominant, and many other non-native annual species are also present. This area was required to be hydro-seeded with native seed for erosion control following grading in 2013 as part of Willow Springs II. Seeded species include purple needle grass (*Stipa pulchra*), nodding needle grass (*Stipa cernua*), California brome (*Bromus carinatus*), blue wildrye (*Elymus glaucus*), California brittlebrush (*Encelia californica*), western blue-eyed grass (*Sisyrinchium bellum*), small fescue (*Festuca microstachys*), and California poppy (*Eschscholzia californica*). Emergent trees include tree tobacco (*Nicotiana glauca*) and shrubs include castor bean (*Ricinus communis*) and coyote brush.

Pursuant to the General Plan CE Policy 5.2 and the City of Goleta Environmental Review Guidelines and Environmental Thresholds Manual, existing native grasslands must be comprised of 10% or more total relative cover (proportion in relation to other species) of native grasses and that removal of or disturbance to a patch of native grasses (e.g., purple needle grass) less than 0.25 acre that is clearly isolated and not part of a significant native grassland or an integral component of a larger ecosystem is allowed. The purple needle grass observed within the upland mustard area does not constitute sensitive native grassland pursuant to the General Plan and of Goleta Environmental Review Guidelines and Environmental Thresholds Manual, since it does not meet the coverage criteria and was required to be planted for erosion control following approved 2013 grading.

Disturbed. Disturbed areas include the Camino Vista roadway constructed in 2013, dirt roads, and areas cleared as part of the recent Los Carneros Bridge improvements. These areas have been recently graded or are subject to routine disturbance, leaving them barren or sparsely vegetated. Plant species consist overwhelmingly of non-native species, as well as occasional native species common to highly disturbed areas.

The project would result in the removal of the following acres of each habitat type shown in Table 4.3-1:

**Table 4.3-1
 Project Site Habitats**

Habitat Type	Acres Impacted
Baccharis pilularis (Coyote brush scrub) Alliance	3.3
Atriplex lentiformis Shrubland (Quailbush Scrub) Alliance	4.9
Brassica nigra and other mustards (Upland Mustards) Herbaceous Semi-Natural Alliance	4.1
Bromus (diandrus, hordeaceus)-Brachypodium distachyon Herbaceous Semi-Natural Alliance	1.7
Disturbed	3.4
Total	17.4

Off-site natural communities, between the railroad and U.S. 101 to the north of the site, include Eucalyptus groves (*Eucalyptus (globulus, camaldulensis)* Semi-Natural Woodland Stands [79.100.00]) and Arroyo willow thickets (*Salix lasiolepis* Alliance [61.205.00]).²

² Also considered Southern Arroyo Willow Riparian Forest [CTT61320CA] under Holland, which is considered sensitive by CDFW.



Special Status Plants. For the purposes of this report, special status plant species are those plants listed, proposed for listing, or candidates for listing as threatened or endangered by the USFWS under the federal Endangered Species Act (FESA) (7 U.S.C. § 136, 16 U.S.C. § 1531 *et seq.*); those listed or proposed for listing, or candidates for listing as rare, threatened, or endangered by the CDFW under the California Endangered Species Act (CESA); and/or species on the *Special Vascular Plants, Bryophytes, and Lichens List* (CDFW, 2015c). This latter document includes the *California Native Plant Society (CNPS) Inventory of Rare and Endangered Vascular Plants of California, Seventh Edition* (CNPS, 2015) as updated online. Those plants contained on the CNPS Rare Plant Rank (CRPR) Lists 1, 2, 3, and 4 are considered special status species; refer to Appendix D for further discussion of CRPR specifics. CEQA Guidelines, Section 15125(a), also directs that special emphasis should be placed on resources that are rare or unique to the region. For example, plants listed by the Santa Barbara Botanic Garden (SBBG) or the Goleta Slough Ecosystem Management Plan (GSEMP) may be considered locally sensitive.

Based on the database and literature review, 17 special status plant species are known or have the potential to occur within a 5-mile vicinity of the Project site. Of these, seven special status plant species have a low potential to occur based on the presence of potentially suitable habitat and recorded occurrences:

- Coulter's saltbush (*Atriplex coulteri*) – CRPR 1B.2
- Davidson's saltscale (*Atriplex serenana* var. *davidsonii*) – CRPR 1B.2
- Mesa horkelia (*Horkelia cuneata* var. *puberula*) – CRPR 1B.1
- Pale-yellow layia (*Layia heterotricha*) – CRPR 1B.1
- Black-flowered figwort (*Scrophularia atrata*) – CRPR 1B.2
- Southern tarplant (*Centromadia parryi* ssp. *australis*) – CRPR 1B.1
- Contra Costa goldfields (*Lasthenia conjugens*) – federally endangered and CRPR 1B.1
- Santa Barbara honeysuckle (*Lonicera subspicata* var. *subspicata*) – CRPR 1B.2

No special status plant species were observed during the spring 2015 surveys or previous surveys in 2014, 2013, 2010, or 2008. Based on the long history of agricultural use and soil disturbance at the Project site, and because the Project site was mass graded on at least two occasions since 1986, the potential for occurrence of special status plant species is considered to be very low. Furthermore, competition from invasive species further reduces the potential for occurrence of listed species.

Sensitive Plant Communities. One sensitive plant community that is tracked by the CNDDDB occurs within the Project vicinity: Southern Coastal Salt Marsh. This nearshore marine tidal habitat is not present on-site. During the 2015 surveys no sensitive plant communities were present, nor were any of the individual indicator species associated with the communities observed. As discussed above, the purple needlegrass hydro-seeded within the upland mustard area is not considered a sensitive community pursuant to the General Plan and City of Goleta Environmental Review Guidelines and Environmental Thresholds Manual. ESHA on-site and adjacent to the Project is discussed below, shown in Figure 4.3-2, and discussed in detail in Appendix D. Special-Status Species and Environmentally Sensitive Habitats identified in the Goleta General Plan/Local Coastal Program are shown in Figure 4.3-3.

Special Status Wildlife. Special status wildlife species are animals listed, proposed for listing, or candidates for listing as threatened or endangered by the USFWS or National Marine Fisheries Service under the FESA; those listed or proposed for listing as rare, threatened, or endangered by the CDFW under the CESA; animals designated as “Fully Protected,” “Species of Special Concern,” or “Rare,” by the

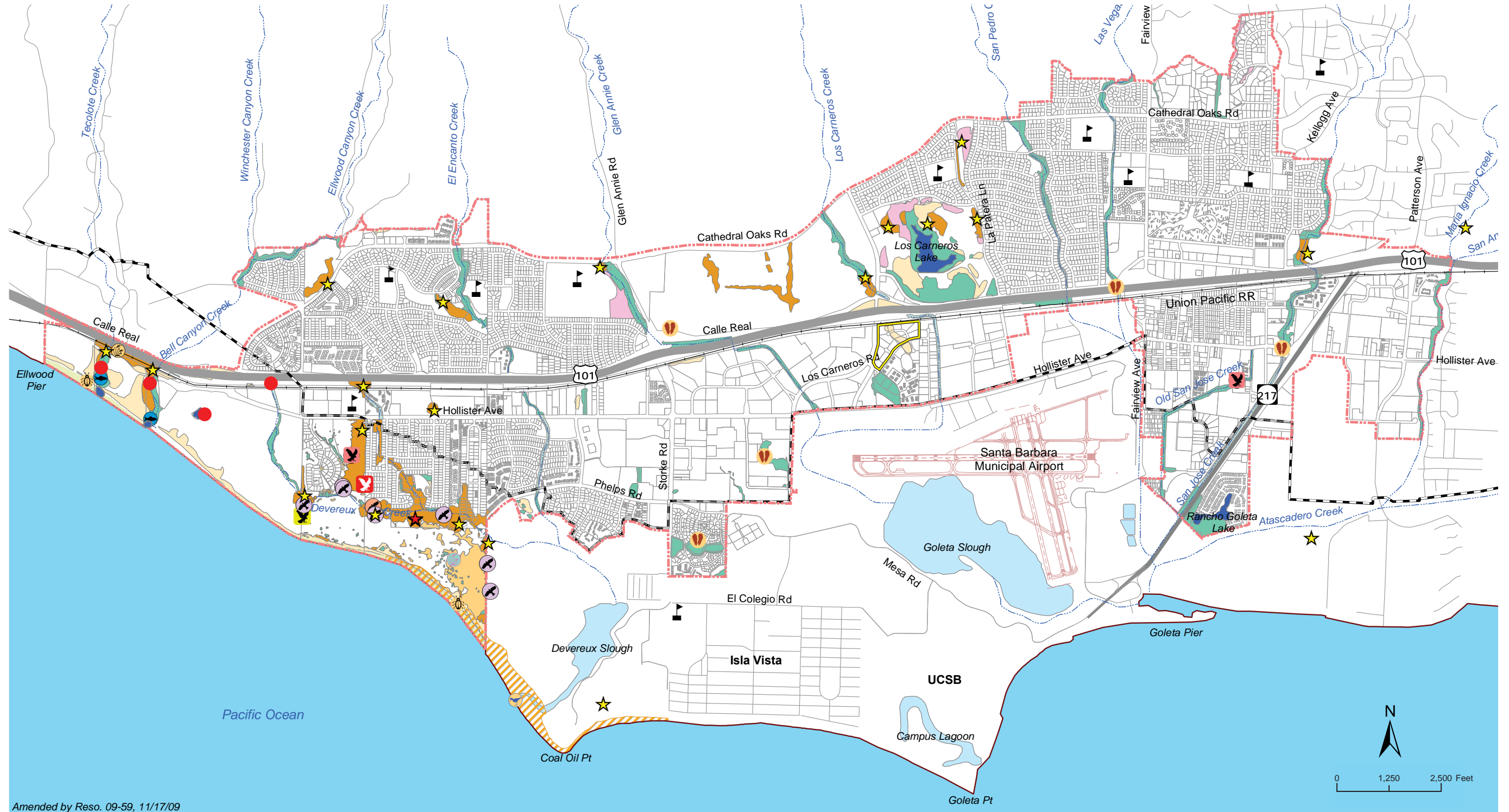




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 Additional data provided by City of Goleta, March 2015.

Surrounding ESHA Map

**Figure 4.3-2
 City of Goleta**



Amended by Reso. 09-59, 11/17/09

- | Legend | | Special-Status Species | |
|---|--|----------------------------|-------------------------------|
| Environmentally Sensitive Habitats | | | |
| Beach and Shoreline | Sage Scrub/Dune/Bluff Scrub | Cooper's Hawk Nest | Tidewater Goby |
| Unvegetated Open Creek Channel | Native Upland Woodlands/Savannahs | Kite Nest | Red-Legged Frog |
| Open Water | Monarch Butterfly and/or Raptor Roosting Habitat | Red-Shouldered Hawk Nest | Globose Dune Beetle |
| Riparian/Marsh/Vernal Pool | Critical Habitat for the Western Snowy Plover | Red-Tailed Hawk Nest | Santa Barbara Honeysuckle |
| Native Grassland | | Vulture Roost | Black-Flowered Figwort |
| | | Western Snowy Plover | Southern Tarplant |
| | | Ellwood Main Monarch Grove | Monarch Butterfly Aggregation |

- Other Features**
- Goleta City Boundary
 - Coastal Zone
 - Schools
 - Creeks
 - Project Site

Sources: Habitat mapping conducted by Jones & Stokes in April-May 2006 based on aerial imagery (1-foot resolution) and field observation, merged with 1) information on the occurrence of special status habitats and species collected by City from recent information from local environmental review; 2) mapping of creeks, ponds, lakes and reservoir location based on USGS topographic map review and habitat management plan documents, air photo interpretation, and field survey; and 3) review of California Natural Diversity Database (CNDDDB) records by Jones & Stokes for occurrence of special status species in the Goleta and Dos Pueblos quadrangles and vicinities (2006 databases). Habitats reflect those comprising an ESHA.

Note: ESHA locations are approximate. Any area not designated on the ESHA map that meets the ESHA criteria shall be accorded the same protections as if the area was shown on the map. ESHA buffers are not shown on this map. Refer to the applicable policy in the General Plan for the specific buffer widths.

Special-Status Species and Environmentally Sensitive Habitat Areas

CDFW; and species on the *Special Animals List* (CDFW, 2015d). CEQA Guidelines Section 15125(a) also directs that special emphasis should be placed on resources that are rare or unique to the region.

Based on the database and literature review, 47 special status wildlife species are known or have the potential to occur within the vicinity; known occurrences within 5 miles of the Project were considered in this analysis (Appendix D). Of these, 26 species have a low potential to occur, based on the “low” criteria.³ While species such as white-tailed kite and Coopers hawk have been recorded foraging on the site, they have a low potential to occur based on the category under Appendix D. For bird and bat species, the low category may be used for species that are documented but likely to be only transient through the area during foraging or migratory movements, and for which no suitable nesting or roosting habitat is present. The species that can be reasonably anticipated to occur were determined based on the reported ranges of the species, and the type, extent, and condition of habitat available at the site.

The use of the site by sensitive vertebrate wildlife species is limited to foraging by some species of birds and mammals listed as Fully Protected (FP), Species of Special Concern (SSC), Watch List (WL), or other Special Animals (SA) by the State of California. No species listed as threatened or endangered under the FESA or the CESA are expected to have the potential to occur at the site; for details refer to Appendix D, *Special Status Species Evaluation Tables*. No sensitive species are expected to reproduce at the site.

Special status species present or with a low potential to occur within or adjacent to the Project but could be potentially affected, are discussed below.

Low:

- Monarch butterfly (*Danaus plexippus*) – SA, foraging
- Silvery legless lizard (*Anniella pulchra pulchra*) – SSC
- Coast horned lizard (*Phrynosoma blainvillii*) – SSC
- Two-striped garter snake (*Thamnophis hammondi*) – SSC, foraging
- Cooper’s hawk (*Accipiter cooperi*) – WL, foraging
- Grasshopper Sparrow (*Ammodramus savannarum*) – SSC, foraging
- Sharp-shinned hawk (*Accipiter striatus*) – WL, foraging
- Short-eared owl (*Asio flammeus*) – SSC, foraging
- Long-eared owl (*Asio otus*) – SSC, foraging
- Oak titmouse (*Baeolophus inornatus*) – SA, foraging
- Burrowing owl (*Athene cunicularia*) – SSC, overwintering and foraging
- Vaux’s swift (*Chaetura vauxi*) – SSC, foraging
- Northern harrier (*Circus cyaneus*) – SSC, foraging
- Black swift (*Cypseloides niger*) – SSC, foraging
- White-tailed kite (*Elanus leucurus*) – FP, foraging
- Merlin (*Falco columbarius*) – WL, foraging
- Loggerhead shrike (*Lanius ludovicianus*) – SSC, foraging
- Yellow warbler (*Setophaga petechia*) – SSC, foraging
- Hoary bat (*Lasiurus cinereus*) – SA, foraging

³ The “low” definition, from Appendix D: Suitable or marginal habitat may occur in the Project site; however: no CNDDDB records of the species have been recorded within twenty five years; records of the species within 5 miles of the Project are suspected to be now extirpated or potentially misidentified with other species; or individuals were not observed during field surveys and are not anticipated to be present. For bird and bat species, this category may be used for species that are documented, but likely to be only transient through the area during foraging or migratory movements, and for which no suitable nesting or roosting habitat is present.



- Pallid bat (*Antrozous pallidus*) – SSC, foraging
- Silver-haired bat (*Lasionycteris noctivagans*) – SA, foraging
- Western mastiff bat (*Eumops perotis californicus*) – SSC, foraging
- Western red bat (*Lasiurus blossevillii*) – SSC, foraging
- Townsend's big-eared bat (*Corynorhinus townsendii*) – SSC, foraging
- Yuma myotis (*Myotis yumanensis*) – SA, foraging
- American badger (*Taxidea taxus*) – SSC, foraging

No special status wildlife species were observed during 2015 or previous surveys, with the exception of foraging raptors. As many as five species of bats and three other species of mammals listed as SSC may occur at the Project site. The bat species would only be expected to aerially forage occasionally over the site, and would not be expected to roost, hibernate, or reproduce on the site. The badger could potentially reach the Project site from natural areas to the north by way of the Los Carneros Creek riparian corridor; although, given the disturbed condition of the Project site and vicinity, as well as its small size, any occurrence of badgers would likely be transient.

Nesting Bird Habitat. The Project site contains habitat that can support nesting birds, including raptors, protected under the California Fish and Game Code (CFG) Section 3503 and the Migratory Bird Treaty Act (MBTA) (16 U.S.C. §§ 703–712). Woody shrubs, eucalyptus and willow woodlands, and ornamental trees are present within and adjacent to the Project that could provide suitable nesting habitat. However, no active or previously occupied nests were observed in the vegetation during the 2015 or previous surveys.

Many other sensitive bird species potentially use the Project site for foraging (see Appendix D), but are not expected to nest thereon. The yellow-breasted chat and the yellow warbler may temporarily forage in the disturbed coyote brush scrub during migration, as each is known to utilize scrub habitats and is known to occur within the Goleta Slough Ecosystem and nearby Tecolotito Creek. The northern harrier is a fairly common visitor to the Goleta Slough and has been observed roosting at the Los Carneros Wetland, which is a few hundred feet to the south of the Project. This species as well as migrants such as the Vaux's swift and black swift may potentially forage over the Project site when present in the area. The burrowing owl and loggerhead shrike are also known from the Goleta Slough and have been observed in the vicinity of the Project to the west of Los Carneros Road.

Raptor Habitat. The City and surrounding area are inhabited by several species of migratory and resident raptors. Sensitive raptors species are known to occur or have potential to occur at the Project site, including the white-tailed kite, burrowing owl, northern harrier, Cooper's hawk, sharp-shinned hawk, long-eared owl, short-eared owl, and merlin may forage on or near the Project site. The white-tailed kite and burrowing owl are discussed below.

White-tailed kite. The white-tailed kite is a regular breeder and year-round resident in the Goleta area. Numbers declined in the area beginning in the 1970s through the early 1990s, but subsequently rebounded, based on annual Santa Barbara Audubon Society Christmas Bird Count data and annual monitoring of kite populations by local biologists (National Audubon Society 2015; Holmgren 2011). Although roost sites may shift suddenly within and between seasons, nearly all roosts on the South Coast since 1965 have been on or within one mile of More Mesa (Lehman, 2015). At the Goleta Slough, white-tailed kites forage regularly and have been recorded roosting in small numbers. Kites have been observed foraging over the Project site. The white-tailed kite inhabits low elevation, open grasslands, savannah-like habitats, agricultural areas, wetlands, and oak woodlands (Dunk, 1995). They



nest in trees, usually with a dense canopy, but nest trees can vary from single, isolated trees to trees within large woodlands. Along the South Coast, preferred nest trees include (in order of frequency used): oaks, pines, Monterey cypress, eucalyptus, and willows (Holmgren, 2000). In the Goleta area, nest sites are always adjacent to open space areas with a stable prey base, and kites show long-term fidelity to sites with good foraging opportunities (Holmgren, 2000). A variety of foraging habitat types are used, but those that support larger and more accessible prey populations are more suitable. Diurnally active rodents, primarily meadow vole (*Microtus californicus*), but also house mouse (*Mus musculus*) and western harvest mouse (*Reithrodontomys megalotis*) are the kite's principal dietary components. White-tailed kite territory size is a function of prey and competitor abundance. Reported average territory sizes include 4 to 53 acres, 47 to 130 acres, and 42 to 297 acres (City of Goleta, 2011). They are also found less commonly over agricultural areas and along highway rights-of-way (Lehman, 2015).

Burrowing owl. The burrowing owl formerly bred along the South Coast and in western Santa Barbara County, but its presence along the South Coast and western portions of Santa Barbara County is now restricted to late fall and winter transients from more interior portions of California (Lehman, 2015). Favored overwintering sites over the past two decades have been More Mesa and San Marcos Foothills (Lehman, 2015). Burrowing owls frequent extensive dry or sparse grassland and agricultural areas. The burrowing owl nests in burrows typically dug by fossorial mammals such as badgers and ground squirrels. Man-made structures, such as cement culverts and debris piles, may also be used. Recent sightings of wintering burrowing owls along the South Coast include Atascadero Creek near More Mesa in 2008, rocky grassland northeast of Foothill Road and Highway 154, the University of California Santa Barbara (UCSB) West Campus in 1998 and other University lands north of the Coal Oil Point Reserve in 2001. The latter record was of a single individual observed within a burrow in heavily disturbed area in the southern portion of the University-owned South Parcel, several hundred feet northwest of Devereux Slough in winter, 2001. A burrowing owl may have been observed on November 7, 2006 by Goleta staff along the railroad berm to the north of the Village at Los Carneros development site west of Los Carneros Road (City of Goleta, 2014a). Given the lack of recent records in the project vicinity, fragmented ruderal habitat subject to ongoing disturbance, and the adjacency of on-site ruderal habitat to U.S. 101 and the Union Pacific Railroad (UPRR) tracks, the burrowing owl has low potential to overwinter on or adjacent to the Project site.

As discussed above, the low potential to occur determination is applied to species that are documented, but likely to be only transient through the area during foraging or migratory movements. Several other raptors that do not meet the aforementioned definition as "sensitive" (but are protected when nesting pursuant to CFGC § 3503.5) were observed or have the potential to forage at the site, including the American kestrel (*Falco sparverius*), barn owl (*Tyto alba*), great horned owl (*Bubo virginianus*), red-shouldered hawk (*Buteo lineatus*), red-tailed hawk (*Buteo jamaicensis*), and turkey vulture (*Cathartes aura*). The following discussion of raptor habitat focuses considerably on the sensitive white-tailed kite, as the local population of white-tailed kites has been well studied, it is the only FP raptor documented as foraging (only) at the Project site, and it also nests in the Goleta area (outside the Project site).

The General Plan extends protection to raptor nesting and roosting sites, by designating nesting and roosting sites as ESHA. The City requires that new development be set back at least 100 feet from active and historical raptor nests that qualify as ESHA, under CE Policy 8.4 (when feasible). Nesting raptors are also protected by Fish and Game Code Sections 3503 and 3503.5, as well as the Migratory Bird Treaty Act.



Raptor nests were not observed during the biological surveys conducted in 2015, 2014, 2013, 2010, and 2008, and the General Plan does not have a record of a historical raptor nest at or adjacent to the Project, as shown in the General Plan CE Figure 4.1 (Figure 4.3-1). Special Status and other sensitive raptors do not have potential to nest at the Project site due to lack of suitable nesting habitat and the proximity of the site to existing development, noise, and human activities, or because the Goleta area is outside of the species current breeding range. The Project site also lacks habitat for communal roosts of turkey vultures or white-tailed kites. The stand of eucalyptus located to the north of the northern stockpile area and the UPRR could be used by nesting raptors, although this is considered unlikely due to the proximity of the trees to Los Carneros Road and U.S. 101 and, therefore, considerable traffic and noise. Additionally, the off-site trees were surveyed for nests in the spring 2015, and raptor nests (active or inactive) were not detected.

White-tailed kites gather in communal roosts during the non-breeding season. Roost aggregations of several to 45 individuals were recorded during regular monitoring of several roost sites in Goleta from November 1986 to May 2000 (Holmgren, 2000). Historically, More Mesa has been the most important communal roosting site in the Santa Barbara area, which is approximately three miles from the Project. Turkey vulture communal roosts at Ellwood North and Ellwood West on Ellwood Mesa are documented in the Ellwood-Devereux Coast Open Space and Habitat Management Plan (March 2004). The northern harrier has also roosted at the Los Carneros Wetland (GSEMP, 1997).

At the Los Carneros Wetland, white-tailed kites nested in 1990 (City of Goleta, 2012), and winter roosts were observed 1985–1990 (Lehman, 2015). However, presence/absence data for nesting kites is lacking for the wetland for most years since 1990. This historical nest site is several hundred feet to the south of the Project and, therefore, well outside of the 100-foot buffer required between new development and historical nest sites of sensitive (special status) raptors by the General Plan (City of Goleta, 2012).

White-tailed kite nest sites can be vacated for a period of years and returned to later for nesting (Holmgren, 2000). The possibility of kites returning to roost or nest at the Los Carneros Wetland cannot be discounted, although it is less likely now that the wetlands are nearly surrounded by residential development and roads. In the Goleta area, kite nest sites have always been adjacent to open space areas with a stable prey base (Holmgren, 2000). Historical nest sites in the Goleta area have been abandoned when adjacent foraging areas have been compromised (Holmgren, 2000). Selected important nesting areas for the white-tailed kite in the Goleta area include Ellwood Mesa, LLCNHP, Coal Oil Point Reserve and nearby undeveloped areas, More Mesa, the East Storke Campus Wetland, and the Goleta Slough.

General Plan Policy CE 8.2 requires that all development be located, designed, constructed, and managed to avoid disturbance or adverse impacts to sensitive (special status) species and their habitats, including nesting, rearing, roosting, foraging, and other elements of required habitats. The City's Environmental Thresholds and Guidelines Manual instructs that a project may result in a significant impact if it substantially fragments, eliminates, or otherwise disrupts foraging areas and/or access to food resources.

The Project site includes 4.74 acres of *Bromus* grassland, 4.17 acres of quailbush scrub, 3.29 acres of coyote brush scrub, and 4.06 acres of upland mustards that likely provide limited low-quality foraging habitat for raptors. The raptor foraging habitat at the Project site is separated from Bishop Ranch and Lake Los Carneros foraging habitat by U.S. 101 and UPRR train tracks. Two important factors influencing habitat quality for foraging are prey density, as well as habitat features affecting prey accessibility, such



as suitable perches (Dunk 1995). A number of prey species including Botta's pocket gophers, California ground squirrels, brush rabbits, various passerines, and western fence lizards, as well as several rodent burrows were observed during the biological surveys of the site in 2010, 2013, 2014, and 2015. Based on previous environmental analysis, the site has prey availability and foraging value (City of Goleta, 2011). The Project site does not contain notable perching habitat for foraging raptors. There are a few medium-sized trees, fences, and tall posts adjacent to the Project site, as well as tall eucalyptus trees to the north, which could serve as perches for foraging raptors. However, these potential perches are generally close to existing development or the traffic and noise of U.S. 101.

The Project site is part of a local wildlife linkage between natural habitats to the north of U.S. 101, the project site, and Los Carneros Wetland. These habitat connections are expected to have positive effects on the foraging value of the site, as they allow for dispersal of small mammals and other prey species to repopulate the site following population declines. Prey density is in part dependent upon the ability of prey populations to rebound following cyclical declines caused by over-exploitation by predators or catastrophes, such as drought or disease. Habitat connectivity is an important factor affecting the ability of prey populations to rebound. Corridors and connections among habitat areas indirectly support kites as well as other birds-of-prey by maintaining their prey base.

White-tailed kites are known to forage up to tens of kilometers from communal roost sites, so when prey reductions occur at the local level, kites have a sufficiently large daily range that they can find other areas to hunt (Dunk, 1995). When collapse of prey populations occurs at the regional scale, kites can vacate an area until prey populations rebuild at which time kites gradually reoccupy suitable foraging areas, nest sites, and roost locations (Dunk, 1995). The local population of white-tailed kites has fluctuated dramatically presumably in response to prey abundance. Kites are a nomadic species able to adopt new home bases and vacate long-used areas quite abruptly (Dunk, 1995). The presence and abundance of white-tailed kites is strongly correlated with the presence of meadow voles (Stendell, 1972). California voles (*Microtus californicus*) were not observed, but can be expected to occur at the Project site.

As discussed previously, white-tailed kites formerly nested at the Los Carneros Wetland. If kites were to return to nest at the Los Carneros Wetland, the foraging habitat at the Project site would become of greater importance, as kites seldom forage more than 0.5 mile from the nest when breeding (Hawbecker, 1942). Henry (1983) found the mean breeding home range to be as low as 0.2 mile. The Project is within a 0.2-mile radius of the wetland, and much of the area within a 0.5-mile radius of the wetland is currently developed and would be almost completely developed under the Project. With development of the Project, kites nesting at the Los Carneros Wetland would be able to forage within a 0.5-mile radius of the wetland at the areas within the Goleta Slough Ecosystem south of Hollister Road, and undeveloped fields and native habitats north of U.S. 101.

The Project site is also within a 0.5-mile radius of the natural habitats at LLCNHP, where nesting kites or kites displaying persistent territoriality have been observed in most years since year 1999 (City of Goleta, 2012). Kites have been recorded nesting in the pine trees south of the dam in recent years (Millikan, 2011). Although the Project is within a 0.5-mile radius of this area, the foraging habitats at the LLCNHP and adjacent undeveloped fields to the north of U.S. 101 are probably of sufficient size and quality to support successful kite breeding. The Project is outside of the anticipated foraging range of nesting white-tailed kites at other known key nesting areas in the Goleta area (City of Goleta, 2012).



Although the Project site is estimated to be of moderate value to foraging raptors, it is of lesser regional importance given its small size, fragmented condition, proximity to urban development and road right-of-ways, and low native habitat diversity. The Project site is part of a fragmented area of disturbed habitat that is surrounded by development and roads. The Goleta area contains a number of other natural areas that provide comparatively larger expanses and higher value raptor habitat, as evidenced by the documented use and repeated nesting of various species of raptors in these areas (City of Goleta, 2012). For example, quality raptor habitat exists at Ellwood Mesa, LLCNHP, the Goleta Slough, Coal Oil Point Reserve and vicinity, and the Santa Ynez foothills.

Raptors generally require large home ranges, and individual foraging territories are often measured in terms of tens of acres to square miles. During breeding, demand for prey increases and additional habitat must be available for young birds to disperse from nesting locations and establish new territories. Urban development and other land-use conversion have resulted in the removal of substantial amounts of raptor foraging habitat in the Goleta area. Loss of foraging habitat reduces prey abundance and availability, which reduces and limits the number of raptors a given area can support. In general, smaller populations are less resilient to environmental stress (e.g. drought, disease, and fluctuations in prey availability).

Semi-aquatic Animals and Off-site Aquatic Critical Habitat. Semi-aquatic species (e.g., California red-legged frog, two-striped garter snake) are not likely to occur in and upstream from the channelized section of Los Carneros Creek adjacent to the Project, because only a limited band of riparian habitat is present that is adjacent to and subject to noise and vibration disturbances from U.S. 101 and UPRR. The upland areas within 100 feet of the creek include the off-site filled and compacted UPRR tracks, and areas on the Project site that have recently been graded and reseeded. Areas within 500 feet of the creek are not suitable upland transitional habitat.

Off-site Los Carneros Creek provides intermittent aquatic habitat; during the dry season flow is low and consists of agricultural and urban run-off (Leydecker, 2006). The creek is designated critical habitat for the southern steelhead, and south of Hollister Avenue for the tidewater goby (*Eucyclogobius newberryi*). However, neither species is anticipated to be present adjacent to the Project since the riparian area is separated from the Goleta Slough by 0.41 mile of channelization. Refer to Appendix D for map of designated critical habitat in the Project vicinity.

Jurisdictional Drainages and Wetlands. No areas defined as wetlands by Federal, State or local policies are located on the Project site. Two previously identified jurisdictional features exist off-site adjacent to Project: 1) Los Carneros Creek, approximately 90 feet (measured from the edge of riparian vegetation) north of the northeast corner and channelized east of the Project; and 2) the Los Carneros Wetland adjacent to S. Los Carneros Road and Hollister Avenue, approximately 80 feet south of the southeastern corner of the Project site. No jurisdictional features are present within the Project site.

Los Carneros Creek riparian habitat, measured to edge of the willow thickets, extends approximately 100 feet wide beyond the limits of the banks where the creek crosses U.S. 101. The potential off-site jurisdictional edge of riparian vegetation begins approximately 90 feet from the northern Project boundary. During 2015 surveys the ordinary high water mark (OHWM) was not apparent as the creek was obscured by vegetation. The off-site drainage is intermittent and does not regularly contain flowing water (Leydecker, 2006). Los Carneros Creek is channelized approximately 400 feet to the east of the Project, separated by Aero Camino. Water in Los Carneros Creek flows approximately 1.18 river miles



south to its confluence with Tecolotito Creek, then approximately 2.24 river miles through the Goleta Slough to the Pacific Ocean.

As authorized by the USACE 404 Permit (No. 95-50087-DJC) the Los Carneros Wetland is permitted to receive stormwater flows from the Willow Springs I & II development, and the Project site. The northern portion of the Los Carneros Wetland was required to be created to both as mitigation for filling a portion of a wetland on Willow Springs I, and to manage stormwater run-off from Willow Springs I & II and the Project site.

Wildlife Movement Corridors. Wildlife need to access essential habitat for water, foraging, breeding, and cover. Examples of barriers or impediments to movement include housing and other urban development, roads, fencing, unsuitable habitat, or open areas with little vegetative cover. “Wildlife corridor” is a term commonly used to describe linkages between discrete areas of natural habitat that allow movement of wildlife for foraging, dispersal, and seasonal migration.

The Project is in a highly urbanized area. At the regional/landscape level scale, the City is not within any mapped landscape models, such as an Essential Connectivity Area or Natural Landscape block in the *California Essential Habitat Connectivity Project: A Strategy for Conserving a Connected California* (Spencer, et al. 2010). Recent EIRs analyzed potential impacts to wildlife corridors for proposed residential projects adjacent to Los Carneros Road and south of U.S. 101: Willow Springs II, to the east of Los Carneros Road (City of Goleta, 2011), and the Village at Los Carneros (City of Goleta 2014), to the west of Los Carneros Road. Tecolotito Creek is recognized as ESHA under the General Plan and considered a wildlife corridor for mammal species that travel between the Santa Ynez Mountain foothills and the Santa Barbara Airport and greater Goleta Slough (Dudek, 2014b). Los Carneros Creek that connects areas north of U.S. 101 to the Goleta Slough is a poor wildlife linkage providing minimal wildlife habitat. The “stormwater culvert” consists of an approximate 2,000-foot concrete-lined flood control channel with steep walls and 6-foot high chain-link fences at the top-of-slope (west and east) bordering the channel. The Project site was evaluated as an alternative wildlife movement corridor, from the Los Carneros Creek culvert under U.S. 101, through the Project site and Los Carneros Wetland, below Hollister Avenue, and to the Goleta Slough (City of Goleta, 2011; Figure 4.3-3).⁴

The General Plan does not specifically define “wildlife corridors” or “habitat networks” which as discussed below, are protected under the General Plan. A wildlife movement corridor was defined by the City in the Willow Springs EIR as:

“...physical connections that allow wildlife to move between patches of suitable habitat in both undisturbed landscapes, as well as environments fragmented by urban development. Large areas of suitable habitat and corridors between these areas are necessary to maintain healthy ecological and evolutionary processes. For example, wildlife movement corridors are necessary for dispersal and migration, to ensure the mixing of genes between populations, and so wildlife can respond and adapt to environmental stress.”

The *Wildlife Corridor Analysis for the Heritage Ridge Project* (Appendix D) further defines wildlife movement between core areas and/or habitat patches as wildlife corridors and linkages:

⁴ The wildlife analysis shown in Figure 4.3-3 of the Willow Springs II EIR does not account for the existing cultural resource fencing present in the project site.



Habitat Linkage: An area which possesses sufficient cover, food, water and/or other essential elements to serve as a movement pathway between two or more large areas of habitat. An example of a linkage would be a belt of coastal sage scrub traversing a development, and connecting suitable habitat areas on either side of the developed area.

Wildlife Corridor: Areas of open space of sufficient width to permit larger, more mobile species to pass between larger areas of open space (core habitats), or to disperse from one major core habitat to another. Such areas can be several hundred feet wide, unobstructed, and usually possess cover, food and water.

The Willow Springs II EIR identified two biologically significant ecological habitat “patches” in the area, the Santa Ynez Mountains and the Goleta Slough. The latter, the Goleta Slough, has become isolated from the “core habitats” of the Santa Ynez Mountains due to urban expansion in the City. Several creeks connect these two ecological areas, including Tecolotito (Glen Annie), Los Carneros, San Pedro, Las Vegas, San Jose, and Marie Ignacio. Tecolotito Creek has been determined to be one of four primary corridors in the Goleta Valley with sufficient culvert sizes to allow for movement of larger mammals (i.e., deer and black bears) (Hoagland et al., 2011; City of Goleta 2012). However, in the Village of Los Carneros FEIR, the City (2014) noted that the largest species to move through Tecolotito Creek and its culverts are foxes (*Vulpes* spp.) and the American badger, and found the 110-foot total minimum width (60 feet for the Tecolotito Creek ESHA and 50 feet for adjacent upland habitat) proposed for the Los Carneros Village project was sufficient for wildlife species utilizing corridor (City of Goleta, 2014c). Based on literature, existing regional data, and site-specific studies, Tecolotito Creek and its culverts provide the best option for wildlife movement between the Santa Ynez Mountain foothills and the Goleta Slough on Santa Barbara Airport property.

In 2014 and 2013, wildlife camera studies were conducted, as summarized in the *Wildlife Corridor Analysis for the Heritage Ridge Project* (Appendix D). The study found evidence of a wildlife linkage between the Santa Ynez Mountain foothills and the Los Carneros Wetlands through the Heritage Ridge Project site and no linkage between the Los Carneros Creek or Wetlands and the greater Goleta Slough on the Santa Barbara Airport. This on-site wildlife linkage is important for many small- (raccoon, striped skunk, etc.) and medium- (coyote and bobcat) sized mammal species that use these areas (wetlands and foothills) to hunt, seek shelter, breed, and conduct other normal behaviors important for their survival, especially within the wilderness-urban interface. The study confirmed that the Hollister Avenue culvert at Tecolotito Creek offers the most ideal wildlife access point to the Goleta Slough on Santa Barbara Airport property. Another possible wildlife linkage exists to the east connecting to Las Vegas Creek at the Twin Lakes Golf Course, which also connects to the Goleta Slough, although with impediments. The expected end point of the linkage for most wildlife species traveling to the east may be the golf course for hunting opportunities.

Local Policies and Ordinances. Natural resources are regulated and protected through the Conservation Element (CE) of the General Plan, which contains policies aimed at protecting ESHAs that are generally mapped in Figure 4.1 of the General Plan (Figure 4.3-2). The General Plan provisions are also included in the City’s Zoning Ordinance through the ESHA Goleta Overlay (Section 35-250B).⁵ Policies in the CE reinforce State and Federal regulations that protect special-status habitats and species and apply additional local restrictions to identify, preserve, and protect the City’s biological resources.

⁵ The City’s zoning regulations also include a Riparian Corridor Goleta overlay (Inland Zoning Ordinance, as adopted by the Goleta Municipal Code, Section 35-250C (RC-Gol)), but it only applies to rural agriculturally designated parcels; the existing and Project site land use designation is urban.



Below is a summary of each ESHA type mapped on or near the Project (See Figures 4.3-2 and 4.3-3), and the text of the policies that regulate these resources.

A portion of the Project site that contains coyote brush scrub is currently designated an ESHA pursuant to the City's General Plan. It is mapped on Figure 4-1 of the Conservation Element as "sage scrub" on the northeast corner of the Project site in the approximate areas fenced for cultural resources, as shown in Figure 4.3-2. Pursuant to CE Policy 1.5, an ESHA designation may be removed if a site-specific biological study contains substantial evidence that an area previously shown as an ESHA on Figure 4-1 does not contain habitat that meets the definition of an ESHA (excluding illegal removal). If the City Council determines that the area is not an ESHA, a map modification will be included in the next General Plan/Coastal Land Use Plan amendment. Please refer to Appendix D, Biological Resource Appendix, Attachment F, *Technical Review of Coastal Sage Scrub Environmentally Sensitive Habitat Area for the North Willow Springs Project* (Dudek, 2014a), for a site-specific biological study and substantial evidence regarding the ESHA designation. The area originally designated ESHA also extended onto Willow Springs II; refer to Figure 4-1 City's General Plan Conservation Element (Figure 4.3-3). A General Plan Amendment removing the sage scrub ESHA designation from Willow Springs II was approved by the Goleta City Council on June 17, 2014.

The coastal sage scrub on the Project site mapped under the City's General Plan was not mapped as ESHA under the County's 1993 Goleta Community Plan (County of Santa Barbara, 1993). The on-site ESHA was mapped as "Various Annual Grasslands" a habitat type in 2004 under the city-wide Detailed Habitat Inventory (City of Goleta, 2004b). The 2006 General Plan EIR maps the on-site ESHA as "scrub." However, "coyote brush scrub" is not considered ESHA under the Programmatic General Plan EIR (City of Goleta, 2006, Page 3.4-10). A description of the coyote brush scrub is provided under Section 4.3.1. Based on the historical mapping, 2014 Dudek Study, and confirmation in 2015 by Rincon biologists the onsite coyote brush scrub is not an ESHA resource, and was not ESHA under any previous plans or designations.

The General Plan CE Policy 5.3 defines coastal sage scrub habitat as a drought-tolerant, Mediterranean habitat characterized by soft-leaved, shallow-rooted subshrubs such as California sagebrush, coyote brush, California encelia, goldenbush (*Ericameria ericoides*), giant wild rye (*Elymus condensatus*), and annual non-native grasses. Of these species only coyote brush was observed as dominant or codominant within the mapped on-site ESHA. The National Vegetation Classification Hierarchy as Applied to California Vegetation identifies coastal sage scrub as a macrogroup of multiple alliances, none of which includes coyote brush as the dominant alliance species. Under General Plan CE Policy 5.3 coastal sage scrub habitat must have both the compositional and structural characteristics of coastal sage scrub as described in a classification system recognized by the CDFW. However, no other characteristic coastal sage scrub species was observed as occurring even infrequently or sparsely (< 8% cover) by Rincon or Dudek biologists.

Coastal Sage Scrub ESHA. The coyote brush scrub does not meet City's General Plan Policy CE 1.1a or CE 1.1b definitions of ESHA, and is not "rare or especially valuable because of its special nature or role in an ecosystem," when considering the following conditions:

- Coyote brush scrub is a common plant community. Coyote brush scrub receives the lowest rarity ranking (G5S5) and is not considered sensitive by the State of California (CDFW, 2010);



- The coyote brush scrub at the site is disturbed, contains high cover of invasive species, low native plant species diversity, and has become established at the site relatively recently since the area was last graded. The site has been subject to agricultural activity related earth disturbance for much of the last 100 years;
- Threatened, endangered, or other special status wildlife species are not expected to reproduce at the site, and the site is not essential to the life-cycle of any listed wildlife species;
- Threatened, endangered, or other special status plant species have not been found at the site, and are not expected due to prior grading and agricultural use, as well as the site's existing disturbed condition; and
- The coyote brush scrub is within an urban area, adjacent to existing industrial and residential development, and is not contiguous with native habitats.

Therefore, although according to Figure 4-1 in the Conservation Element of the Goleta General Plan the Project site contains coastal sage scrub ESHA, habitat that meets ESHA criteria was not observed within the Project boundary or nearby areas.

The coyote brush scrub does not meet the criteria in relevant City's General Plan policies to be considered an ESHA or coastal sage scrub; and therefore, would not be subject to the ESHA protection policies of the General Plan. Conservation Element Policy CE 1.5: *Corrections to Map of ESHAs* allows ESHAs to be removed from Figure 4-1 of the General Plan if a site-specific biological study demonstrates substantial evidence that the area does not in fact contain habitat that meets the definition of an ESHA. The Project includes a General Plan Amendment to remove the Coastal Sage Scrub ESHA designation that is being concurrently processed. For further details, refer to Appendix D *Technical Review of Coastal Sage Scrub Environmentally Sensitive Habitat Area for the North Willow Springs Project*.

Stream Protection Area ESHA. The riparian habitat associated with the Los Carneros Creek adjacent the northeast property line is mapped as a Stream Protection Area (SPA) ESHA, thereby warranting a 100-foot buffer under CE Policy CE 2.2.

Wetland ESHA. The Los Carneros Wetland begins approximately 80 feet from the southeast portion of the Project site, and is designated ESHA pursuant to General Plan Conservation Element Figure 4-1 and General Plan CE Policy the 3.5 *Protection of Wetlands Outside the Coastal Zone*. A buffer evaluation is required under Policy CE 3.5; the policy requires a minimum buffer of 50 feet.

The Los Carneros Wetland is an approximate 7.25-acre open space area located north of Hollister Avenue, east of Los Carneros Way, and southwest of the residential units at Willow Springs I. It is approximately 600 feet southwest of the Willow Springs II project. The GSEMP considered the Los Carneros Wetland a major subarea of the Goleta Slough Ecosystem. The Los Carneros Wetland is a rare, surviving remnant freshwater-to-estuarine transitional habitat at the northern edge of the Goleta Slough. It contains areas of brackish and freshwater marsh, as well as willow-dominated, palustrine scrub-shrub/forested wetlands that were once part of a continuous corridor connecting Lake Los Carneros and the Goleta Slough. The site has historically supported nesting and roosting white-tailed kites. The wetland is also known as a roosting and foraging habitat for the northern harrier, short-eared owl, sharp-shinned hawk, and Cooper's hawk, and supports the only Goleta Valley location for yerba mansa (*Anemopsis californica*), a locally important species according to the GSEMP. The Los Carneros Wetland is upstream from and connected to the Goleta Slough through a small culvert traversing north-south beneath Hollister Road. The Los Carneros Wetland serves as an approved detention area and bio-



filter for stormwater flows from the existing Willow Springs I and II developments, and the Project. Refer to Section 4.8, *Hydrology and Water Quality*, and the Preliminary Hydraulic Report and Preliminary Stormwater Control Plan in Appendix G for additional information regarding Project drainage.

General Plan Policies. Below is a summary of the biological resource policies in the CE that could potentially apply to the Project. The full text of the biological resource policies are included in Appendix D.

- *Policy CE 1: Environmental Sensitive Habitats Area Designation and Policy.*

Impacts directly to ESHA, as opposed to an ESHA buffer, do not apply since no ESHA is present onsite and the existing designation would be removed. The key protections and guidelines are stated in Policy CE 1, which for this project only includes those applicable to ESHA buffers since the project is within 100 feet of the Los Carneros Wetland and Los Carneros Creek SPA. Per Policy 1.9 development adjacent to ESHA is subject to the following standards:

- Site designs shall preserve wildlife corridors or habitat networks (.)
- Site plans and landscaping shall be designed to protect ESHAs, with priority given to protecting, supporting, and enhancing wildlife habitat values. Planting of nonnative invasive species is prohibited in ESHAs and ESHA buffers.
- All new development shall be sited and designed to minimize grading, alteration of natural landforms and physical features, and vegetation clearance in order to reduce or avoid soil erosion, creek siltation, increased runoff, and reduced infiltration of stormwater and to prevent net increases in baseline flows for any receiving water body.
- Light and glare will be controlled and directed away from wildlife habitat. Exterior night lighting shall be minimized, restricted to low intensity fixtures, shielded, and directed away from ESHAs.
- Noise levels from new development should not exceed an exterior noise level of 60 Ldn at the habitat site. During construction, this level may be exceeded if it can be demonstrated that significant adverse impacts on wildlife will be avoided or will be temporary.
- The timing of grading and construction activities shall be controlled to minimize potential disruption of wildlife during critical time periods such as nesting or breeding seasons.
- Grading, earthmoving, and vegetation clearance adjacent to an ESHA shall be prohibited during the rainy season, generally from November 1 to March 31, except where necessary to protect or enhance the ESHA or to remediate hazardous flooding hazardous geologic conditions.

Wildlife corridors are protected under CE Policy 1.9. A local wildlife linkage has been identified on the Project site, as discussed under Section 4.3.1.b (above).

- *Policy CE 2: Protection of Creek and Riparian Areas.*

Policy CE 2.2, designated Streamside Protection Areas (SPA), requires a 100-foot buffer from Los Carneros Creek, shown in Figure 4.1 (Figure 4.3-3). SPA buffers may be adjusted based



on a site-specific recommendation to the City. Section 4.3.2.b (below) includes a buffer recommendation from off-site Los Carneros Creek.

- *Policy CE 3: Protection of Wetland.*

The off-site Los Carneros Wetland, which was previously identified as an USACE wetland (i.e., hydrophytic vegetation, hydrology, and soils) is protected under Policy CE 3.2, as discussed under Section 4.3.2.b (below).

- *Policy CE 8: Protection of Special-Status Species.*

Nesting and roosting habitat for raptors are protected as ESHA in the under Policy CE 8. No historical raptor nests are mapped nor were raptor nests observed in suitable eucalyptus tree habitat; therefore raptor nest ESHA is not present and this policy does not apply.

- *Policy CE 9: Protection of Native Woodlands.*

Within the City there is currently no specific Tree Protection Plan or Ordinance adopted. Protection of trees within the City is regulated by Section 4.0, CE 9 of the General Plan, the Goleta Municipal Code Appendix A Grading Ordinance Guidelines for Native Oak Tree Removal (GMC), and the Draft State of the Goleta Urban Forest Report: An Urban Resource Assessment for the City of Goleta (dated November 17, 2009; herein referred to as the Goleta Urban Forest Report). The General Plan contains policies for the preservation of native trees including oaks (*Quercus* spp.), walnut (*Juglans californica*), California sycamore, cottonwood (*Populus* spp.), willows (*Salix* spp.) and other native trees found in ESHAs (General Plan Policy CE 9: Protection of Native Woodlands). However, per the GMC Part III – Program Basics trees voluntarily planted (e.g., landscape trees), regardless of species, are not protected. Landscape trees may be replaced. No native trees are present on-site or are proposed for removal, and alteration of the plants sycamores present along the western boundary would not conflict with this policy. Willows and eucalyptus tree present off-site in, but would not be directly affected by the Project.

- *Policy CE 10: Watershed Management and Water Quality.*

Provisions of Policy CE 10 that apply to the Project include Policy 10.3, Incorporation of Best Management Practices for Stormwater Management, CE 10.6, Stormwater Management Requirements, and Policy CE 10.7, Drainage and Stormwater Management Plans. Additionally, Policy CE 10, Landscaping to Control Erosion, specify erosion control landscaping specifics.

c. Regulatory Setting. The following is a brief summary of the regulatory context under which biological resources are managed at the federal, state, and local levels. A number of federal and state statutes provide a regulatory structure that guides the protection of biological resources.

Federal.

Endangered Species Act of 1973. The Federal Endangered Species Act (ESA) and implementing regulations (16 United States Code §§ 1531, *et seq.*; 50 Code of Federal Regulations §§ 17.1, *et seq.*)



include provisions for the protection and management of federally listed threatened or endangered plants and animals and their designated critical habitats. The ESA requires a permit to take threatened or endangered species during lawful project activities. The administering agency is the USFWS for terrestrial, avian, and most aquatic species.

Fish and Wildlife Coordination Act. Section 7 of Fish and Wildlife Coordination Act (16 U.S.C., § 742a, *et seq.*, 16 U.S.C., § 1531, *et seq.*, and 50 C.F.R. § 17.1, *et seq.*) require consultation if any project facilities could jeopardize the continued existence of an endangered species. Applicability depends on federal jurisdiction over some aspect of the project (e.g., dredge or fill activities in “waters of the US”). The administering agency is typically the USACE in coordination with the USFWS.

Migratory Bird Treaty Act of 1918. The Migratory Bird Treaty Act (16 U.S.C. §§ 703-711) includes provisions for protection of migratory birds, which prohibits the taking of migratory birds under the authority of the USFWS and CDFW.

Clean Water Act of 1977, Section 404. This section of the Clean Water Act (33 U.S.C. §§ 1251, *et seq.*, 33 C.F.R. §§ 320 and 323) gives the USACE authority to regulate discharges of dredge or fill material into waters of the US, including wetlands. The Project site is included under the development area specified in 404 Permit No 95-50087 The Willow Springs I & II Wetland Mitigation Plan which was approved by the USACE requires the Los Carneros Wetland be used to retain storm water runoff to improve wetland hydrology, and is required to be maintained in perpetuity as a wetland in accordance with the USACE 404 Permit No 95-50087.

State.

California Endangered Species Act of 1984. The California Endangered Species Act and implementing regulations in the Fish and Game Code §§ 2050 through 2098, include provisions for the protection and management of plant and animal species listed as endangered or threatened, or designated as candidates for such listing. The Act includes a consultation requirement “to ensure that any action authorized by a State lead agency is not likely to jeopardize the continued existence of any endangered or threatened species...or result in the destruction or adverse modification of habitat essential to the continued existence of the species” (Fish and Game Code § 2090). Plants of California declared to be endangered, threatened, or rare are listed within the California Code of Regulations (C.C.R.) Title 14, Section 670.2. Animals of California declared to be endangered or threatened are listed at 14 CCR Section 670.5. 14 C.C.R. §§ 15000, *et seq.* describes the types and extent of information required to evaluate the effects of a project on biological resources of a project site.

California Species Preservation Act 1970: California Fish and Game Code §§ 900 – 903. This law includes provisions for the protection and enhancement of the birds, mammals, fish, amphibians, and reptiles of California, and is administered by the CDFW.

Fish and Game Code. The Fish and Game Code provides specific protection and listing for several types of biological resources, including:

- *Fully Protected Species*
- *Streams, rivers, sloughs, and channels*
- *Significant Natural Areas*
- *Designated Ecological Reserves*



Fully Protected Species are listed in Fish and Game Code §§ 3511 (fully protected birds), 4700 (fully protected mammals), 5050 (Fully Protected reptiles and amphibians), and 5515. The Fish and Game Code of California prohibits the taking of species designated as Fully Protected.

Fish and Game Code 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.

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

Fish and Game Code 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. Fish and Game Code Section 3503 specifies that it is unlawful to take, possess, or needlessly destroy the nest of any bird, except as otherwise provided by this code. Fish and Game Code Section 3503.5 specifies it is unlawful to take, possess, or destroy any birds in the orders Falconiformes or Strigiformes (birds-of-prey), to take, possess, or needlessly destroy the nest of any such bird, except as otherwise provided.

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 Goleta.

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.

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.

Local.

City of Goleta General Plan/Coastal Land Use Plan (amended 2009). The Goleta General Plan includes policies that protect and preserve biological resources within the City by designating specific resources and areas as protected, including ESHAs, restricting activities and uses in protected areas, providing for the management of the resources on City lands, specifying impact avoidance and mitigation requirements for types of activities and by type of biological resource, and providing guidance



for development and conservation decisions over the long-term. The policies anticipate the potential impacts to biological resources from the land uses and activities that will occur under the Goleta General Plan and serve to avoid, reduce, and/or mitigate those impacts. The key policies regarding biological resources are in the Conservation Element that pertain to the project are discussed under Section 4.1.3.b, *Local Policies and Ordinances*.

4.3.2 Impact Analysis

a. Methodology and Significance Thresholds. The analyses in this portion of the EIR are based on the methodology described above under Section 4.1.1, *Project Site Setting*.

CEQA Guidelines Appendix G. In accordance with Appendix G of the CEQA Guidelines, the project would have a significant impact on biological resources if it would:

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 US Fish and Wildlife Service;*
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 US Fish and Wildlife Service;*
3. *Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means;*
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;*
5. *Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance; or*
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.*

The Project is not subject to an adopted habitat conservation plan, natural community conservation plan, or other approved local, regional, or state habitat conservation plan. Therefore, the Project would have no impact with respect to Threshold 6. This issue is discussed in Section 4.15, *Effects Found Not to be Significant*.

City of Goleta Environmental Thresholds and Guidelines Manual. The City of Goleta's *Environmental Thresholds and Guidelines Manual* defines the following thresholds of significance:

Types of Impacts to Biological Resources. Disturbances to habitats or species may be significant, based on substantial evidence in the record, if they substantially impact significant resources in the following ways:

- a. *Substantially reduce or eliminate species diversity or abundance.*
- b. *Substantially reduce or eliminate quantity or quality of nesting areas.*



- c. *Substantially limit reproductive capacity through loss of individuals or habitat.*
- d. *Substantially fragment, eliminate, or otherwise disrupt foraging areas and/or access to food resources.*
- e. *Substantially limit or fragment range and movement (geographic distribution of animals and/or seed dispersal routes).*
- f. *Substantially interfere with natural processes, such as fire or flooding, upon which the habitat depends.*

Less Than Significant Impacts. The *Environmental Thresholds and Guidelines Manual* provides examples of areas in the City of Goleta where impacts to habitat are presumed to be less than significant, including:

- *Small acreages of non-native grassland if wildlife values are low*
- *Individuals or stands of non-native trees if not used by important animal species such as raptors or monarch butterflies*
- *Areas of historical disturbance such as intensive agriculture*
- *Small pockets of habitats already significantly fragmented or isolated, and disturbed or degraded*
- *Areas of primarily ruderal species resulting from pre-existing man-made disturbance*

b. Project Impacts and Mitigation Measures.

Impact BIO-1 **Biological surveys of the project site identified a lack of special status plant species or suitable habitat for special status wildlife species. However, the project site contains habitat that could support nesting and/or foraging birds protected under state and federal law. Impacts on sensitive species are Class II, significant but mitigable [Threshold 1].**

No special status plant species are expected to be impacted by the project. No special status wildlife species have the potential to occur based on the absence of suitable habitat and ongoing disturbance (Appendix D). In the unlikely event a special status terrestrial species was present on-site, it would be capable of escaping harm during vegetation removal and grading/construction activities. Impacts to individuals would not have an impacts to population in the area, given the fragmented nature of the Project site and presence of suitable habitat at north of U.S. 101. Therefore, no special status terrestrial species are expected to be significantly impacted by the project and no further analysis of special status terrestrial species is included within this report. Sensitive wildlife species with potential to occur at the Project site are limited to some species of birds and mammals listed as FP or SSC by the State of California, as discussed above. Sensitive avian species may forage at the Project site, but are not expected to reproduce thereon. Foraging species are highly mobile could move to other suitable foraging sites.

There are no historical or active raptor nests or communal roosts at the Project site or within 100 feet of the Project. No sensitive or non-sensitive raptors have potential to nest at the Project site due to lack of suitable nesting habitat and proximity to development, noise, and human activities, or because the Project site is outside of the species current breeding range. The Project site also lacks habitat for turkey vulture or white-tailed kite communal roosts. Therefore, development of the Project would not substantially reduce or eliminate quantity or quality of raptor nesting or communal roosting areas.



As discussed above, the scrub and non-native grassland likely provides limited low-quality foraging habitat for raptors, including white tailed kites known to roost at Lake Los Carneros beginning 700 feet north of the Project. On an incremental basis, development of the Project would result in the permanent loss of approximately 13.27 acres of suitable foraging habitat for raptors. As discussed under section 4.3.1, the foraging habitat at the Project site is not essential for the successful breeding of raptors nesting in the Goleta Valley. As discussed in Section 4.3.1.b, the Project site lacks suitable perches and nesting habitat, foraging habitat has been subject to ongoing disturbance, the site is fragmented by existing development and infrastructure, and higher value foraging habitat is available in the project vicinity (e.g., Lake Los Carneros). Therefore, development of the Project would not substantially limit reproductive capacity of raptors through loss of foraging habitat.

The undeveloped areas adjacent to the north of the Project site and to the west would continue to provide moderate value foraging habitat for raptors, including for the white-tailed kite if this species were to nest at the Los Carneros Wetland.

The incremental loss of 13.47 acres of suitable foraging habitat would not have a significant effect on regional raptor populations, as 13.47 acres represents a small percentage of the raptor foraging habitat in the Goleta area. Also, the Project site is of lower importance to raptors when compared to the larger and more diverse natural habitats in the Goleta area. For example, suitable foraging habitat exists at Ellwood Mesa, Bishop Ranch, Los Carneros Lake, Santa Barbara Municipal Airport and Goleta Slough, and UCSB areas, as well as at additional undeveloped private lands. Raptors are mobile species with generally large home ranges that are capable of compensating for the loss of small acreages of foraging habitat in a local area by moving to other suitable foraging habitats. The sensitive white-tailed kite, for example, is known to forage up to tens of kilometers from communal roost sites, and may become nomadic in response to food shortages. Therefore, development of the Project would not substantially eliminate raptor foraging areas or access of raptors to food resources. Impacts to raptors from the loss of marginal foraging habitat are less than significant.

As detailed in Appendix D, the nests of most native birds and raptors are state and federally protected. The Project has potential to result in indirect impacts to nesting birds, including passerine species protected under the MBTA, if they are nesting within the Project site and/or immediate vicinity during construction activities. Nesting birds may potentially occur within shrub vegetation on and adjacent to the Project site, and in trees along Los Carneros Creek. No suitable raptor nesting habitat is present in Project site, however suitable nesting habitat is present in the eucalyptus trees to the north of the Project site Adjacent to U.S 101. As discussed under Section 4.3.1.b in the context of General Plan Policy 8.4, no historical raptor nests are mapped within the Project vicinity, and no nests were identified during surveys of adjacent eucalyptus woodland habitat at the appropriate time of year. Direct indirect impacts to nesting birds resulting from implementation of the Project are potentially significant. Implementation of Mitigation Measure BIO-1 would reduce potential new indirect short-term construction impacts to the nesting birds and raptors to a less than significant

Mitigation Measure. The following mitigation measure is required to reduce potential impacts to nesting birds to a less than significant level. Mitigation Measure BIO-1 is drawn from the Biological Resources Assessment in Appendix D.

- BIO-1 Nesting Birds and Raptors.** To avoid construction impacts to nesting birds and raptors, vegetation removal and initial ground disturbance must occur outside the bird and raptor breeding season, which is typically February 1 through September 1



(January 1 through September 1 for some raptors), but can vary based on local and annual climatic conditions. If construction must begin within the breeding season, then not more than two weeks before ground disturbance and/or vegetation removal commences, a bird and raptor pre-construction survey must be conducted by a City-approved biologist within the disturbance footprint plus a 300-foot buffer, as feasible. If the Project is phased, a subsequent pre-construction nesting bird and raptor survey is required before each phase of construction within the Project site. If no raptor or other bird nests are observed no further mitigation is required. Pre-construction nesting bird and raptor surveys must be conducted during the time of day when bird species are active and be of sufficient duration to reliably conclude presence/absence of nesting birds and raptors within the 300-foot buffer. A report of the nesting bird and raptor survey results, if applicable, must be submitted to the Planning and Environmental Review Director, or designee, for review and approval before the City issues grading permits.

If active nest of species protected by CFG Code 3503 or the MBTA Migratory Bird Treaty Act protected bird nests are found within 300 feet of the Project site, their locations must be flagged and then mapped onto an aerial photograph of the Project site at a scale no less than 1"=200' and/or recorded with the use of a GPS unit. If active raptor nests are detected the map will include topographic lines, parcel boundaries, adjacent roads, known historical nests for protected nesting species, and known roosting or foraging areas, as required by Conservation Element Policy 8.3 of the Goleta Community Plan / Coastal Land Use Plan. If feasible, the buffer must be 300 feet in compliance with Conservation Element Policy CE 8.4 of the Goleta General Plan/Coastal Land Use Plan. If the 300-foot buffer is infeasible, the City approved biologist may reduce the buffer distance as appropriate, dependent upon the species and the proposed work activities. If any active *non-raptor* bird nests are found, a suitable buffer area (varying from 25-300 feet), depending on the species, must be established by the City approved biologist. No ground disturbance can occur within the buffer until the City-approved biologist confirms that the breeding/nesting is completed and all the young have fledged. Alternately, a City approved biologist must monitor the active nest full-time during construction activities within the buffer to ensure Project activities are not indirectly impacting protected nesting birds and raptors.

Plan Requirements and Timing: Before the City issues a grading or building permit(s), the Planning and Environmental Review Director, or designee, must verify that construction and grading is occurring outside the nesting season, or that nesting bird and raptor surveys have been conducted, and buffer requirements specified above are in place (if applicable). This measure, and any buffer requirements, must be incorporated into the grading plans for the Project.

Monitoring: The Planning and Environmental Review Director, or designee, must verify compliance before the City issues any grading or building permit(s) and conduct periodic site inspections to ensure compliance throughout the construction period.



Residual Impact. Construction and operational direct and indirect Project impacts on sensitive species from would be less than significant with Mitigation Measure BIO-1 requiring nesting bird and raptor surveys for ground disturbance during the nesting season. With the implementation of this measure, impacts would be reduced to a less than significant level.

Impact BIO-2 No riparian habitat or sensitive community is present on-site; therefore, no direct impact to will occur. Indirect Impacts to off-site sensitive community from the introduction of invasive species would be Class II, significant but mitigable [Threshold 2].

Vegetation at the Project site consists of coyote brush scrub or ruderal/disturbed areas that consist overwhelmingly of non-native grasses and forbs. Evidence demonstrating that the coyote brush scrub at the site does not meet the definition of an ESHA is provided above under Section 4.3.1.b. No plant communities within the Project site are considered to be sensitive. The Project site is outside the County High Fire Hazard Area and the City's Wildland Fire Hazard Area; therefore, the Santa Barbara County Fire Protection District is not anticipated to require off-site fuel modification. Indirect dust impacts to sensitive and riparian communities (i.e., willow thickets) in the Los Carneros Creek SPA would be addressed through adherence to Santa Barbara County Air Pollution Control District requirements.

Invasive plant species are non-native organisms that escape into surrounding ecosystems, where they become established and proliferate. Many invasive species form monocultures (dense stands of one plant) that push out native species and impair wildlife habitat (Cal-IPC, Invasive Plant Definitions, 2015). Some invasive species also can change fundamental processes in ecosystems including the hydrologic cycle, fire regimes, and soil chemistry. The planting of nonnative, invasive species reduces the available habitat for native plant and wildlife species within the Project limits and may cause the spread of invasive species to adjacent areas, including the Los Carneros Wetland where project stormwater runoff is eventually detained. Similarly, the use of nonnative, invasive species in erosion control seed mixes on stockpiles during construction would potentially cause the spread of invasive species to adjacent areas along Los Carneros Creek and Los Carneros Wetland.

The installation of Project landscaping or erosion control seeding could facilitate the spread of invasive species depending on the final landscaping plan plant palette. According to the project's Preliminary Landscape Plan, no species proposed are listed as invasive by the California Invasive Plant Council (Cal-IPC). However, if species are planted in the future that are not specified in the Landscape Plan plant palette, impacts would be potentially significant. Similarly, the use of nonnative, invasive species in erosion control seed mixes on stockpiles during construction would potentially cause the spread of invasive species to adjacent areas along Los Carneros Creek and Los Carneros Wetland. Impacts to off-site sensitive communities from the introduction on invasive species would be potentially significant, but mitigable.

Mitigation Measures. The following mitigation measures are required to reduce potential indirect impacts off-site sensitive communities from introduction of invasive species to a less than significant level.

BIO-2 Invasive Species Seeding and Landscaping. Nonnative, invasive plant species cannot be included in any erosion control seed mixes and/or landscaping plans associated with the Project. The California Invasive Plant Inventory Database contains a list of



nonnative, invasive plants (California Invasive Plant Council [Updated 2011] or its successor).

Plan Requirements and Timing: Before the City issues a Building Permit, the applicant must submit a final landscape plan for review and approval by the Planning and Environmental Review Director, or designee.

Monitoring: The Planning and Environmental Review Director, or designee, must verify compliance before the City issues any grading or building permit(s). Before the City issues a certificate of occupancy, the Planning and Environmental Review Director, or designee, must inspect landscape plantings features to ensure that they have been installed consistent with approved plans.

Residual Impact. Implementation of Mitigation Measure BIO-2 prohibiting invasive and exotic species would reduce indirect invasive species impacts to off-site sensitive communities to a less than significant level.

Impact BIO-3 No jurisdictional water or wetlands are present on-site. Therefore, no direct impact to will occur. Indirect Impacts to off-site waters and wetlands would be Class III, less than significant [Threshold 3].

Direct Impacts. No areas defined as wetlands by Federal, State or local policies are located on the Project site. The Project would have no direct impacts to off-site riparian vegetation or Los Carneros Creek jurisdictional waters. Development is proposed greater than 90 feet from the edge of vegetation of Los Carneros Creek off-site, and is hydrologically separated by the filled and compacted UPRR track.

Sedimentation and Run-off Indirect Off-site Impacts. Drainage from the Project would be directed to previously constructed storm drains as part the Willow Springs I & II development, and ultimately drain to the existing retention basin (Los Carneros Wetland) located along the southwest boundary of Willow Springs I as approved by resource agencies as part of Willow Springs I & II (MAC Design Associates, 2014; USACE, 1995). As discussed in Table 4.8-1 under Section 4.7, *Hydrology and Water Quality*, the post-construction would be less than 7% below existing run-off during a 100 year rain fall event, with no change in post-development run off during 10 year (or less) rain events. The negligible (less the 7% during a100 year rainfall event) reduction in run-off during infrequent major rainfall events (i.e., 25–100 year events) would not result in any hydrological interruption to in Los Carneros Wetland or affect the existing hydrological process. Adherence to existing stormwater regulations would ensure there is no increase to normal water flows pre- and post- construction flows as permitted by the agencies into Los Carneros Wetland.

Development of the Project would remove existing on-site vegetation and increase the amount of impervious surfaces, which has the potential to affect the quality of stormwater runoff reaching downstream waterbodies, including primarily the Los Carneros Wetland, and potentially downstream from the wetland to the Goleta Slough. Pollutants (e.g. sediment, hydrocarbons, heavy metals, herbicides, and fertilizers) could be transported in stormwater runoff as a result of temporary construction activities and routine human activities during the operational phase of the Project. Pollutant run-off from the Project has the potential degrade water and soil quality in sensitive wetland, riparian and aquatic habitats and natural communities (e.g. the Los Carneros Wetland and the Goleta



Slough), as well as indirectly impact sensitive wildlife and vascular plant species dependent upon these habitat areas

The Project includes the installation of low impact development design strategies intended to retain water on the project site and encourage groundwater infiltration, including preservation of the 2-acre park in the center of the project, the use of permeable pavements, bioretention basins, vegetated swales, permeable pavements set on a gravel reservoir, and a subsurface ADS Stormtech Chamber system (Mac Design, 2014). The bio-swales and bio retention areas would be planted with *Carex* and other grasses. The Project includes landscaped bio-filter areas that would help to cleanse surface runoff. Stormwater flows from the project must meet appropriate water quality standards through implementation of Best Management Practices to control surface water runoff quality. The City's Stormwater Management Plan (SWMP), approved through the Central Coast Regional Water Quality Control Board (RWQCB) in compliance with the 1972 Clean Water Act, establishes measures and practices to reduce the discharge of pollutants and to protect downstream water quality. Compliance with the City SWMP with respect to construction period discharges and long-term operational discharges would be required. As required by the SWMP, water quality measures must be implemented prior to the surface runoff reaching the Los Carneros Wetland. With adherence to existing legal requirements, construction and operational direct and indirect impacts to jurisdictional waters and wetlands would be less than significant.

Mitigation Measures. This impact would be less than significant, and no mitigation is required.

Residual Impact. Adherence to existing City SWMP regulations would ensure less than significant potential indirect run-off and sedimentation impacts to off-site waters and wetlands. Impacts would be further reduced by Mitigation Measure HWQ-2 under Section 4.8, *Hydrology and Water Quality*.

Impact BIO-4 The project is located within local wildlife linkage. Indirect impacts to wildlife movement from development of residences would be Class II, less than significant with mitigation [Threshold 4].

As discussed above, no regional landscape linkages are mapped on-site, either by the *California Essential Connectivity Project* (2010) or any of the four primary corridors in the Goleta Valley identified by Hoagland (2011). Tecolotito Creek, approximately 0.38 mile west of the Project, offers the most ideal wildlife access point to the Goleta Slough (Hoagland, 2011). The Project is separated from the regional corridor by Los Carneros Road and existing development, and would not result in any significant indirect or direct impacts to resident or migratory wildlife using Tecolotito creek for migration, foraging, or breeding. The Project site provides degraded, low value foraging habitat, and is not expected to function as breeding habitat for terrestrial species, aquatic species, or raptors. As discussed above, impacts to nesting passerine birds would be less the significant with implementation of Mitigation Measure BIO-1.

Terrestrial and Aquatic Habitat. A local wildlife linkage is documented on the Project site, which extends between the Santa Ynez Mountain foothills and the Los Carneros Wetlands. The local wildlife linkage is located along the northern and western portions of the Project site to the east and along Los Carneros Road and eventually south (off-site) to the Los Carneros Wetlands (City of Goleta, 2012; Appendix D). As discussed above, the habitat on-site is generally ruderal and low value; the conversion on 13.26 acres of mostly ruderal habitat would not have a significantly impacts foraging, breeding, or access to food sources for aquatic species. The Project would not directly affect movement of aquatic



species within off-site Los Carneros Creek, and indirect aquatic impacts would be less than significant with adherence to existing stormwater regulations discussed in EIR chapter Section 4.8.

Direct Linkage Impacts. The Project will directly impact the width and topography of the on-site terrestrial wildlife linkage from Santa Ynez Mountain foothills and the Los Carneros Wetlands, through the Project site and across the existing intersection of Calle Koral and Camino Vista. This on-site wildlife linkage is important for many small- (raccoon, striped skunk, etc.) and medium- (coyote and bobcat) sized mammal species that use these areas (wetlands and foothills) to hunt, seek shelter, breed, and conduct other normal behaviors important for their survival, especially within the wilderness-urban interface. As discussed above under Section 4.3.1.b, the *Wildlife Corridor Analysis for the Heritage Ridge Project* did not find evidence of a linkage between the Los Carneros Wetland and “patch” habitat at the Goleta Slough (Appendix D). The Preliminary Landscape Plan includes a 25-40-foot wide wildlife connection along a sound wall along the west perimeter of the site to allow for movement of mammals and other wildlife species between the Santa Ynez Mountain foothills and Los Carneros Wetland to the south of the site. The sound wall would separate parking lots (north and west side of Project) and condominiums (south side of Project) from the designated wildlife linkage (True Nature, 2014). The wildlife connection would begin at a recently constructed culvert north of the project under the UPRR tracks, continue along the western property line, and end at the Los Carneros Wetland. A low maintenance native plant palette would provide vegetative cover that is generally preferred by small and medium sized mammal species for movement. The wildlife linkage will also be in compliance with applicable fire codes and is proposed to be resistant to vagrant establishments. The proposed wildlife connection would not funnel wildlife movement into new routes that would further endanger their survival, such as onto a road or into fencing hazards.⁶ Wildlife would continue to be funneled through intersection of Calle Koral and Camino Vista, as mapped under the 2012 Willow Springs EIR, after implementation of the proposed wildlife connection (City of Goleta, 2012; True Nature, 2014). Project generated traffic at the intersection of Los Carneros Way a Calle Koral would increase by approximately 35% (Associated Transportation Engineers, 2015). However, a general increase in traffic by 35% is not expected to significantly affect nighttime wildlife movement, since traffic trip increases would generally occur during daytime hours when wildlife is least active. No new roadways are proposed. Based on Project design, which would reroute wildlife movement, and the isolation of the local wildlife linkage from Goleta Slough habitat, direct impacts to wildlife movement would be less than significant.

Indirect impacts. Indirect impacts on remaining undeveloped areas adjacent to the Project that would reduce the area available and quality of the corridor for wildlife movement include new noise, lighting, and human and pet encroachment, as well as increased traffic along Calle Koral Road and Camino Vista Road. The Project site is primarily exposed to traffic noise from U.S. 101 and train noise from the UPRR tracks, located to the north of the Project site, which are expected to remain the primary noise generators during Project operation. Construction of the sound wall would reduce impacts from the existing UPRR and U.S. 101 noise sources, and short-term impacts would be less than significant with incorporation Section 4.10, *Noise*, mitigation measures. Mitigation measures restricting lighting, regulating chemical use, and promoting homeowner pet and wildlife corridor education would mitigate indirect edge-effects to a less than significant level.

⁶ Consistent with the Willow Springs II FEIR Figure 4.3-3, the *Wildlife Corridor Analysis for the Heritage Ridge Project* found evidence of existing wildlife linkage from the project site into the Los Carneros Wetland across the existing intersection Calle Koral and Camino Vista.



Mitigation Measures

BIO-4(a) Lighting Plan. In addition to the lighting specifications in Mitigation Measure AES-5, light and glare from new development must be controlled and directed away from the wildlife corridors shown on the conceptual landscape plan, Los Carneros Creek SPA ESHA, Los Carneros Wetland ESHA, and the open space areas adjacent to the development. Exterior night lighting must be minimized, restricted to low intensity fixtures, shielded, and directed away from ESHAs, wildlife corridors, and open space.

Plan Requirements and Timing: The locations of all exterior lighting fixtures, complete cut-sheets of all exterior lighting fixtures, and a photometric plan prepared by a registered professional engineer showing the extent of all light and glare emitted by all exterior lighting fixtures must be approved by the Planning and Environmental Review Director, or designee, before the City issues a Building Permit for construction.

Monitoring: Before the City issues a certificate of occupancy, the Planning and Environmental Review Director, or designee, must inspect exterior lighting features to ensure that they have been installed consistent with approved plans.

BIO-4(b) Landscape Chemical and Pest Management Plan. All pesticides, herbicides, and fertilizers used at the Project site must be those designated for use near aquatic and wetland habitats, and must be applied with techniques that avoid over-spraying and control application to avoid excessive concentrations. Rodenticides are prohibited.

Plan Requirements and Timing: A Landscape Chemical and Pest Management Plan (Plan) must be developed by the applicant and approved by the Planning and Environmental Review Director, or designee, before a final map is recorded. The requirements must be printed on the final approved landscape plans, each residential unit lease document, the map, and recorded on the property deed. The Plan must provide a prohibition on use of pesticides, herbicides, fertilizers and rodenticides. These prohibitions must be the subject of at least one annual communication by the applicant to the residents in the form of a meeting and/or newsletter or electronic update that is distributed to residents.

Monitoring: Evidence of this effort must be provided to the Planning and Environmental Review Director, or designee, each year by January 1st. The management must also provide the Planning and Environmental Review Director with an annual monitoring report by January 1st of each year demonstrating the use of aquatic and wetland habitat appropriate fertilizer, herbicides, and pesticides consistent with the Plan on the property. If determined necessary by the City, the City may require the applicant to retain a City approved qualified biologist to verify the correct use of appropriate herbicides, pesticides, and fertilizers as part of the annual monitoring report.

BIO-4(c) Domestic Pet Predation, Feline Disease, and Wildlife Corridor Education. The applicant must prepare a public education campaign for future residents of the Project site regarding: 1) the effects of domestic animal predation on wildlife (e.g.,



domestic cats and protected bird species); 2) promoting indoor cats since bobcats are susceptible to the same diseases as domestic cats, and disease can be transmitted between domestic cats and bobcats (or vice versa); and 3) the importance of wildlife corridors.

Plan Requirements and Timing: The education materials must be prepared by a City approved qualified biologist, approved by the Planning and Environmental Review Director (or designee) and must be recorded with the Final Map. The education materials must be distributed with the unit lease documents, and the subject of at least one annual communication by the applicant to the residents in the form of a meeting and/or newsletter or electronic update that is distributed to all residents.

Monitoring: Evidence of this effort must be provided to the Planning and Environmental Review Director each year by January 1st.

Residual Impact. Implementation of the above Mitigation Measures BIO-4(a) regulating lighting, Mitigation Measure BIO-4(b) requiring preparation of a Landscape Chemical and Pest Management Plan, and Mitigation Measure BIO-4(c) mandating resident education will reduce potential indirect edge effect impacts to the local wildlife linkage to less than significant, especially at night, when most mammals were observed moving through the area.

Impact BIO-5 The Goleta General Plan / Coastal Land Use Plan identifies the presence of coastal sage scrub, an Environmentally Sensitive Habitat Area, on the project site. However, biological assessment surveys for this EIR indicate that no protected habitat ESHAs are present on-site. Impacts to ESHA would be Class III, less than significant [Threshold 5].

The Project has the potential to conflict with General Plan policies that protect impact wildlife corridors, the planting of invasive species, require an SPA buffer for Los Carneros Creek and a Wetland ESHA buffer for Los Carneros Wetland, and require specific restrictions in and adjacent to ESHA consistent with Policy CE 1. Accordingly, potential impacts to resources protected by the General Plan CE are presented below.

Policy CE 1: Environmental Sensitive Habitats Area Designation and Policy. The off-site willow thickets along Los Carneros Creek are designated as SPA ESHA (CE 2.2) and Los Carneros Wetland is designated as Wetland ESHA (CE 3.1). Therefore, the provisions of Policy CE 1.9 apply that require preservation of wildlife corridors or habitat networks, limit lighting and noise generation adjacent to ESHA, and prohibit invasive landscaping.

Impacts to wildlife movement corridors are discussed and measures to mitigate indirect impacts recommended under Impact BIO-4 (above). Policy CE 1.9 specifically limits lighting directed at ESHA. Mitigation Measure BIO-4(a), which limits night lighting, is required under Impact BIO-4.

General Plan CE Policy 1.9 prohibits planting of nonnative, invasive species in ESHAs and buffer areas adjacent to ESHAs. The landscape plan includes both ornamental and native plantings, a palette that would improve the Project's compatibility with ESHA, such as by providing a food source for insects and birds (e.g., coffee berry, coast live oak). Mitigation Measure BIO-2 would prohibit invasive species.



Implementation of Mitigation Measures BIO-1, BIO-2, and BIO-4(b) would reduce impacts and ensure consistency with the General Plan. The Project is consistent CE Policy 1, and no additional mitigation measures are necessary.

Policy CE 2: Protection of Creek and Riparian Areas. Policy CE 2.2 requires a buffer of 100 feet from an SPA, but also allows the City to adjust the 100-foot buffer at the time of environmental review, if “1) no alternative siting is available, and 2) the Project’s impacts will not have significant adverse effects on streamside vegetation or the biotic quality of the stream.”⁷ However, the Project is hydrologically separated from the creek by the UPRR tracks (on compacted fill). Because of the location of the UPRR tracks, a buffer of 90 feet (a 10-foot reduction) to the edge of the limits of project development (e.g., landscaping, fencing, parking) would be acceptable from the edge of Los Carneros Creek riparian vegetation. The Project would be constructed within existing disturbed areas only, and has been designed to avoid impacts to sensitive resources (e.g., incorporation of wildlife connections in the landscaping). No habitable structures are proposed within 100 feet of the edge of riparian vegetation. Only trees, parking, landscaping, and the sound wall are proposed to be placed 90 feet from the edge of the Los Carneros Creek riparian vegetation, and such placement would not affect the existing degraded function of the SPA buffer. In addition, the Project’s on-site storm water drainage system includes permanent water quality BMPs such as bio-swales, catch basin filters, and the existing retention/infiltration basins, to capture and filter potentially occurring pollutants from developed areas. The presence of existing drainage infrastructure and proposed on-site BMPs make it unnecessary for the upland SPA buffer to filter and remove potentially occurring pollutants from developed areas. No direct impacts would occur to Los Carneros Creek from implementation of the Project. The Project has potential to result in indirect impacts to the riparian corridor associated with Los Carneros Creek and aquatic habitat in channelized Los Carneros Creek during construction activities. However, as discussed above, impacts to wetlands and waters would be less than significant with adherence to existing regulations (e.g., SWPPP, General Plan Policy 1.9(g) and CE 10). Mitigation Measure BIO-4(b) regulating the use of fertilizers, pesticides, and herbicides, applied for wildlife migration protection, would also protect streamside vegetation and the biotic quality of the stream. The proposed sound wall at the property line (90 feet from the edge of riparian vegetation) would further reduce indirect impacts from noise, run-off, and lighting. Therefore, a buffer of less than 100 feet is adequate since reduced buffer (90 feet from edge of riparian vegetation) would not have a substantially adverse effect on the functions and values of Los Carneros Creek. With implementation the 90-foot buffer recommendation from the edge of riparian vegetation, the Project is consistent CE Policy 2, and no additional mitigation measures are necessary.

Policy CE 3: Protection of Wetlands. The Project would not conflict with CE 3.3 through CE 3.8, since no fill is occurring and the Project buffer from the edge of wetland vegetation is greater than 50 feet. The edge of the Project site is approximately 80 feet northwest of the beginning of the wetland, and is separated by Camino Vista. Policy CE 1.4 requires a buffer of 100 feet from any wetland in the coastal zone, whereas outside the coastal zone Policy CE 3.5 requires “a wetland buffer of a sufficient size to ensure the biological integrity and preservation of the wetland shall be required...buffer shall be no less than 50 feet.” The Los Carneros Wetland is directly north of the coastal zone; a 100-foot buffer is not required by the General Plan. However, since development is proposed within 100 feet from the edge of the wetland, a wetland ESHA buffer is recommendation is included in this assessment. The proposed buildings are greater than 100 feet from the beginning of the wetland. Run-off would be conveyed into the existing storm water system that discharges into the Los Carneros Wetland, as

⁷ Measured from the top of the bank or the outer limit of wetlands and/or riparian vegetation, whichever is greater.



permitted by USACE. The portion of the wetland within 100 feet of the Project was required to be created to mitigate for USACE wetland impacts for Willow Springs I, and to serve as a retention basin for Willow Springs II and the Project (Appendix D). The wetland was once hydrologically connected to Lake Los Carneros and the Goleta Slough; however now the wetland is fragmented and isolated. Given the urbanized setting and that the area is approved for treating the Project's stormwater, the existing 80 foot buffer is adequate. Mitigation Measure BIO-4 regulating the use of fertilizers, pesticides, or herbicide (applied for wildlife protection) would also protect wetland vegetation and the biotic quality of the wetland. Therefore, the proposed development 80 feet from the property line to the edge of wetland vegetation would not have a substantially adverse effect on the functions and values of Los Carneros Wetland. The Project is consistent with CE Policy 3, and no additional mitigation measures are necessary.

Policy CE 9: Protection of Native Woodlands. Implementation of the Project would not result in protected tree removal or alteration. No trees are present on-site, and off-site trees (e.g. eucalyptus, willow) between the UPRR tracks and U.S. 101, and are located an adequate distance outside the development footprint and would not be affected by the Project. The Project is consistent with Policy CE 9.

Policy CE 10: Watershed Management and Water Quality. Existing regulations addresses the requirements of Policy CE 10. The Project is consistent with Policy 10, and no additional mitigation measures are necessary.

Recommended Mitigation Measures. This impact would be less than significant, and no mitigation measures are required.

Residual Impact. As mitigated, the Project is consistent with the General Plan. No significant impact would occur as a result of a conflict with local policies and ordinances.

c. Cumulative Impacts. Section 15130 of the *CEQA Guidelines* provides guidance on the discussion of cumulative impacts. Two conditions apply to determine the cumulative effect of a project: first, the overall effect on biological resources caused by existing and known or forecasted projects must be considered significant under the significance thresholds discussed above; and second, the project must have a "cumulatively considerable" contribution to that effect. The analysis includes a discussion of the adopted Programmatic General Plan FEIR analysis, and an updated project-specific cumulative analysis of the loss sensitive species and habitat and raptor foraging habitat.

Cumulative Programmatic General Plan Biological Resource Impacts. The Programmatic General Plan FEIR (City of Goleta, 2006; SCH # 2005031151), incorporated herein by reference, evaluated direct and indirect impacts from the conversion of existing vacant sites to the land uses designated for those areas in the General Plan. This analysis included the project site build-out. The Project build-out is consistent with the General Plan land use designation. No significant unavoidable (Class I) impacts to biological resources were identified as a result of General Plan build-out. Biological resource impacts associated with build-out of vacant sites under the General Plan EIR were identified as less than significant (Class II), with adherence to Policies CE 1–10, Policies OS 1–7, and Policies LU 1,6, and 9. Development of the Project would not change the existing General Plan land use designation (Medium Density R-MD and Affordable Housing Opportunity Site) that was evaluated in the Programmatic General Plan FEIR. As discussed above, the Project impacts would be mitigated consistent with the General Plan policy requirements. The Statement of Overriding Consideration and FEIR adopted by the Goleta City Council is specific to Class II long-term impacts from the development of vacant land to



specific special status species (Impact 3.4-5), native species (Impact 3.4-6,7), special status habitats (Impacts 3.4-2,3,4), and wildlife corridors (Impact 3.4-8). Cumulative impacts to biological resources, including the “loss of foraging habitat (grassland) for resident and migratory raptors” attributable to projects in the City, were found to be less than significant (Class III) with adherence to General Plan policies and applicable federal and state regulations (Impact 3.4-14). Cumulative impacts to biological resources would not be cumulatively considerable, as identified under the Programmatic General Plan FEIR. As discussed above, the Project is consistent with the General Plan biological resource protection policies. Therefore, as identified in the Programmatic General Plan FEIR, cumulative biological resources impacts would be less than significant with implementation of the General Plan policies.

Cumulative Loss of Sensitive Species and Habitat and Wildlife Connectivity. Cumulative development in the Central Hollister area of Goleta consists of infill of remaining undeveloped parcels (e.g., Village at Los Carneros, Cortona Apartments) within an urbanized area. Previous development in this area permanently eliminated extensive tracts of native plant communities, some of them now classified as rare or threatened. Native habitats support native wildlife species, many of which cannot survive in, or do not adapt to, the noise and disturbance associated with residential and urban developments. Species that do tolerate developed, landscaped, and disturbed sites include aggressive, non-native species that further displace native plants and wildlife, or may prey upon native species.

As discussed in Section 4.3.2.b vegetation on the majority of the Project site consists of non-native grasses and disturbance-following native shrubs. The proposed conversion from existing conditions to residential development would not be a cumulatively considerable contribution to a cumulatively significant effect, as the reduction and fragmentation of native habitats (including sensitive habitats), loss of native plant species diversity and populations, and reduction in native wildlife diversity and populations has already occurred in the past and was evaluated under the Programmatic General Plan FEIR. Moreover, mitigation measures would protect existing biological resources on and adjacent to the Project, such as nesting birds and wildlife connectivity. Cumulative impacts sensitive species and habitats would be less than significant.

Cumulative Loss of Raptor Habitat. The 16.29-acre Project site is not a significant nesting or roosting habitat for raptors and the Project’s conversion to urban development, when considered with other cumulative development in the area, would not result in significant loss of suitable nesting or roosting habitat for raptors.

The Project and several related projects in the Goleta area would result in the loss of foraging habitat for raptors including, without limitation, non-native grassland, open scrubland, and disturbed/ruderal fields. The Project would not result in a cumulative impact to raptor foraging areas or access to food resources, as the foraging habitat at the Project site is of lesser importance to raptors at a regional scale due to its small size, fragmented condition, and proximity to existing development; the foraging habitat at the site is not essential to successful nesting of raptors in the Goleta area; suitable foraging habitat exists at several other locations in the area, such as Ellwood Mesa, Bishop Ranch, Los Carneros Lake, Santa Barbara Municipal Airport and Goleta Slough, and UCSB areas, as well as additional undeveloped private lands; and, raptors are mobile species capable of compensating for the loss of small acreages of suitable foraging habitat in a local area by finding and utilizing other suitable habitats. Approximately four acres of the Project site itself was recently inaccessible to raptors for foraging for at least two years when stockpiled soils were present in the native hydro-seed area. The Project’s contribution (13.47 acres would be permanently removed by development of the Project) to the loss of raptor habitat would not make cumulatively considerable contribution to a cumulatively significant effect, and is therefore less than significant.



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