

4.3 Biological Resources

This section describes the floral and faunal characteristics of the Project site and vicinity, with an emphasis on sensitive habitats, special-status plant and wildlife species, and potential habitat linkages and wildlife movement corridors. Descriptions of the Project site's biological characteristics are also incorporated from federal and state natural resources databases (e.g., California Natural Diversity Database [CNDDDB]). This analysis also relies on information from the Applicant-prepared sensitive species and habitat report prepared by ARCADIS (2013), which has been reviewed by the County of Santa Barbara.

4.3.1 Existing Setting

The County of Santa Barbara has a wide diversity of inland habitat types, including chaparral, oak woodlands, coastal sage scrub, and riparian woodlands. Cate Mesa, on which most of Cate School is located, is bounded to the west by Carpinteria Creek, to the north by avocado orchards in the foothills, to the east by Gobernador Creek, and to the south by Highway 192. A narrow, forested riparian corridor exists along the eastern side of Carpinteria Creek along with a sloping stream terrace that currently supports a small avocado orchard. There are also scattered agricultural structures and a low density of existing residences in the area. The slopes below the mesa support dense stands of coast live oak (*Quercus agrifolia*) forest and various alliances of chaparral and coastal scrub. Disturbed areas with ruderal (i.e., disturbed) vegetation characterize the crests of the slopes and margins of the active campus. The mesa top is characterized generally by cultivated and developed landscapes with scattered stands and individuals of coast live oaks and other exotic tree species, including various eucalyptus (*Eucalyptus* spp.).

4.3.1.1 Vegetation and Habitats

A total of seven habitat types have been identified at the Project site, including coast live oak woodland, coast live oak riparian forest, chaparral, Venturan coastal sage scrub, lemonade berry scrub, ruderal vegetation, and non-native tree plantings and stands. A total of 110 species of plants were observed during a sensitive species and habitat survey on the Cate School property in March 2013, including 61 species of native plants and 49 species of non-native plants (ARCADIS 2013).

Coast live oak woodland is often dominated by a single overstory tree species, coast live oak, with a selection of understory species that vary by region and topographic position. Associated species observed in the understory of coast live oak woodland at the Project site include toyon, fuchsia-flowered gooseberry, greenbark ceanothus, lemonade berry, and blue elderberry. Occurrences of Tasmanian blue gum (eucalyptus) and Victorian box also occur within certain stands on the Project site. Coast live oak woodland at the Project site occur on the west and northwest-facing slopes of Cate Mesa below portions of the campus, including adjacent to the proposed Freshman Quad. In a few select locations on the Project site, coast live oak woodland includes co-dominant non-native Tasmanian blue gum and Victorian box trees in the overstory. Such areas include the base of the slope below Cate Mesa Road, among the north-facing slope of the drainage ravine adjacent to the proposed Freshman Quad, and in proximity to the south drainage basin.

Coast live oak riparian forest is also often dominated by an overstory of coast live oak; however, associated species tend to be riparian trees such as arroyo willow, black cottonwood, and western

sycamore as well as a variety of understory riparian species such as blackberry, poison oak, mullein, and stinging nettle. At the Project site, coast live oak riparian forest occupies a small area of terrace, located along the channel banks of Carpinteria Creek, adjacent to the proposed west drainage basin and an existing avocado orchard.

Greenbark Ceanothus Chaparral is characterized by various dominant plant species intermixed within other vegetation communities at the Project site. Despite this high variability in species composition, the most common association of dominant chaparral shrubs at the Project site is greenbark ceanothus, bigpod ceanothus, and lemonade berry. The vegetation community ranges from three to 14 feet in height, although during the spring and early summer low-growing herbaceous species are found in sunny openings in the canopy. Greenbark ceanothus chaparral is characteristic of the west-facing slope below the proposed Freshman Quad. Patches of mountain mahogany are also located in this area. Smaller shrubs appear on ridgelines and rocky openings in the Project site, including California sagebrush and ashy-leaf buckwheat. Subshrubs such as deerweed, sawtoothed goldenbush, and golden yarrow also form part of the shrubby cover in this community (ARCADIS 2013).

Venturan coastal sage scrub (also described as California sagebrush scrub) is dominated by a mixture of drought-tolerant, soft-leaved shrubs, including California sagebrush, coyote bush, ashy-leaf buckwheat, lemonade berry, black sage, redberry, and poison oak. Smaller subshrub species include deerweed, sawtoothed goldenbush, southern bush monkey-flower, and Douglas' nightshade. In addition to shrubby dominants, native herbaceous perennials such as chaparral morning glory and wild cucumber grow throughout the coastal scrub vegetation. Three Venturan coastal sage scrub alliances containing slightly different vegetation compositions are present in the Project site. The California sagebrush – ashy-leaf buckwheat alliance occupies the west-facing slopes below the proposed Freshman Quad. The California sagebrush – lemonade berry – ashy-leaf buckwheat scrub alliance occupies east-facing slopes below Cate Mesa, mostly south of the limits of disturbance of the Faculty Housing site. The California sagebrush – purple sage – lemonade berry scrub alliance occupies the east-facing slope below Cate Mesa Road, including the proposed corridor for the surface drain to the water storage tank site to the south of campus.

Lemonade berry scrub is a vegetation community that occurs on slopes with shallow coarse soils and is sometimes treated as a chaparral. At the Project site, the community occurs on west-facing slopes adjacent to the westernmost replacement dormitory and on east-facing slopes within and adjacent to the proposed Faculty Housing site. Despite the widespread distribution of the lemonade berry plant throughout the Project site and as a component of many vegetation communities, areas of lemonade berry scrub are characterized by the dominance of lemonade berry in association with co-dominant species such as California sagebrush and mountain mahogany (ARCADIS 2013).

Ruderal herbaceous vegetation or habitats occupy many disturbed sites throughout campus, including maintained crests of slopes, fuel management areas, informally mown areas, and roadsides. Many non-native species characterize the vegetation in these ruderal areas, most of which are annual and perennial herbaceous species that tolerate repeated disturbances and a lack of irrigation. Ruderal vegetation is not treated in the CNDDB or CNPS classifications, although this vegetation type could be called the “Ruderal Vegetation Alliance.” In general, the grass-dominated areas would be classified as Non-Native Grassland in the CNDDB legacy community classification system (Holland 1986) and as California Annual Grassland Series in the CNPS Manual of California Vegetation (Sawyer, Keeler-Wolf, and Evens 2009); however the ruderal sites within or in proximity to the proposed development envelopes and limits of disturbance in the Project site do not fit the grassland classification (ARCADIS

2013). Instead many ruderal areas within the limits of disturbance are dominated by cape ivy, which has invaded many native communities from the ruderal areas it dominates, particularly the west-facing slope in the Project site.

Woody Cultivated Plantings and Naturalized Trees are found as scattered individuals or in stands throughout the Project site. Although cultivated and naturalized stands and groves of trees are not named communities within the CNDDDB or CNPS classification schemes, some exotic trees reproduce successfully in the region and after invading natural landscapes become incorporated into vegetation communities. For example, coast live oak woodland areas within the Project site contain co-dominant eucalyptus and Victorian box, which are considered non-native invasive species by the California Invasive Plant Council (Cal-IPC). Five non-native invasive trees species were mapped as stands or individuals within the Project site and include blue gum eucalyptus, Victorian box, red river gum, shamel ash, and Italian stone pine. These trees can offer important wildlife habitat, including nesting sites for avifauna communities and overwintering sites for butterflies. At least one active hawk nest has been identified in a small grove of eucalyptus in the center of campus, and groves of Tasmanian blue gum and red river gum, including at least one near the mouth of Carpinteria Creek. These species provide important winter resting areas for monarch butterflies and are considered environmentally sensitive habitats in some coastal planning areas. The Project site also contains two orchard areas planted in avocado trees. The largest of these is located adjacent to Gobernador Creek, at the southern edge of the Project site and the smaller orchard is adjacent to Carpinteria Creek along the Lillingston Canyon Road. These orchards contain mature avocado trees that have been maintained through regular watering and maintenance activities.

4.3.1.2 Wetlands and Other Waters of the United States

A wetland delineation has not been conducted at the Project site. According to the National Wetlands Inventory (U.S. Fish and Wildlife Service [USFWS] 2015), one freshwater emergent wetland exists at the eastern corner of the campus, between the baseball fields and existing faculty housing. Other proximate wetland habitats occurs approximately 0.5 mile northeast of the Project site within the Gobernador Creek corridor as well as freshwater ponds (that appear to be retention features) west of the Project site approximately 100 feet from Carpinteria Creek's western top-of-bank.

4.3.1.3 Sensitive Natural Communities

The site contains natural plant communities considered rare by the California Department of Fish and Wildlife, including coast live oak woodland, lemonade berry scrub, ashy-leaf buckwheat scrub, and mountain mahogany scrub. These rare plant communities are those which have a State of California ranking of S3 (threatened, 10,000 to 50,000 acres) or higher as detailed in the California Native Plant Society Manual of California Vegetation (Sawyer, Keeler-Wolf, and Evens 2009). Within the Project site these rare plant communities are found alone as well as in alliances with other vegetation. In addition, coast live oak woodland and coast live oak riparian forest are considered Environmentally Sensitive Habitat (ESH) in the County of Santa Barbara.

4.3.1.4 Special-Status Species

Special-status species include plants and wildlife in the categories listed below.

- Species listed or proposed for listing as threatened or endangered under the Endangered Species Act (ESA) (50 Code of Federal Regulations [CFR] 17.12 [listed plants], 50 CFR 17.11 [listed animals], and various notices in the Federal Register (FR) [proposed species]).
- Species that are candidates for possible future listing as threatened or endangered under the ESA.
- Species listed or proposed for listing by the State of California as threatened or endangered under the California Endangered Species Act (CESA).
- Species that are candidates for possible future listing as threatened or endangered under CESA.
- Animal species of special concern to the California Department of Fish and Wildlife (CDFW).
- Animals fully protected in California (California Fish and Game Code, Section 3511 [birds], Section 4700 [mammals], Section 5050 [amphibians and reptiles], and Section 5515 [fish]).
- Species that meet the definitions of rare or endangered under CEQA (State CEQA Guidelines, Section 15380).
- Plants listed as rare under the California Native Plant Protection Act (California Fish and Game Code, Section 1900 et seq.).
- Plants considered by the CNPS to be “rare, threatened, or endangered in California” (California Rare Plant Rank [CRPR] 1B and 2) (CNPS 2014).
- Plants listed by CNPS as plants about which more information is needed to determine their status and plants of limited distribution (CRPR 3 and 4 [plants on these lists may be included as special-status species on the basis of local significance or recent biological information]) (CNPS 2014).

Special Status Plant Species

No state or federally listed plants were identified during the various field surveys; however, one special status species, the Southern California black walnut, was observed at the site during the 2013 surveys. Other sensitive plant species are expected to occur in the area based on local knowledge of species range and California Natural Diversity Database (CNDDDB) records. These include Nuttall’s scrub oak, mesa horkelia, late-flowering mariposa lily, Santa Barbara honeysuckle, umbrella larkspur, and Hoffmann’s bitter gooseberry.

Special Status Wildlife Species and Designated Habitat

The native mixed scrub habitat and specimen trees at the Project site provide suitable habitat for nesting birds, including nesting raptors, which are considered sensitive wildlife protected by the Migratory Bird Treaty Act and California’s Fish and Game Code. Several raptor species may utilize the site, including red-tailed hawk, Cooper’s hawk, great horned owl, and American kestrel. Nocturnal raptors such as the barn owl and western screech owl are also expected to occur. White-tailed kite, golden eagle, merlin, red-shouldered hawk, and prairie falcon may also occur on-site but on a less frequent basis. Rock outcroppings within the site offer suitable foraging habitat and potential roosting locations for four sensitive bat species known to occur in the region based on CNDDDB records, including the pallid bat, Mexican long-tongued bat, western mastiff bat, and big free-tail bat.

Carpinteria and Gobernador creeks are both federally designated critical habitat for southern steelhead and also provide suitable habitat for the western pond turtle. These creeks also provide

marginally suitable habitat for the two-striped garter snake. Southwestern willow flycatcher and least Bell's vireo may be present along the narrow extent of riparian habitat along Carpinteria and Gobernador creeks during migration, which potentially provides suitable resting and foraging habitat (ARCADIS 2013).

4.3.2 Regulatory Setting

Federal biological resource regulations that apply to the proposed Project include:

- The *Federal Endangered Species Act*, which makes it unlawful to “take” any species listed as threatened or endangered. “Take” is defined as actions intended to “harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, collect, or attempt to engage in any such conduct.” An activity is defined as a “take” even if it is unintentional or accidental. Take provisions under the federal ESA apply only to listed fish and wildlife species under the jurisdiction of USFWS and/or the National Oceanic and Atmospheric Administration (NOAA), National Marine Fisheries Service (NMFS). When a species is listed, USFWS and/or NMFS, in most cases, must officially designate specific areas as critical habitat for the species. Consultation with USFWS and/or NMFS is required for projects that include a federal action or federal funding if the project would modify designated critical habitat.
- The *Clean Water Act Section 404*, which regulates the discharge of dredged or fill material into waters of the United States through the U.S. Army Corps of Engineers (USACE). Waters of the United States are those waters that have a connection to interstate commerce, either directly via a tributary system or indirectly through a nexus identified in USACE regulations. In nontidal waters, the lateral limit of jurisdiction under Section 404 extends to the ordinary high-water mark (OHWM) of a water body or, where adjacent wetlands are present, beyond the OHWM to the limit of the wetlands. Waters of the United States essentially include any body of water not otherwise exempted that displays an OHWM.
- The *Migratory Bird Treaty Act (MBTA)*, which prohibits actions that would result in a “take” of migratory birds, their eggs, feathers, or nests. “Take” is defined in the MBTA to include any attempt at hunting, pursuing, wounding, killing, possessing, or transporting by any means or in any manner any migratory bird, nest, egg, or part thereof. Migratory birds are also protected, as defined in the MBTA, under Section 3513 of the California Fish and Game Code.
- The *Bald and Golden Eagle Protection Act (BGEPA)*, which makes it illegal to import, export, take (which includes molest or disturb), sell, purchase, or barter any bald eagle or golden eagle or parts thereof. USFWS oversees enforcement of this act. The 1978 amendment authorizes the U.S. Secretary of the Interior to permit the taking of golden eagle nests that interfere with resource development or recovery operations.

The State of California’s biological resource regulations that apply to the proposed Project include:

- The *California Endangered Species Act (CESA)*, which makes it is unlawful to “take” any species listed as rare, threatened, or endangered. “Take” under CESA means to “hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill.” CESA take provisions apply to fish, wildlife, and plant species. Take may result whenever activities occur in areas that support a listed species. Consultation with CDFW is required if a project would result in “take” of a listed species.

- *California Code of Regulations, Sections 1600–1616*, which empowers the CDFW to issue agreements for any alteration of a river, stream, or lake where fish or wildlife resources may be substantially adversely affected. Streams (and rivers) are defined by the presence of a channel bed and banks and the conveyance of at least ephemeral flows. CDFW regulates wetland areas only to the extent that those wetlands are part of a river, stream, or lake as defined by CDFW. CDFW also has jurisdiction over any riparian habitat areas associated with a river, stream, or lake. Riparian habitat includes willows, cottonwoods, and other vegetation typically associated with the banks of a stream or lake shoreline. In most situations, wetlands associated with a stream or lake would fall within the limits of riparian habitat. Thus, defining the limits of CDFW jurisdiction based on riparian habitat would automatically include any wetland areas. CDFW has not defined wetlands for jurisdictional purposes. Wetlands not associated with a lake, stream, or other regulated area are generally not subject to CDFW jurisdiction.
- *California Fish and Game Code Sections 3503, 3503.5, and 3513—Protection of Birds, Nests, and Raptors*, which states that it is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird. Section 3503.5 specifically states that it is unlawful to take, possess, or destroy any raptors (i.e., species in the orders *Falconiformes* and *Strigiformes*), including their nests or eggs. Typical violations of these codes include destruction of active nests resulting from removal of vegetation in which the nests are located. Violation of Section 3503.5 could also include failure of active raptor nests resulting from disturbance of nesting pairs by nearby project construction. This statute does not provide for the issuance of any type of incidental take permit. Section 3513 states that it is unlawful to take or possess any migratory nongame bird, as designated in the MBTA, or any part of such migratory nongame bird.
- *The California Native Plant Protection Act (CNPPA)*, which preserves, protects, and enhances endangered and rare plants in California. Specifically, it prohibits import, take, possession, or sale of any native plant designated by the CDFW Commission as rare or endangered, except under certain circumstances designated by the act.
- *The Clean Water Act Section 401*, which states that the State Water Resources Control Board must certify all activities requiring a Section 404 permit. The Regional Water Quality Control Board (RWQCB) regulates these activities and issues water quality certifications for those activities requiring a Section 404 permit. In addition, the RWQCB has authority to regulate the discharge of “waste” into waters of the state pursuant to the Porter-Cologne Water Quality Control Act (Porter-Cologne Act).

County of Santa Barbara biological resource plans and policies that apply to the proposed Project include:

- *The Santa Barbara County Comprehensive Plan* addresses the conservation, development, and use of natural resources. Consistency with these policies is discussed in Section 4.9, *Land Use*.
- The Coastal Land Use Plan (CLUP) establishes goals, policies, objectives, and implementation measures adopted by the County with the primary purpose of protecting and preserving resources potentially affected by any development located within the Coastal Zone. The goals and policies designed to protect and preserve biological resources which are applicable to this Project are listed below:
 - **Policy 9-1:** Prior to the issuance of a development permit, all projects on parcels shown on the land use plan and/or resource maps with a Habitat Area overlay

designation or within 250 feet of such designation or projects affecting an environmentally sensitive habitat area shall be found to be in conformity with the applicable habitat protection policies of the land use plan. All development plans, grading plans, etc., shall show the precise location of the habitat(s) potentially affected by the proposed project. Projects which could adversely impact an environmentally sensitive habitat area may be subject to a site inspection by a qualified biologist to be selected jointly by the County and the applicant.

- **Policy 9-35:** Oak trees, because they are particularly sensitive to environmental conditions, shall be protected. All land use activities, including cultivated agriculture and grazing, should be carried out in such a manner as to avoid damage to native oak trees. Regeneration of oak trees on grazing lands should be encouraged.
- **Policy 9-36:** When sites are graded or developed, areas with significant amounts of native vegetation shall be preserved. All development shall be sited, designed, and constructed to minimize impacts of grading, paving, construction of roads or structures, runoff, and erosion on native vegetation. In particular, grading and paving shall not adversely affect root zone aeration and stability of native trees.
- **Policy 9-37:** The minimum buffer strip for major streams in rural areas, as defined by the land use plan, shall be presumptively 100 feet, and for streams in urban areas, 50 feet. These minimum buffers may be adjusted upward or downward on a case-by-case basis. The buffer shall be established based on an investigation of the following factors and after consultation with the Department of Fish and Game and Regional Water Quality Control Board in order to protect the biological productivity and water quality of streams: 1) soil type and stability of stream corridors; Coastal Land Use Plan Republished May 2014 143; 2) how surface water filters into the ground; 3) slope of the land on either side of the stream; and 4) location of the 100-year flood plain boundary. Riparian vegetation shall be protected and shall be included in the buffer. Where riparian vegetation has previously been removed, except for channelization, the buffer shall allow for the reestablishment of riparian vegetation to its prior extent to the greatest degree possible.
- **Policy 9-38:** No structures shall be located within the stream corridor except: public trails, dams for necessary water supply projects, flood control projects where no other method for protecting existing structures in the flood plain is feasible and where such protection is necessary for public safety or to protect existing development; and other development where the primary function is for the improvement of fish and wildlife habitat. Culverts, fences, pipelines, and bridges (when support structures are located outside the critical habitat) may be permitted when no alternative route/location is feasible. All development shall incorporate the best mitigation measures feasible.
- **Policy 9-40:** All development, including dredging, filling, and grading within stream corridors, shall be limited to activities necessary for the construction of uses specified in Policy 9-38. When such activities require removal of riparian plant species, revegetation with local native plants shall be required except where undesirable for flood control purposes. Minor clearing of vegetation for hiking, biking, and equestrian trails shall be permitted.

- *The Santa Barbara County Article II Coastal Zoning Ordinance* carries out the policies of the Santa Barbara County Comprehensive Plan and Local Coastal Program by classifying and regulating the uses of land and structures within the County, consistent with the Comprehensive Plan and the Local Coastal Program.

4.3.3 Impact Analysis

This section discusses the potential biological resource impacts associated with the proposed Project based upon the Scoping Document and MND prepared for the Cate School Master Plan Update (2014) as well as biological studies prepared for the Cate School property and information from the CNDDB. The construction and operation of the Project would result in impacts to sensitive, threatened, or endangered species and/or other biological resources as summarized in Table 4.3-1 below.

Table 4.3-1. Summary of Biological Resources Impacts

Biological Resources Impact	Mitigation Measures	Residual Significance
Impact BIO-1. Construction activities could result in potential impacts to unique, rare, or threatened plant species and sensitive natural communities.	MM FP-3a MM BIO-1a MM BIO-1b MM BIO-1c MM BIO-1d	Less than significant with mitigation (Class II)
Impact BIO-2. Construction activities could generate potential impacts to unique, rare, threatened, or endangered wildlife species and/or habitat that supports these species.	MM BIO-1d MM BIO-2a MM BIO-2b MM BIO-2c MM BIO-2d MM BIO-2e	Less than significant with mitigation (Class II)
Impact BIO-3. Construction activities could result in the introduction or spread of non-native vegetation.	MM BIO-3	Less than significant with mitigation (Class II)
Impact BIO-4. The construction of the Project could indirectly impact downstream water quality and habitats for aquatic species.	MM BIO-2b MM BIO-2c MM BIO-2d	Less than significant with mitigation (Class II)
Impact BIO-5. The Project would result in a potential loss of healthy native specimen trees.	No mitigation required.	Less than significant (Class III)
Impact BIO-6. Project would result in a potential loss of habitat associated with the removal of avocado orchard.	No mitigation required.	Less than significant (Class III)
Impact BIO-7. Implementation of the Project would not introduce barriers to movement which would cause impacts to migratory species or patterns.	MM BIO-3	Less than significant with mitigation (Class II)

4.3.3.1 Thresholds of Significance

- Santa Barbara County's Environmental Thresholds and Guidelines Manual (2015) includes guidelines for the assessment of biological resource impacts. The following thresholds are applicable to this Project:
 - Riparian Habitats: Project created impacts may be considered significant due to: direct removal of riparian vegetation; disruption of riparian wildlife habitat, particularly animal

dispersal corridors and or understory vegetation; or intrusion within the upland edge of the riparian canopy leading to potential disruption of animal migration, breeding, etc. through increased noise, light and glare, and human or domestic animal intrusion; or construction activity which disrupts critical time periods for fish and other wildlife species.

- Oak Woodlands and Forests: Project created impacts may be considered significant due to habitat fragmentation, removal of understory, alteration to drainage patterns, disruption of the canopy, removal of a significant number of trees that would cause a break in the canopy, or disruption in animal movement in and through the woodland.
- Individual Native Trees: Project created impacts may be considered significant due to the loss of 10 percent or more of the trees of biological value on a project site.
- Other Rare Habitat Types: The Manual recognizes that not all habitat-types found in Santa Barbara County are addressed by the habitat-specific guidelines. Impacts to other habitat types or species may be considered significant, based on substantial evidence in the record, if they substantially: (1) reduce or eliminate species diversity or abundance; (2) reduce or eliminate the quality of nesting areas; (3) limit reproductive capacity through losses of individuals or habitat; (4) fragment, eliminate, or otherwise disrupt foraging areas and/or access to food sources; (5) limit or fragment range and movement; or (6) interfere with natural processes, such as fire or flooding, upon which the habitat depends.

4.3.3.2 Project Impacts

Impact BIO-1. Project activities could result in potential impacts to unique, rare, or threatened plant species and sensitive natural communities.

The Project site contains seven vegetation communities, including coast live oak woodland, coast live oak riparian forest, greenbark ceanothus chaparral, Venturan coastal sage scrub, lemonade berry scrub, ruderal vegetation, and non-native tree plantings and stands. The Project would result in permanent impacts to native vegetation communities, as presented in Table 4.3-2.

Table 4.3-2. Permanent and Fuel Management Impacts to Native Vegetation Communities in the Project Site

Vegetation Community Name	Permanent removal within disturbance footprint (acres)	Vegetation clearing within Fuel Management Area (acres)
Coast live oak woodland ¹	0.4	0.7
Coast live oak riparian forest ¹	0.0	0.0
Greenbark ceanothus chaparral	0.1	0.3
Venturan coastal sage scrub ¹	0.2	0.5
Lemonade berry scrub ¹	1.6	0.4
Ashy-leaf buckwheat scrub	0.2	0.39

¹ Indicates that the vegetation community is considered to be sensitive or rare, or contains an alliance within the Project site that is considered sensitive or rare.

Construction to accommodate new and enlarged structures in the Project site would result in the loss of coast live oak woodland habitat, including 0.16 acre in the Faculty Housing area, 0.17 acre in the area of proposed Replacement Dormitories, and 0.035 acre around the Freshman Quad and western

detention basin. Direct impacts to the habitat would result primarily from tree removal, root cutting, grading, excavation, compaction, or raising the grade within the critical root zones of trees. Indirect impacts could result from peripheral construction activities within the critical root zones of protected trees such as parking vehicles and equipment stockpile of soils, excavation and demolition materials in the root zones of trees. County Standard Condition BIO-1b, *Tree Protection Plan* would ensure that indirect impacts are reduced to a less than significant level. To mitigate the direct loss of coast live oak woodland habitat, MM BIO-1a, *Habitat Restoration* and MM BIO-1b, *Native Tree Protection and Replacement Plan* would require habitat restoration to replace, restore, and/or enhance impacted sensitive vegetation communities, including coast live oak woodland, within the Project site. No long-term, operational impacts are anticipated for coast live oak woodland as a result of long-term operation of expanded facilities at Cate School.

Direct impacts to lemonade berry scrub habitat and sensitive ashy-leaf buckwheat alliance (part of the Venturan Coastal sage scrub community) are anticipated to result from removal of the habitat to accommodate construction of new facilities within the proposed Faculty Housing site and the proposed Freshman Quad. MM BIO-1c, *Disturbance Limits* and MM BIO-1d, *Preconstruction Surveys* would ensure that sensitive plant species within these communities and in any other areas within the limits of disturbance onsite are identified prior to construction and adequately protected to avoid impacts to the extent feasible. Implementation of MM BIO-1a, *Habitat Restoration*, and MM BIO-1b, *Native Tree Protection and Replacement Plan* would address mitigation for unavoidable permanent impacts to these habitats by requiring that lemonade berry dominated scrub habitat be replaced at a 2:1 ratio and that ashy-leaf buckwheat dominated scrub habitat be replaced at a 2:1 ratio. No operational impacts are anticipated for lemonade berry scrub and Venturan coastal sage scrub habitat as a result of long-term use of expanded facilities at the Project site.

In addition to the direct removal of habitat to accommodate new and expanded structures, understory vegetation within ashy-leaf buckwheat scrub and oak woodland within the proposed 100-foot fuel management zone around new development may be removed or reduced. While individual trees would be retained, fuel management activities in the understory have the potential to impact sensitive vegetation community composition and integrity within the fuel break area. Coast live oak woodland/forest, lemonade berry-California sagebrush-mountain mahogany scrub, and ashy-leaf buckwheat dominated plant communities all occur within the 100-foot fuel management area in the vicinity of the Freshman Quad and Faculty Housing and would experience vegetation clearing. MM FP-3a, *Fuel Management Plan*, would reduce impacts associated with achieving fire safety around new buildings by focusing vegetation removal efforts on non-native species while protecting native species to the maximum extent possible. This measure would enhance sensitive vegetation communities within the fuel break by encouraging the growth of native species while removing non-native species that not only present a fire hazard but often outcompete native species. With implementation of MM FP-3a, potential impacts to sensitive natural communities due to understory vegetation clearing in coast live oak woodland, lemonade berry-California sagebrush-mountain mahogany scrub, and ashy-leaf buckwheat dominated plant communities would be reduced to less than significant levels.

Vegetation removal during Project construction has the potential to result in direct impacts to rare or sensitive plant species. Review of suitable habitat identified the potential for presence of seven rare plants, only one of which was observed during surveys of the Project site: Southern California black walnut. Sensitive plant species, such as Nuttall's scrub oak, Santa Barbara honeysuckle, late-flowering Mariposa lily, umbrella larkspur, and Hoffmann's bitter gooseberry were not observed as part of the biological surveys but may be present on-site due to the presence of suitable habitat. Since the Project would result in vegetation removal in habitats where these species may be present, impacts are

considered potentially significant but mitigatable with the implementation of MM BIO-1d, *Preconstruction Surveys*, which states that preconstruction surveys would be performed in the areas of disturbance to ensure that no sensitive plant species would be disturbed. MM BIO-1a through MM BIO-1d and MM FP-3a, would further mitigate impacts to sensitive plant species to less than significant levels by avoiding damage during construction and during the creation and maintenance of defensible space. The long-term operation of the expanded facilities at Cate School are not anticipated to permanently impact rare or sensitive plants due to the absence of new ongoing activities that could pose a threat to their survival.

Therefore, impacts to sensitive or threatened plant species and sensitive natural communities would be *less than significant with mitigation* (Class II).

Impact BIO-2. Project activities could directly or indirectly impact unique, rare, threatened, or endangered wildlife species and/or their habitats through the removal of suitable breeding and foraging habitat.

Breeding and foraging habitat for sensitive wildlife at the Project site is concentrated around the periphery of the developed campus. These peripheral habitats include a number of natural and developed vegetation communities that provide suitable nesting as well as foraging habitat for a variety of both common and sensitive wildlife, including raptors (red-tailed hawk, Cooper's hawk, great horned owl, American kestrel, white-tailed kite, golden eagle, merlin, red-shouldered hawk, and prairie falcon), owls (barn owl and western screech owl), bat species (pallid bat, Mexican long-tongued bat, western mastiff bat, and big free-tail bat), other bird species (Southwestern willow flycatcher and least Bell's vireo), several sensitive fish (southern steelhead), reptile species (two-striped garter snake and Pacific pond turtle), and amphibian species. While no state or federally listed threatened or endangered species were observed at the site during the spring 2013 surveys, a hawk resembling a Cooper's hawk was observed at the Project site and flying over the Cate School campus (ARCADIS 2013). Removal of sensitive coast oak woodland, lemonade berry scrub, ashy-leaf buckwheat scrub, and other habitats could remove occupied nesting or breeding habitat for migratory birds, sensitive reptile species, and nesting raptors. Implementation of MM BIO-1d, *Preconstruction Surveys*, would require reconnaissance level wildlife pre-construction surveys to be conducted in the weeks prior to initial site work to ensure that all sensitive resources within the disturbance areas are identified and appropriately protected and flagged/fenced where applicable. Additionally, MM BIO-2a, *Raptor, Special Status Species, and Nesting Bird Protection*, would limit Project activities (particularly vegetation removal, ground disturbance, and construction) during the bird breeding season (February 1 through August 15) and establish work buffers around any known nesting sites in the event that work needs to be conducted before all nestlings have fledged. The Project would result in the loss of approximately 2.5 acres of non-sensitive plant communities containing both native and non-native vegetation, including coastal sage scrub associations, chaparral habitat, native and non-native trees and shrubs, and eucalyptus. These plant communities provide important wildlife habitat value, especially for bird and raptor species. Impacts to sensitive species using these habitats would be avoided and minimized with the incorporation of MM BIO-1d, *Preconstruction Surveys* and MM BIO-2a, *Raptor, Special Status Species, and Nesting Bird Protection*. The proposed Project does not result in any direct impacts to Carpinteria Creek or Gobernador Creek and associated riparian vegetation; however, indirect impacts to these habitats could occur during construction activities adjacent to the creek corridors associated with erosion and sedimentation which would affect water quality, potentially degrading aquatic habitat for species that could inhabit these areas, including the southern steelhead, western pond turtle, and southwestern willow flycatcher. MM BIO-2b, *Construction near Creeks*, would reduce potential impacts to the creeks and riparian habitats by

avoiding construction activities during the rainy season. In addition, MM BIO-2c, *Equipment Washout-Construction*, requires procedures for equipment washout areas to prevent wastewater discharge to streets, storm drains, drainage ditches, creeks, or wetlands; MM BIO-2d, *Equipment Storage-Construction*, requires designated storage areas within the Project construction site to contain spills, facilitate clean-up and proper disposal; and MM BIO-2e, *Onsite Arborist/Biologist*, requires an onsite arborist or biologist during all construction and grading activities that could impact native trees, including riparian trees. With the implementation of these mitigation measures during construction, degradation of riparian and creek habitat would be minimized and associated indirect impacts to species that depend upon that habitat would be avoided.

Direct and indirect operational impacts to foraging and breeding habitat for species with potential to occur in the Project site would be less than significant given that much of the site is already developed with a high school campus and the proposed new development would not significantly disturb available wildlife habitat or remove large undisturbed areas from use as wildlife habitat in the future. Direct impacts to state or federally-listed threatened or endangered species or species of special concern, particularly wildlife species with the highest potential to use or pass through the site, such as raptors and migratory bird species, would be further reduced with the implementation of mitigation measures described above.

Therefore, impacts to rare, threatened, or endangered wildlife and or habitats would be *less than significant with mitigation* incorporated (MM BIO-1d through MM BIO-2e) (Class II).

Impact BIO-3. Project activities could result in the introduction or spread of non-native vegetation.

Ground disturbing activities associated with construction of the proposed Project could create opportunities for the introduction and/or spread of non-native species. Invasive species can out-compete native species for water and space due to reproductive and germination characteristics that allow them to readily take advantage of disturbed sites. Further, soil disturbance can reduce the native seed bank associated with a site further limiting the ability of native plants to reestablish after a disturbance. The site currently contains a number of areas dominated by highly invasive plants such as cape-ivy and garden nasturtium. These areas are outside of the disturbance footprint and are not anticipated to be provided ample opportunity to spread as a result of the proposed Project. There are ruderal habitat areas within the disturbance footprint; however, these areas were not observed to contain populations of highly invasive species and would be covered by new buildings and facilities. MM BIO-3, *Native Plants*, would ensure that disturbed areas receiving new landscaping near native habitat buffer areas would be planted with native plants and, where feasible, using seed stock from locally obtained sources. Further, invasive species listed by the Cal-IPC in the California Invasive Plant Inventory would be removed from construction area stockpiles to avoid their spread into adjacent native habitat areas. Long-term use and operation of the proposed build-out of the Cate campus would not significantly increase the spread of non-native vegetation above the current baseline, as there are no new weed-spreading activities that the buildout would promote.

Therefore, Project impacts resulting in the spread of non-native species would be *less than significant with mitigation* (Class II).

Impact BIO-4. The construction of the Project could indirectly impact downstream water quality and habitats for aquatic species.

Construction activities associated with the proposed Project could occur in the immediate vicinity of drainages and surface waters at the Project site, including Gobernador Creek and Carpinteria Creek. Grading and compaction activities during construction may impact downstream water bodies due to movement of materials and pollutants from disturbed areas into waterways. Pollutants of concern that could be generated during construction include sediment (from grading operations), trash, petroleum products (from construction equipment), dry and wet concrete waste, and sanitary waste (from portable toilets). Additionally, operations and special events on campus related to the build-out would result in an increase in human activity, which could also affect downstream water quality. The deterioration of downstream water bodies would have an adverse impact on existing habitat for aquatic species, which would be significant. However, developments are required to comply with the Santa Barbara County Code (SBCC) Chapter 15B, "Development along Watercourses", which ensures that no development would occur within 50 feet of the top of the bank of any watercourse. Further, implementation of MM BIO-2b, *Construction near Creeks*, MM BIO-2c, *Equipment Washout-Construction*, and MM BIO-2d, *Equipment Storage-Construction*, would ensure that the creeks are protected during construction.

Therefore, water quality impacts to surface waters, and consequently to biological resources from construction and operation of the Project would be *less than significant with mitigation* (Class II).

Impact BIO-5. The Project would result in a potential loss of healthy native specimen trees.

A total of approximately 96 non-native trees would be removed as a result of construction of the proposed Project, including many eucalyptus and Victorian box. Approximately 16 coast live oak trees and three sycamores would also be removed and an additional five oak trees would be significantly impacted by encroachment into the critical root zone. This number of native trees represents less than 10 percent of the trees of biological value on-site. As such, impacts associated with tree removal would be less than significant (Class III). As recommended under Impact BIO-1 MM BIO-1a, *Habitat Restoration*, and MM BIO-1b, *Native Tree Protection and Replacement Plan*, are recommended to be implemented which require protection, avoidance and/or replacement of trees, would further reduce the residual impact and ensure consistency with County policies by preserving native trees to the maximum extent feasible. In addition, the County of Santa Barbara Standard Conditions BIO-01b and BIO-02 state that a Tree Protection Plan (TPP) shall be prepared to indicate the removal and replacement of trees along with a description of strategies for protecting trees during construction. The TPP shall include construction and site plan components for tree protection strategies to reduce the impact of native tree removal.

Impact BIO-6. Project would result in a potential loss of habitat associated with the removal of avocado orchard.

Installation of the western storm water management and drainage system would result in the conversion of approximately 0.57 acre of avocado orchard, corresponding to the removal of approximately 43 trees. Most of these trees are young trees that have been planted in the last five years, and as such their removal would not significantly impact production yields. In addition, the southern storm water management and drainage system comprising 14 (5,000-gallon) tanks would occupy an area of approximately 5,500 sf within the edge of an avocado orchard and would result in

the removal of an estimated 9-10 mature trees. The loss of existing avocado trees on the Cate School property would remove potential roosting and foraging habitat for native migratory bird and bat species; however, given existing human disturbance associated with ongoing cultivation and production, the habitat is considered of marginal value. Given the limited habitat value associated with orchard operations on the site, the loss of 0.57 acre of avocado orchard would be adverse but less than significant. Therefore, impacts to existing orchards and planted trees would be *less than significant* (Class III).

Impact BIO-7. Construction and operation of the Project could introduce barriers to movement or cause impacts to migratory species or patterns.

Construction and operation of the Project would primarily increase development and density within the existing campus core; however, development of the Faculty Housing site and the stormwater systems (pipeline, tanks, and drainage basin) within the existing avocado orchards would introduce development and human habitation into undeveloped and undisturbed areas of the Project site. Development in undisturbed areas could introduce pesticides and herbicides, non-native landscaping, noise and light that could degrade the quality of migratory habitat or impede movement patterns. In addition, new structures could present physical barriers to wildlife movement. Noise is not expected to be a significant new impact since the overall site is already populated and experiences a certain level of ambient noise to which wildlife inhabiting the site are accustomed.

The proposed facilities within the campus core would only add incrementally to existing developed footprint on the property and not interrupt natural areas that currently provide quality wildlife movement opportunity. Encroachment into new undisturbed habitat would be primarily limited to the new faculty housing site, beside a developed road, and stormwater systems. The new faculty housing cluster would be introduced into an area containing native habitat and impacts resulting from the introduction of new development in this area would be more pronounced than elsewhere on the site as a result of the conversion of native habitat to residential development. The conversion of native habitat would also result in a loss or reduction of buffers between existing development and sensitive habitat. These changes diminish the ability of existing natural habitat to support wildlife and can lead to a reduction in the carrying capacity of the habitats resulting in the decline or potential extirpation of local populations of certain native plant and wildlife species. This potentially significant impacts would be mitigated with implementation of MM BIO-3, *Native Plants*, which requires the restoration of buffer areas with native plant habitat.

The new stormwater systems would be located near Carpinteria and Gobernador creeks, but as the Project would not result in direct impacts to Carpinteria Creek or Gobernador Creek or associated riparian vegetation, impacts to riparian wildlife habitat would be less than significant.

The Project could also disrupt habitat linkages or present a significant barrier to wildlife movement or impede wildlife corridors. Most of the new development occurs within or along the periphery of previously disturbed habitat but both the faculty housing cluster and the stormwater systems would introduce new, permanent physical improvements in areas that are currently undeveloped. As a result, these improvements could present a physical barrier to migrating species or inhibit wildlife movement. The permanent barriers would include the cluster of five new faculty housing units located along the new driveway extending from Cate Mesa Road and the stormwater tanks near both Carpinteria and Gobernador creeks. However, both the faculty residences and stormwater tanks have been designed to provide adequate space for normal wildlife movement around these new facilities and therefore the impact would be less than significant (see Figures 2-1 and 2-2).

Overall, construction and long-term operation of the Project could result in minor impacts to migratory species and wildlife movement and disturbance that would be *less than significant with mitigation* (Class II).

4.3.3.3 Mitigation Measures

To further reduce biological resource impacts resulting from implementation of the Project, the following mitigation measures would be implemented to supplement County Biology Standard Conditions BIO-01b, and BIO-02:

MM FP-3a **Fuel Management Plan** would apply (see Section 3.2, *Fire Protection*).

MM BIO-1a **Habitat Restoration.** *The Applicant shall submit for Planning and Development a Restoration Plan prepared by a Planning and Development-approved biologist and designed to replace, restore, and/or enhance impacted sensitive vegetation communities within the Project site, with mitigation restoration planting acreage based on actual impacts during Project phases and including the following components:*

1. Species shall be from locally obtained plants and seed stock where feasible.
2. Invasive non-native species, including cape ivy, English ivy, periwinkle, and other species, shall be removed from the Carpinteria Creek buffer in the area of the proposed western detention basin and stormwater collection system.
3. To compensate for the removal of 0.04 acre of coast live oak woodland habitat, restoration including weed abatement in woodland habitats combined with understory planting should be initiated at a 3:1 ratio based on canopy acreage.
4. To compensate for the removal of approximately 1.6 acres of lemonade berry dominated scrub habitat associated with the new faculty housing, restoration and enhancement of similar habitat along Cate Mesa Road at a 2:1 ratio shall be undertaken. Targeted non-native species proposed for eradication include crimson fountain grass, Tasmanian blue gum, and Victorian box.
5. To compensate for direct impacts to approximately 0.59 acre of ashy-leaf buckwheat dominated scrub habitat in the vicinity of the Freshman Quad and faculty housing site, restoration and enhancement at a 2:1 ratio shall be undertaken. Restoration/enhancement opportunities include eradication of crimson fountain grass and other invasive species within the vegetation along Cate Mesa Road in proximity to the faculty housing site.

Plan Requirements and Timing: The Restoration Plan shall either be developed as a single plan or be developed in such a way as to be implemented in phases corresponding to the areas impacted by each phase of development. The Plan shall include performance criteria to ensure successful restoration and shall include a 5-year minimum monitoring component. Include the components of the plan in Landscape and Irrigation Plans if these are required and location warrants inclusion.

Plans shall be submitted prior to the issuance of Zoning Clearances for each applicable phase of development. The Applicant shall post a performance security prior to issuance of Zoning Clearances, as appropriate, to ensure installation prior to Final Building Inspection Clearance and maintenance for five years.

Monitoring: The Applicant shall demonstrate to Planning and Development compliance monitoring staff that all required components of the approved plan(s) are in place as required prior to Final Inspection Clearance and maintained throughout the maintenance period. Planning and Development compliance monitoring staff signature is required to release the installation security upon satisfactory installation of all items in approved plans and maintenance security upon successful implementation of this plan.

MM BIO-1b **Native Tree Protection and Replacement Plan (TPRP).** *The Applicant shall submit for Planning and Development approval a Native Tree Protection and Replacement Plan prepared by a Planning and Development-qualified arborist/biologist and designed to protect native trees within the areas of disturbance and replace native trees removed, and including the following components:*

Construction Component: The Owner Applicant shall comply with and specify the following as notes on the TPRP and Grading and Building Plans:

- a. Fencing of all trees to be protected at least six feet outside the dripline with chain-link (or other material satisfactory to P&D) fencing at least 3 ft high, staked to prevent any collapse, and with signs identifying the protection area placed in 15-ft intervals on the fencing.
- b. Fencing/staking/signage shall be maintained throughout all grading and construction activities.
- c. All trees located within 25 ft of buildings shall be protected from stucco and/or paint during construction.
- d. No irrigation is permitted within 6 ft of the dripline of any protected tree unless specifically authorized.
- e. The following shall be completed only by hand and under the direction of a P&D approved arborist/biologist:
 - i. Any trenching required within the dripline or sensitive root zone of any specimen.
 - ii. Cleanly cutting any roots of one inch in diameter or greater, encountered during grading or construction.
 - iii. Tree removal and trimming.
- f. Special equipment: If the use of hand tools is deemed infeasible by P&D, P&D may authorize work with rubber-tired construction equipment weighing five tons or less. If significant large rocks are present, or if spoil placement will impact surrounding trees, then a small tracked excavator (i.e., 215 or smaller track hoe) may be used as determined by P&D staff and under the direction of a P&D approved biologist.
- g. Grading shall be designed to avoid ponding and ensure proper drainage within driplines of oak trees.

Replacement Component: The Owner Applicant shall comply with and specify the following as notes on the TPRP and Grading and Building Plans:

- a. To compensate for the loss of individual Coast live oak trees within woodland areas, trees that are removed or significantly impacted shall be replanted at a 10:1 ratio in appropriate locations around the Project site.
 - i. The replacement trees shall be 1-gallon size trees obtained from locally occurring saplings or seed stock. Show replanting location on plans.

- b. To compensate for the loss of individual Coast live oak trees within landscaped areas, trees that are removed or significantly impacted shall be replanted at a 3:1 ratio in appropriate locations around the Project site.
 - i. The replacement trees shall be 15-gallon size (or larger) trees obtained from locally occurring saplings or seed stock. Show replanting location on plans.
- c. To compensate for the loss of individual Sycamore trees, trees that are removed or significantly impacted shall be replanted at a minimum 3:1 ratio in appropriate locations around the Project site.
 - i. The replacement trees shall be 15-gallon size (or larger) trees obtained from locally occurring saplings or seed stock. Show replanting location on plans.
- d. The trees shall be gopher fenced.
- e. The trees shall be irrigated with drip irrigation on a timer until established (a period to be established by the Planning and Development approved arborist).
- f. The trees shall be weaned off of irrigation over a period of two to three years.
- g. No permanent irrigation shall occur within the dripline of any protected tree unless recommended by a certified arborist and approved by Planning and Development.
- h. If replacement trees cannot all be accommodated on site, the Applicant shall submit a plan for Planning and development approval for replacement of trees to be planted off site.

Plan Requirements and Timing: The Applicant shall (1) submit the TPRP; (2) include the components of the plan in Landscape and Irrigation Plans if these are required; and (3) include as notes or depictions all plan components listed above, graphically depicting all those related to earth movement, construction, and temporarily and/or permanently installed protection measures. Plans shall be submitted to Planning and Development for review prior to Zoning Clearance issuance for each applicable phase of development. The Applicant shall post a performance security prior to issuance of applicable Zoning Clearances to ensure installation prior to Final Building Inspection Clearance and maintenance for five years. Plan components shall be included on all plans prior to the issuance of grading/building permits. The Applicant shall install tree protection measures onsite prior to issuance of grading/building permits and pre-construction meeting.

Monitoring: The Applicant shall demonstrate to Planning and Development compliance monitoring staff that trees identified for protection were not damaged or removed or, if damage or removal occurred, that correction is completed and all required components of the approved plan(s) are in place as required prior to Final Inspection Clearance and maintained throughout the maintenance period. Planning and Development compliance monitoring staff signature is required to release the installation security upon satisfactory installation of all items in approved plans and maintenance security upon successful implementation of this plan.

MM BIO-1c ***Disturbance Limits.*** *To avoid damage during construction, all sensitive vegetation types within 25 feet of proposed disturbance areas or along existing construction access roads shall be temporarily fenced with chain-link or other material satisfactory to Planning and Development, and staked to prevent any collapse. The Carpinteria Creek buffer area in the area of the proposed western detention basin and stormwater collection system shall be fenced during construction and staked a minimum of every six*

feet or as necessary to keep fencing from collapsing. Protective fencing/staking/barriers shall be maintained throughout all grading and construction activities.

Plan Requirements and Timing. The limits of all disturbance areas shall be indicated on Project plans submitted to Planning and Development for Zoning Clearances and Grading/Building Permits for each phase of development. A note indicating this requirement shall be printed on all grading and building plans.

Monitoring: Compliance monitoring staff shall ensure that the fencing is in place prior to initial grading or ground disturbance and shall spot check in the field to ensure that the fencing is maintained throughout the period of construction.

*MM BIO-1d **Preconstruction Surveys.** Reconnaissance level botanical and wildlife pre-construction surveys shall be conducted within 4 weeks prior to initial site work such as clearing, grubbing, staging or grading to ensure that all sensitive resources within the disturbance areas are identified and appropriately protected and flagged/fenced where applicable.*

Plan Requirements and Timing. The Applicant shall hire a County-qualified biologist to conduct the preconstruction surveys. A copy of the survey report and any recommended measures to take to protect sensitive species identified shall be submitted to Planning and Development for review and approval prior to Grading and/or Building Permit issuance. Any protection measures shall be maintained in good condition throughout grading and construction.

Monitoring: Compliance monitoring staff shall confirm that the surveys have taken place and any protection measures are installed prior to the pre-construction meeting. Compliance monitoring staff shall ensure through periodic site inspections that any protection measures are maintained in good condition throughout grading and construction.

*MM BIO-2a **Raptor, Special Status Species, and Nesting Bird Protection.** To avoid disturbance of nesting and special status birds including raptorial species protected by the MBTA and Sections 3503, 3503.5, and 3513 of the California Fish and Game Code, proposed Project activities, including, but not limited to, vegetation removal, ground disturbance, and construction shall occur outside of the bird breeding season (February 1 through August 15). If these activities must begin within the breeding season, then pre-construction surveys shall be conducted. The nesting bird pre-construction survey shall be conducted within the disturbance footprint and a 500-foot buffer as allowable without trespassing on private lands. The survey shall be conducted by a County-qualified biologist familiar with the identification of raptors and special status species known to occur in Santa Barbara County using typical methods. If nests are found, a buffer ranging in size from 100 for nesting passerine species to 500 feet for nesting raptors shall be determined and demarcated by the biologist with bright orange construction fencing, flagging, construction lathe, or other means to mark the boundary. All construction personnel shall be notified as to the existence of the buffer zone and to avoid entering the buffer zone during the nesting season. No ground disturbing activities shall occur within this buffer until the County-qualified biologist has confirmed that breeding/nesting is completed and the young have fledged the nest.*

Nesting birds surveys are not required for construction activities occurring between August 16 and February 1.

Plan Requirements and Timing. If construction must begin within the breeding season, then the pre-construction survey shall be conducted no more than two weeks prior to commencing vegetation removal, grading, or construction activities. Active nests shall be monitored at a minimum of once per week until it has been determined that the nest is no longer being used by either the young or adults. Bird survey results shall be submitted to County Planning and Development for review and approval prior to commencing grading or construction activities.

Monitoring. Planning and Development shall be given the name and contact information for the biologist prior to initiation of the pre-construction survey. Permit Compliance and Planning and Development staff shall verify compliance in the field and perform site inspections throughout the grading and construction phase(s). Planning and Development staff shall review the survey report(s).

*MM BIO-2b **Construction Near Creeks:** Construction activities potentially affecting Carpinteria and Gobernador Creeks shall be timed to avoid the rainy season if possible to avoid construction during rainy weather when amphibian species are more likely to be encountered during dispersal near aquatic habitats and when runoff could affect southern steelhead. Installation of storm water improvements or other similar infrastructure affecting the creeks shall occur outside of the rainy season to minimize the likelihood of silt run-off impacting southern steelhead, western pond turtle, and other species dependent upon the aquatic environment. In the event construction cannot be scheduled to avoid the rainy season, appropriate stormwater best management practices shall be installed prior to construction to minimize erosion and sedimentation affecting the creeks. If Project activities in or near the drainages are required during the rainy season and there is flowing or standing water, a qualified biologist shall monitor soil disturbance and vegetation removal adjacent to riparian habitat.*

Plan Requirements and Timing. This note shall be printed on all plans submitted to Planning and Development for Zoning Clearance for any development near Carpinteria and Gobernador Creeks, as well as on plans submitted for Grading/Building permits. Stormwater BMPs shall be depicted on all plans related to construction affecting Carpinteria and Gobernador Creeks. If construction is scheduled to occur during the rainy season, the Applicant shall provide documentation to Planning and Development that a County-qualified biologist has been contracted to perform required monitoring duties and give the name and contact information to Planning and Development prior to Zoning Clearance issuance. The biologist shall submit a monitoring report to Planning and Development within one week following monitoring activities documenting the results of the monitoring and any measures required to avoid impacts to aquatic species, including potential stop work orders.

Monitoring: Compliance monitoring staff shall ensure that the storm water BMPs are in place prior to initial grading or ground disturbance and shall spot check in the field to ensure that they are maintained throughout the period of construction. If work occurs during the rainy season and there is standing or flowing water, compliance monitoring staff shall confirm that the biological consultant is present to monitor construction activities in or near the drainages.

*MM BIO-2c **Equipment Washout-Construction.** The Applicant shall designate one or more washout areas for the washing of concrete trucks, paint, equipment, or similar activities*

to prevent wash water from discharging to the storm drains, street, drainage ditches, or surrounding creeks. Note that polluted water and materials shall be contained in these areas and removed from the site as often as necessary to avoid spills. The areas shall be located at least 100 feet from any storm drain, waterbody or sensitive biological resources.

Plan Requirements and Timing: The Applicant shall designate the Planning and Development approved location on all Land Use, Grading, and Building Permits. The Applicant shall install the area prior to commencement of construction.

Monitoring: Planning and Development compliance monitoring staff shall ensure compliance prior to and throughout construction.

*MM BIO-2d **Equipment Storage-Construction.** The Applicant shall designate one or more construction equipment filling and storage areas within the Project construction site to contain spills, facilitate clean-up and proper disposal and prevent contamination from discharging to the storm drains, street, drainage ditches, or surrounding creeks. The areas shall be no larger than 50 x 50 foot unless otherwise approved by Planning and Development and shall be located at least 100 feet from any storm drain, waterbody or sensitive biological resources.*

Plan Requirements and Timing: The Applicant shall designate the Planning and Development approved location on all Land Use, Grading, and Building Permits. The Applicant shall install the area prior to commencement of construction.

Monitoring: Planning and Development compliance monitoring staff shall ensure compliance prior to and throughout construction.

*MM BIO-2e **Onsite Arborist/Biologist.** The Applicant shall designate a Planning and Development-approved arborist/biologist to be onsite throughout all grading and construction activities which may impact native trees. Duties include the responsibility to ensure all aspects of the approved Tree Protection and Tree Replacement Plans are carried out.*

Monitoring: The Applicant shall submit to Planning and Development compliance monitoring staff the name and contact information for the approved arborist/biologist prior to commencement of construction / pre-construction meeting. Planning and Development compliance monitoring staff shall site inspect as appropriate.

*MM BIO-3 **Native Plants.** New landscaping near native habitat buffer areas shall be with native plants and, where feasible, seed stock from locally obtained sources. Invasive weeds as listed in the California Invasive Plant Inventory shall be removed from construction areas to avoid being spread into adjacent native habitat areas.*

Plan Requirements and Timing. The Applicant shall incorporate this requirement into a landscape plan to be prepared by a Planning and Development approved landscape architect or arborist. Performance securities shall be submitted for installation and five-year maintenance. The Landscape Plan shall be submitted to Planning and Development and SBAR for review and approval prior to Zoning Clearance issuance. Landscaping shall be installed prior to Final Building Inspection Clearance.

Monitoring: The landscape architect or arborist shall verify to Planning and Development compliance monitoring staff, in writing, using receipts, etc., the use of native seed stock on the

property prior to final building inspection clearance. Sign-off from Planning and Development compliance monitoring staff is required prior to the release of performance securities.

4.3.3.4 Residual Impacts

Implementation of MM BIO-1a through MM BIO-3 would insure that any biological resources encountered during construction would be protected in accordance with an appropriate mitigation program. Residual impacts would therefore *be less than significant with mitigation* (Class II).

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