

Rancho Estates Mobile Home Park  
Fire Improvements Project

APPENDIX

C

PEER REVIEW OF BIOLOGICAL  
ASSESSMENT, PROPOSED  
EMERGENCY ACCESS ROAD



# Technical Memorandum

**Date** March 28, 2016

**To:** Joe Pearson  
City of Goleta

**From:** Rosemary Thompson and Tamara Klug

**RE:** Peer Review of Biological Assessment, Proposed Emergency Access Road,  
Rancho Goleta Mobile Home Park

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## 1.0 Introduction

Rachel Tierney Consulting and Paul W. Collins, Wildlife Consultant prepared a Biological Assessment for the Rancho Goleta Mobile Home Park, dated June 30, 2015. Cardno biologists Dr. Rosemary Thompson and Ms. Tamara Klug reviewed that document for accuracy and completeness in support of preparing an EIR for the project.

## 2.0 Methods

On March 4, 2016, Cardno biologists conducted a site visit. Project plans for the access road and water lines were used in the field to identify project feature locations, and figures from the document were groundtruthed for vegetation and tree locations. Discrepancies in tree location/size were marked on the figures in the field.

## 3.0 Discussion

Cardno's review focused on the setting, including sensitive biological resources, and the impact analysis and proposed mitigations. Typographical errors that affect readability of the document are also noted.

### 3.1 Setting

Figure 2 is called out in the text, but two figures are included (labeled 2A and 2B). In groundtruthing Figures 2A and 2B, we found that all of the coast live oak trees and at least one willow along the north bank of Devereux Creek were not mapped. The California Department of Fish and Wildlife (CDFW) Streambed Alteration Agreement application instructions (dated 10/2015) require listing all trees with a trunk diameter at breast height (DBH) greater than 2 inches. The tree mapping in the report only covered trees with a DBH of 6 inches or greater, and does not include all trees of that size (DBH). The oak trees that are not mapped are 3.5, 5, and 7 inches in diameter at breast height. The unmapped willow had two stems that were 5 and 8 inches DBH. In addition, the sycamore tree that is shown as 14 inches DBH on Figure 2A is much larger; we estimated it at 17 inches DBH.

Some of the willows "on the north bank" are actually large stems that have fallen across the creek to the top of the concrete bank wall and then turned upward to the light. Some may have rooted at the top of the bank. These would need to be cut back for the fire access road and need to be included in the mapped trees.

On page 7, the discussion of monarch butterflies under *Eucalyptus globulus* Semi-Natural Woodland Stands should be in the sensitive species section and not under trees.

On Page 8, the Annual Brome Grassland section does not discuss the extensive landscape plantings along the south side of the adjacent homes. Also, under Fauna, it is unclear how “increased levels of disturbance from public visitation...” was determined and over what time period.

Under Sensitive Biological Resources, on page 11, the survey results for plants are shown in Table 1, not Table 2 as stated in the text. The sensitive animal surveys were conducted on March 4, 2015, which is before the main nesting season for song birds. Thus, use of the riparian corridor along Devereux Creek by birds (sensitive or common species) was not adequately assessed for nesting.

Page 12, last paragraph implies that weeds and trash preclude the presence of California red-legged frog and southwestern pond turtle. Neither species is likely to occur, unless they are present downstream and move upstream during wetter conditions, but their absence is not the result of weeds and trash.

Page 13, Table 1. Santa Barbara honeysuckle should be included in the list of plant species. It is possible at this location and known to be in the vicinity. In addition, the southern tarplant is not always associated with slow flowing water and wetlands. Though this species is unlikely to occur at the project site, focused botanical surveys should have been conducted for this species to confirm absence. Given the number and proximity of records for other listed plant species, a full botanical survey should have been conducted at the appropriate time of year to detect target species.

Page 15, second paragraph. Monarch butterflies have been petitioned for federal listing (in 2014) and are undergoing status review by U.S. Fish and Wildlife Service (USFWS) to determine if listing is warranted (Federal Register 79(250):78755).

Figure 3 was called out for nesting raptors on page 18 and not for monarch butterflies on page 15. This figure shows Environmentally Sensitive Habitat Area (ESHA) for the monarchs extending over much of the emergency access road route, but the document does not assess impacts on this ESHA, and no buffer is established to protect it. City policies CE 1.6, 1.7, 1.8, and 1.9 all have requirements for ESHA protection.

Page 19, first paragraph. Wetlands are not mentioned here although they are present along the section of Devereux Creek adjacent to the project. Wetlands are mentioned in the brief wetland delineation report (Appendix C), but not mapped, and the wetland delineation effort did not find the wetlands we observed. During the Cardno site visit, herbaceous wetland vegetation was present in the channel, dominated by spike rush. The project area is within the required buffer area for the wetland, so this resource should be mapped and the impact should be discussed. It is unclear if the spike rush was not present when the delineation was conducted or simply not where the wetland delineation was conducted.

On page 19, last paragraph. Is “significant increase/decrease” in salinity a statistical determination? If not, the term “substantial” should be used instead to be clearer.

Page 21, figure 3. The map should have an enlargement as the same or a different figure to show the top of bank and the limit of riparian vegetation for the purposes of riparian environmentally sensitive habitat (ESH) which has specific buffer requirements as described in text. In addition, the wetland delineation report (Appendix C) states that the wetland delineation sample points are included on Figure 3 and they are not.

### **3.2 Impacts and Mitigations**

While we provide some comments below, a detailed impact analysis will be prepared during preparation of the EIR. Additional impacts and mitigation measures will be identified as part of that process. For example, a complete discussion of wetland and riparian impacts considering vegetation management for the fire access road will be included in the EIR.

None of the thresholds of significance are the same as in the CEQA Guidelines, Appendix G, even though the paragraph just above the thresholds list says they are from Appendix G. The thresholds listed are a combination of ones from the City of Goleta and County of Santa Barbara thresholds manuals. Wetlands and riparian impact thresholds are not mentioned, although Impact BIO-3 discusses impacts of riparian tree loss. The impacts should be directly related to the thresholds. Most are related to conflicts with policies for buffers and setbacks, a single threshold under CEQA. Thus, the impact assessment does not conform to the City of Goleta's guidelines for CEQA documents. In spite of this failing, the impact assessment is generally correct in identifying the level of impact for compliance with policies.

Impact BIO-1. Mitigation Measure 1a would need to be implemented in perpetuity to keep adjacent landowners from planting nonnative species and to control weeds that will invade. Mitigation Measure 1b is unlikely to be feasible.

Impact BIO-2. This impact discussion does not acknowledge that stricter measures exist for wetland ESH and associated buffers, which are present adjacent to the proposed fire access road along Devereux Creek.

Impact BIO-3. This measure does not discuss coast live oak trees that would have to be removed, only cutting limbs off oak trees. Mitigation Measure 3 may not be feasible unless the fire department allows those trees to grow in that area. The replacement ratios for native trees are not likely to be acceptable to CDFW, and no ratio was given for oak trees.

Impact BIO-5. The monarch butterfly ESHA shown in Figure 3 has no established buffer and no space for a buffer, so the impact would be significant and not mitigable. Mitigation Measure 5 conflicts with much of the bird nesting season, so is not really a mitigation.

Impact BIO-6. The raptor breeding season used by CDFW is February 1 to August 31. This only leaves September 1 to October 31 for project construction to avoid impacts on monarchs and nesting raptors. Mitigation Measure 6 only discussed white-tailed kites. However, Figure 3 shows red-tailed and red-shouldered hawk nests nearer the proposed work than the kite nests.

The tree protection plan in Appendix B needs to discuss coast live oaks. Mitigation measure 6 does not define the critical root zone (CRZ), which should be mapped for all native trees. Mitigation measure 10 says replace trees removed (we assume this means native trees) with 15-gallon trees. This is not in agreement with Measure BIO-3 which has replacement of willows with cuttings. Also, planting some of the trees within the Mobile Home Park does not replace their habitat value along the creek.

Impacts of placing compacted road base within the CRZ of native trees (if all trees are not removed) need to be addressed. This could adversely affect any native trees not removed along the north bank of Devereux Creek.

Additional impacts and mitigation measures will be identified as part of the EIR analysis.

### **3.3 Wetland Delineation (Appendix C)**

Page 6, Wetlands. The report states that the wetland delineation points are mapped on Figure 3, but they are shown on Figure 2A.

Wetland delineation sample point OP1b is not within the area mapped as the channel of the creek and therefore does not include the "wettest" habitat. This part of the project area shows the "current flow channel" as farther south than the sample point. The statement that the sample points are "representative of conditions observed along the length of the study reach" is inconsistent with our observation of a patch of spike rush in the channel farther east.

The report should include a map that shows the limits of Wetlands and Waters of the U.S. (separately) along with the potential disturbance area so that the reader can easily see the location of these resources in comparison to the project activities.

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