Appendix D

Biological Resource Reports

Appendix D-1

Biological Resource Study

BIOLOGICAL REPORT

GOLETA BUSINESS CENTER
907 South Kellogg Road
Goleta California 93117

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Prepared by:

Rachel Tierney Consulting
P. O. Box 1113
Santa Barbara, CA 93102
(805) 957-1100

Prepared for:

Sywest Development
150 Pelican Way
San Rafael, California 94901

TABLE OF CONTENTS

Purpose Statement and Summary 1
1.0 Introduction 2
1.1 Project Description 2
1.2 Surveying Personnel, Survey Dates, Preparation and Methods 4
2.0 Environmental Setting 6
2.1 Regional Setting and Surrounding Land Use 6
2.2 Surrounding Land Use 8
2.3 Current Use 8
3.0 Biological Setting 9
3.1 Project Site 9
3.2 Off-Site Resources 13
3.2.1 San Jose Creek 13
3.2.2 Old San Jose Creek 16
3.3.2 Off-Site Quailbush Scrub 19
4.0 Potentially-Occurring Sensitive Species and Habitats 19
4.1 Special Status Species 19
4.2 Sensitive Plants 20
4.3 Sensitive Animals 25
4.4 Sensitive Habitats 28
5.0 Regulatory Oversight 34
6.0 Potential Impacts and Suggested Mitigation 47
7.0 References 66

Table 1: Vascular Plant List 10
Table 2: Animal Species Seen or Expected on Site and Nearby 14
Table 3: Inventory of Sensitive Plants Potentially Occurring at the Site 22
Table 4: Sensitive Animals Reviewed for This Document 29
Table 5: Policy Compatibility and Consistency with GP/LUP 48

APPENDIX A: Wetland Delineation Report

FIGURES ..... End of Report

Figure 1: Site Vicinity
Figure 2: USGS 1903 Topographic Map Establishing Original San Jose Creek Alignment
Figure 3: Historical Aerials (1928 and 1969) of San Jose and Old San Jose Creeks
Figure 4: Sensitive Habitat / Biological Constraints (Location of ESHA and SPA Buffer)
Figure 5: Photographs

PURPOSE STATEMENT AND SUMMARY

This report is prepared for Sywest Development and the proposed Goleta Business Center, to be located at 907 East Kellogg Avenue in Goleta, California. The report is prepared for submittal to the City of Goleta to determine the possible effects of the project on biological resources.

Purpose Statement. The purpose of this report is to identify biological resources in and around the Sywest property potentially falling under the protection umbrella of the California Environmental Quality Act (CEQA) and the City of Goleta General Plan/Coastal Land Use Plan. This includes existing flora, fauna and habitat. Information is gleaned from recent site surveys, previously written environmental documents for projects in the surrounding area, Federal and State of California database websites, and the City of Goleta planning documents. A second purpose is to identify potentially occurring sensitive species and habitat on and around the proposed Sywest Goleta Business Center property. The third purpose of this report is to identify and rank potentially significant impacts.

Summary. This largely undeveloped, but highly disturbed, 11.71 acre parcel is currently home to a weekly swap meet and a nightly, outdoor drive-in movie theater. The proposed project, the Goleta Business Center, would modify half of the parcel, leaving the other half as is. A single building (1.62 ac.) housing up to four separate commercial units (14,280 sf. to 20,154 sf.) is proposed. Landscaping, sidewalk, parking (102 spaces), and paving combine to make up the 5.54 ac. development area (project site).

Offsite, a 100 ft. Stream Protection Area (SPA) is applied to SJC.[1] The 100 ft. SPA would be positioned from the top of bank along San Jose Creek (SJC), towards and into the project, overlaying the project by 65 to 75 feet[2]. The project is seeking a reduction in the 100-foot SPA, a process described in the City's General Plan/Land Use Plan (GP/LUP). Rationale for this request is contained in Sections 5 and 6, below. A 25-foot SPA buffer flanking San Jose Creek would overlay the southeastern portion of the property approximately 29,475 sf. However, the SPA overlay would not enter the proposed development except for the proposed storm drain and outfall structure to San Jose Creek, part of the bioretention basin best management practices (see Figure 4).

Sensitive plants, animals and habitat were not found within the property boundary and aren't expected. No sensitive plant or animal species were observed offsite in the creeks during surveys conducted for this report or in previous surveys conducted for projects on the adjacent parcels, although sensitive avian species may use the nearby, offsite locations on occasion (Tierney, 2013; Dudek, 2010). *Significant* direct impacts to existing biological resources within the site boundary are not expected from proposed development. However, two listed fish, Southern steelhead (*Oncvorhynchus mykiss*) and tidewater goby (*Eucyclogobius newberryi*), are known from offsite San Jose Creek, where a new stormwater outfall is proposed in the concrete channel bank.

[1] OSJC's SPA lies 280 ft. from the nearest point of development.
[2] Santa Barbara Flood Control District (SBFCD) has an easement over the first 25 to 35 ft., measured from the top of bank outward.

INTRODUCTION

1.1 PROJECT DESCRIPTION

The Goleta Business Center site is located at 907 S. Kellogg Avenue in in the City of Goleta. The project proposes to construct a 70,594 square foot (sf.) warehouse with access roads, parking and landscaping. Access to the site would be via South Kellogg Avenue. Figure 1 - Site Vicinity shows an aerial view of the region.

Proposed breakdown dimensions

Total Site	510,087 sf.	(11.70 ac.)
To remain as is (southern part)	264,742 sf.	(6.16 ac.)
Development Area	241,345 sf.	(5.54 ac.)
Building Footprint	70,594 sf.	(1.62 ac.)
Parking and Paving	105,300 sf.	(2.41 ac.)
Sidewalk/Landscaping	65,451sf.	(1.39 ac.)
	241,345 sf.	(5.54 ac.)

About 800 cubic yards of cut material and 35,200 cubic yards of fill, resulting in a net 34,400 cubic yards of imported fill, are anticipated. The term "subject site" and "project site" are used interchangeably in the text.

An **improved Stormwater Treatment System** is designed for the project (Stantec, 2017). Presently stormwater collects at two locations, using sump pumps, bringing runoff directly into San Jose Creek without treatment. In the proposed stormwater treatment system, numerous storm drains throughout the site, located mostly within the roads and parking areas, will collect stormwater and convey it within 18, 24, and 30-inch high-density polyethylene (HDPE) buried pipes. Roof drains would connect with buried storm drains.

Collection pipes from the majority of the site (208,454 sf.) would converge, discharging water into a planted detention basin (see Figure 4 for location). Plans for the basin are sized to meet the treatment requirements of the tributary areas as well as reducing the peak post-project runoff to less than the peak pre-project runoff for the 2-year, 5-year, 10-year, 25-year, 50-year, and 100-year event (Stantec, 2017). Planting medium may consist of 60% to 70% fine sand, topped with compost or other organic material.

The project Landscape Architect shall determine the species planted within the basin, either grown from seed or containers (CJM: LA, 2017). The following native plant species are currently called out for the retention basin on the preliminary landscape plan (CJM: LA, 2017): *Sambucus mexicana*, *Encelia californica*, *Umbellularia californica*, *Juncus patens*, *Carex panza*, *Carex barbarae*, *and Salix lasiolepis*, all native species.

The retention/filter media system lining the basin has the potential to remove total suspended

solids, hydrocarbons, nutrients, metals, and other common pollutants (Stantec, 2017). Following treatment (settling and percolation) in the basin, perforated pipes collect infiltrated runoff, which is then discharged to the San Jose Creek Channel (Stantec, 2017).

Discharged water from the proposed retention basin would exit the site via a stormwater outfall, fitted with a flap gate and placed into the existing concrete channel wall of San Jose Creek (SJC). A new concrete foundation, sunk five-feet, would support the outfall. During construction of the proposed outfall and foundation, flows within the concrete-lined creek would be confined to the southeast side of the bed, allowing adequate work area without re-routing water outside the bank. The creek bed is approximately 65 feet wide in this location, allowing plenty of area for redirected flow to stay within the existing channel. Work in and near the creek would be subject to permitting through the ACOE, CDFW and RWQCB. All construction near and within the creek would be under the purview of the Santa Barbara County Flood Control District.

The northeastern entry portion of the site (12,240 sf.) drains to a separate existing storm drain outfall to the San Jose Creek. Flows to this outfall will be directed to vegetated drainage swales on either side of the entry road prior to discharge to the storm drain. The treatment provided will furnish partial filtering. A catch basin inlet filter will provide the remaining treatment (Stantec, 2017).

A portion of the southerly perimeter of the site (17,706 sf.) will drain into the existing adjacent sump. This area includes a slope constructed to match adjacent grade and driveway improvements designed to allow access to the adjacent parcel. Proposed development is focused entirely within this northeastern side (Stantec, 2017).

The project proposes to improve water quality prior to depositing stormwater into the creek by installing a retention basin, bioswales and pervious pavements. In addition to water retention, these features can remove pollutants in stormwater. These measures reintroduce hydrological processes lost during urbanization and, thus, are better able to meet the goals of the Clean Water Act.

When water is allowed to infiltrate into the surrounding soil, bioretention, swales and permeable pavement systems can be an excellent source of groundwater recharge. Studies in Sydney Australia found total suspended solids (TSS) decreases after stormwater passes through these features. After looking at 12 sites, they found TTS lowered 12 to 93%. Individual trace elements of copper, lead, manganese and zinc were reduced by 23, 41, 43 and 41%, respectively (Birch, G.F. et al., 2007).

These finding are corroborated by other research (Xiao, Q., McPherson. E.G., 2009). Compared to the control, the volume of run-off exiting a constructed bioswale was consistently lower. Run-off exiting the bioswale contained 3% of the total precipitation versus 50% in the control, measured after 30 storm events. Pollutants carried in stormwater were likewise reduced. The bioswale system reduced nutrients, on average, by 95.3%, metals by 86.7%, organic carbon by 95.5%, and solids by 95.5%. The average loading reduction of this system was 95.4%.

Vegetated Swales are broad, shallow channels with a dense stand of vegetation covering the side slopes and channel bottom. Vegetated swales are designed to slowly convey stormwater runoff, and in the process trap pollutants, promote infiltration, and reduce flow velocities. Vegetated swales can be either wet or dry. Dry swales are used in areas where standing water is not desired, such as in residential areas. Wet swales can be used where standing water does not create a nuisance problem and where the groundwater level is close enough to the surface to maintain the permanent pool in inter-event periods. Wet swales provide the added benefit of being able to include a range of wetland vegetation to aid in pollutant removal.

Permeable Pavement Systems is an infiltration system where stormwater runoff is infiltrated into the ground through a permeable layer of pavement or other stabilized permeable surface. These systems can include porous asphalt, porous concrete, modular perforated concrete block, cobble pavers with porous joints or gaps, or reinforced/stabilized turf. This project specifies permeable asphalt. When properly designed and maintained, porous pavement systems can be an effective means of managing urban stormwater runoff. Permeable pavers are the most sustainable approach in mitigating the effects of urban stormwater runoff (Davis A.P, 2009).

1.2 SURVEYING PERSONNEL, SURVEY DATES, PREPARATION AND METHODS

Surveying Personnel and Dates. Rachel Tierney (lead biologist) visited the site and surrounding native habitat in spring, on May 11, June 8 and June 19, 2017**.** Vince Semonsen conducted wildlife surveys throughout the site and within adjacent sections of Old San Jose Creek (OSJC) on May 20, 2017. Both surveyors walked the site on foot, using binoculars to view tree canopies and where entry was impassible due to very thick vegetation. Off-site access was made with permission, via openings in the southwestern fence and entry from the Flood Control District service road along San Jose Creek.

Survey Conditions and Limitations. Surveys were conducted within May and June, the optimal time of year to find potential rare species and nests (CNPS, 2017, CDFW, 2017). Surveys were conducted during the day, from 10 am to 3 pm, under clear skies. Temperatures noted were: 66 degrees F. (May 11, 2017); 79 degrees F. (May 20, 2017); 70 degrees F. (June 8, 2017) and 71 degrees F. (June 19, 2017).

The Study Area was determined at the site and includes the project site, habitat falling within 100 feet of the property line, and other areas of particular interest due to the nature of the vegetation or habitat (Figure 4). A minimum 250-foot band was surveyed around the perimeter of the site if vegetation was present. The site and surrounding study area was *covered on foot* during the botanical and wildlife surveys by meandering across all areas within the property line, viewing with binoculars those areas not easily visited off-site due to the high cover or steep terrain.

Annual historic rainfall, measured in gauges surrounding the project site (UCSB; Goleta Water District; Goleta Fire Station and Goleta Caltrans), range from 17.22 to 18.53 inches per water

year[3]. Spring of 2017 (time of survey) followed a wet winter, with 136% of the average precipitation. Dry weather (less than 80% of the average annual rainfall) occurred the previous 5 years, with 40% to 69% of the average rainfall between 2010 and 2016 (Santa Barbara County Flood Control District, 2017). As of March 9, 2018, rainfall this year in Goleta (measured at Los Carneros) registered 22% of the normal rainfall in a water year, indicating a high likelihood of another drought year. This is similar to the 23% County-wide rainfall for this water year.

Repeated drought years affect the populations and diversity of both vegetation and animals. Consecutive drought years may temporarily reduce or eliminate the emergence and establishment of annual and biennial plants. Established perennials may die or show a reduction in canopy as dropped leaves are not replenished. Reduced ground, shrub, and/or tree cover will support fewer prey animals (invertebrates, reptiles, birds, rodents, and small mammals). A lower population and diversity of prey support fewer raptors and other predators. These factors could result in a plant species not appearing during a site survey because the species is not present, although it does occur in the form of seed or underground part. Some mature trees may deteriorate or die, observable in oak woodlands in the coastal canyons and back-county of Santa Barbara County. However, due to the heavily disturbed nature of the site and the ESHA, including the propensity of weeds and lack of native understory species, the effect of the prolonged drought is not an important consideration.

Methods of Surveying. Prior to the site visit, a list of potentially occurring sensitive plant and animal species was compiled. Included in this list were sensitive species recorded in the California Natural Diversity Data Base, from species found nearby (Goleta and surrounding coastal quadrangles) and within similar habitat as the project site (CNDDB, 2017), and from the Goleta Management Plan (2015).

The principal focus of the field survey was to determine existing conditions and the potential for any sensitive wildlife to occur on the property or in the immediate vicinity of the project site. Table 1 contains all plant species seen on- and off-site, the latter shown in a lighter grey on this list. Plants were identified to species, or subspecies, using the Jepson Manual (Baldwin, 2012). Pertinent technical literature for wildlife was reviewed to supplement regional and site-specific information on wildlife (Hall 1981, Ingles 1965, Jameson and Peeters 2004, Lehman 2016, Stebbins 2003, Tierney 2013). All wildlife observed, as well as signs of wildlife (tracks and scat), were recorded and are listed on Table 2. Fauna seen or expected offsite but not expected to visit the subject property are marked in grey.

A list of **sensitive plant and animal species** known within the area of the site is contained in Tables 3 (plants) and 4 (animals), gleaned from the sensitive species recorded in the California Natural Diversity Data Base (2017), CNPS (2017), CDFW (2017), and the Goleta Slough Management Plan (2015). Herbarium specimens (*Spergularia villosum* and *S. marina*) housed at the Santa Barbara Botanic Garden Herbarium were examined against fresh material to confirm identification when needed. **Nomenclature** for plants follows the Jepson Manual (Baldwin, 2012). Plant communities and sensitive plant community designation follow A Manual of

[3] Water Year = Rain season beginning September 1 of any year, through August 31 of the following year.

California Vegetation (Keeler-Wolf, T. and J. Evens. 2009). Changes in vegetation dominance (and the location of off-site "riparian vegetation") were mapped on an aerial photograph taken from Google Maps, 2016 (Figure 4).

2.0 ENVIRONMENTAL SETTING

2.1 REGIONAL SETTING

The City of Goleta is located in southern Santa Barbara County, California, west of the City of Santa Barbara between the foothills of the Santa Ynez Mountains and the Pacific Ocean (Figure 1). U.S. Highway 101 (US-101) bisects the City and extends in an east-west alignment across the City. State Route 217 (Ward Memorial Drive) connects US-101 with the University of California at Santa Barbara (UCSB) to the south. The subject property is adjacent to SR 217. The project site is within the California Coastal Zone (Figure 1).

Goleta Slough. The subject property is at the easternmost edge of the historic Goleta Slough. During the late Pleistocene and continuing into relatively recent times, gradually rising sea levels filled in the valley, producing a navigable embayment of 18 square miles, possibly continuous with what is now Devereux Slough (Goleta Management Committee, 2016).

The bay was substantially filled in by sedimentation during catastrophic flooding in 1861-62, creating a much smaller, much shallower lagoon than the former navigable bay. The reduced open water was surrounded by extensive bordering intertidal wetlands. During this century, over 60 percent of the original area of estuarine wetlands has been eliminated or isolated from tidal action. Agricultural development has resulted in the ditching, diking and filling of wetlands, primarily along the western edge of the Slough (Ferren et al. 1987; Ferren and Thomas 1995). Construction of the Marine Corps Air Station in 1941, later to become the Santa Barbara Municipal Airport, filled 400 to 500 acres of salt marsh. Subsequent diking, road construction and the installation of tide gates reduced the area of tidal circulation in wetlands in the area of the project (Goleta Management Committee, 2016).

Throughout this century, for purposes of flood control, dragline desilting and more have deepened major tidal channels recently, by dredging. The deposition of dredge spoils has eliminated tidal wetlands. Creeks that border the project site, San Jose and Old San Jose Creeks, have been relocated and/or channelized, greatly reducing the area of riparian habitat, freshwater marsh and saline-to-freshwater transitions. All of these effects are seen in or around the project site (per. ob.). Urban and agricultural development of the Goleta Valley accelerated sedimentary infilling of the remaining estuary, though sedimentation has been reduced in recent years through the construction of sedimentation basins upstream of the estuary (Santa Barbara Co. Flood Control 1993). However, this reduction in is a two-edged sword, leaving a sediment transport deficit at the coastal beaches.

Finally, construction of Ward Memorial Boulevard (State Route 217) and development of Goleta Beach County Park in the 1960s eliminated extensive areas of upper marsh, dunes and wetland-to-upland transition zones, as well as transitional habitats between estuarine and marine environments at the mouth of the Slough (personal communication, W. Ferren 1994).

San Jose and Old San Jose Creeks. (See Figure 2: 1903 USGS Map and Figure 3: 1928 and 1965 aerial photographs.) San Jose Creek extends from the Santa Ynez Mountains (at about 2,760 feet in elevation) to the Pacific Ocean and travels approximately 8 miles before emptying into the Goleta Slough. The watershed drains 9.5 square miles, including undeveloped mountainous, rural, agricultural, suburban and urban land.

San Jose Creek, north and also adjacent to the project site, is confined within a concrete channel, part of a recently-completed capacity increase project that also added fish "resting locations." Along most of the site, the creek is defined by a constructed, straight dirt cannel, with rock-protected toe of slope. The creek is a perennial stream due to year-round tidal influence. This lower portion of the creek, including the area adjacent to the project site, is designated as critical habitat for steelhead (south ecological unit) and tidewater goby (SC-9). Both fish are listed as endangered.

Starting from the west side of the project property line, the SB Flood Control District (SBFCD) maintains a 5-foot wide maintenance strip between the proposed project and their 15-foot access road, which runs along SJC. This access falls almost entirely within the property line. Moving east, the distance from the access road to the top of bank between varies from 3 to 20 feet (Figure 4). The distance from the top of bank of San Jose Creek to the current property fence is 23 to 40 feet. To the south, the distance between the edge of riparian canopy flanking Old San Jose Creek and the nearest point of the project is about 280 feet[4]. The SPA overlay is not shown for OSJC because of the distance from the riparian canopy to the proposed project.

Starting at the top of the concrete banks, San Jose Creek is greatly modified from its original, natural stream system. After the first diversion (see below), the drainage still retained normal flows, albeit within an artificial channel. After the second diversion, a new San Jose Creek was rerouted along Ward Memorial and the fluvial connection between the old drainage route ("Old" San Jose Creek) was cut off, eliminating and all creek flows in this stretch.

First Diversion of San Jose Creek. Sometime during the 1920s the natural creek channel was diverted upstream (north) of the subject site and a new, straight channel was created, sending flows at a sharp angle to the south (Figure 2, a 1903 USGS Topographic Map establishing the original alignment, and Figure 3 which contains aerials form 1928 and 1969 showing two subsequent diversions of San Jose Creek.). The creek was likely re-routed to irrigate agricultural fields on the subject site and the fields to the north. Very little, if any, vegetation grew or was

[4] An isolated cluster of arroyo willow is established apart from OSJC in dry ground. This feature lies about 180 feet from the project.

allowed to grow along the rerouted drainage channel during at least some of that time (aerial photographs from the 30s and 40s).

Second Diversion of San Jose Creek. The second San Jose Creek diversion was completed in 1965 in an effort to alleviate flooding through Old Town Goleta. At this time, a concrete channel was constructed to convey *all* stream-flow of San Jose Creek south of Hollister Avenue. The diverted channel runs along Hwy 217 (Ward Memorial) before combining with San Pedro Creek, which converges with Atascadero Creek shortly thereafter, all feeding into the Pacific Ocean at the Goleta Slough. San Jose Creek flows within its natural path upstream of the diversion north of Hollister Avenue (Figure 3, showing the two diversion systems). At this point all natural flows were cut off from the section of the creek downstream of the diversion.

2.2 SURROUNDING LAND USE

The project site is situated at the southeastern edge of the City of Goleta, in coastal southern California, and surrounded by a cluster of small commercial and industrial businesses. A 3-acre lot to the northwest is approved for an asphalt pavement recycling project (Tierney 2013). San Jose Creek lies to the southeast of the project site and flows along Ward Memorial Highway, first within its newly enlarged concrete conduit, and then carried within a contained but soil soil-lined flood control channel. The terminus of Old San Jose Creek (OSJC) lies to the west of the site. The east edge the Santa Barbara Municipal Airport is located about 1,000 feet to the northwest of the site (Figure 1). Vegetation is limited to minimal landscape shrubs and sparse, non-native broadleaved weeds and non-native grasses.

The majority of the site is paved. The terrain is compacted from years of vehicles crisscrossing during swap meet setup and drive-in theater use. Soils onsite and beyond the property boundary for at least 1,000 feet are classified as “Ca”, Camarillo series; a poorly drained, sandy clay loam on floodplains (USDA, 1981). The US Department of Agriculture also maintains a list of soil types having at least some hydric component (USDA, online). Camarillo series is listed as a soil with a hydric component. This list is useful in identifying map units that may contain hydric soils, but it does not identify hydric soils (USDA, online). The US Department of Agriculture prefaces the hydric soils information with the acknowledgement that because listed soil includes both large and small percentages of hydric areas, in some cases most of the map unit may not be hydric. Also, some components may have a range of characteristics that cross the hydric/non-hydric soil boundary and, therefore, only a portion of that component may in fact be hydric (USDA, online). Thus, a particular area falling within a soil series listed on the hydric soils list is not necessarily hydric, but somewhere within the soil type there is hydric soil. Any soil can become hydric if enough water is present.

2.3 CURRENT USE

The existing parcel is currently occupied by the West Wind Drive-In movie theater. Sunday mornings until early afternoon, West Wind management company hosts a swap meet on the

southwest side of the property. The West Wind web site indicates a potential for 206 seller tables. In the evenings, the northeast side of the property is open for outdoor movie watching (West Wind All Digital Drive-In). A small projection box closet, a screen, rows of slightly mounded compacted dirt for parking, a centrally-located snack bar, minimal paved entrance roads, and landscaping are the only improvements on the site.

3.0 BIOLOGICAL SETTING

3.1 PROJECT SITE

Existing Vegetation within the Project Site. The majority of the site is covered with degraded asphalt and predominantly lacks native vegetation. The few scattered native plants that remain, along with the majority of non-native species, make up the ruderal, or weedy, plant community that dominates the site. Other vegetation is limited to intentional landscape elements lining the access road and snack bar (rose, yucca, Mexican sage and other common landscape material) and along the southeastern fence line (iceplant). Tall *Myoporum laetum* shrubs line portions of the southwestern fence line and are mostly established outside of the property line, and weeds.

Naturally occurring vegetation is very sparse and overwhelmingly non-native (weedy or ruderal). The central portion of the parcel, especially within the proposed development area where soils are hard packed, sustains elongated patches of common knotweed (*Polygonum arenastrum*) and hairy sandspurry (*Spergularia villosa*). These annuals form very low growing mats along the gentle berms created within the Drive In for parking during screening. Other low growing weeds found in this area are: scarlet pimpernel (*Anagallis arvensis*), cheeseweed (*Malva parviflora*), pineapple weed (*Matricaria discoidea*), and broad-leaf filaree (*Erodium botrys*).

Non-native grasses form an irregular band around the perimeter wall, ostensibly where foot, vehicle, and clearing disturbance is lowest. Smooth barley (*Hordeum glaucus*), ripgut grass (*Bromus diandrus*), soft brome (*Bromus hordeaceus*), wild oats (*Avena fatua*), and ryegrass (*Lolium multiflorum*) are common. Fast-growing broad-leaf weeds such as castor bean (*Ricinus communis*) and black mustard (*Brassica nigra*) are scattered within the grasses and occasionally within the site interior. The southwestern portion of the parcel (currently a swap meet) contains similar species plus smilo grass (*Stipa miliacea spp. miliacea*), a non-native perennial bunchgrass. All plant species found on site are listed on Table 1.

Existing and Expected Wildlife within the Project Site. In general, the project site is not expected to support a very diverse wildlife population due to its highly degraded condition and the extent of developed areas that surround the property (Semonsen, 2017). Species expected to occur onsite with regularity include California ground squirrel, Botta's pocket gopher, killdeer, black phoebe (seen nesting), cliff and northern rough-winged swallows, northern mocking bird, song sparrow, house finch, and house sparrow. The birds may perch on trees surrounding the site perimeter or find a meal in the food left by visitors. For larger birds, the barrenness of the site dramatically

TABLE 1: VASCULAR PLANT LIST

Follows: The Jepson Manual, Vascular Plants of California, Second Edition, 2012

Scientific Name	*Common Name*	*Native?/Aspect**	*Community***
	GYMNOSPERMS		
PINEACEA			
Pinus pinea	Italian Stone Pine	I/T	off
	ANGIOSPERMS		
ADOXACEAE			
Sambucus nigra ssp caerulea	Black Elderberry	N/T	off
ANACARDIACEAE			
Toxicodendron diversilobum	Poison Oak	N/V	off
APIACEAE			
Foeniculum vulgare	Sweet Fennel	I/PH	off
APOCYNACEAE			
Nerium oleander	Oleander	I/S	off
Vinca minor	Periwinkle	I/V	off
ASTERACEAE			
Artemisia californica	California Sagebrush	N/S	off
Baccharis pilularis	Coyote Bush	N/S	off
Carduus pycnocephalus	Italian Thistle	I/A	Dis
Centaurea melitensis	Tecolote	I/A	Dis
Dimorphotheca sinuata	African Daisy	I/A	Dis
Erigeron canadensis	Horseweed	I/A	Dis
Gnaphalium californica	Green Everlasting	I/P	Dis
Hazardia squarrosa	Saw-Toothed Goldenbush	N/S	off
Helminthotheca echioides	Prickly Ox Tongue	I/PH	Dis
Matricaria discoidea	Pineapple Weed	I/A	Dis
Picris echioides	Prickly Ox-Tongue	I/A	off
Pseudognaphalium luteoalbum	Cudweed	I/A	Dis
Senecio mikanioides	German Ivy	I/V	Dis
Silybum marianum	Milk Thistle	I/A	off
Sonchus oleraceus	Sow Thistle	I/A	Dis
BRASSICACEAE			
Brassica nigra	Black Mustard	I/B	Dis
Hirschfeldia incana	Mediterranean Mustard	I/B	Dis
Raphanus sativus	Wild Radish	I/B	off
CAPRIFOLIACEAE			
Sambucus mexicana	Elderberry	N/T	off
Spergularia villosa	Hairy Sandspurry	N/A	Dis

Scientific Name	***Common Name***	***Native?/Aspect****	***Community***
CHENOPODIACEAE			
Atriplex lentiformis	Quailbush	N/S	off
Atriplex semibaccata	Australian Saltbush	I/P	Dis
EUPHORBIACEAE			
Ricinus communis	Castor Bean	I/PH	Dis
FABACEAE			
Medicago polymorpha	Bur Clover	I/A	Dis
Melilotus indicus	Yellow Sweet Clover	I/A	Dis
FAGACEAE			
Quercus agrifolia	Coast Live Oak	N/T	off
GERANEACEAE			
Erodium botrys	Broad-Leaf Filaree	I/A	Dis
LAMIACEAE			
Salvia mellifera	Black Sage	N/S	off
MALVACEAE			
Malva parviflora	Cheeseweed	I/A	Dis
OXALIDACEAE			
Oxalis pes-caprae	Sour Grass	HP/I	off
PITTOSPORACEAE			
Pittosporum undulatum	Victoria Box	I/S, T	off
PLATANACEAE			
Platanus racemosa	California Sycamore	N/T	off
POACEAE			
Avena fatua	Wild Oats	I/AG	Dis
Bromus diandrus	Ripgut Grass	I/AG	Dis
Distichlis spicata	Saltgrass	N/PG	Dis
Hordeum murinum ssp. glaucum	Smooth Barley	I/AG	Dis
Festuca multiflorum	Italian Ryegrass	I/AG	Dis
Stipa miliacea var meliacea	Smilo Grass	I/PG	Dis
POLYGONACEAE			
Polygonum arenastrum	Common Knotweed	I/A	Dis
PRIMULACEAE			
Anagallis arvensis	Scarlet Pimpernel	I/A	Dis

Scientific Name	***Common Name***	***Native?/Aspect****	***Community*****
RANUNCULACEAE			
Clematis ligustifolia	Creek Clematis	N/V	off
ROSACEAE			
Heteromeles arbutifolia	Toyon	N/T	off
Rubus ursinus	California Blackberry	N/S	off
SALICACEAE			
Salix lasiolepis	Arroyo Willow	N/T	off
Populous balsamifera ssp trichocarpa	Black Cottonwood	N/T	off
SCROPHULARIACEAE			
Myoporum laetum	Myoporum	I/T	Dis
TROPAEOLACEAE			
Nasturtium officinale	Nasturtium	I/V	off

NOTES ON THE PLANT LIST:

This list represents those species positively identified during site visits in May and June 2017. Nomenclature follows The Jepson Manual 2012 (Baldwin, et al). Shaded (lighted) species were seen off-site only and listed on this table because they would fall within the expected setbacks (enforced if the entire site were to be developed) or because they were found close to the site. *The current project has no development proposed near sensitive habitat.*

N=Native, I=Introduced * A=Annual, PH=Perennial Herb, F=Fern, V=Vine, S=Shrub, Su=Subshrub, T=Tree, AG=Annual Grass, PG=Perennial Grass

** Dis = Disturbed This was the only habitat present onsite. This notation highlights that the plant was found within the boundaries of the project site.

off (grey tone) = Off Site. These plants were seen outside the boundary of the project, within approximately 75 to 100 feet of the property line. Most of these species would never occur within the subject site as they are tied to the riparian habitat.

reduces the diversity and abundance of the native rodent prey base, although small rodents may have taken up residence around the numerous trailers on the southern portion of the site (Semonsen, 2017). All species seen and expected on the subject property are found in Table 2.

3.2 OFF-SITE RESOURCES

The most notable biological features are located just offsite. San Jose Creek is known to harbor two endangered fish: steelhead and tidewater goby, although now contained in a modified channel. During the field surveys, emphasis was placed on determining the importance of off-site riparian woodland habitat along Old San Jose Creek and potential for impacts to water quality within both San Jose (SJC) and Old San Jose Creek (OSJC). Both drainages and flanking riparian habitat are mapped as Environmentally Sensitive Habitat Areas (ESHA) in the City of Goleta's General Plan/Coastal Land Use Plan (City of Goleta, 2006). A form of coastal bluff scrub is established to the west.

3.2.1 San Jose Creek

San Jose Creek Vegetation. About 23 to 40 feet from the subject property and project, SJC is contained within a concrete (northern end) or a constructed packed dirt, linear, open channel with a rock-armored toe. Plant associations on the west bank (side of project) are primarily weedy (non-native grasses, tobacco tree, castorbean), but also contain scattered native plants (Australian Saltbush, telegraph weed, iceplant). Most cover is found outside the top of bank, primarily due to recent undercutting along the entire stretch. However, a single arroyo willow is established on the upper creek slope near the northernmost point of the project, along with a single black elderberry (*Sambucus nigra*). The remainder of vegetation along SJC in the area opposite the subject property consists of non-native grasses, weeds and scattered native shrubs (coyotebrush, saw-tooth goldenbush).

The eastern slope, located more than 100 feet from the project, sustains a windrow of arroyo willow along all levels of the slope from toe to top. Willow is established beyond the top of bank for about 10 feet but is contained within a fence line running parallel to Ward Memorial Boulevard. Running outside this fence, southeast of the willow, is a row of oleander (*Nerium oleander*), a common landscape shrub.

San Jose Creek Wildlife. The lack of riparian vegetation along this stretch diminishes habitat value. However, San Jose Creek, adjacent to this site, is located within critical habitat for both the Southern California steelhead and tidewater goby, both listed as Endangered by the U.S. Fish and Wildlife Service.

Terrestrial fauna suffer from the lack of refugia, nesting habitat and food sources. Reduction of vegetation results in lost shading and water cooling, loss of nutrient input and a shortfall of basking and hiding places within a vegetated bank or down logs. Shorebirds known from the Goleta Slough, including great egret (potential nesting), great blue heron (nesting), double-crested

Table 2: Animal Species Seen or Expected on Site and Nearby

Common Name	Scientific Name	Seasonal Status	Site Status
Species in grey not expected to roost, forage and nest onsite but probably occur nearby on adjacent properties along San Jose Creek or Old San Jose Creek			
FISH			
Tidewater Goby	*Eucyclogobius newberryi*	RB	N
Southern Ca. Steelhead	*Oncvorhynchus mykiss*	M	N
Amphibians and Reptiles			
black-bellied slender salamander	*Batrachoseps nigriventris*	RB	E
Pacific tree frog	*Pseudacris* (=*Hyla*) *regilla*	RB	E
southern alligator lizard	*Elgaria multicarinata*	RB	E
western fence lizard	*Sceloporus occidentalis*	RB	O
western skink	*Eumeces skiltonianus*	RB	E
common kingsnake	*Lampropeltis getulus*	RB	E
gopher snake	*Pituophis catenifer*	RB	E
Birds			
turkey vulture	*Cathartes aura*	V	O
white-tailed kite	*Elanus caeruleus*	V	N
Cooper's hawk	*Accipiter cooperii*	V	N
sharp-shinned hawk	*Accipiter striatus*	WV	N
red-shouldered hawk	*Buteo lineatus*	RB	E
red-tailed hawk	*Buteo jamaicensis*	RB	O
American kestrel	*Falco sparverius*	V	E
killdeer	*Charadrius vociferous*	RIB	O
Western gull	*Larus occidentalis*	V	O
Eurasian collared dove	*Streptopelia decaocto*	IB	O
mourning dove	*Zenaida macroura*	RB	O
rock pigeon	*Columba livia*	IB	O
barn owl	*Tyto alba*	RB	E
Anna's hummingbird	*Calypte anna*	RB	O
black-chinned hummingbird	*Archilochus alexandri*	M	N
Costa's hummingbird	*Calypte costae*	M	N
Allen's hummingbird	*Selasphorus sasin*	M	N
rufous hummingbird	*Selasphorus rufus*	M	N
acorn woodpecker	*Melanerpes formicivorus*	RB	H
Nuttall's woodpecker	*Picoides nuttallii*	RB	E
northern flicker	*Colaptes auratus*	RB	E
western wood-pewee	*Contopus sordidulus*	M	N
Pacific-slope flycatcher	*Empidonax difficilis*	M	N
ash-throated flycatcher	*Myiarchus cinerascens*	M	N
black phoebe	*Sayornis nigricans*	RB	O
Say's phoebe	*Sayornis saya*	WV	E
western kingbird	*Tyrannus verticalis*	M	N

Common Name	Scientific Name	Seasonal Status	Site Status
Cassin's kingbird	*Tyrannus vociferans*	RB	N
warbling vireo	*Vireo gilvus*	M	N
Hutton's vireo	*Vireo huttoni*	M	N
Cassin's vireo	*Vireo cassinii*	M	N
American crow	*Corvus brachyrhynchos*	RB	O
cliff swallow	*Hirundo pyrrhonota*	SB	O
northern rough-winged swallow	*Stelgidopteryx serripennis*	SB	O
barn swallow	*Hirundo rustica*	SB	E
oak titmouse	*Bacolophus ridgwayi*	RB	O
bushtit	*Psaltriparus minimus*	RB	O
Bewick's wren	*Thryomanes bewickii*	RB	O
house wren	*Troglodytes aedon*	RB	E
ruby-crowned kinglet	*Regulus calendula*	WV	E
blue-gray gnatcatcher	*Polioptila caerulea*	SB	N
western bluebird	*Sialia Mexicana*	RB	O
Swainson's thrush	*Catharus ustulatus*	M	N
hermit thrush	*Catharus guttatus*	WV	N
American robin	*Turdus migratorius*	WV	E
northern mockingbird	*Mimus polyglottos*	RB	O
cedar waxwing	*Bombycilla cedrorum*	WV	E
European starling	*Sturnus vulgaris*	IB	O
orange-crowned warbler	*Vermivora celata*	RB	H
yellow warbler	*Vermivora petechia*	M	N
Townsend's warbler	*Dendroica townsendi*	M	N
hermit warbler	*Dendroica occidentalis*	M	N
yellow-rumped warbler	*Dendroica coronata*	WV	E
common yellowthroat	*Geothlypis trichas*	SB	H
Wilson's warbler	*Wilsonia pusilla*	M	E
western tanager	*Piranga ludoviciana*	M	N
black-headed grosbeak	*Pheucticus melanocephalus*	SB	N
lazuli bunting	*Passerina amoena*	M	N
spotted towhee	*Pipilo maculatus*	RB	E
California towhee	*Pipilo crissalis*	RB	O
lark sparrow	*Chondestes grammacus*	SB	N
white-crowned sparrow	*Zonotrichia leucophrys*	WV	E
fox sparrow	*Passerella iliaca*	WV	N
song sparrow	*Melospiza melodia*	RB	O
Lincoln's sparrow	*Melospiza lincolnii*	WV	N
dark-eyed junco	*Junco hyemalis*	RB	E
red-winged blackbird	*Agelaius phoeniceus*	RB	N
Brewer's blackbird	*Euphagus cyanocephalus*	RB	O
brown-headed cowbird	*Molothrus ater*	SB	H
Bullock's oriole	*Icterus bullockii*	SB	N
hooded oriole	*Icterus cucullatus*	SB	N
house finch	*Carpodacus mexicanus*	RB	O
Lawrence's goldfinch	*Carduelis lawrencei*	M	N
American goldfinch	*Carduelis tristis*	WV	N

Common Name	Scientific Name	Seasonal Status	Site Status
lesser goldfinch	*Carduelis psaltria*	SB	H
house sparrow	*Passer domesticus*	IB	O
Mammals			
Virginia opossum	*Didelphis virginiana*	IB	S
ornate shrew	*Sorex ornatus*	RB	E
broad-footed mole	*Scapanus latimanus*	RB	E
California myotis	*Myotis californicus*	SB	E
big brown bat	*Eptesicus fuscus*	SB	E
Brazilian free-tailed bat	*Tadarida brasiliensis*	RB	E
brush rabbit	*Sylvilagus bachmani*	RB	N
California ground squirrel	*Spermophilus beecyeyi*	RB	O
Botta's pocket gopher	*Thomomys bottae*	RB	S
western harvest mouse	*Reithrodontomys megalotis*	RB	N
deer mouse	*Peromyscus maniculatus*	RB	E
California vole	*Microtus californicus*	RB	E
big-eared woodrat	*Neotoma macrotus*	RB	E
house mouse	*Mus musculus*	IB	E
black rat	*Rattus rattus*	IB	E
red fox	*Vulpes vulpes*	IB	N
raccoon	*Procyon lotor*	RB	S
striped skunk	*Mephitis mephitis*	RB	E
long-tailed weasel	*Mustela frenata*	RB	E
feral cat	*Felis catus*	IB	O

Seasonal Status: IB = Introduced Breeder; RB = Resident Breeder; SB = Summer Breeder; M = Migrant; V = Visitor; and WV = Winter Visitor.

Project Site/Project Area Status: E = Expected to occur at or immediately adjacent to the project site; H = Heard at or in the immediate vicinity of the project site; O = Observed on or in the immediate vicinity of the project site; S = sign (tracks, scat, roosts, nests, burrows etc.) observed on or in the immediate vicinity of the project site. N = Not expected onsite but may use nearby properties, especially along the SJC and OSJC corridors.

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cormorant (roosting), rock dove, starling, Caspian tern, brown pelican, snowy egret, mallard, and violet-green swallow, may visit the culverted creek, although they are not expected to nest anywhere near the project site (Semonsen, 2017, SBFC, 2008).

3.2.2 Old San Jose Creek

Old San Jose Creek flows in a man-made channel, an abandoned former irrigation drainage, now containing no natural flows except street runoff. OSJC was excavated in the 1920s in dry land to divert San Jose Creek into a farming area (Figure 3). In the mid 1960s, the drainage was cut off from the upstream section of the creek at Hollister Avenue, which was rerouted into its current improved channel south of Hollister Avenue (Figure 3). Natural stream flows (called San Jose

Creek) are contained within this constructed channel and OSJC only receives stormwater runoff from adjacent properties to the north (Tierney, 2013).

S.B. Flood Control District controls the outflow into San Jose Creek, where short distance off-site double overflow caps are located on the headwall shared with San Jose Creek. Closed (which is the typical arrangement), the caps severely limit any flows between the two drainages, leaving OSJC little hydrologic connection to the functioning creek. The closed terminus can also cause backups (ponding and slower flow rates). Over time, sediment falling out as flows back up against the closed caps change the elevation of the lower portion of the on-site stretch, which again increases the propensity of detention at the lower reach of OSJC. The wider, very shallow basins near the lower reach were likely caused by ponding and sediment deposit (see Appendix A).

Old San Jose Creek runs outside of the western and southwestern property boundary. The riparian canopy of the creek lies 280 feet from proposed development, which in this case is the northwestern extremity of the proposed parking lot. The shortened distance between the isolated willow cluster and the proposed development is about 180 feet.

The creek channel is soil based, and at the time of the survey contained very little cobble. The bed is narrow (about 6 feet wide) in most places, and the banks are 5 to 6 feet high.[5] The bed widens to 10 to 12 feet, with a shallow bank of 1 to 2 feet. The invert at this location is very faint or obliterated, suggesting that water ponds, rather than flows, through the section.

Bank texture is generally smooth and fairly steep (approximately 30% to 45%). Vegetation classification for the plant community associated with Old San Jose Creek would fall under *Salix lasiolepis* Shrubland Alliance, or Arroyo Willow Woodland. (Keeler-Wolf and Evens 2009).

***OSJC Vegetation*:** Hydrology within OSJC is compromised due to loss of all natural stream flow. However, this abandoned stretch continues to support mature willow woodland. Tree species include Arroyo willow (*Salix lasiolepis*) and, to a lesser amount, black cottonwood (*Populus trichocarpa*), which are naturally established on the short banks, apparently a result of a higher water regime between the 1920s and 1965 and to the presence of high groundwater (Tierney, 2013). Vegetation remains consistent with what may be found along any disturbed urban creek, but the aquatic element, except what occurs from limited short-term street run-off, is lacking.
Understory is comprised mostly of non-native vegetation including: bristly ox-tongue (*Picris echioides*), smilo grass (*Piptatherum miliaceum*), periwinkle (*Vinca major*), cape ivy (*Senecio mikanioides*), garden nasturtium (*Tropaeolum majus*), castor bean (*Ricinus communis*), and cheeseweed (*Malva parviflora*). Native understory found along the drainage includes: mugwort (*Artemisia douglasiana*), creek clematis (*Clematis ligusticifolia*), poison oak (*Toxicodendron diversilobum*), and California blackberry (*Rubus ursinus*), these more common where the willow woodland is widest (Figure 4). The lower banks and active stream channel are typically devoid of vegetation.

[5] The height of the bank does not necessarily represent the actual height of the active channel, active floodplain, or the level of ordinary high water.

A copse of arroyo willows (canopy cover of approximately 3,000 sq. ft.) sits off-site about 180 feet north of the property boundary and proposed development. This cluster is approximately 120 feet from the riparian canopy of OSJC and has no observable connection with the creek.

OSJC pivots about 45 degrees to the southeast before ending at a headwall that separates the current drainage (San Jose Creek) from the truncated OSJC. The channel here is small and regular with no riparian vegetation. The bank and bed configuration changes to a straight (constructed) narrow channel with a high cover of upland non-native grasses with few shrubs. The headwall contains two manually-operated flaps installed high on the wall. Flaps are opened during heavy storms to direct some water from San Jose Creek into Old San Jose Creek, thus creating a retention basin out the last reach of OSJC (SBFCD, 2017b). Due to the elevation of the banks, the potential height of high water within OSJC is lower than that in SJC.

A light cover of brackish marsh plants was noted at the terminus of the channel, probably a result of brackish water from San Jose Creek entering the Old San Jose Creek channel when the flaps are opened. Possibly the salinity is a result of salt water intrusion through the soil. Plants seen along the last 15 to 20 feet of the channel, at its junction with San Jose Creek, include pickleweed (*Saliconia pacifica*) and alkali heath (*Frankenia grandiflora*).

***OSJC Wildlife**:* Native understory is low in terms of diversity and abundance, but the existing vegetation contributes important nesting, roosting and hiding habitat for the wildlife in the area (Per. ob., 2012 to present). A few of the more common species of birds expected to frequent this woodland habitat, located less than 50 feet off site of the subject property, include Anna's hummingbird, bushtit, northern mockingbird, common yellowthroat, California towhee, and lesser goldfinch. The channel serves as a movement corridor and refuge for larger wildlife in the project area. Mammals like Virginia opossum, raccoon, introduced red fox, and feral domestic cat use the woodland habitats found along this drainage channel for protective cover to den and for moving between isolated pockets of open space found adjacent to the project site (Semonsen. 2017).

Pacific chorus frog is the only frog expected to occur along this reach of OSJC channel. No other aquatic amphibians or reptiles were observed or are expected to occur in this drainage channel. The floor of the channel was flat and did not have any scour pools or undercut banks that are known to provide suitable habitat for sensitive wildlife like California red-legged frog (*Rana draytoni*) or western pond turtle (*Clemmys marmorata*). No other sensitive wildlife species are expected to use the riparian woodland found along the OSJC for nesting, however, several species (e.g. Cooper's hawk and yellow warbler) may use properties in the vicinity, north and northwest of the subject property (Semonsen, 2017; Tierney, 2013).

Site visits allowed a short study of the reactions of birds to the intermittent, very loud noise of jets taking off and landing at the Santa Barbara Municipal Airport. The project site and the adjacent sensitive habitat are underneath the flyway and are about 1,000 feet from the end of the runways. All animal species must deal with the extremely loud and frequent noise. During my site visits, it appeared that most of the birds do not seem bothered by the intermittent rumble (1 plane every 5 to 10 minutes) and go about their business without interruption. The only species noted to change its behavior as a plane passed and was a flock of song sparrows feeding on the

ground, dispersing each time a plane approached and then regrouping at another location, minutes after the plane passed. Other birds appeared to ignore the sound.

3.2.3 Off-Site Quailbush Scrub

An association of quailbush (*Atriplex lentiformis*) with lesser amounts of native shrubs including California sagebrush (*Artemisia californica*) and saw-tooth goldenbush (*Hazardia squarrosa*) vegetate a discrete area to the west (Figure 4). Sawyer, et al, 2009, suggest that quailbush scrub is not a natural community in coastal areas of Santa Barbara County but are likely the result of restoration. (Keeler-Wolf and Evens 2009). The isolated and discreet nature of the association at this site points to a restoration effort.

4.0 POTENCIALLY-OCCURING SENSITIVE SPECIES AND HABITATS

4.1 SPECIAL-STATUS SPECIES

Special-status species are those animal and plant species that, in the judgment of the resource agencies, trustee agencies, and certain non-governmental organizations, warrant special consideration in the California Environmental Quality Act process.

This includes the following[6]:

- Officially designated “threatened,” “endangered,” or “candidate” species federally listed by the USFWS and protected under the Federal Endangered Species Act (50 CFR 17.12) and updates put out in the Federal Register;

- Officially designated “rare,” “threatened,” “endangered,” or “candidate” species state-listed by the California Department of Fish and Wildlife (CDFW) and/or protected under the California Endangered Species Act (14 CCR 670.5). CDFW also maintains a list of “Fully Protected” species as well as “California Species of Special Concern” that are also generally treated as special-status species under CEQA;

    - Plants considered by the CNPS to be "rare, threatened, or endangered" or under consideration for CNPS listing in California (Lists 1B, 2, 3 and 4);

    - Plant and animal species considered rare, threatened, or endangered under the conditions of Section 15380 of the State CEQA Guidelines, which often

[6] The Migratory Bird Treaty Act (MBTA), as well as the CDFW include protection to most native birds during nesting.

includes species not found on either state or federal endangered species list (see below);

- Species considered sensitive by other federal agencies (i.e., U.S. Forest Service, Bureau of Land Management), state and local agencies or jurisdictions;

- Species considered sensitive or unique by the scientific community or occurring at the limits of its natural range (State CEQA Guidelines, Appendix G).

- Plants considered "Protected Trees" as defined by Policy BIO-GV-16 in the Goleta General Plan/Coastal Land Use Plan. Arroyo willow, coast live oak and black cottonwood, found on adjacent sites and a single tree on the west bank, are considered "protected trees".

A species is determined to have the *potential* to occur on the project site if its documented geographical range from the literature and in the database, searches includes the vicinity of the project site and if suitable habitat for the species was identified within or near the project site. The methodology for database searches is discussed more fully below.

In addition to the databases mentioned above, the list of potentially occurring sensitive species (plants and animals) in Tables 3 and 4 is generated from a search of Santa Barbara and Goleta quadrangles of the California Natural Diversity Data Base Bios 5 (2017) and the Goleta Slough Management Plan (2015). Citations are noted on the tables. The search excludes records of northern (high elevation) USGS quads because species found only in those areas would have very little chance of occurring in the coastal-influenced subject site. The occurrence potential is rated "low" if suitable habitat is not present and the species report is located on the inland side of the Santa Ynez Mountains. "Moderate" occurrence potential is given to species that have not been collected from the immediate area, but suitable habitat is available. "High" potential is reserved for species that are known from the area, and when suitable habitat is available on the subject site.

4.2 SENSITIVE PLANTS

Table 3 contains a list of sensitive plants known from the Santa Barbara – Goleta coastal area and is considered in this report. One listed (federal and state) plant is included on this list. Salt marsh bird's beak (*Chlopyron maritimus ssp maritimus*) is known from coast marshes and was not found and is not expected onsite or anywhere in the study area. No proposed plants under either the State or Federal Endangered Species Act are expected within the immediate vicinity of the site. No plant species considered sensitive by the California Native Plant Society (CNPS) were located within the Study Area during the spring surveys. However, "protected trees" (BIO-GV-16 in the Goleta General Plan/Coastal Land Use Plan) were located offsite. A single mature arroyo willow, with two other dead trees, is established close to the project near the top of bank within SJC.

Willow (*Salix lasiolepis*) and coast live oak (*Quercus agrifolia*) are contained within the OSJC riparian canopy, also within the Study Area. Coast live oak is considered a protected tree under the same policy. This OSJC riparian canopy is no less than 280 feet from proposed development, and impacts are not expected or considered for this report.
The following four sensitive plant species are common in the area of the site and therefore have a higher chance of occurrence, especially near the margins of the subject property (per. ob.). None were found during the site visits, which took place at a time these plants could be identified (May 11 and June 8, 2017). A Table of all potentially occurring plants follows.

Plummer's Baccharis (*Baccharis plummerae*) is occasionally found along shaded canyons in the County. Impacts would be evaluated under CEQA if this shrub was found, although typically protection is not given to CNPS Rank 4 plants. Plummer's Baccharis was not seen during the site survey. This species can be identified at any time of year without flowers or fruit.

Southern Tarplant (*Centromadia parryi ssp. australis*) is found in coastal Santa Barbara with a concentration in Isla Vista and Goleta, coastal Ventura, Los Angeles (Santa Monica to Dana Point), and north of San Diego, from Carlsbad to La Jolla, where records are known as far inland as Temecula and Alpine. It is considered a Rank 1B.1 (Rare, Threatened, or Endangered in California and Elsewhere; seriously threatened) species under the CNPL system. A small group of plants are known from Ward Memorial Drive, close to the bike path and growing in sandy soils, 1,000 feet to the southeast of the project site. The annual plant, in the Asteraceae family, tends to establish in seasonally flooded grasslands or estuaries. This closest population occurs on a small, seasonally inundated grassland surrounded by native coyotebrush (*Baccharis pilularis*) and non-native pampas grass (*Cortaderia selloana*). These habitats are not present along the offsite riparian corridor, but it is possible that winter flooding within the subject site may sustain this species. However, additional conditions, including the hard-packed soil and heavy traffic, would make the establishment of this species highly unlikely. The plant species was not located during the spring survey.

Santa Barbara Honeysuckle (*Lonicera subspicata ssp. subspicata*) is abundant within the area above Foothill and Cathedral Oak Roads. This vine-like shrub is very common along the periphery of the City in many habitats (riparian, woodland, scrub). Although it is very often encountered along the coastal slopes of Santa Barbara, Goleta and Carpinteria, this species' only other known locale is on Catalina and Santa Cruz Islands. It is considered a Rank 1B.2 plant (rare in California and elsewhere) in the California Native Plant Society Inventory (CNPS, 2014). Santa Barbara honeysuckle is typically not found this close to the coast. However, this species is very common and, in my experience, can turn up anywhere. It was not found during the site survey.

Bitter Gooseberry (*Ribes amarum var. hoffmanii*), an endemic, is commonly scattered on cool, shaded canyons and creek banks and is known from coastal creeks within Santa Barbara County. The large, globose fruits with unequal thorns can identify this armed Ribes. It is considered a CNPS Rank 3 plant (plants about which more information is needed). There is currently no state or federal listing for this plant. This lanky shrub would only be expected within the OSJC

TABLE 3. INVENTORY OF SENSITIVE PLANTS POTENTIALLY OCCURING AT THE PROJCT SITE[7]

Common Name (*Scientific Name*)	Family	Status [1]	General Habitat Description	Blooming Period	Potential to Occur in the Project Area[8]
Atriplex coulteri Coulter's Saltbush	Chenopodiaceae	CNPS: 1B.1	Coastal scrub. Known from Santa Barbara, Ventura, Los Angeles, Orange counties and the Channel Isl.	March - Oct.	Moderate. Atriplex coulteri is known from the Goleta quad. 73 extant occurrences in Ca.
Centromadia parryi ssp. austalis Southern Tarplant	Asteraceae	CNPS 1B.1	Coastal sandy fields and alkaline flats. Many occurrences recently extirpated. Population threatened by urbanization, vehicles, development, foot traffic, grazing, habitat disturbance, and competition from non-native plants.	May - Nov	High. Found in many locations in Goleta Slough, on saline flats, drainages at estuary margins. 69 extant occurrences in Ca.
Chloropyron maritimus ssp. maritimus Salt Marsh Bird's Beak	Orobanchaceae	CNPS: 1B.2 Fed: FE State: CE	Coastal salt marshes, coastal dunes. Threatened by vehicles, road construction, hydrological alterations, recreational activities, foot traffic, non-native plants, and loss of salt marsh habitat.	May - Oct	Low. Occurrence at Goleta Slough not confirmed. 17 extant occurrences in Ca. Suitable habitat not present.
Baccharis plummerae Plummer's baccharis	Asteraceae	CNPS 4	Known from many semi-shaded locations along creeks in CSS.	May - Oct	High. Common is localized areas in coastal Santa Barbara county to Ventura.

[7] Sensitive plants cited from: California Department of Fish and Wildlife, CNDDB, 2017; Goleta Slough Management Plan, 2015; California Native Plant Society, 2017; California Department of Fish and Wildlife. 2017; Tierney, R. per. ob.

[8] "Potential to Occur" is based on the presence of nearby known populations and/or apparent suitable habitat on site. A "High" potential to occur is an indication of the relative potential for a species occurring onsite *prior to the survey*.

Common Name (*Scientific Name*)	Family	Status [1]	General Habitat Description	Blooming Period	Potential to Occur in the Project Area
Lasthenia glabrata ssp.coulteri Coulter's Goldfields	Asteraceae	CNPS: 1B.2	Saltmarshes, vernal pools, wet alkaline areas. Seriously threatened by urbanization and agricultural development. Also threatened by road maintenance. Potentially threatened by foot traffic and drought.	Feb - June	Low. Found on saline flats in impounded area west of Tecolotito Creek. 74 extant occurrences in Ca.
Lonicera subspicata var subspicata Santa Ynez Mountains honeysuckle	Caprifoliaceae	CNPS: 1B.2	Woodlands, Scrublands. Threatened by development, road construction, and vehicles.	May - Feb	High. Endemic to Santa Barbara County and Catalina Isl., where it is locally abundant.
Scrophularia atrata Black-flowered figwort	Scrophulariaceae	CNPS: 1B.2	Coastal scrub, riparian scrub, coniferous woodland, chaparral, coastal dune. True form more prevalent towards VAFB. Plants from south of Pt. Conception are probably hybrids with common *S. californica* ssp. *floribunda*.	March - Apr	Low. Not found in Goleta. (Flower is required to identify species, which is similar to common *S. californica ssp. floribunda.*)
Suaeda esteroa Estuary seablite	Chenopodiaceae	CNPS: 1B.2	Coastal salt marshes and margins. Potentially threatened by development and recreation. Twenty-three known occurrences in Los Angeles, Orange, Santa Barbara, San Diego, Ventura Cos.	May - Jan	Low. Suitable saltmarsh habitat not present. Occurs at Goleta Beach, Santa Barbara Airport, Goleta Slough (City of Santa Barbara, 2012); 23 extant occurrences in Ca.

[1] SENSITIVITY STATUS

California Native Plant Society Rare Plant Ranks

In the spring of 2011, CNPS officially changed the name "CNPS List" to "California Rare Plant Rank." The definitions of the California rare plant ranks and the ranking system have not changed, and the ranks are still used to categorize the same degrees of concern, which are described as follows:

Rank 1A (formerly List 1A): Plants Presumed Extinct in California.
Rank 1B (formerly List 1B): Plants Rare, Threatened, or Endangered in California and Elsewhere.
Rank 2 (formerly List 2): Plants Rare, Threatened, or Endangered in California, But More Common Elsewhere. Except for being common beyond the boundaries of California, plants with a California Rare Plant Rank of 2 would have been ranked 1B.
Rank 3 (formerly List 3): Plants About Which More Information is needed - A Review List. Information is needed to assign them to one of the other ranks or to reject them.
Rank 4 (formerly List 4): Plants of Limited Distribution - A Watch List. The plants in this category are of limited distribution or infrequent throughout a broader area in California.

CNPS Threat Ranks

The CNPS Threat Rank is an extension added onto the Ranking and designates the level of endangerment by a 1 to 3 ranking, with 1 being the most endangered and 3 being the least endangered.

- 0.1-Seriously threatened in California (over 80% of occurrences threatened / high degree and immediacy of threat)
- 0.2-Fairly threatened in California (20-80% occurrences threatened / moderate degree and immediacy of threat)
- 0.3-Not very threatened in California (<20% of occurrences threatened / low degree and immediacy of threat or no current threats known)

State-Listed Plants	
CE	State-listed, endangered
CT	State-listed, threatened
CR	State-listed, rare
CC	Candidate for State listing

Federally-Listed Plants	
FE	Federally-listed, endangered
FT	Federally-listed, threatened
PE	Federally-proposed, endangered
PT	Federally proposed, threatened

corridor. It was not found during the site surveys conducted along the creek or during past surveys of that property (Tierney, 2013, Dudek, 2010).

4.3 SENSITIVE ANIMALS

A list of all sensitive wildlife reviewed for this project appears in Table 4 (see citations). No sensitive wildlife species were observed at the project site during the field surveys and there were no known *records* for any sensitive wildlife from the project site. Because of the disturbed nature of the subject property, sensitive species are not expected to reside or nest onsite. However, some sensitive species were seen, or are expected to occur, immediately off-site, within habitat associated with SJC and OSJC. These are described below and listed on Table 4. Other sensitive animals recorded from the area but not expected on site or immediately adjacent to the site, but considered for this report, are listed on Table 4.

Offsite (San Jose Creek and Old San Jose Creek). The species discussed below (2 fish, 4 birds and 1 bat) are either known to use adjacent habitat or, based on sighting records, have a chance of using the adjacent habitat, and their presence on that site would affect the construction practice or use of the subject site. These animals are not expected on the subject site but are expected to only occur off-site, on the neighboring San Jose Creek or Old San Jose Creek and open grassland to the north. Some may fly over from one area to another (Lehman, 1979, 2016).

Sensitive Animals with the Highest Potential to Occur on the Adjacent Properties
(CNDDB, visited on December 7, 2017)

Tidewater goby (*Eucyclogobius newberryi*) was listed as endangered by US Fish and Wildlife Service in 1994. Effective March 8, 2013, the Service ruled to enlarge critical habitat to 65 units covering 12,156 acres in California (USFWS, 2013).

SB-9 (Goleta Slough) consists of 190 ac (76 ha). This unit is located in Santa Barbara County, within the City of Goleta. The unit consists of 164 ac (66 ha) of local lands and 26 ac (10 ha) of private lands. SB-9 is located 6.0 mi (9.6 km) south of Winchester/Bell Canyon (SB-8) and is separated from the nearest extant subpopulation to the north, Devereux Slough (not designated as critical habitat), by 4.0 mi (6.4 km).

This unit is essential for the conservation of the species because it provides habitat for the species, allows for connectivity between tidewater goby source populations from nearby units, and supports gene flow.

Although SB-9 is outside the geographical area occupied at the time of listing, it does possess the primary constituent element (PCE) that is needed to support tidewater goby:

1) Persistent, shallow (in the range of approximately 0.3 to 6.6 ft. [0.1 to 2 m]), still-to-slow-moving water;

2) Sand, silt or mud substrates for nest building;
3) Submerged and emergent aquatic vegetation;
4) Presence of a sandbar(s) across the mouth of a lagoon or estuary, providing stable salinity and water levels, which occurs on an intermittent basis.

Tidewater goby is reported from the Goleta Slough in the 1960s (Speth et al., 1970), but collecting efforts were negative in the 1990s. Tidewater goby was listed as extirpated from the Goleta Slough in the Recovery Plan (USFWS, 2005) but have since reestablished (USFWS, 2013).

Steelhead (*Oncorhynchus mykiss*) have historically entered Goleta Slough to migrate up the tributary streams for spawning and is currently designated an endangered species by the National Marine Fisheries Service. The Southern California Evolutionary Significant Unit (ESU) is located between San Diego County and northern Santa Barbara County. The Goleta Slough and tributaries were designated as Critical Habitat on September 2, 2005. Southern steelhead are anadromous (migrating from freshwater to the ocean as juveniles and returning to freshwater as an adult to spawn). Steelhead enter their natal creeks and streams, often through sloughs/estuaries, to spawn during times of high flow which typically occur during the late fall and winter in southern California. Spawning occurs from December through June. Juvenile steelhead that are ready to emigrate to the ocean are termed smolts. They often rear in sloughs/estuaries for several weeks or months prior to entering the ocean in the spring.

Steelhead were historically reported from Atascadero, San Jose, and San Pedro creeks, and trout were historically stocked in upper San Jose Creek (SBFCD, 2010). The Santa Barbara County Flood Control and Water Conservation Maintenance Activities in the Goleta Slough, Final Subsequent EIR, dated October 2010, indicates that no recent evidence of migration and spawning of steelhead has been observed in the Slough. However, the EIR documents also indicate that individual steelhead have been observed in Maria Ygnacio Creek (an upstream tributary). Other recent anecdotal reports of rainbow trout (presumed to be steelhead) indicate this species may occur in Atascadero Creek, which may indicate that steelhead enter the Goleta Slough during high flow periods. However, it is unclear if these are anadromous fish or resident trout. Also, it is unclear whether steelhead can currently traverse urban areas to upstream spawning areas due to man-made and natural barriers. These barriers include the closed sand bar at the mouth of the creek and low flows during periods of prolonged drought, the smooth-sided concrete channel alongside the project site, and an impediment to upstream access for steelhead and other fish under the Hollister Avenue bridge.

Fish ladders or resting bars have recently been placed within the rebuild concrete culvert holding San Jose Creek just upstream of the site. For the purposes of this assessment, steelhead are assumed present during migratory periods (high flows) within San Jose Creek.

The **Cooper's hawk (*Accipiter cooperi*)** is a California Species of Special Concern. This wide-ranging raptor is typically associated with oak woodlands and riparian woodlands. It is an uncommon to common transient and winter visitor. Formerly more abundant as a breeding species, it is now a very uncommon to rare breeder in the Goleta/Santa Barbara area due to habitat loss (Lehman, 1994). They have become more numerous and ubiquitous since their dip in numbers as

the species began to adapt to foraging and nesting in residential areas and small stands of trees (Lehman, 2015). Cooper's hawks may frequent the project site and use mature trees nearby as a temporary roost. However, it is unlikely that they would breed here.
The **sharp-shinned hawk (*Accipiter striatus*)** is a California Species of Special Concern. It is discontinuously distributed as a resident species over most of the United States. It more commonly occurs as a winter visitor to semi-open and wooded habitats. Locally, it is considered an uncommon to fairly common transient and winter visitor, where it is typically associated with riparian and oak woodland habitats (Lehman, 1994). There has been only one probable nesting record for this species in Santa Barbara County. This species has not been observed in the project area and is more likely to forage and roost in the well-developed riparian corridor of San Jose Creek to the north of Hollister Avenue.

The **white-tailed kite (*Elanus leucurus*)** is a Fully Protected species under the California Endangered Species Act. Although widely distributed along the Pacific Coast in grasslands, marshlands, and agricultural areas, this species experiences dramatic population fluctuations that are attributable to similar year-to-year variation in population densities of its preferred prey, the California vole (*Microtus californicus*). They are known to frequent the Santa Barbara Municipal Airport vicinity. White-tailed kites are considered an uncommon resident and local summer breeder along coastal southern Santa Barbara County. Population persistence is strongly associated with the presence of suitable communal roost and nest sites, which are used year after year. Locally, they nest in eucalyptus, oak, and riparian woodlands. Kites prefer large, open grassland and scrub foraging grounds similar to that found in More Mesa. Consequently, this species is not expected to use the project area and not expected to use the project site but may fly over the subject property.

The **yellow warbler (*Dendroica petechia*)** is a California Species of Special Concern that is a spring and summer breeder over much of the United States. It is considered an uncommon to fairly common spring and fall transient to the south coast of Santa Barbara County (Lehman, 1994), where it occurs in riparian woodlands and willow thickets. It still nests along some foothill creeks in southern Santa Barbara County. It is not expected to use the project site.

The **oak titmouse (*Baeolophus inornatus*)** is a small, dusky-light brown passerine found in oak woodlands, suburban wooded areas and riparian areas. It is part of the USFWS Birds of Conservation Concern. The species is fairly common to common in the south coast of the County and found elsewhere along the coast (Lehman, 2017). They mate for life and have year-round territories. They were seen just off-site during the field survey and were also noted on several occasions along OSJC during the past three years This species is common all year in this area. Given their preferred habitat and consistent location where they were seen, nesting would likely occur in adjacent OSJC woodland, which is 280 feet from the project site.

The **pallid bat (*Antrozous pallidus*)** is a California species of Special Concern that is widely distributed over mesic lowlands and canyons throughout much of western North America (Ingles, 1965; Hall, 1981). It regularly forages over grassland and open scrub habitats where it feeds on Jerusalem crickets, scorpions and other large, nocturnal arthropods. Several of the Channel Islands have resident colonies of this species, but there appears to be little or no dispersal between mainland and island populations. This species has been found regularly along the south coast of Santa Barbara and Ventura counties (e.g., Vandenberg Air Force Base) and the lower Ventura River floodplain.

Based on its wide foraging habits, its regional distribution, and the presence of suitable foraging habitat, pallid bats may be expected to occasionally forage adjacent to the project site along OSJC and within the scrub located further to the west.

4.4 SENSITIVE HABITATS

4.4.1 San Jose and Old San Jose Creeks and Setbacks

Just offsite to the east, San Jose Creek is confined to a concrete or straightened, dirt-lined channel. San Jose Creek at this location can be called a perennial stream due to year-round tidal influence. This lower portion of the creek, including the area adjacent to the project site, is designated as critical habitat for steelhead (southern California evolutionary unit) and tidewater goby (SC-9). Both fish are listed as endangered. The City of Goleta has recently completed a steelhead passageway in the channel, immediately upstream of the site. The SB Flood Control District maintains an access road about 3 to 40 feet from the top of bank.

Old San Jose Creek (OSJC), a degraded creek, but still possessing sensitive riparian habitat, flows for a short distance within 50 feet of the southwestern property line but no less than 280 feet from the proposed project (see Figure 4).

Riparian habitat, including willows, coast live oak, and black cottonwoods, are considered sensitive under the City's GP/LUP. Open waters are protected under a number of agencies, including the Army Corps of Engineers, the California Department of Fish and Wildlife, the California Coastal Commission, and the Regional Water Quality Control Board.

The Goleta General Plan / Land Use Plan specifies that a Stream Protection Area (or SPA) upland buffer is established 100 feet outward on both sides of the creek, measured from the top of the bank or the outer limit of wetlands and/or riparian vegetation, whichever is greater (City of Goleta, 2006). The City considers increasing or decreasing the width of the SPA upland buffer on a case-by-case basis at the time of environmental review. The City may allow portions of an SPA upland buffer to be less than 100 feet wide, but not less than 25 feet wide, based on a site-specific assessment (see Sections 5.6 or 6 for discussion) if:

(1) There is no feasible alternative siting for development that will avoid the SPA upland buffer; and

(2) The project's impacts will not have significant adverse effects on streamside vegetation or the biotic quality of the stream (see Sections 5.6 or 6).

TABLE 4: SENSITIVE ANIMALS REVIEWED FOR THIS DOCUMENT

Citing: Lehman, P. 2016; CNDDB, Bios 5; Semonsen, V. 2017, Per. Ob.

Common Name	Scientific Name	Regulatory Status [b]	Habitat Associations	Known or Potential Occurrence in Region and Project Site [c]	Potential Impact?
INSECTS					
Monarch butterfly	*Danaus plexippus*	CSC	Eucalyptus windrows (roost sites); grassland and scrub (foraging habitat)	Nearest wintering site is located at Maria Ygnacio Creek (Meade 1999). Individuals present in the project vicinity are unlikely to be affected.	No Impact
FISHES					
Southern steelhead	*Oncorhynchos mykiss*	FE/CSC	Anadromous—adults live in ocean, but return to natal watercourse to spawn	May potential occur within SJC adjacent to site during periods of high and medium high flows. Historically migrated through tributaries to Goleta Slough. (No potential for occurring in OSJC because watercourse is ephemeral.) Hollister Bridge contains a barrier to SJC runs. Fish ladders recently placed within new concrete channel just upstream of site may provide improved passage when flows are high enough to breech the sand bar at Goleta Beach.	Mitigable impact during outfall construction
Tidewater goby	*Eucyclogobius newberry*	FE/CSC	Brackish terminal lagoons and lower watercourses of coastal drainages	Occurs in Goleta Slough and several miles upstream in feeding creeks. Also known inn nearby coastal lagoons, such as Arroyo Burro and Bell Canyon Creek.	Mitigable impact during outfall construction
AMPHIBIANS					
California red-legged frog	*Rana aurora draytonii*	FT/CSC	Riverine (eggs and larvae); riparian, riparian scrub, grassland, and coastal scrub	Nearest occurrence is Bell Canyon Creek to north. San Jose and Old San Jose Creeks do not contain suitable habitat.	No impact. Not expected.
Coast Range newt	*Taricha torosa toros*	CSC	Riverine (eggs and larvae); riparian, riparian scrub, grassland, and coastal scrub (overwintering and dispersal)	Known from upper reaches of Arroyo Burro Creek and Mission Creek; no potential of occurring in Old San Jose Creek or San Jose Creek due to unsuitable aquatic habitat.	No impact. Not expected.

Common Name	Scientific Name	Regulatory Status [b]	Habitat Associations	Known or Potential Occurrence in Adjacent Old San Jose Creek and/or Project Site [c]	Potential Impact?
REPTILES					
Silvery legless lizard	*Anniella pulchra pulchra*	CSC	Oak woodland, coastal scrub, dune scrub, chaparral on sandy soils	Known from Hope Ranch, More Mesa and La Mesa in association with old beach sand deposits. (Hunt, pers. observ.); Not expected on-site because of unsuitable (very compacted) soil conditions.	No impact. Not expected.
Southwestern pond turtle	*Clemmys marmorata pallida*	CSC	Riverine, freshwater marsh, lakes, reservoirs, riparian scrub	Known from Laguna Creek two miles east of subject parcel; may also occur in Arroyo Burro Creek and others; No potential to occur in Old San Jose Creek or San Jose Creek because of lack of suitable aquatic habitat. Not expected on-site.	No impact. Not expected.
Two-striped garter snake	*Thamnophis hammondii*	CSC	Riverine and adjacent scrub habitats; freshwater marsh, lakes, reservoirs	Known from lower and middle portions of Mission Creek and Sycamore Canyon Creek watersheds. No potential to occur in Old San Jose Creek or San Jose Creek because of lack of suitable aquatic habitat. Not expected on-site.	No impact. Not expected.
BIRDS					
Black swift	*Cypseloides niger*	CSC	Grasslands, riparian corridors, scrub	Rare and irregular spring transient along coast (Lehman, 2016.) Not expected on site.	No impact. Not expected.
California brown pelican	*Pelecanus occidentalis californicus*	FE/SE	Beach and nearshore waters	Commonly observed foraging in nearshore waters and occasionally roosting on beaches south of project site.	No impact. Not expected.
Cooper's hawk	*Accipiter cooperi*	CSC	Oak woodland, riparian woodland, riparian scrub	May roost in larger trees off-site.	Mitigable impact. Nest survey
Least Bell's vireo	*Vireo bellii pusillus*	FE/SE	Riparian woodland	No potential; undeveloped riparian corridor in Old San Jose Creek would not support this species.	No impact. Not expected.
Loggerhead shrike	*Lanius ludovicianus*	CSC BCC	Coastal scrub, open chaparral, oak savannah	Moderate. Known from riparian scrub in lower Arroyo Burro Creek area and Elings Park; may occasionally forage in OSJC.	No impact. Not expected.
Northern harrier	*Circus cyaneus*	CSC	Grasslands, open coastal scrub, chaparral	Winter visitor to grasslands at Elings Park, approx. 5 miles S of project site; no suitable habitat at project site.	No impact. Not expected.

Common Name	Scientific Name	Regulatory Status [b]	Habitat Associations	Known or Potential Occurrence in Region and Project Site [c]	Potential Impact?
Oak Titmouse	*Baeolophus inornatus*	BCC	Oak woodlands, streamside trees; wooded suburbs	Seen flying just offsite during field survey, seen along OSJC often. Common all year in this area. Nesting would likely occur in adjacent OSJC woodland, which is 280 feet from project.	Mitigable impact. Nest survey
Olive-sided flycatcher	*Contopus cooperi*	CSC Nesting BCC	Riparian woodlands	Moderate potential of occurring in Old San Jose Creek riparian corridor adjacent to project site, 280 feet from project.	Mitigable impact. Nest survey
Purple martin	*Progne subis*	CSC	Riparian woodland, riparian scrub, grasslands	Very rare spring and fall transient to area; low potential of foraging in San Jose or Old San Jose Creek riparian corridor.	No impact. Not expected.
Sharp-shinned hawk	*Accipiter striatus*	CSC	Riparian and oak woodland	Winter visitor to woodlands; moderate potential of roosting and foraging along OSJC.	Mitigable impact. Nest survey
Short-eared owl	*Asio flammeus*	CSC	Freshwater marsh, grasslands	Historical record from lower portions of Arroyo Burro Ck watershed; no suitable habitat in project site.	No impact. Not expected.
Southwestern willow flycatcher	*Empidonax traillii extimus*	FE/SE	Riparian woodland	Uncommon fall transient to riparian woodlands along coast (especially willow woodlands); nearest breeding records are from Santa Ynez River watershed; very low potential for occurring in Old San Jose Creek due to lack of habitat.	No impact. Not expected.
Swainson's thrush	*Catharus ustulatus*	SLC	Riparian woodland	Uncommon spring transient and summer breeder; moderate potential of foraging in OSJC woodland habitats.	No impact. Not expected.
Vaux's swift	*Chaetura vauxi*	FSS/CSC	Riparian woodland, riparian scrub, grassland	Uncommon and irregular transient; high probability of occurring along coast in vicinity of project site but does not breed here.	No impact. Not expected.
Warbling vireo	*Vireo gilvus*	SLC	Riparian woodland	Low potential for occurring in Old San Jose Creek due to lack of suitable habitat.	No impact. Not expected.
Western yellow-billed cuckoo	*Coccyzus americanus occidentalis*	PE/SE	Riparian woodland	Very rare migrant along coast; recorded at Carpinteria in 1990s in winter; riparian habitat in Old San Jose Creek is not sufficiently developed to support this species.	No impact. Not expected.

Common Name	Scientific Name	Regulatory Status [b]	Habitat Associations	Known or Potential Occurrence in Region and Project Site [c]	Potential Impact?
Western yellow-billed cuckoo	*Coccyzus americanus occidentalis*	PE/SE	Riparian woodland	Very rare migrant along coast; recorded at Carpinteria in 1990s in winter; riparian habitat in Old San Jose Creek is not sufficiently developed to support this species.	No impact. Not expected.
White-tailed kite	*Elanus leucurus*	FP	Grassland, eucalyptus woodland, orchards	Known nesting sites within two miles of project: central Goleta Slough, south of SB Airport, Ekwill Rd.	Mitigable impact. Nest survey.
Wilson's warbler	*Catharus ustulatus*	SLC	Riparian woodland, riparian scrub	Fairly common transient in riparian wood. along coast in spring; moderate potential of occurring in OSJC in spring.	No Impact. Does not breed here.
Yellow warbler	*Dendroica petechia brewsteri*	CSC	Riparian woodland	Common spring and fall transient and breeder in riparian woodlands; moderate probability of foraging in Old San Jose Creek in spring, but not expected to breed there.	No impact. Not expected.
Yellow-breasted chat	*Icteria virens*	CSC	Riparian woodland	Spring and fall transient and local breeder in riparian woodlands along Arroyo Burro Ck and Mission Ck; may forage along OSJC, but does not breed there.	No impact. Not expected.
MAMMALS					
American badger	*Taxidea taxus*	CSC	Grassland, riparian scrub, open chaparral and scrub	Likely formerly occurred in coastal grasslands and open coastal sage scrub throughout Mesa area E of site; no suitable habitat in vicinity of project site.	No impact. Not expected.
Big free-tailed bat	*Nyctinomops macrotis*	CSC	Riparian woodland	May occasionally forage along Old San Jose Creek, but project site or adjacent areas do not support suitable roosting habitat.	No impact. Not expected.
Fringed myotis	*Myotis thysanodes*	CSC	Riparian woodland, grasslands	May occasionally forage along Old San Jose Creek, but project site or adjacent areas do not support suitable roosting habitat.	No impact. Not expected.
Pallid bat	***Antrozous pallidus***	CSC	Grasslands, open scrub, riparian woodland	May forage along Old San Jose Creek, but project site does not support suitable roosting habitat.	No impact. Not expected.
Common Name	**Scientific Name**	**Regulatory Status [b]**	**Habitat Associations**	**Known or Potential Occurrence in Region and Project Site [c]**	**Potential Impact?**
Pallid bat	*Antrozous pallidus*	CSC	Grasslands, open scrub, riparian woodland	May forage along Old San Jose Creek, but project site does not support suitable roosting habitat.	No impact. Not expected.

Red bat	*Lasiurus blossevillii*	CSC	Riparian and oak woodland	May occasionally forage along Old San Jose Creek, but project site does not support suitable roosting habitat.	No impact. Not expected.
Townsend's big-eared bat	*Corynorhinus townsendii townsendii and C.t. pallescens*	CSC	Riparian woodland, grasslands	Known from middle and upper portions of Arroyo Burro Creek watershed; May occasionally forage along Old San Jose Creek, but project site does not support suitable roosting habitat.	No impact. Not expected.
Yuma myotis	*Myotis yumanensis*	CSC	Riparian woodland, aquatic habitats, freshwater marsh; roosting habitat to the north	Relatively common along riparian corridors in area; low potential of using San Jose Creek as foraging habitat.	No impact. Not expected.

Status Key:

FE = listed as Endangered by the U.S. Fish and Wildlife Service under the Federal Endangered Species Act
PE = proposed for listing as Endangered under the Federal Endangered Species Act
FT = listed as Threatened by the U.S. Fish and Wildlife Service under the Federal Endangered Species Act
SE = listed as Endangered by the California Department of Fish and Game under the California Endangered Species Act
ST = listed as Threatened by the California Department of Fish and Game under the California Endangered Species Act
FSS = Federal Sensitive Species (i.e., on "watch list" maintained by U.S. Fish and Wildlife Service, Bureau of Land Management, and U.S. Forest Service)
MNBMC = Migratory Non-Game Bird Species of Management Concern; species of migratory non-game birds that are considered by the U.S. Fish and Wildlife Service to be of concern because of small population size, specialized habitat requirements and/or population declines
FP = Listed as Fully Protected by the California Department of Fish and Game; CDFG cannot issue a take permit for this species; project must avoid all impacts to this species
CSC = California Species of Special Concern (CDFG, 2005)
BCC = USFWS Bird of Conservation Concern
SLC = Species of Local Concern; protected by one or more City and County resource management policies

Citing: CNDDB, Bios 5, Padre Associates, 2013.
Potential for particular species occurrence in vicinity of project site is based on known occurrence in region and presence of suitable habitat in and around project site.

Currently, restrictions on development from Santa Barbara Flood Control District (SBFCD) easements are in place west of the San Jose Creek span 23 to 40 feet from the top of bank to the limit of grading (project area). Easements include: a 3 to 20 ft. wide vegetated (managed) strip between the top of bank and the edge of the SBFCD access road; a 15 ft. wide dirt access road running parallel and west of the vegetated strip; and a 5 ft. wide SBFCD "maintenance control easement" west of the access, between the access road and the project.

Vegetation cover, offsite, from the fence line to the vegetated slopes of SJC, is generally low stature with shrubs interspaced with grasses and lower weeds. Vegetation along the area outside of the fence line consists of non-native grasses, mustards and weedy shrubs (tobacco tree, castor bean) growing alongside scattered native quailbush (*Atriplex lentiformis*), saw-tooth goldenbush (*Hazardia squarrosa*) and tecolote (*Centaurea melitensis*). A single arroyo willow (*Salix lasiolepis*) is rooted near the top of bank outside the fence in the northern part of the site, along with a single black elderberry (*Sambucus nigra*).

A 100 ft. buffer, measured from San Jose Creek top of bank, would overlay the proposed project by 60–77 feet. A 100 ft. SPA measured from the outer riparian canopy of Old San Jose Creek lies 280 feet from development at its closest point. This SPA is not mapped.

5.0 REGULATORY OVERSIGHT

Section 5 lists federal, state, and local agencies and major environmental acts that may oversee certain aspects of the project through review and permitting. The latter part of the section contains the City of Goleta's Guiding Principles and Goals and pertinent Conservation Element Conservation Element policies (City of Goleta, 2006, amended 2009). These include policies, and relevant subsections in CE 1-3, 8 and 10. The list is annotated with comments demonstrating project consistency to all policies.

ACOE

On the federal level, the Army Corps of Engineers (ACOE), under the Clean Water Act (Section 404, CWA, 1977, as amended), regulates activities that result in "discharge of dredged or fill material into waters of the United States." The term "waters of the United States" includes creeks and adjacent wetlands that show positive indicators from three parameters: (1) wetland hydrology, (2) hydrophytic vegetation, and (3) hydric soils.

There are no onsite "waters" (per.ob.). Permitting through the ACOE will likely be required due to outfall construction within the bank of San Jose Creek and the potential for fill (old and new concrete and/or soil and rocks) entering the ACOE jurisdictional areas. The Corps' approval

would require consultation with the US Fish and Wildlife Service and the National Marines Fishery Service because of the presence of two endangered fish.

US Fish and Wildlife Service

Nesting raptors and other migratory *native* birds are protected under the Migratory Bird Treaty Reform Act (revised 2004). A 500-foot setback is typically established between an active raptor nest and construction activity that may disturb the birds. A 300-foot setback between other native nesting birds and construction is established until young have fledged. Nesting surveys must be conducted prior to start-up during nesting season only (February 1 through August 31). (See the discussion under CDFW, below.) The U.S. Fish and Wildlife Service and the Commerce Department's National Marine Fisheries Service (NMFS) administer the Endangered species Act (ESA), the latter agency involved with aquatic environments. The purpose of the ESA is to protect and recover imperiled **species** and the ecosystems upon which they depend (FWS, online). The Service has primary responsibility for terrestrial and freshwater organisms, while the responsibilities of NMFS are mainly marine wildlife such as whales and anadromous fish such as salmon.

National Marines Fishery Service (NMFS)

The NMFS is authorized to enter into agreements with any State that establishes and maintains a program for the conservation of endangered and threatened species, including California, under Section 6 of the Endangered Species Act of 1973 (ESA). The USFWS generally contacts the NMFS when a project is under review with a listed aquatic species potentially impacted.

The NMFS is authorized to assist in, and provide Federal funding for, implementation of the State's conservation program. The CDFW has the authority to establish conservation programs and work with the NMFS to achieve conservation goals, and thus the NMFS is active in California's conservation program. Of the 2,300 species listed as endangered or threatened under the Endangered Species Act (ESA), 161 are under the joint jurisdiction of the NMFS, including southern Steelhead (NMFS,2016).

California Coastal Act, est. 1972

To provide a framework for reviewing mitigation plans and evaluating mitigation projects, the Coastal Commission published Procedural Guidance for the Review of Wetland Projects in California's Coastal Zone in 1994 (California Coastal Commission, 1994). This guidance contains general policy information and applies CEQA's mitigation definition.

Applicable standards of review for the proposed Coastal Development Permit are contained within Coastal Act sections 30107.5, 30240, 30231 and 30233. Since the City of Goleta does not

have an adopted coastal plan, the Coastal Commission has final decision on this project. Coastal Commission staff will review the project and make their findings based on the following;

Environmentally Sensitive Habitat (ESHA) Definition[9]

Section 30107.5 of the Coastal Act: Definition of Environmentally Sensitive Habitat Areas (ESHA)

"Environmentally sensitive habitat" means any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments.

ESHA Protection Policy

Section 30240 of the Coastal Act affords protection of environmentally sensitive habitat areas as follows:

(a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on such resources shall be allowed within such areas.
(b) Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade such areas and shall be compatible with the continuance of such habitat areas.

Water Quality

Section 30231 of the Coastal Act states:

The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.

Diking, Filling or Dredging

The CCC *Procedural Guidance for the Review of Wetland Projects in California's*

[9] A distinction between "wetlands" and "riparian" area is made in Appendix D to the Statewide Interpretive Guidelines and Appendix A to the Procedural Guidance (California Coastal Commission, 1981).

Coastal Zone (1994)
Section 30233 of the Coastal Act states:

(a) The diking, filling, or dredging of open coastal waters, wetlands, estuaries, and lakes shall be permitted in accordance with other applicable provisions of this division, where there is no feasible less environmentally damaging alternative, and where feasible mitigation measures have been provided to minimize adverse environmental effects, and shall be limited to the following:

(1) New or expanded port, energy, and coastal-dependent industrial facilities, including commercial fishing facilities.

(2) Maintaining existing, or restoring previously dredged, depths in existing navigational channels, turning basins, vessel berthing and mooring areas, and boat launching ramps.

(3) In open coastal waters, other than wetlands, including streams, estuaries, and lakes, new or expanded boating facilities and the placement of structural pilings for public recreational piers that provide public access and recreational opportunities.

(4) Incidental public service purposes, including, but not limited to, burying cables and pipes or inspection of piers and maintenance of existing intake and outfall lines.

(5) Mineral extraction, including sand for restoring beaches, except in environmentally sensitive areas.

(6) Restoration purposes.

(7) Nature study, aquaculture, or similar resource-dependent activities.

(b) Dredging and spoils disposal shall be planned and carried out to avoid significant disruption to marine and wildlife habitats and water circulation. Dredge spoils suitable for beach replenishment should be transported for these purposes to appropriate beaches or into suitable longshore current systems.

(c) In addition to the other provisions of this section, diking, filling, or dredging in existing estuaries and wetlands shall maintain or enhance the functional capacity of the wetland or estuary. Any alteration of coastal wetlands identified by the Department of Fish and Game, including, but not limited to, the 19 coastal wetlands identified in its report entitled, "Acquisition Priorities for the Coastal Wetlands of California", shall be limited to very minor incidental public facilities, restorative measures, nature study, commercial fishing facilities in Bodega Bay, and development in already developed parts of south San Diego Bay, if otherwise in accordance with this division.

(d) Erosion control and flood control facilities constructed on watercourses can impede the movement of sediment and nutrients that would otherwise be carried by storm runoff

into coastal waters. To facilitate the continued delivery of these sediments to the littoral zone, whenever feasible, the material removed from these facilities may be placed at appropriate points on the shoreline in accordance with other applicable provisions of this division, where feasible mitigation measures have been provided to minimize adverse environmental effects. Aspects that shall be considered before issuing a coastal development permit for these purposes are the method of placement, time of year of placement, and sensitivity of the placement area.

Environmentally Sensitive Habitat
Section 30240 of the Coastal Act states:

> (a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on those resources shall be allowed within those areas.
>
> (b) Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade those areas and shall be compatible with the continuance of those habitat and recreation areas.

California Department of Fish Wildlife (CDFW)

Lake and Stream Alteration Notification and Agreement (LSA): CDFW requires, under Fish and Game Code section 1602, an entity to notify CDFW prior to commencing any activity that may:

- Substantially divert or obstruct the natural flow of any river, stream or lake;
- Substantially change or use any material from the bed, channel or bank of any river, stream, or lake; or
- Deposit debris, waste or other materials that could pass into any river, stream or lake.

This includes "any river, stream or lake" that is episodic (they are dry for periods of time) as well as those that are perennial (they flow year-round). This includes ephemeral streams, desert washes, and watercourses with a subsurface flow.

The LSA Notification supplies the CDFW with specific information about the watercourse. An LSA Agreement is required when CDFW determines that the activity, as described in a complete LSA Notification, may substantially adversely affect existing fish or wildlife resources. An LSA Agreement includes measures necessary to protect existing fish and wildlife resources. CDFW may suggest ways to modify your project that would eliminate or reduce harmful impacts to fish and wildlife resources. Before issuing an LSA Agreement, CDFW must comply with the California Environmental Quality Act (CEQA) (CDFW, 2018).

The limits of CDFW jurisdiction are generally the bed, channel or bank of any river, stream, or lake, in which there is or has been at any time, an existing fish or wildlife resource or from which these resources derive benefit. For this project, a Notification and subsequent Agreement with CDFW will be required because of disturbance to the bank during the installation of the outfall into San Jose Creek and the quality of stormwater runoff during operations.

Pre-Construction Bird Surveys: Although not specifically called out in the CDFW codes, the Lake and Stream Alteration Agreement will likely contain a condition for pre-startup nesting surveys for raptors and other native migratory birds if construction begins within the nesting season (February 1 through August 31), as regulated under the Migratory Bird Treaty Reform Act (revised 2004). Construction more than 500 feet from raptor nests and 300 feet from other nests can commence any time of year[10]. If nests of birds falling under the jurisdiction of the Migratory Bird Treaty Reform Act are present, all other work within these buffers (500 ft. for raptors and 300 ft. for other birds covered under the MBTRA (essentially native migratory birds) must wait until the birds have fledged. This rule applies to development areas within the site.

However, the continual airport noise and the lack of habitat, coupled with the distance to the resource (280 feet from edge of riparian canopy of OSJC, which is the only wooded riparian area near the site, to the closest portion of the project), would eliminate the need to enforce a nesting buffer restriction for all but raptors. All birds choosing to nest in the area are accustomed to an extraordinary amount of noise. The construction crew can be restricted from entering areas close to the creek.

Central Coast Regional Water Quality Control Board (RWQCB)

The federal Clean Water Act requires that all municipal, industrial and commercial facilities that discharge wastewater or stormwater directly from a point source (a discrete conveyance such as a pipe, ditch, or channel) into a water of the United States (such as a lake, river, or ocean) must obtain a National Pollutant Discharge Elimination System (NPDES) permit. The Regional Water Quality Control Board, as authorized by the Clean Water Act, is responsible for overseeing NPDES permitting.

The RWQCB will review the proposed plans regarding new stormwater treatment both during and post-construction on the site and for outfall design and installation into San Jose Creek. This agency administers multiple sections of the federal Clean Water Act, amended in 1972, and portions of the State's Porter Cologne Water Quality Control Act, enacted in 1969. The agency is involved with projects that may include dredging or placement of fill in a wetland. The definition of wetland includes features not covered under the ACOE, such a riparian habitat growing in upland soil above the ordinary high water mark, isolated wetlands and marginal wetlands having less than three positive indicators.

[10] These distances may change.

City of Goleta

Guiding Principles and Goals

The City of Goleta General Plan/Coastal Use Plan Conservation Element establishes a number of Guiding Principles and Goals which provide the foundation for the policies in subsequent sections of the element.

1. Protect, maintain, and enhance natural ecosystem processes and functions in Goleta and its environs in order to maintain their natural ecological diversity.

2. *Preserve, restore, and enhance the physical and biological integrity of Goleta's creeks and natural drainages and their associated riparian and creekside habitats.*

3. *Protect, restore, and enhance coastal bluffs and dune areas*

4. *Identify and protect wetlands, including vernal pools, as highly productive and complex ecosystems that provide special habitats for flora and fauna as well as for their role in cleansing surface waters and drainages. [Project consistency - Single parameter "wetland" includes creek, from western top of bank to the outer edge of willow canopy (east bank). Three parameter wetlands may not be present and would include the eastern bank and established arroyo willow. Hydrology and soils would be tested.*

5. *Protect water quality and the biological diversity of Goleta Slough and Devereux Slough.*

6. *Protect and enhance other important aquatic and terrestrial habitats, including those associated with rare, threatened, or endangered species of plants or animals.*

7. *Protect, preserve, and enhance Goleta's Urban Forest.*

8. Preserve and protect agriculture, encourage future expanded agricultural production by protecting land and supporting direct marketing, and ensure compatibility of nearby development with agriculture. [N/A]

9. *Manage water resources at the watershed level cooperatively with other agencies to maintain high groundwater and surface water quality and to protect marine aquatic habitats. The site will be graded to contain all runoff on site.*

10. *Manage groundwater and surface water resources to promote water quality and quantity adequate to support natural ecosystem processes and functions.*

11. Manage water use efficiency, conserve water, promote recycling, and promote public awareness of water and recycling issue. [N/A to Biological Report.]

12. *Conserve soil resources as the foundation of resource production and minimize erosion and other soil-depleting processes.*

13. Minimize emissions of atmospheric pollutants that result from new development within Goleta and reduce emissions from transportation sources by promoting transit and other less polluting alternative modes of travel. [Not applied to project.]

14. Encourage energy efficiency in new development and encourage use of alternative energy sources such as solar energy. [Not applicable to this report.]

Pertinent Policies

The following City policies, contained within the City of Goleta General Plan / Local Coastal Plan Conservation Element (2006, amended 2009) pertain to the Goleta Business Center project. (*Italics are added and represent the subsection of the policy that specifically applies to the project.*)

Policy CE 1: Environmentally Sensitive Habitat Area Designations and Policy.
Objective: To identify, preserve, and protect the city's natural heritage by preventing disturbance of ESHAs.

CE 1.1 Definition of Environmentally Sensitive Habitat Areas. ESHAs shall include, but are not limited to, any areas that through professional biological evaluation are determined to meet the following criteria:

a. Any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and that could be easily disturbed or degraded by human activities and developments.

b. Any area that includes habitat for species and plant communities recognized as threatened or endangered by the state or federal governments; plant communities recognized by the State of California (in the Terrestrial Natural Communities Inventory) as restricted in distribution and very threatened; and those habitat types of limited distribution recognized to be of particular habitat value, including wetlands, riparian vegetation, eucalyptus groves associated with monarch butterfly roosts, oak woodlands, and savannas.

c. Any area that has been previously designated as an ESHA by the California Coastal Commission, the California Department of Fish and Game, the City of Goleta, or any other agency with jurisdiction over the designated area.

CE 1.2 Designation of Environmentally Sensitive Habitat Areas. ESHA**s** in Goleta are generally shown in Figure 4-1, and Table 4-2 of the GP/LUP, which provides examples of the ESHAs and some locations of each. They are not limited to the following:

a. Creek and riparian areas.

b. Wetlands, such as vernal pools.

c. Coastal dunes, lagoons or estuaries, and coastal bluffs/coastal bluff scrub.

d. Beach and shoreline habitats.

e. Marine habitats.

f. Coastal sage scrub and chaparral.

g. Native woodlands and savannahs, including oak woodlands.

h. Native grassland.

i. Monarch butterfly aggregation sites, including autumnal and winter roost sites, and related habitat areas.

j. Beach and dune areas that are nesting and foraging locations for the western snowy plover.

k. Nesting and roosting sites and related habitat areas for various species of raptors.

l. Other habitat areas for species of wildlife or plants designated as rare, threatened, or endangered under state or federal law.

m. Any other habitat areas that are rare or especially valuable from a local, regional, or statewide perspective. (Amended by Reso. 09-59, 11/17 /09.)

CE 1.6 Protection of ESHAs. *ESHAs shall be protected against significant disruption of habitat values, and only uses or development dependent on and compatible with maintaining such resources shall be allowed within ESHAs or their buffers. The following shall apply:*

a. No development, except as otherwise allowed by this element, shall be allowed within ESHAs and/or ESHA buffers.

b. A setback or buffer separating all permitted development from an adjacent ESHA shall be required and shall have a minimum width as set forth in subsequent policies of this element. The purpose of such setbacks shall be to prevent any degradation of the ecological functions provided by the habitat area.

c. Public accessways and trails are considered resource-dependent uses and may be located within or adjacent to ESHAs. These uses shall be sited to avoid or minimize impacts on the resource to the maximum extent feasible. Measures, such as signage, placement of boardwalks, and limited fencing or other barriers, shall be implemented as necessary to protect ESHAs. (N/A)

d. The following uses and development may be allowed in ESHAs or ESHA buffers only where there are no feasible, less environmentally damaging alternatives and will be subject to requirements for mitigation measures to avoid or lessen impacts to the maximum extent feasible: 1) public road crossings, 2) utility lines, ***3) resource restoration and enhancement projects****, 4) nature education, 5) biological research, and 6) Public Works projects as identified in the Capital Improvement Plan, only where there are no feasible, less environmentally damaging alternatives.*

e. If the provisions herein would result in any legal parcel created prior to the date of this plan being made unusable in its entirety for any purpose allowed by the land use plan, exceptions to the foregoing may be made to allow a reasonable economic use of the parcel. Alternatively, the City may establish a program to allow transfer of development rights for such parcels to receiving parcels that have areas suitable for and are designated on the Land Use Plan map for the appropriate type of use and development. ***(N/A)***

CE 1.7 Mitigation of lmpacts to EHSAs. *New development shall be sited and designed to avoid impacts to ESHAs. If there is no feasible alternative that can eliminate all impacts, then the alternative that would result in the fewest or least significant impacts shall be selected. Any impacts that cannot be avoided shall be fully mitigated, with priority given to onsite mitigation. Offsite mitigation measures shall only be approved when it is not feasible to fully mitigate impacts on site. If impacts to onsite ESHAs occur in the Coastal Zone, any offsite mitigation area shall also be located within the Coastal Zone. All mitigation sites shall be monitored for a minimum period of 5 years following completion, with changes made as necessary based on annual monitoring reports. Where appropriate, mitigation sites shall be subject to deed restrictions. Mitigation sites shall be subject to the protections set forth in this plan for the habitat type unless the City has made a specific determination that the mitigation is unsuccessful and is to be discontinued.*

CE 1.8 ESHA Buffers. *Development adjacent to an ESHA shall minimize impacts to habitat values or sensitive species to the maximum extent feasible. Native vegetation shall be provided*

in buffer areas to serve as transitional habitat. All buffers shall be of a sufficient size to ensure the biological integrity and preservation of the ESHA they are designed to protect.

CE 1.10 Management of ESHAs. *The following standards shall apply to the ongoing management of ESHAs:*[11]

a. The use of insecticides, herbicides, artificial fertilizers, or other toxic chemical substances that have the potential to degrade ESHAs shall be prohibited within and adjacent to such areas, except where necessary to protect or enhance the ESHA itself.

b. The use of insecticides, herbicides, or other toxic substances by City employees' contractors in construction and maintenance of City facilities and open space lands shall be minimized.

c. Mosquito abatement within or adjacent to ESHAs shall be limited to the implementation of the minimum measures necessary to protect human health.

CE 2.2 Streamside Protection Areas. *A streamside protection area (SPA) is hereby established along both sides of the creeks identified in Figure 4-1. The purpose of the designation shall be to preserve the SPA in a natural state in order to protect the associated riparian habitats and ecosystems. The SPA shall include the creek channel, wetlands and/or riparian vegetation related to the creek hydrology, and an adjacent upland buffer area. The width of the SPA upland buffer shall be as follows:*

a. The SPA upland buffer shall be 100 feet outward on both sides of the creek, measured from the top of the bank or the outer limit of wetlands and/or riparian vegetation, whichever is greater. The City may consider increasing or decreasing the width of the SPA upland buffer on a case-by-case basis at the time of environmental review. The City may allow portions of an SPA upland buffer to be less than 100 feet wide, but not less than 25 feet wide, based on a site-specific assessment if:

(1) there is no feasible alternative siting for development that will avoid the SPA upland buffer; and

(2) the project's impacts will not have significant adverse effects on streamside vegetation or the biotic quality of the stream.

b. If the provisions above would result in any legal parcel created prior to the date of this plan being made unusable in its entirety for any purpose allowed by the land use plan,

[11] *Vegetation establishment of San Jose Creek, starting from the top of bank and a 23 to 40-foot access road easement and maintenance buffer to the west (towards the project and inside of the subject property line) is maintained by the SBFCD.*

exceptions to the foregoing may be made to allow a reasonable economic use of the parcel, subject to approval of a conditional use permit. [N/A]

CE 2.3 Allowable Uses and Activities in Streamside Protection Areas. The following compatible land uses and activities may be allowed in SPAs, subject to all other policies of this plan, including those requiring avoidance or mitigation of impacts:

a. Agricultural operations, provided they are compatible with preservation of riparian resources. (N/A)

b. Fencing and other access barriers along property boundaries and along SPA boundaries.

c. Maintenance of existing roads, driveways, utilities, structures, and drainage improvements.

d. Construction of public road crossings and utilities, provided that there is no feasible, less environmentally damaging alternative. (N/A)

e. Construction and maintenance of foot trails, bicycle paths, and similar low-impact facilities for public access. (N/A)

f. Resource restoration or enhancement projects.

g. Nature education and research activities. (N/A)

h. Low-impact interpretive and public access signage. (N/A)

i. Other such Public Works projects as identified in the Capital Improvement Plan, only where there are no feasible, less environmentally damaging alternatives.

CE 2.5 Maintenance of Creeks as Natural Drainage Systems. Creek banks, creek channels, and associated riparian areas shall be maintained or restored to their natural condition wherever such conditions or opportunities exist. Creeks carry a significant amount of Goleta's stormwater flows. The following standards shall apply:

a. The capacity of natural drainage courses shall not be diminished by development or other activities.

b. Drainage controls and improvements shall be accomplished with the minimum vegetation removal and disruption of the creek and riparian ecosystem that is necessary to accomplish the drainage objective.

c. Measures to stabilize creek banks, improve flow capacity, and reduce flooding are allowed but shall not include installation of new concrete channels, culverts, or pipes except at street crossings, unless it is demonstrated that there is no feasible alternative for improving capacity.

d. Drainage controls in new development shall be required to minimize erosion, sedimentation, and flood impacts to creeks. Onsite treatment of stormwater through retention basins, infiltration, vegetated swales, and other best management practices (BMPs) shall be required in order to protect water quality and the biological functions of creek ecosystems.

e. Alteration of creeks for the purpose of road or driveway crossings shall be prohibited except where the alteration is not substantial and there is no other feasible alternative to provide access to new development on an existing legal parcel. Creek crossings shall be accomplished by bridging and shall be designed to allow the passage of fish and wildlife. Bridge abutments or piers shall be located outside creek beds and banks, unless an environmentally superior alternative exists. (N/A)

CE 2.6 Restoration of Degraded Creeks. [GP/CP] Segments of several creeks in Goleta have been covered or channelized by concrete culverts, causing degradation of the creek ecosystem. Restoration activities for improving degraded creek resources shall include the following:

a. Channelized creek segments and culverts shall be evaluated and removed to restore natural channel bed and bank, where feasible. (N/A)

b. Creek courses in public rights-of-way shall be uncovered as part of public works improvement projects. (N/A)

c. Barriers that prevent migration of fish such as anadromous salmonids from reaching their critical habitat shall be removed or modified. (N/A)

d. Restoration of native riparian vegetation and removal of exotic plant species shall be implemented, unless such plants provide critical habitat for monarch butterflies, raptors, or other protected animals.

e. Creek rehabilitation projects shall be designed to maintain or improve flow capacity, trap sediments and other pollutants that decrease water quality, minimize channel erosion, prevent new sources of pollutants from entering the creek, and enhance in-creek and riparian habitat.

f. The use of closed-pipe drainage systems for fish-bearing creeks shall be prohibited unless there is no feasible, less environmentally damaging alternative. When the use of culverts is necessary, the culverts shall be oversized and have gravel bottoms that maintain the channel's width and grade. (N/A)

CE 8.2 *Protection of Habitat Areas requires that all development shall be located, designed, constructed, and managed to avoid disturbance and adverse impacts to special-status species and their habitats, including spawning, nesting, rearing, roosting, and foraging.*

CE 10.1 New Development and Water Quality *[GP/CP]. New development shall not result in the degradation of the water quality of groundwater basins or surface waters; surface waters include the ocean, lagoons, creeks, ponds, and wetlands. Urban runoff pollutants shall not be discharged or deposited such that they adversely affect these resources.*

6.0 POTENTIAL IMPACTS AND SUGGESTED MITIGATION

This section discusses the possible environmental effects of the proposed project on biological issues identified in this report. A significant impact is defined by CEQA Guidelines § 15382 as having:

> "a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance. An economic or social change by itself shall not be considered a significant effect on the environment but may be considered in determining whether the physical change is significant."

Appendix G, as contained in the City's adopted Guidelines and Thresholds for biology, states that a project will normally have a significant effect on the environment if it will:

> (a) Conflict with adopted environmental plans and goals of the community where it is located;
>
> (b) Substantially affect a rare or endangered species of animal, plant, or the habitat of the species;
>
> (c) Interfere substantially with the movement of any resident or migratory fish or wildlife species;

TABLE 5: POLICY COMPATIBILITY AND CONSISTENCY

#	Principles and Goals	Project Consistency
1.	Protect, maintain, and enhance natural ecosystem.	Project site currently 100% disturbed. Project will enhance water quality and add native habitat within retention basin.
2.	Preserve, restore, and enhance the physical and biological integrity of Goleta's creeks.	Project improves water quality and thus enhances and improves the creek.
3.	Protect, restore, and enhance coastal bluffs and dune areas.	N/A. No dunes or coastal scrub in area.
4.	Identify and protect wetlands.	Project greatly improves the quality of stormwater runoff into SJC. See Wetland Delineation Plan, Appendix B.
5.	Protect water quality and the biological diversity of Goleta Slough.	The project will improve water quality of runoff entering SJC, upstream from the Slough, which will improve water quality entering this creek.
6.	Protect and enhance other important aquatic and terrestrial habitats.	The project contains a number of mitigation measures developed to protect tidewater goby and southern steelhead during construction of the new outfall.
7.	Protect, preserve, and enhance Goleta's urban forest.	The project will enhance the City's Urban Forest by planting 40 native trees and shrubs.
8.	Preserve and protect agriculture.	N/A
9.	Manage water resources at the watershed level.	The project's Stormwater Plan includes permeable pavement, grassy swales and a vegetated retention basin, which also receives runoff from scattered inlets, to treat runoff. Short steep slopes, currently surrounding much of the site, will be maintained, resulting in rainwater directed into the site, versus out of the site.

10.	Manage groundwater and surface water resources.	Three devices (permeable pavement, vegetated swales and a vegetated retention basin) will increase infiltration of runoff into ground water.
11.	Manage water use efficiency.	N/A to Biological Report.
12.	Conserve soil resources.	Site is completely disturbed. Erosion would be avoided via landscaping and NPDES post-constriction requirements.
13.	Minimize emissions of atmospheric pollutants.	N/A to Biological Report.
14.	Encourage energy efficiency in new development.	N/A to Biological Report.

	Conservation Element	**Project Consistency**
CE 1	**Environmentally Sensitive Habitat Area Designations and Policy**	
1.2	**Designation of Environmentally Sensitive Habitat Areas.**	San Jose Creek Is recognized as a ESHA.
1.6.	**Protection of ESHAs:**	See Section 6b.
1.6a.	No development allowed with ESHA or buffer.	Allowable repairs to drainage system within ESHA with conditions. A reduced buffer is requested, based on specific attributes of project, discussed in See Section 6(a).
1.6b.	Setback from development to ESHA.	Shortened buffer requested. See CE 2.2 and Section 6.0(a).
1.6c	Public accessways and trails are considered resource-dependent uses and may be located within or adjacent to ESHAs.	N/A.
1.6d.	Possible uses with ESHA.	See CE 2.3 and Section 6(a) below.
1.6e	Result in any legal parcel created prior to the date of this plan being made unusable.	N/A.
1.7	**Mitigation of impacts to EHSAs:**	Basin is an allowable use within ESHA as a drainage improvement and a resource restoration project (CE 1.6 and CE 2.3.).
1.8	**ESHA Buffers**	23 to 40 feet is exclusively used by SBFCD (maintenance and access road). No riparian vegetation along west bank. Additional vegetation not possible.

1.10.a	**Management of ESHAs**	A Landscape Chemical and Pest Management Plan shall be developed to outline allowable fertilizers, herbicides, and pesticides.
1.10b/c	City employees' contractors/Mosquito abatement.	N/A.
2.2 2.2a	**Streamside Protection Areas**	A reduction in the 100-foot SPA is requested. See Section 6(a).
2.2b	Legal parcel created prior to the date of this plan.	N/A.
2.3	**Allowable Uses and Activities in Streamside Protection Areas:**	See b, to f. below
2.3b	Fences allowed in SPA.	Fence delineating project would run along the outer line of the SBFCD 5-foot maintenance easement, within the 100-foot SPA but outside of a requested 25-foot SPA.
2.3c	Maintenance of existing roads allowed in SPA.	Drainage improvements are a part of the project. Currently runoff accumulated onsite is directed into SJC, without any treatment to remove pollutants.
2.3d	Construction of public road crossings and utilities.	N/A.
2.3e	Construction and maintenance of foot trails.	N/A.
2.3f	Resource restoration or enhancement projects.	Aspects of the project, mainly the vegetated retention basin, resource enhancement elements. The Preliminary Landscape Plan specifies the following native trees, tall and short shrubs, and groundcover: Sambucus mexicana (Mexican elderberry), Encelia californica (Ca. sunflower), Umbellularia californica (Ca. bay), Juncus patens (California Gray Rush), Carex panza (California meadow sedge), Carex barbarae (Santa Barbara sedge), and Salix lasiolepis (arroyo willow). Container plants planted over approximately 5,650 sq. ft. would provide a varied habitat for birds and small mammals.
2.3g-i		N/A.
2.5	**Maintenance of Creeks as Natural Drainage Systems:**	
2.5a	Capacity shall not be diminished.	Stormwater management generated from the project site would be improved from the current situation.
2.5b	Drainage controls/improvement must have minimum vegetation removal.	Little vegetation at outfall. Mitigations in place to limit disturbance to creek, steelhead and goby, including timed work in creek and monitoring. See Section 6 (b).

2.5c	Measures on creek bank shall not install new concrete or culverts.	No new hard surface on bank. No other alternative to new outlet.
2.5d	Minimize erosion, sedimentation, and flood impacts to creeks.	See Section 6(h).
2.5e	Alteration of creeks for the purpose of road or driveway crossings shall be prohibited except where the alteration is not substantial.	N/A.
2.6	**Restoration of Degraded Creeks:**	
2.6a	Covered or Channelized creek segments and culverts.	N/A.
2.6b	In public right-of ways.	N/A.
2.6c	Barriers preventing fish migration.	N/A.
2.6d	Restoration of native riparian vegetation and removal of exotic plant species.	SBDFC maintains an easement along the first 23 to 40 feet from ESHA (top of bank). Vegetation in this area is managed by SDFCD.
2.6e	Creek rehabilitation projects designed to maintain or improve flow capacity, trap sediments and other pollutants that decrease water quality, minimize channel erosion, prevent new sources of pollutants from entering the creek, and enhance in-creek and riparian habitat.	Basin, permeable pavement and vegetative swales constitute a creek rehabilitation project by trapping sediments and other pollutants on-site, before stormwater enters SJC.
8.2	**Protection of Habitat Areas.**	See Section 6(b).
10.1	**New Development and Water Quality CE 8.2 Protection of Habitat Areas.**	A Landscape Chemical and Pest Management Plan shall be developed and approved prior to construction commencing. This plan shall outline allowable and prohibited chemical use on-site.

(d) Substantially fragment, eliminate, or otherwise disrupt foraging areas and access to food sources;
(e) Substantially diminish habitat for fish, wildlife or plants;
(f) Substantially-interfere with natural processes such as fire or flooding, upon which the habitat depends.

The following additional analyses are also included in the impact and mitigation analysis:

(g) Substantially impact wildlife movement and habitat connectivity;
(h) Impacts to wetlands and waters

This section describes each potential impact as it relates to this project. Mitigation measures, when required, are suggested to reduce impacts to "less than significant" levels. Action to be taken, timing, responsible party, and monitoring and reporting requirements are described.

The assessment of each issue area begins with a discussion of the setting relevant to that issue area. Following the setting is a discussion of the project's impacts relative to the issue area and a statement defining the "significance thresholds" for the environmental impact as follows:

Class I, Significant and Unavoidable: An impact that cannot be reduced to below the threshold level given reasonably available and feasible mitigation measures. Such an impact requires a Statement of Overriding Considerations to be issued if the project is approved.
Class II, Significant but Mitigable: An impact that can be reduced to below the threshold level given reasonably available and feasible mitigation measures.
Class III, Not Significant: An impact that may be adverse, but does not exceed the threshold levels and does not require mitigation measures.

The following potential impacts may occur with development as depicted and are reviewed.

(a) Is there a potential for conflicts with adopted environmental plans and goals of the community where it is located?

Request for a SPA Reduction.

The City established a Streamside Protection Area (SPA) to preserve this resource in a natural state in order to protect the associated riparian habitats and ecosystems (CE 2.2, City of Goleta General Plan/Coastal Land Use Plan, 2008). The Goleta General Plan specifies that an upland buffer of 100 feet outward on both sides of the creek, measured from the top of the bank or the

outer limit of wetlands and/or riparian vegetation, whichever is greater, is required with new development in order to protect the associated riparian habitats and ecosystems. The 100-foot SPA along SJC is shown on Figure 4. In this case the SPA is measured from the top of bank along the northwest side of the creek and along the southeast; the buffer is measured from the edge of riparian vegetation.

The CE 2.2 contains a provision whereby the City may reduce the buffer, on a case-by-case basis, from 100 feet to no less than 25 feet. This project is requesting a 25 ft. SPA buffer.

Basis of SPA Reduction Provision - *CE 2.2 Streamside Protection Areas*

The City may allow portions of an SPA upland buffer to be less than 100 feet wide, but no less than 25 feet wide, based on a site-specific assessment if:

(1) there is no feasible alternative siting for development that will avoid the SPA upland buffer; and

(2) the project's impacts will not have significant adverse effects on streamside vegetation or the biotic quality of the stream.

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Consistency with Policy CE 2.2 Exception Status:

Addressing (2), above, this project will have no significant adverse effects on streamside vegetation, and with the mitigation in place during construction, would have no adverse significant effects on the biotic quality of the stream. The effect on water quality would, long term, be beneficial. (Birch, G.F. et al. 2007; Blecken, G. et al. 2017; Davis A.P, 2009; Xiao, Q., McPherson. E.G., 2009.) The following characteristics of the project or surrounding habitat conform to (2), above.

1) The project's impacts will not have significant adverse effects on the biotic quality of San Jose Creek, but will have beneficial impacts to aquatic health. Presently, stormwater falling onsite is directed into a low-lying inlet, carried and emptied into SJC with no treatment for pollution. The proposed project includes three stormwater devices (permeable pavement, vegetated swales, and a retention basin) functioning to remove particulate material and chemicals carried in stormwater. The project has the capacity to substantially improve water quality for listed steelhead and tidewater goby (see f., below). The project will ultimately result in a beneficial impact to water quality.

2) The project's impacts will not have significant adverse effects on streamside vegetation because habitat/vegetation located outside the project boundary would not change. No vegetation would be permanently removed. The proposed outfall is positioned 15 feet

from an existing willow. Access to the outfall would be from a ramp leading from South Kellogg to the bed.

3) The project's impacts will not have significant adverse effects on streamside vegetation because the setback would remain the same with no change in intensity of use. Currently, a 23 to 40-foot setback is in place, measured from the top of bank to the existing (and proposed) project boundary. This setback, starting from the project boundary, consists of a 5-foot wide SBFCD maintenance easement and a 15-foot wide dedicated SBFCD access road. The strip running between the road and the top of bank ranges in width from 3 to 20 feet. The road and the SBFCD maintenance buffers spatially separate the project from the top of bank by 23 to 40 feet. The subject project is requesting the same buffer, measured from the top of bank, that is now in place. The buffer is within an easement held by the SBFCD, thus access would not be available. The effects of operations on the animals that surround or use the site would not change from existing, with the exception of the aquatic environment, which will improve. The project is low impact in terms of noise and human presence and activity.

4) The project's impacts will not have significant adverse effects on streamside animal habitat because habitat value for resident or migrating species is of low value and controlled by regular SBFCD maintenance in the setback. The area between the project boundary and the top of bank currently provides little terrestrial habitat for wildlife due to the lack of vegetation. Vegetation, and habitat value, is not likely to increase due to SBFCD use. The effects of proposed operations on the animals that surround or use the site would not change from the existing situation. The proposed project is low impact in terms of noise and human intrusion. The open space along the creek, although maintained, likely provides a travel corridor to some species during the evening, connecting to OSJC and the Goleta Slough. Availability of the setback for this use would not change during the proposed operations.

To summarize how the project meets the requirements for a reduced SPA under the CE 2.2 (2) and why a 25-foot setback is considered adequate for this site: Water quality for two listed fish would greatly improve. Due to the ongoing and foreseeably permanent maintenance regime within the first, inaccessible, 23 to 40 feet from the top of bank, vegetation will remain degraded which in turn greatly reduces faunal use.

Class II Impact (a): Potential impacts arising from a reduced SPA are considered adverse, significant but mitigable.

Mitigation Measures (a):

Potential impacts (b) and (h), below, describe mitigation measures to substantially reduce risks of mortality and injury to tidewater goby and southern steelhead during outfall installation on the bank of SJC. These measures include timing work to coincide with the low flow period of the year to avoid encountering the species at this area; confining flows, if necessary, to a minimum 10 feet wide channel on the far bank; and providing monitoring during this phase of construction.

Monitoring and Timing:
See (b) and (h) below.

Level of Significance After Mitigation: *Adherence to these measures, plus those supplied with permitting agencies, would mitigate to less than significant levels.*

(b) Is there a potential to substantially affect a rare or endangered species of animal, plant, or the habitat of the species?

General Plan Policy CE 8.2, Protection of Habitat Areas, requires that all development shall be located, designed, constructed, and managed to avoid disturbance and adverse impacts to special-status species and their habitats, including spawning, nesting, rearing, roosting, and foraging.

San Jose Creek, north of the project site, is confined within a concrete channel, part of a recently-completed renovation which included adding fish resting bars to the bed. The project anticipates steelhead using the bars, about two feet in height and several feet wide, while navigating upstream to spawn. Along most of the site, the creek is defined by a constructed, linear dirt channel, with rock-protected toe of slope. The creek is a perennial stream due to year-round tidal influence. This lower portion of the creek, including the area adjacent to the project site, is designated as critical habitat for steelhead (south ecological unit) and tidewater goby (SC-9). Both fish are listed as endangered.

The project has the potential to adversely affect rare or endangered species (southern steelhead and tidewater goby). Disturbance may occur via the following:

1. The potential for pollution loading into San Jose during construction;
2. The potential impacts to water quality during construction of the proposed stormwater outfall on the northwestern bank, which will be located close to the

existing outfall.

Currently, all runoff exits the site via two inlets located on either end of the property. There is no treatment of runoff, and all pollutants from vehicles, and silt and other particulate substances, is washed into San Jose Creek. Small soil particles carried in runoff contain high levels of pollutants, in this case primarily automotive oils, fluids and gasoline.

Proposed work on the new stormwater outfall and foundation within the confines of San Jose Creek has the potential to adversely affect two federally listed endangered fish: southern steelhead and tidewater goby. Individuals, if present, may be injured during the establishment of the flow confinement (if this procedure is necessary), and by equipment and individuals working in the creek channel. Additionally, toxins may enter the creek if wet concrete accumulates in the bed, or if trucks and other motorized equipment leak fuel, oil or other fluids into the creek while working on the bank or in the bed.

Construction of the outfall potentially may cause fill to enter the creek channel. Where a dredging operation is proposed, Section 30233(b) of the Coastal Act provides that:

> Dredging and spoils disposal (fill) shall be planned and carried out to avoid significant disruption of marine and wildlife habitats and water circulation. Dredge spoils suitable for beach replenishment should be transported for such purposes to appropriate beaches or into suitable longshore current systems.

Statewide Interpretive Guidelines, Section IV D(2)(a)(2), reinforces Section 30233(b) through the following statement:

> Limitations may be imposed on the timing of the [dredging] operation, the type of operation, the quantity of dredged material removed, and the location of the spoil site.

Class II Impact (b): Potential impacts to sensitive species is considered adverse, significant but mitigable.

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.

Mitigation Measures (b) The following mitigations will reduce the risk of injury to sensitive aquatic species:

b-1 If stream divergence or some other work in the creek during flows is required to build the proposed outfall, a minimum 10-foot-wide flow conveyance strip along the far edge of San Jose Creek shall be maintained to allow safe passage and minimize adverse impacts to aquatic species, possibly including both

tidewater goby and steelhead.

b-2 Any equipment or vehicles driven and/or operated adjacent to the creek shall be checked for leaks of materials that could be deleterious to aquatic life. All staging and laydown areas shall be located on previously disturbed ground.

b-3 Any debris (wet and dry concrete, for example) falling away from the immediate work area shall be immediately removed.

Timing:

- To greatly reduce the risk of interference to migrating steelhead, restrict work within the drainage to the low flow period (summer). Adult steelhead migration correlates with periods of high flow, typically in the early to late winter, when adults enter from the ocean. Smolt migration occurs in early spring, when they leave upstream habitat for the ocean.

Monitoring:

- A qualified wildlife biologist shall survey the creek for sensitive species, 500 feet up-stream and downstream of the work area, just prior to the start of this portion of the project. If found, a plan shall be developed to protect individuals during confinement of flows to the southeastern portion of the bed.

- The same qualified wildlife biologist shall prepare a Monitoring and Reporting Plan, monitor excavating, concrete pours, and all aspects of dewatering during installation of the new outfall.

Permitting with the CDFW, the ACOE and the RWQCB will be required prior to final approval of work in and near the creek channel. These permit documents will contain mitigation requirements similar to the aforementioned.

Level of Significance After Mitigation: Adherence to these measures, plus those supplied with permitting agencies, would mitigate to less than significant levels.

(c) Is there a potential to interfere substantially with the movement of any resident or migratory fish or wildlife species?

The project has the potential to interfere with the movement of resident animals such as raccoon, skunk and coyote as a result of increased exterior lighting. Bright night lighting pointing into a habitat can impede urban wildlife from entering an area they are accustomed to traveling through

for food. Potential areas affected by bright lighting include San Jose Creek and the SBFCD maintenance buffer.

The use of chemicals to control pests also has adverse effect on the existing wildlife populations. This may occur if an individual ingests poison, has skin contact with it, or inhales dust or spray. Herbicides and fungicides in aquatic environments accumulate in the tissue of fish and invertebrates (Smalling KL et al., Marine Pollution Bulletin, 2013).

Class II Impact (c): Potential impacts to resident wildlife due to bright nighttime lighting and increased exterior chemical use is considered adverse, significant but mitigable.

Mitigation:

1-c. Lighting Plan. Light and glare from new development to San Jose Creek and Old San Jose Creek shall be controlled and directed away from those corridors. Exterior night lighting in those resources must be minimized, restricted to low intensity fixtures, shielded, and directed away from ESHAs. A 25-foot buffer would adequately mitigate night light affects at this site.

Exterior Lighting

c-1. The locations of all exterior lighting fixtures must show the extent of all light and glare emitted by all exterior lighting fixtures and must be approved by the Planning and Environmental Review Director, or designee, before the City issues a Building Permit for construction.

c-2. 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.

c-3. Pesticides, herbicides, and fertilizers used at the Project must be applied with techniques that avoid over-spraying and control application to avoid excessive concentrations. Herbicides must be developed for use in aquatic areas. Rodenticides are prohibited. Landscape Chemical and Pest Management Plan.

d-4. A Landscape Chemical and Pest Management Plan shall be developed to outline allowable fertilizers, herbicides, and pesticides, all of which must be developed for use in aquatic and wetland habitats.

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.

Timing:

A Landscape Chemical and Pest Management 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 and 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.

Level of Significance After Mitigation: Adherence to these measures would mitigate (c) to less than significant levels.

(d) Is there a potential to substantially fragment, eliminate or otherwise disrupt foraging areas and access to food sources?

No significant foraging habitat is present on site. The site is void of most vegetation. A cluster of mature laurel sumac (*Malosma laurina*), about 1,500 sq. ft. in aerial cover, is tucked inside a corner of the property located in the back of the movie screen and the southeastern fence line. The sumac is interspersed with Myoporum and edged with iceplant. Theses shrubs are located in the footprint of the retention basin and thus would be removed. Removal of a 1,500 sq. ft. laurel sumac/myoporum mixed cluster is considered an adverse, but not significant, impact. The isolated nature of this stand, and the lack of any protective status regarding this species, deems that the removal of laurel sumac onsite is not considered significant.

Class III (d): Adverse but Not Significant: Potential impacts to substantially fragment, eliminate or otherwise disrupt foraging areas and access to food sources is considered adverse, but not significant.

Mitigation: No mitigations are required or offered**.**

(e) Is there a chance of substantially diminished habitat for fish, wildlife or plants?

There is a potential that the project, during construction, may cause temporary disturbance to nesting raptors or other nesting migratory birds located on OSJC and the associated riparian habitat. Close activity during the breeding season could disturb mating pairs of raptors and migrating birds and cause them to abandon the area. Unfamiliar sounds, movements and activities may cause nesting birds to leave their clutch.

The General Plan designates nesting and roosting sites as ESHA, and thus provides protection to raptor nesting and roosting sites during approved project construction and possibly afterwards. The City requires (when feasible) that new development provide a buffer from active and historical raptor nests. The City's GP/LUP (CE 8.4) states that the project design shall establish a 100 ft. buffer around active and historic raptor nests sites. A 300 ft. buffer between construction and an active nest shall be established during construction whenever feasible. In addition, nesting raptors and other native migrating birds are protected under the Migratory Bird Treaty Reform Act (MBTRA) of 2004.[12] The MBTRA states it is unlawful "by any means or manner to pursue, hunt, take, capture (or) kill" any migratory birds except as permitted by regulations issued by the U.S. Fish and Wildlife Service (USFWS).

Although not specifically contained in the CDFW codes, the Department typically applies conditions in their Agreement (which are officially termed "negotiable"), restricting construction timing for all projects that start in the nesting season (starting February 1 and ending August 31 of any year) through Sections 3503 and 3503.5. Work may proceed if no active raptor nests are located within 500 feet of construction, and other active nests of native species within 300 feet of construction.

Several species of raptors are either known from the project area or are thought to occur near the site (red-shouldered hawk, red-tailed hawk, American kestrel) (See Section 4.3). Raptors are not expected to nest within the property boundary because of lack of habitat. However, raptors may possibly forage along the Old San Jose Creek riparian corridor within 500 ft. of the project site (the short stature of trees established along OSJC in this area is not conducive to raptor nesting). A cluster of arroyo willow is located 180 feet from the closest edge of development. Arroyo

[12] Protection does not apply to non-native bird species that have been introduced into the United States or its territories by humans (MBTRA, 2004).

willow is a tree species common in riparian habitats and one that is protected under the GP/LUP. This cluster does not appear to be associated with the creek, and nests of large birds are not expected there due to the short stature of the tree. Raptors could nest in tall trees (eucalyptus, black cottonwood and western sycamore) found upstream.

The closest potential nesting site for other native migratory birds is over 280 feet from the project edge. Ongoing airport activity, which sends or receives a low-flying jet over the site every 5 to 15 minutes, may inject noise intrusion overriding any influence from construction (per. ob.). The effect of construction noise, 280 feet away, on nesting birds who choose to nest near the flight corridor may be minimal compared to this airport disturbance.

There is a potential for raptors and migrating native birds to nest within 500 feet of the site and in more suitable habitat. If present, impacts to nesting raptors or other migrating, native birds, via unfamiliar noise or activity during construction, may constitute an adverse, significant but mitigable impact. As disturbance to nesting birds "interferes substantially with the movement of any resident or migratory fish or wildlife species" and "conflicts with adopted environmental plans and goals of the community where it is located", adequate mitigation is in place under the City's GP/LUP, typical advisement through the CDFW LSA and the auspices of the MBTRA and the USFWS.

Class II Impact (e): Potential impacts to nesting native birds is considered adverse, significant but mitigable.

Mitigations:

If construction begins during the nesting season (February 1 - August 31), a qualified wildlife biologist shall conduct a site survey, no more than 15 days prior to construction start-up, to determine if nesting, native birds are present.

Following the customary CDFW Agreement mitigation, work may proceed if no active raptor nests are located within 500 feet of the work site and no passerine (or other native migratory bird) nests are within 300 feet of the work site. Potential nesting areas are located along OSJC, where the minimum distance from the edge of the riparian canopy (oaks, willow and black cottonwoods) to the development footprint is 280 feet. A cluster of arroyo willow, a species of tree common in riparian habitat and one that is protected under the GP/LUP, is located 180 feet from the closest edge of development. However, nesting raptors are not expected. Other willows are established on the opposite side of the creek, to the east, about 100 feet from the closest point of development.

A nesting bird survey shall be conducted if construction starts within the nesting season. However, the closest distance from the riparian canopy to the development footprint (280 feet) most likely precludes nesting passerines from holding up construction, unless the nest is located within the hedgerow of Oleander and willow that runs along the western fence line. This

hedgerow is too low to sustain raptors or large birds. In the event that a nesting raptor is found within the riparian canopy of Old San Jose Creek, a reduced setback (shortened from 500 feet) may be justified due to the proximity of the flyway. If a bird chooses to nest under the commotion of intermittent jet landing and takeoff, then construction noise located 280 feet from the nest should not cause disturbance to the adult or chicks.

Monitoring:

e-1 If construction is planned during the nesting season (February 1 – August 30), the City shall hire a wildlife biologist to survey the area within 500 feet of the project for nesting raptors and other species covered under the MBTRA. Surveys will be timed to fall no more than 14 days before construction will begin. If found, the area shall be flagged, and work will not be allowed within 300 to 500 feet of the nest, until fledglings leave the nest.
e-2 This same monitor will visit the site to confirm the protection of the nest from construction. Short letter reports shall be sent the City after the survey and, if nests are found, each week until the nest is vacated.

Level of Significance After Mitigation: *Adherence to these measures, plus those supplied with permitting agencies, would mitigate to less than significant levels.*

(f) Is there a potential to substantially interfere with natural processes such as fire or flooding, upon which the habitat depends?

There are no new conditions proposed that would interfere with naturally-occurring processes such as fire or flooding outside of the building footprint. The project would not lessen the likelihood or prevent the occurrence of either fire or flooding compared to the existing conditions. There are no flood-dependent animals or plants and no fire-dependent plants on or near the site.

Class III Impact (f): Not Significant: **Potential impacts to wildlife movement and habitat connectivity** are considered an impact that may be adverse but does not require mitigation measures. No mitigation is offered or required.

(g) Is there a potential to substantially impact wildlife movement and habitat connectivity?

Wildlife use areas offer protected cover or areas where the lack of urban intrusion provides safe passage to travel from one location to another. Travel or movement may encompass everyday passage from nests to food sources, seasonal migration for mating or food, or a life-long

expansion into unoccupied territory. Barriers to travel within corridors include vegetation removal and fencing, which may limit some species from crossing, along with the impacts of urban noise encroachment.

The characteristics essential to movement corridors vary from urban residents like raccoons and skunks who need little but the dark, to the hundreds of feet or miles necessary for a large predator to sense safety when crossing from one locale to another. However, the largest movement corridors required by bears, and especially mountain lions, may be shrinking out of necessity.

The project site is completely disturbed, surrounded on three sides with development, harboring only the most urban species. Historic drainage may serve as a localized movement corridor for fauna traveling along the wooded OSJC and adjacent grassland to the Goleta Slough. Mammals like Virginia opossum, raccoon, red fox and feral domestic cat utilize woodland habitats and may be found along this abandoned drainage channel, making use of protective cover for den sites and for moving between isolated pockets of open space found adjacent to the project site. However, development of the project site would not interrupt use. The project lies a minimum of 280 feet from the riparian cover associated with OSJC. This OSJC corridor, which contains much better resources, would not be affected. A 25-foot setback from SJC would adequately protect existing travel corridors and maintain existing fauna.

Class III Impact (g): Not Significant: Potential impacts to wildlife movement and habitat connectivity are considered impacts that may be adverse, but do not require mitigation measures.

(h) Is there a potential for impacts to wetlands and waters?

The project during construction and operation may potentially impact water quality in the following ways:

Pollution entering the drainages during construction and operations could pose risks to surrounding creeks, downstream aquatic habitats (Goleta Slough) and the sensitive species that utilize them. This could be especially important for aquatic species (Southern Steelhead and Tidewater Goby; both federally listed as endangered). Potential risks come from fuels, hydraulic fluids, concrete wash out, solvents, and other chemicals that are either washed directly into the creek or adhere to sediment and are carried to the creek during a storm.

Increased sedimentation loading of downstream aquatic habitats could occur during site improvements if soil erosion is not contained on-site during heavy storms. Accidental dumping of soil and other material into the creek may also occur during installation of the outfall.

Construction related debris, accumulated around the site and in setbacks, as well as pollution and sediment carried in runoff, may enter San Jose Creek (SJC) and Old San Jose Creek (OSJC). Construction debris and trash left by construction workers may further degrade the perimeter of the site. If pollution dumping is severe, for example a large gasoline leak, the project may substantially affect tidewater goby or steelhead, if they are residing in the adjacent SJC, as both are endangered species of fish.

Potential impacts during operations would include chemicals (insecticides, pesticides and herbicides) carried in runoff and into the creek.

The GP/LUP Section CE 10.1 New Development and Water Quality, states that:

> New development shall not result in the degradation of the water quality of groundwater basins or surface waters; surface waters include the ocean, lagoons, creeks, ponds, and wetlands. Urban runoff pollutants shall not be discharged or deposited such that they adversely affect these resources.

Class II Impact (h): Increased pollution entering the creeks during construction or operations is considered adverse, significant, and mitigable to insignificant levels.

Mitigation (h)

During Construction. Comply with all Storm Water Pollution Prevention Plan (SWPPP) and National Pollutant Discharge Elimination System (NPDES) requirements.

h-1. During construction, concrete washouts and equipment storage shall be limited to approved locations.

h-2. Oil or gasoline refueling shall not be allowed within 100 feet of the drainage during construction.

h-3. Concrete cleanout areas shall be designated.

h-4. No stormwater from the site shall enter the creek without treatment. Fiber rolls or similar materials shall be placed in locations where run-off may accumulate.

h-5. All trash shall be picked up each day. The entire construction site, including the immediate perimeter, shall be walked, and all trash shall be removed. On the completion of the project, all materials shall be removed, including any unusable materials thrown outside the site.

During Operations

h-6. A Storm Water Treatment Plan (Stantec, 2017) is proposed as part of the project, which mitigates pollution loading during operations. This plan contains several devices to improve exiting stormwater. Stormwater along the parking areas would be directed onto grassy swales providing infiltration on site and particulate removal. Permeable asphalt used for driveways and parking areas would facilitate additional percolation of runoff onsite. A vegetated Retention Basin fitted with a filter medium is planned to treat most run-off onsite (see Section 1.1).

h-7. Permeable surfaces, retention basins and vegetated swales or filter strips require some degree of maintenance. These features will lose functionality over time if not maintained (Blecken, G.T.et al., 2017; (A. M. Al-Rubaei et al., 2015).

Common maintenance requirements include:
For Retention Basins: Erosion repair, maintaining mulch and applying new mulch when needed (5 years), remove and replace dead vegetation, maintain irrigation;

For permeable pavement: Repair damaged pavement, remove silt.

For vegetated swale: Mowing and litter removal, repairs to eroded sides, limiting fertilizer and pesticide use, dethatching and removing thatch, aerating bottom of swale, pruning unclogging surfaces (swales and basins), mechanical repair (permeable surfaces), inspection of outfalls or inlets (all) and removing or mowing vegetation (swales) (Blecken, G.E, et al., 2017).

Comply with all National Pollutant Discharge Elimination System (NPDES) requirements.

Level of Significance After Mitigation: Adherence to the measures listed above and contained in the project's Stormwater Treatment Plan would mitigate Impact (h) to less than significant levels.

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Appendix A

Preliminary

Wetland Delineation Report for Goleta Business Center

Summary 1
1. Introduction 2
    A. Purpose of delineation 3
    B. Personnel conducting delineation. 3
    C. Dates of field work conducted. 3
    D. Scope 4
2. Project Site 4
    A. Location and Project 4
    B. Sensitive Species within and about the Project site 5
    C. General Description of San Jose Creek 5
    D. Hydrology of the Site – San Jose Creek 6
3. Results and Conclusions 7
4. Delineation Methods 8
5. Citations 14

Figures ..... TBA

Data Forms (field and reprinted) ..... TBA

SUMMARY

A wetland delineation of San Jose Creek (SJC), adjacent to the subject property at 907 South Kellogg Road, Goleta CA 93117, was conducted on March 5, 2018. This is a preliminary delineation and includes the one-parameter results requested or required by the City and State agencies. Delineation results follow the method used by the City of Goleta (as stated in the GP/LUP Appendix A) and other State agencies including the Coastal Commission of California, the California Department of Fish and Wildlife and the Regional Water Quality

Control Board. On the federal level, the Army Corps of Engineers (ACOE) delineation method analyzes three parameters.

There are no wetlands / waters of the US / riparian habitat onsite. Offsite, the SJC open creek and bank, from top of bank to top of bank, plus willow trees established on and outside the bank, would be classified as ESHA (*see Figure 4*). Strictly enforced by the one-parameter method, this area falls under the definition of a "wetland." San Jose Creek is more correctly identified as a creek (waters of the US) with riparian trees growing along one bank (riparian woodland). Wetland conditions may be present within the willow woodland or elsewhere, possibly close to the ordinary high water mark. Observations of soils are necessary to make this determination.

1. INTRODUCTION

The contents and format of this report follow the outline found in: Suggestions for Preparing a Wetland Delineation Report for the California Coastal Commission (Vanessa Metz & John Dixon, 10-16-06, revised Sep 2011). This report includes delineation results for City and State agencies (City of Goleta [as stated in the GP/LUP Appendix A]; the State of California, [California Department of Fish and Wildlife, California Coastal Commission]). Federal delineation process, described in the ACOE Manual for Wetland Delineation, was used to delineate per the ACOE and federal wetland policy, defined by the Army Corps of Engineers (Environmental Laboratory, 1987; Environmental Laboratory, 2008).

Definitions:
<u>One parameter method</u>: For the purposes of determining potentially significant effects, the City of Goleta, having adopted the Santa Barbara County CEQA Threshold and Guidelines Manual (Santa Barbara County 2009), uses the following wetland definition. This definition is also used by the state resource protection agencies such as: U.S. Fish and Wildlife Service; the California Coastal Commission; and the California Department of Fish and wildlife.

This definition reads:

> "For purposes of this classification, wetlands must have one or more of the following three attributes:
>
> a. at least periodically the land supports predominantly hydrophytes, that is plants adapted to moist areas;
> b. the substrate is predominantly undrained hydric soil;
> c. the substrate is non-soil and is saturated with water or covered by shallow water at some the time during the growing season. (Cowardin, 1979)" [1]

[1] A paragraph-long general description of "wetlands" in the Cowardin Wetland Classification Manual (1979) is often cited as the basis of the legitimacy of the one-parameter method. However, its misuse

One parameter wetland upland boundary definition: The same category used to delineate wetland is used to delineate the boundary between wetland and upland. The upland limit of a wetland is designated as 1) the boundary between land with predominately hydrophytic cover and land with predominantly mesophilic (semi-day) **or** xerophytic cover; **or** 2) the boundary between soil that is predominantly hydric and soil that is predominantly non-hydric; **or** 3) in the case of wetlands without vegetation or soil, the boundary between land that is flooded or saturated at some time of year and land that is not.

Most often, instructions from the ACOE Manual, developed to consider plants, soil and hydrology for a determination, is followed when determining wetlands using only one of these parameters and for identification of wetland versus upland conditions. A fuller description of a positive result in each of the parameters is found below.

A. PURPOSE OF DELINEATION

This delineation is conducted to determine the presence and extent of wetlands on the subject property (907 South Kellogg Avenue, Goleta, California), or within 100 feet of the project, and, if present, to identify the wetland/upland boundary.

B. PERSONNEL CONDUCTING DELINEATION

Rachel Tierney has a B.A. in Biology and a M.A. in Botany. She trained in 1990 with Charles Rhodes, an author of the 1989 Wetland Delineation Manual. She has attended additional seminars to delve deeper into this discipline.

C. DATES OF FIELD WORK CONDUCTED

A preliminary visit was made on March 15, 2018, following a week receiving 0.41 inches of rain. (This is a Preliminary Delineation. Additional field work will be necessary to determine the boundary of ACOE waters, including wetlands.)

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for wetland delineations or wetland identifiers is discussed several times in the revised Cowardin Wetland Classification Manual. (Federal Geographic Data Committee. 2013.) The revised report states unequivocally that Cowardin et al. (Cowardin, L.M., W. Carter, F.C. Golet, and E.T. LaRoe. 1979) intended that *all* available information should be used in making a wetland identification and did not intend to describe using one of the characteristic of wetlands (vegetation, soil and hydrology).

> "If plants and soil are present at a site, then both a predominance of hydrophytes and a predominance of undrained hydric soil, as well as wetland hydrology, should be required for positive wetland identification." [Federal Geographic Data Committee (revised Cowardin report), 2013.]

D. SCOPE

No sampling data (observation points) was collected at this time. Visual determination is adequate for determining open waters of creeks, adjacent or isolated wetlands, or riparian habitat for the City of Goleta, the California Coastal Commission (CCC), the California Department of Fish and Wildlife (CDFW), and the Regional Water Quality Control Board (RWQCB), as vegetation alone, if present, may determine status.

This is a preliminary delineation for an Army Corp of Engineers' (ACOE) determination for waters and adjacent wetlands. The ACOE generally bases their determination on a positive indication of three environmental attributes. The remaining agencies allow a positive indication of a single attribute to impart wetland status and also to determine a wetland/upland boundary.

2. PROJECT SITE

A. LOCATION AND PROJECT

The project site, 907 South Kellogg Avenue, a largely undeveloped, but highly disturbed, 11.71 acre parcel, is currently home to a weekly swap meet and a nightly, outdoor drive-in movie theater. The proposed project, the Goleta Business Center, would modify half of the parcel (northeast), leaving the other half as is. A single building (1.62 ac.) housing up to four separate commercial units (14,280 sf. to 20,154 sf.) is proposed. Landscaping, sidewalk, parking (102 spaces), and paving combine to make up the 5.54 ac. development area (project site). A Stormwater Protection Plan includes permeable pavement, bioswales, and a vegetated retention basin designed to remove pollutants from storm water.

Offsite, a 100 ft. Stream Protection Area (SPA) is applied to SJC.[2] The 100 ft. SPA would be positioned from the top of bank along San Jose Creek (SJC), towards and into the project, overlaying the project by 60 to 77 feet[3]. The project is seeking a reduction in the 100-foot SPA, a process described in the City's General Plan/Land Use Plan (GP/LUP). Rationale for this request is contained in Sections 5 and 6 in the main body of the text. A 25-foot SPA buffer flanking San Jose Creek would overlay the southeastern portion of the *property* approximately 29,475 sf. However, the SPA overlay would not enter the proposed development except for the proposed storm drain and outfall structure to San Jose Creek, part of the bioretention basin best management practices (see Figure 4).

[2] OSJC's SPA lies 280 ft. from the nearest point of development.
[3] Santa Barbara Flood Control District (SBFCD) has an easement over the first 23 to 40 ft., measured from the top of bank outward.

B. SENSITIVE SPECIES WITHIN AND ABOUT THE PROJECT SITE

Sensitive plants, animals and habitat were not found within the property boundary and aren't expected. *Significant* direct impacts to existing animals and plants within the site boundary are not expected from proposed development. Off-site, two listed (endangered) fish, Southern steelhead (*Oncvorhynchus mykiss*) and tidewater goby (*Eucyclogobius newberryi*), are known from San Jose Creek, where a new stormwater outfall is proposed in the concrete channel bank. Mitigation for potential impacts can be found in the main body of the report. Raptors and other sensitive fauna are also known from nearby and may use the project site on occasion for hunting and perching. A single arroyo willow is established near the top of bank of San Jose Creek. This species, a "protected tree" under the Goleta GP/LUP, is located in the northern stretch of the creek as it runs along the project. The proposed new drainage outfall would be no less than 15 feet from the willow, measured from the canopy.

C. GENERAL DESCRIPTION OF SAN JOSE CREEK

San Jose Creek extends from the Santa Ynez Mountains (at about 2,760 feet in elevation) to the Pacific Ocean and travels approximately 8 miles before emptying into the Goleta Slough. The watershed drains 9.5 square miles, including undeveloped mountainous, rural, agricultural, suburban, and urban land. The creek is a perennial stream at this location due to year-round tidal influence.

Flows are contained within a concrete channel for about 270 feet in the northern portion of the creek that runs along the property. The refashioned concrete channel was part of the recently-completed project to increase capacity. The project added fish "resting locations," which extend along the project site for about [???]

Downstream of the fish ladders, the creek is contained in a constructed, packed dirt, linear, open channel. The top of bank is about 23 to 40 feet from the project boundary (versus the property line, which reaches almost to the top of bank). Non-grouted rock armors the toe of the bank.

Plant associations on the *west bank* (side of project) are primarily weedy (non-native grasses, tobacco tree, castor bean), but also contain scattered native plants (Australian Saltbush, telegraph weed, iceplant). A single arroyo willow is established on the upper creek slope near the northernmost point of the project, along with a single black elderberry (*Sambucus nigra*). The remainder of vegetation along SJC in the area opposite the subject property consists of non-native grasses, weeds and scattered native shrubs (coyotebrush, sawtooth goldenbush).

The *eastern* bank, located more than 100 feet from the project, sustains a windrow of arroyo willow along all levels of the slope from toe to top. Willow windrow is established beyond the top of bank for about 10 feet but is contained within a fence line running parallel to Ward Memorial Boulevard.[4] A row of oleander (*Nerium oleander*), a common landscape shrub, runs outside this fence.

Soils are mapped throughout the site as Camarillo Series, a poorly drained material derived from calcareous sedimentary rock (USDA, 1981). These soils are found throughout the site and for 1,000 feet in every direction.

The neighboring, artificial drainage, Old San Jose Creek, is not a part of this discussion. The terminus to this drainage is capped, mechanically opened only during very heavy storms. A second off-site feature, a cluster of willow growing on dry land, is over 180 feet from the property edge and is also not a part of this delineation.

D. HYDROLOGY OF THE SITE: SAN JOSE CREEK

San Jose Creek is a perennial stream at the location of the project due to tidal influx. A few isolated pickleweed (*Saliconia pacifica*) were noted on the lower banks of the creek, a demonstration of the high salinity of the water. Input into the creek is predominantly from natural sources such as stormwater collected in higher elevations of the watershed or from springs. Additional water comes from urban stormwater outlets, such as the one proposed for this project. It should be noted that the existing stormwater outlet carries runoff directly into the creek with no treatment to remove pollutants.

REGARDING THE USE OF THE "ONE-PARAMETER" WETLAND DEFINITION FOUND IN SECTION 13577 OF THE COMMISSION'S REGULATIONS.

When appropriate (for example with a dominance of OBL plants), determining a wetland by observing one parameter may result in an accurate determination of whether a site is in a wetland or not. The ACOE Delineation Manual and all Supplements were developed based on an investigation of all parameters. A single "positive" indication of plants, soils or hydrology, as described in the ACOE Manual, does *not* equate to "this is a wetland." The "positive indication" for vegetation means that most plants at the observation point are sometimes found in wetlands *and* sometimes they are not. A "positive indication" of vegetation means the site may be a wetland and one should look at other indicators (soil and hydrology) to determine if it is a wetland.

[4] The Ordinary High Water Mark (OHWM) is typically the active streambed, often identified by the line where frequent water flow may limit vegetation or subtly change the angle of a bank. The Regional Supplement to the ACOE Manual for the Arid West suggests using the outer edge of the floodplain as the OHWM (Environmental Laboratory, 2008).

In only limited situations can one identify a wetland by simply looking at vegetation alone, as most plants are adaptable across large variations of soil moisture. To use the ACOE Delineation Manual as a wetland identifier (versus using it as a delineator or boundary locator) requires that all information be investigated. Disregarding the rules developed in the Manual will, as many times as not, end in erroneous results.

A paragraph-long general description of "wetlands" in the Cowardin Wetland Classification Manual (1979) is often cited as the basis for the legitimacy of the one-parameter method. However, its misuse for wetland delineations or wetland identifiers is discussed several times in the revised Cowardin Wetland Classification Manual. (Federal Geographic Data Committee. 2013.) The revised report states unequivocally that Cowardin et al. (Cowardin, L.M., W. Carter, F.C. Golet, and E.T. LaRoe. 1979) intended that *all* available information should be used in making a wetland identification.

> "If plants and soil are present at a site, then both a predominance of hydrophytes and a predominance of undrained hydric soil, as well as wetland hydrology, should be required for positive wetland identification." [Federal Geographic Data Committee (revised Cowardin report), 2013].

3. RESULTS AND CONCLUSIONS

Potential wetlands under the one parameter method used by the City of Goleta and other state agencies are described below. This investigation is preliminary and will also consider ACOE "waters of the United States" (including wetlands) subject to Clean Waters Act provisions at a future date.

One feature is under investigation: an off-site stretch of San Jose Creek flowing adjacent to 907 South Kellogg Avenue.

Determining the ordinary high-water mark (OHWM): Following the Cowardin's Classification of Wetland and Deepwater Habitats of the United States (1979, revised 2013), the high-water mark serves to define both the lateral limit of jurisdiction in a non-navigable tributary where there are no adjacent wetlands (ACOE), and the limit of wetlands (Cowardin, whose Classification Manual identifies three levels of water line: low, average, and high water).

The Regional Supplement to the ACOE Manual: Arid West advises that the OHWM should be equal to the active floodplain, which would in many cases extend the limits of OHWM (Environmental Laboratory, 2008). However, since the construction of the channel immediately upstream of the site, a 100-year storm is expected to be contained within the channel and the floodplain of SJC and the OHWM do not differ.

For the purpose of this study, the top of bank is used to determine the upper limit of the OHWM. The area between the two OHWMs is considered the active streambed and "Waters of the U.S." Wetlands may occur adjacent to or within the OHWM, however all three parameters should almost always be present.

One Parameter Conclusion: San Jose Creek and flanking arroyo willow vegetation is considered an Environmentally Sensitive Habitat Area (ESHA) and a one-parameter "wetland" under City of Goleta and State of California agencies. The total area of ESHA located adjacent to the subject property is 114,610 sq. ft., based on positive indication of wetland vegetation (for the willow windrow) and positive indication of hydrology (for the creek channel).

Initial Three-Parameter Determination: The area under question encompasses the willow windrow on the east side of the creek and the single willow on the west side of the creek. Applied to this site, the ACOE delineation of "waters" will contain San Jose Creek, from the ordinary high-water mark to the ordinary high-water mark (OHWM), which in this area may coincide with the top of bank or floodplain. Adjacent jurisdictional wetlands (usually vegetated at or outside of the OHWM) may include all, none, or part of the willow habitat. Soils must be analyzed for hydric indicators before the upper boundary of the site can be determined.

A discussion of potential impacts to San Jose Creek ESHA and proposed mitigations are covered in the main section of the biological report.

4. DELINEATION METHODS

- CITY OF GOLETA, CCC, CDFW, AND RWQCB

Most state and city agencies identify wetlands, creeks, and associated riparian habitat (containing willows, sycamore, and cottonwood, for example) by vegetation / soils or hydrology only, often by using the instruction for determining wetland.

Conservation Easement CE 1.2 provides examples of the ESHAs and some locations of each. San Jose Creek is identified on the map of known ESHA. The Conservation Easement lists the following habitat under those considered environmentally sensitive: (City of Goleta GP/LUP, 2009)

- ARMY CORPS OF ENGINEERS

The following methods shall apply to an ACOE Wetland Delineation. (Not yet completed)

a. Wetland delineation methodology:

A *routine* delineation was made using the ACOE Delineation Manual (1987), the Regional Supplement to the ACOE Manual: Arid West Region [(Environmental Laboratory (2006), the Field Guide to the Identification of the OHWM in the Arid West Region of the Western U.S. (Environmental Laboratory, Cold Regions Research and Environmental Laboratory (2008), and the Field Indicators of Hydric Soils in the United States, (NRCS, 2010)]. Sampling unit size was based on visual homogeneity of habitat.

"Waters of the U.S.", in general, refers to navigable streams, non-navigable tributaries of a navigable stream, and ponds connected to either a stream or tributary. Typically, the ordinary high-water mark (OHWM) determines the upper limit of "Waters" within the feature channel. The recent Supplement to the Delineation Manual suggests that in the arid west, the OHWM should be identical to the active floodplain. (Cold Regions Research and Environmental Laboratory, 2008.) [5]

Wetlands are included under the term "Waters" if they are *adjacent* to any of the above features.[6] To determine if wetlands are present, and to determine where the upland/wetland boundary lies, the formal methodology outlined in the delineation manual is used.

Initially, any area under investigation is examined for changes in vegetation patterns. The site is divided into sections, or plots, based on vegetation differences. Often only one plot is necessary because vegetation is homogeneous. Representative observation points and pit locations are chosen that best depict the vegetation components within each plot.

At each point, a data form is filled out. Information collected for the forms includes a list of the dominant plant species and their wetland indicator status; results of a soil pit test showing the presence or absence of field indicators of hydric soil; and evidence of wetland hydrology. The methods of determining a wetland rank for each of the three parameters are described below.

DETERMINING A POSITIVE INDICTOR FOR VEGETATION

Dominance Test

All species are first listed, with their absolute percent cover, from each strata (tree, shrub, sapling and herb). Those that, when tallied, account for more than 50% cover are "dominant." Any other species that accounts for at least 20% cover is also added to

[5] At this site, the OHWM and the floodplain are not too dissimilar, both existing within the narrow drainage.

[6] Wetlands also exist separately from other "Waters," for example in vernal pools and seeps or springs. These features are also wetlands in a hydrological, geological and biological sense, but not covered under the Clean Water Act, implemented by the ACOE. Isolated wetlands are covered under the Coastal Act.

this list (50/20 rules). After the species are added to the list of dominants, each species is weighted equally.

The National List of Plant Species That Occur in Wetlands (Reed Jr., 1988, updated 1996) is then consulted to determine the rank of each dominant species. This list includes most, but not all, species that occur in and around wetlands, and assigns each to a category that indicates the estimated probability of the species being found in a wetland. Each dominant species found at the test plot is assigned a category. These indicator categories are:

Obligate Wetland (OBL) - Almost always occurring in wetlands (estimated probability >99%).

Facultative Wetlands (FACW) - Usually occurring in wetlands (estimated probability 67% - 99%).

Facultative (FAC) - Equally likely to occur in non-wetlands (estimated probability 34% - 66%). *The former FAC modifiers of* (+) *or* (-)*, indicating a wetter or drier affinity, were eliminated in the Regional Supplement* (*Environmental Laboratory, 2006*).

Facultative Upland (FACU) - Usually occurring in non-wetlands (estimated probability 67% - 99%), but occasionally found in wetlands (estimated probability 1% - 33%).

Obligate Upland (UPL) - Almost always occurring in uplands in the California region (estimated probability >99%).

- Hydrophytic vegetation is indicated when the Absolute Percent Cover[7] of more than 50% of the dominant species across all strata are rated as OBL, FACW or FAC in the National list of plant species that occur in wetlands; California region (Reed, 1988, 1996, 2008).

Prevalence Index

The Regional Supplement offers a second means of determining dominant vegetation to be used only if the sample plot fails the Dominance test, but indicators of hydric soils and hydrology are present. To use this test, at least 80% of the total vegetation (summed from all strata) must be identified species. The Prevalence Index is a weighted-average indicator status of all plant species in the sampling plot, where each indicator is given a

[7] **Absolute Percent Cover:** The percentage of the ground surface that is covered by aerial portions (leaves and stems) of a plant species when viewed from above. Due to overlapping plant canopies, the sum of the absolute cover values may exceed 100 percent.

numeric code (OBL = 1, FACW = 2, FAC = 3, FACU = 4 and UPL = 5). Weighing is by percent cover, or abundance. To conduct the test, all species in each strata are identified by indicator category and Absolute Cover is estimated (cover may be more than 100%). Species are organized into groups depending on their wetland rating and the following formula is applied:

$$PL = A\frac{(OBL) +2A(FAC) =3A(FAC)+ 4A(UPL}{A\ (OBL) +A\ (FAC) =A\ (FAC)+ A\ (UPL)}$$

Where PL = Prevalence Index
A (OBL) = Summed % cover values of obligate plant species.
A (FACW) = Summed % cover values of facultative wetland plant species.
A (FAC) = Summed % cover values of facultative plant species.
A (FACU) = Summed % cover values of facultative upland plant species.
A (UP) = Summed % cover values of upland plant species.

The Prevalence Index ranges between 1 and 5.

- A positive test for hydrophytic vegetation is met when the Prevalence Index is 3.0 or lower. This test is only used when hydric soil and wetland hydrology are present, and the plot failed the Dominance Test.

DETERMINING A POSITIVE INDICTOR FOR SOILS

Hydric soils (soils that develop under saturated conditions at least part of the year) exhibit unique characteristics that can be identified in the field. Soil pits are dug at each observation point to a depth of approximately *20 inches or deep enough to determine hydric indicators.* The field indicators used to determine hydric soils are typically based on soil color, including the presence of gleying, mottling and/or an organic pan. Soil color is measured by comparing a wetted soil sample to the standard color chips in the 1988 version of the Munsell Soil Color Charts. A matrix chroma of less than or equal to 2 indicates hydric soil if mottling is present. A matrix chroma of 1 or less is required if mottling is not present.

The Interim Regional Supplement to the 1987 Corps of Engineers Wetland Delineation Manual: Arid West (Environmental Laboratory, 2006) provides additional assistance in recognizing hydric soils, adding many more subtleties than the general guidelines previously used. It is part of a nationwide effort to address regional wetland characteristics to improve accuracy and efficiency (Environmental Laboratory, 2006). The Regional Supplement provides clarification regarding many additional indicators for hydric soils, including redox depletions, depressions and concentrations.

- A determination of hydric soil is made when at least one primary or two secondary field indicators are noted.

DETERMINING A POSITIVE INDICTOR FOR HYDROLOGY

Positive indications of wetland hydrology include inundation and/or soil saturation for *7-14 consecutive days* during the growing season. The soil pits, dug to determine the presence of hydric soils, are also used to determine saturation levels if the soil is not inundated. Other indicators of wetland hydrology include evidence of water flow, such as drift lines, sediment deposits or watermarks. It can be easily argued that the growing season for the Santa Barbara area continues year round. However, some wetlands, especially in the western portions of the United States, are seasonal and do not exhibit wetland hydrology year-round. The Regional Supplement includes a list of primary and secondary indicators of hydrology. Secondary indicators include the FAC neutral test, crayfish burrows, and other situations.

- Positive wetland hydrology is indicated when a primary indicator or at least two secondary indicators are noted.

DETERMINATION OF WETLAND BOUNDARY

The wetland/upland boundary is the interface between wetland and non-wetland polygons or plots. The boundary is determined by field observance and additional soil pits as required, and can be based on a change in vegetation, topography, soil characteristics, or other surface features available to the delineator.

b. "Atypical situations" (where one or more parameters - vegetation, soil or hydrology - have been sufficiently altered by recent human activity or natural events to remove wetland indicators of a parameter [e.g., an area scraped of vegetation]).

Atypical situation - Maintained Ditch. Created in dry land in the 1990s to drain seasonal flooding at a street corner. (The ditch itself was created by an atypical situation.) More recently, the feature was grubbed and re-contoured to provide an adequate conduit to "OSJC", altering vegetation.

Atypical Situation - "Old San Jose Creek." Created in dry land in the 1920s and since the mid 1960s has been entirely cut off from natural creek flows. The feature receives only street runoff after storms and drains only uplands. Since wetland hydrology is not present (since 1967), observations of hydric soils are believed to be relics of the former water regime (1920-1967). Alternatively, hydric indications may arise from groundwater intercepted when the drainage was constructed. The drainage was created in dry land and its bed is 6 to 10 feet below normal grade.

c. Dates field work conducted. TBA

d. Rationale for the sampling method used. Routine Method, following ACOE Wetland Delineation Manual, 1987. Rationale: Features are less than 5 acres in size with large uniform stretches.

e. Delineation Details

- All plants were identified to species.
- Paired sample points used where needed.
- Boundaries delineated based on vegetation and soils.
- No change in standard methods.
- Number of sampling sites used. 13 observation points within 9 plots.
- Supporting materials used. All plants identified in situ following Baldwin, B., 2012. No supporting soil survey was used, past the Soil Survey of Santa Barbara County (U.S. Department of Agriculture, 1981).
- The project is entirely in the Coastal Zone.
- Impacts to offsite hydrology by this project are not anticipated.

5. CITATIONS

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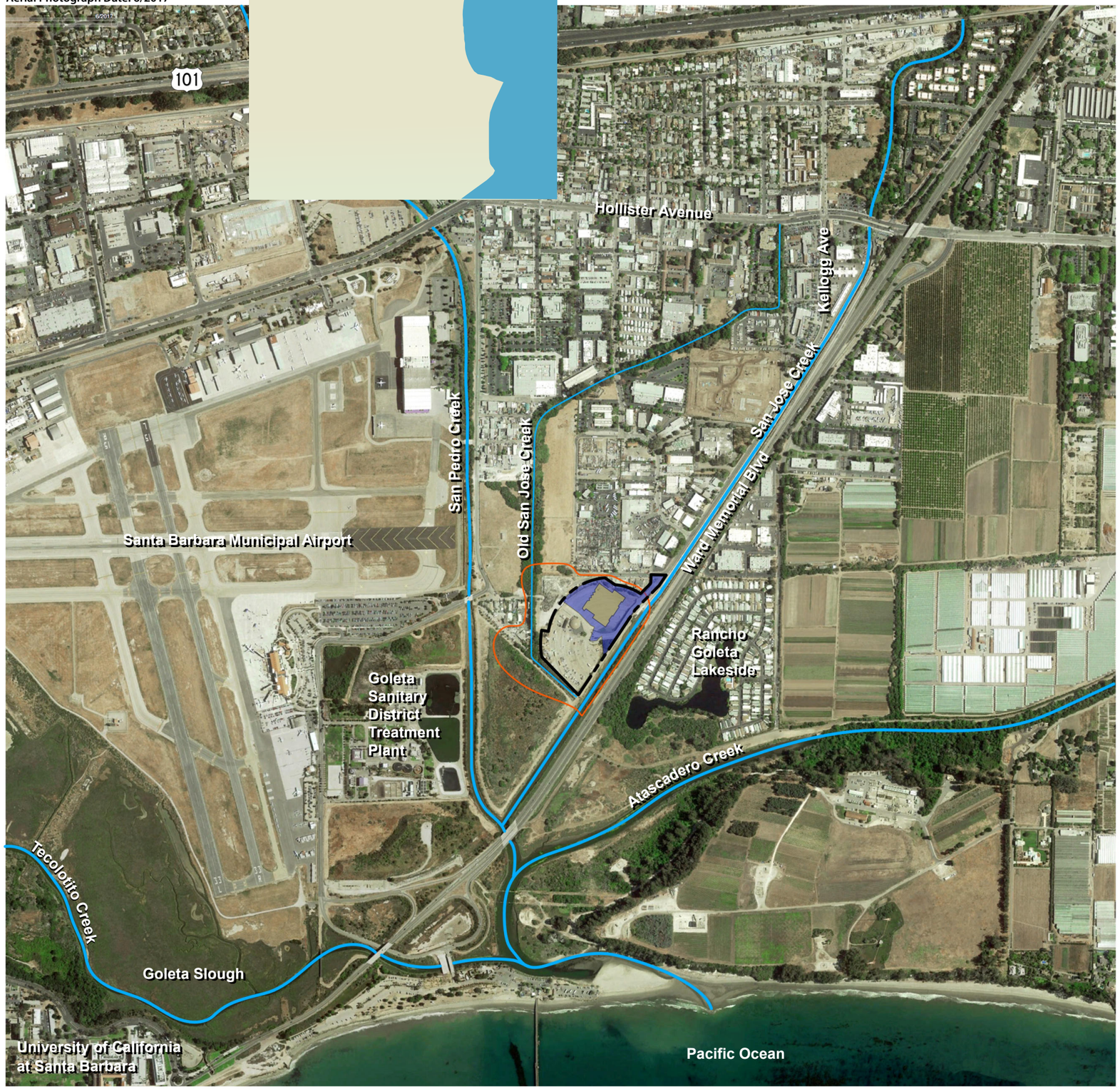
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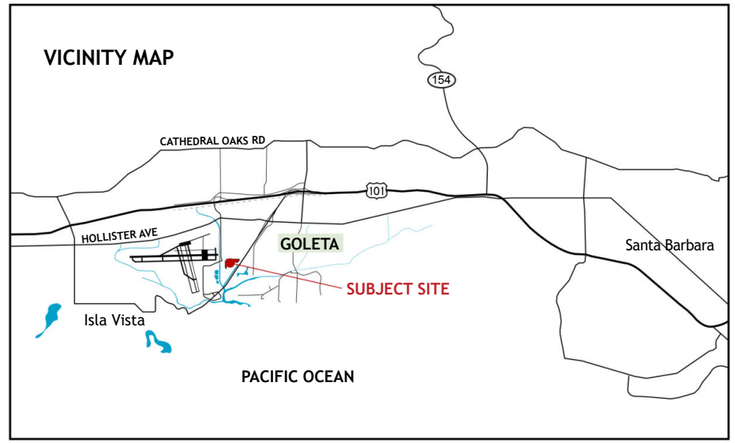
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Aerial Photograph Date: 6/2017





LEGEND

- Proposed Development Area
- Development Site
- Study Area
- Creek Flow Lines

N

0 250' 500' 1000'

SCALE

Figure 1: Site Vicinity

Goleta Business Center

907 South Kellogg, Goleta, CA

March 28, 2018

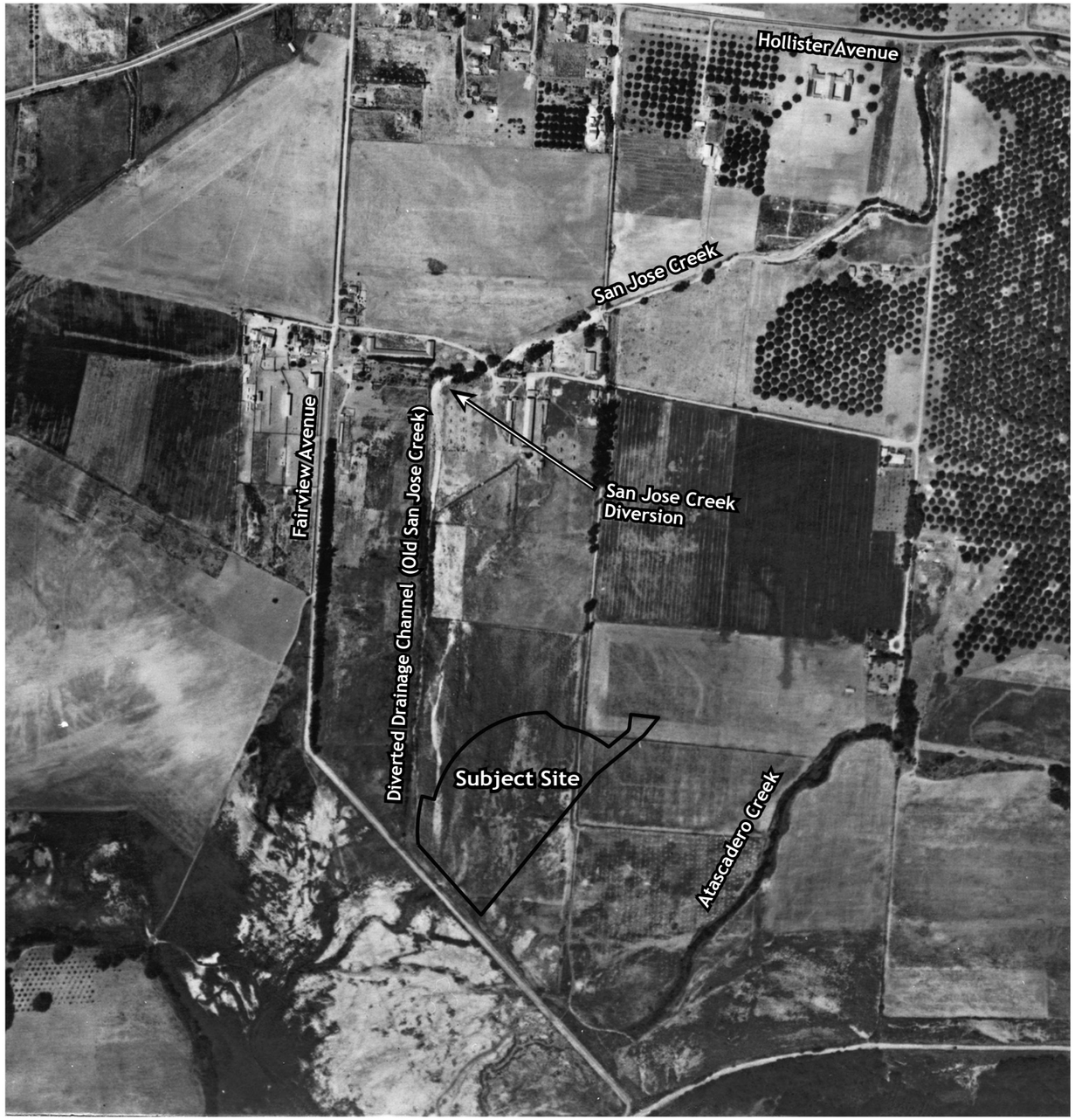
RACHEL TIERNEY CONSULTING



Figure 2: 1903 USGS Topographic Map
Establishing Original San Jose Creek Alignment
Goleta Business Center

907 South Kellogg, Goleta, CA
March 28, 2018

RACHEL TIERNEY CONSULTING



Aerial Photograph (UCSB Archive, 1928)



Aerial Photograph (1965)

0 250’ 500’ 1000’

SCALE

N

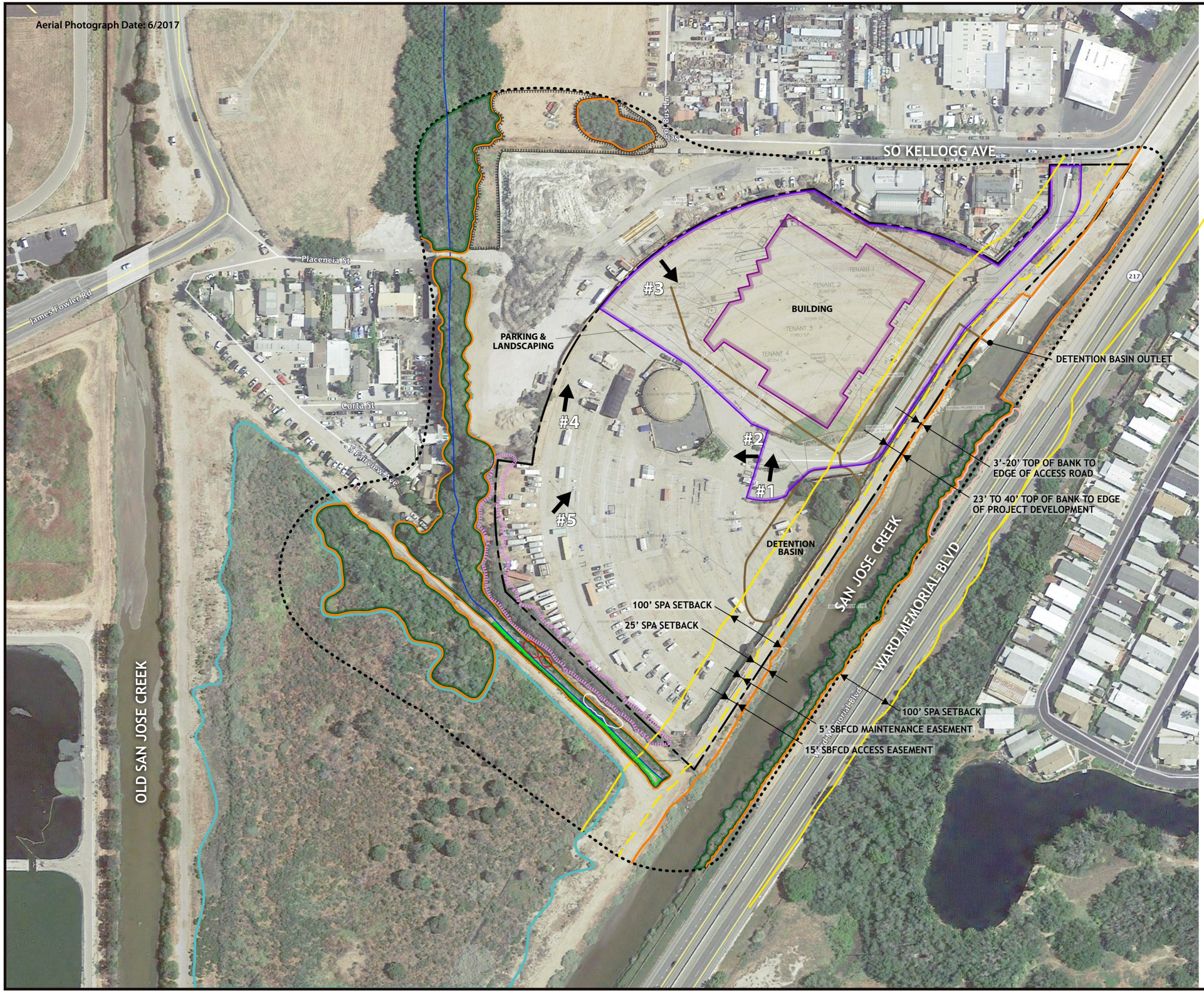
Figure 3: Historical Aerials

Goleta Business Center

907 South Kellogg, Goleta, CA

March 28, 2018

RACHEL• TIERNEY CONSULTING



LEGEND

Development Area
- Building Footprint
- Parking, sidewalk and landscape
- Bioretention Basin and proposed storm drain

Study Area

ESHA (Environmentally Sensitive Habitat Area) - Creek environs, including bed, bank, to the outer edge of riparian canopy or to the top of bank if no riparian vegetation is present.

Santa Barbara Flood Control District (SBFCD)

100' SPA (Streamside Protection Area)
25' SPA (Streamside Protection Area)
Setback measured outside the ESHA, starting from the edge of riparian vegetation or from the top of bank if no riparian vegetation is present.

"Waters"
Flow Line / Bed (Old San Jose Creek)

Native Riparian Vegetation
Arroyo Willow Woodland (*Salix lasiolepis*)
Arroyo Willow (*Salix lasiolepis*) individual plants

Native Upland Vegetation
Mexican Elderberry (*Sambucus mexicana*)
Coyotebrush (*Baccharis pilularis*)

Non-Native Upland Vegetation
Mousehole tree (*Myoporum laetum*)
Oleander (*Nerium oleander*)

Non-Native Grassland

Possibly Seeded
Quailbush Scrub (*Atriplex lentiformis*)

Property Boundary

#1 Photo Points - See Figure 5

N

60 0 30 60 120 240
SCALE

Figure 4: Sensitive Habitat/Biological Constraints (Location of ESHA & SPA Buffer)

Goleta Business Center

907 South Kellogg, Goleta, CA

March 28, 2018

RACHEL TIERNEY CONSULTING

#1 At entrance, looking north across location of proposed project.



#2 At entrance, looking south-southeast.



#3 Proposed project area, current conditions.



#4 Looking north along western property line.



#5 Snack bar, centrally located.



Note:
See Figure 4 for Photo Point locations.

Figure 5: Photos

Goleta Business Center

907 South Kellogg, Goleta, CA

March 28, 2018

RACHEL• TIERNEY CONSULTING

Appendix D-2

Update to the Biological Resource Study

Watershed Environmental, Inc.
3324 State Street, Suite B, Santa Barbara, CA 93105
Phone (805) 729-1070 | Fax (805) 456-3987
www.WatershedEnvironmental.com

City of Goleta
Planning & Environmental Review Department
Mr. Brian Hiefield,
30 Cremona Drive, Suite B
Goleta, CA 93117

February 20, 2023

RE: Biological Report Amendment for Goleta Business Park Project at 907 S. Kellogg Avenue, Goleta, California

INTRODUCTION

This amendment provides additional information requested in a peer review memo dated January 23, 2023 from Rincon Consultants Inc. to Brian Hiefield at the City of Goleta Planning and Environmental Review Department. Rincon Consultants is assisting the City with preparation of an Environmental Impact Report for the proposed Goleta Business Park Project located at 907 South Kellogg Avenue, in the City of Goleta. The peer review memo requested the following information be provided to establish the baseline conditions on and adjacent to the project site, and to assess potential project impacts to biological resources:

- **Creation of a New Figure** depicting the City of Goleta GP/CLUP mapped ESHA along Old San Jose Creek and San Jose Creek and the 100-foot wide Streamside Protection Area (SPA) required by Conservation Element Policy 2.2 and the applicant proposed 25-foot wide SPA from San Jose Creek ESHA.
- **Performance of Wetland Delineation Surveys within 100 feet of Proposed Development** including all temporary disturbance, earth movement, and permanent improvements such as the detention basin, storm drain, and utilities.
- **Submittal of Wetland Delineation Report** describing the survey methods, sampling locations, and survey results, with figures that depict sampling locations, vegetation types, and the location and extent of state regulatory agency (CDFW, RWQCB, CCC) regulated wetlands, waters and riparian habitat, ACOE federally regulated waters and wetlands, and City of Goleta regulated wetlands and waters. The wetland delineation report shall also identify potential impacts to federal, state, and locally regulated wetlands, waters and riparian habitat.
- **Analysis of the Potential for Special Status Species to Occur on and Adjacent to the Project Site.** Specifically for California red-legged frog, coast range newt, Northern California silvery legless lizard, listed bats, western pond turtle, coast horned lizard, and Belding's savannah sparrow.
- **Analysis of Potential Project Impacts to Special Status Species.** Impact analysis shall evaluate potential short-term and long-term impacts, direct and

indirect impacts, and impacts to wildlife movement corridors and dispersal routes.

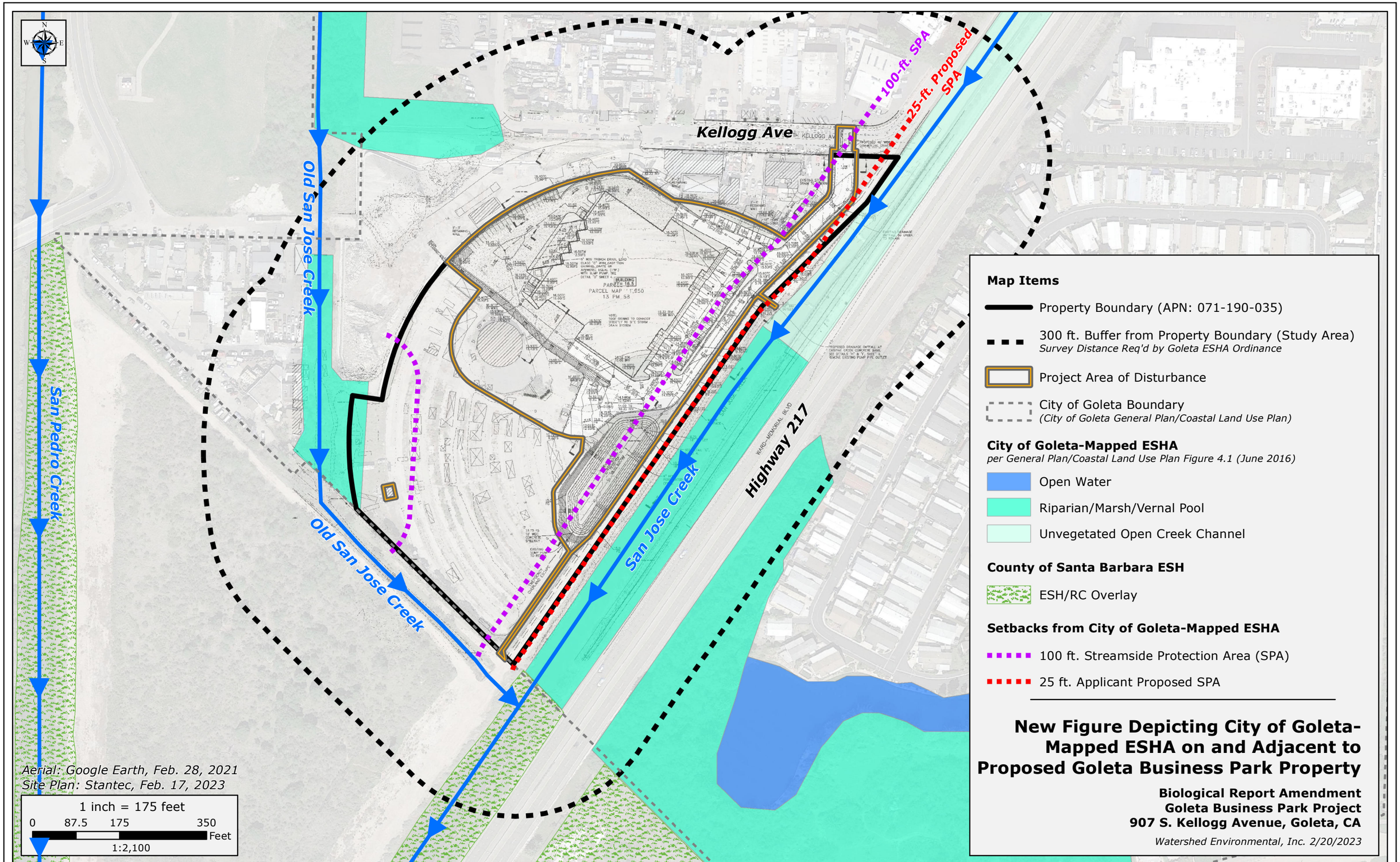
- **Analysis of Indirect Long-Term Impacts to San Jose Creek Aquatic Habitat caused by Operation of the Proposed Detention Basin.** This analysis shall evaluate the degree that operation of the detention basin will reduce and moderate surface water flows from the project site to San Jose Creek.
- **Provide Recommended Biological Mitigation Measures** to: reduce project impacts to less than significant levels; ensure project consistency with City of Goleta biological resource protection policies, development standards and ordinances; and ensure project compliance with the California and Federal Endangered Species Acts and CDFW biological resource protection statutes.

SUPPLEMENTAL BIOLOGICAL RESOURCE INFORMATION

Creation of a New Figure

On the following page is a new figure depicting City of Goleta GP/CLUP mapped ESHA on and adjacent to the SyWest property with the 100-foot wide Streamside Protection Area (SPA) buffer zone from Old San Jose Creek and San Jose Creek mapped ESHA required by Conservation Element Policy 2.2. The site plan depicted on this figure is the 2/17/2023 Revised Preliminary Grading and Drainage Plan Goleta Business Park created by Stantec Civil Engineers. This figure also depicts the applicant proposed 25 ft. wide SPA buffer zone from City of Goleta Mapped ESHA along San Jose Creek. As previously stated, approximately 2,125 sq. ft. of the City mapped ESHA along Old San Jose Creek extends onto the SyWest property, however, this ESHA was incorrectly mapped by the City and was actually a row of ornamental mousehole trees *(Myoporum laetum)* that were removed by Security Paving as part of their Habitat Restoration Project. The myoporum tree trunks were on the Security Paving property, but the canopy from these trees extended out onto the 907 South Kellogg Avenue property. SyWest Development has not decided if they will request an amendment to the General Plan to remove the erroneously mapped ESHA along Old San Jose Creek that extends onto their property, and we do not know if Security Paving will request an amendment to the General Plan to remove the incorrectly mapped ESHA that exists on their property either.

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New Figure Depicting City of Goleta-Mapped ESHA on and Adjacent to Proposed Goleta Business Park Property

Biological Report Amendment
Goleta Business Park Project
907 S. Kellogg Avenue, Goleta, CA

Watershed Environmental, Inc. 2/20/2023

Performance of Wetland Delineation Surveys and Preparation of a Wetland Delineation Report

Biologist/Wetland Scientist Mark de la Garza and Environmental/GIS analyst Dominick Burnham performed wetland delineation surveys on and adjacent to the project site on February 8 and 15, 2023. Appendix 1. contains a Wetland Delineation Report describing our survey methods, survey results, assessment of potential project impacts to federally and state regulated waters and wetlands, and conclusions.

Analysis of the Potential for Special Status Species to Occur on and Adjacent to the Project Site

Rachel Tierney's March 28, 2018 Biological Report for the Goleta Business Center contained an evaluation of special status sensitive plant and wildlife species' potential to occur on the property. Watershed Environmental biologist Mark de la Garza reviewed her evaluation of the potential for sensitive plant and wildlife species to occur on the 907 South Kellogg Avenue project site and he generally agreed with her conclusion that special status plant species known to occur in the project vicinity have no potential to occur on the project site. Mark also agreed with her conclusions that special status wildlife species known to occur in the project vicinity have no potential to occur on the property given the habitat types present, but that a few special status species—including southern steelhead *(Oncorhynchus mykiss)*, tidewater goby *(Eucyclogobius newberryi),* protected migratory bird nests, protected raptor nests, and a few species of bats—have a potential to occur and/or forage in habitats that are adjacent to the project site.

The consultant preparing the EIR for this project specifically requested that the applicant's biologist (Watershed Environmental) provide an analysis of the potential for the following special status species to occur on and adjacent to the project site: California red-legged frog, coast range newt, Northern California silvery legless lizard, listed bats, western pond turtle, coast horned lizard, and Belding's savannah sparrow. An analysis of occurrence potential for each of these species is provided below:

California red-legged frog *(Rana draytoni)* Status: Federally Threatened, CDFW Species of Species of Special Concern. The project site is almost entirely asphalt paved. The only areas that are unpaved are landscaped and/or are disturbed. There is no suitable foraging or breeding habitat for California red-legged frog (CRLF) on the property. The segment of San Jose Creek that is adjacent (east) to the project site is tidally influenced and portions are channelized with concrete bed and banks. Tidally influenced and concrete channeled bed and banks do not provide suitable habitat for California red-legged frogs. The segment of Old San Jose Creek that is adjacent (south and west) to the project site lacks any freshwater aquatic habitat that could be used for breeding and the riparian habitat that does exist in Old San Jose Creek is isolated by development from any habitat that could support CRLF. For these reasons, we believe that CRLF have no potential to occur on the project site and have no potential to occur in the segments of San Jose and Old San Jose Creek adjacent to the project site.

Coast range newt *(Taricha torosa torosa)* Status: CDFW Species of Species of Special Concern. The project site is almost entirely asphalt paved. The only areas that are unpaved are landscaped and/or are disturbed. There is no suitable foraging or breeding habitat for coast range newts on the property. The segment of San Jose Creek that is adjacent (east) to the project site is tidally influenced and portions are channelized with concrete bed and banks. Tidally influenced and concrete channelized bed and banks do not provide suitable habitat for coast range newts. The segment of Old San Jose Creek that is adjacent (south and west) of the project site lacks any freshwater aquatic habitat that could be used for breeding and the riparian habitat that does exist in Old San Jose

Creek is isolated by development from any habitat that could support coast range newts. For these reasons, we believe that coast range newts have no potential to occur on the project site and have no potential to occur in the segments of San Jose and Old San Jose Creek adjacent to the project site.

Northern California silvery legless lizard *(Anniella pulchra)* Status: CDFW Species of Species of Special Concern. This fossorial reptile species occurs in areas with friable sandy soil and/or areas with deep leaf litter. The project site is almost entirely asphalt paved. The only areas that are unpaved are landscaped and/or are disturbed and even in these areas, the soils are compacted. The project site lacks any suitable habitat for Northern California silvery legless lizards. It is very unlikely, given the habitat types present on the property, that this species would migrate onto the property from the undeveloped area to the south where they may exist. For these reasons, we believe that Northern California silvery legless lizards have no potential to occur on the project site.

Listed bats: Pallid bat (*Antrozous pallidus*), Western mastiff bat *(Eumops perotis californicus)*, and Western red bat *(Lasiurus blossevillii)*. Status: CDFW Species of Species of Special Concern. The 907 South Kellogg Avenue property does not contain any suitable roosting habitat (i.e., caves, cavities beneath bridges, or large trees) for the three bat Species of Special Concern that have CDFW Natural Diversity Data Base occurrence records within 3-miles of the project site. Listed bats have no potential to roost on the 907 South Kellogg Avenue property, but are expected to nocturnally forage for insects on and adjacent to the project site.

Western pond turtle *(Actinemys marmorata)* Status: CDFW Species of Special Concern. Western pond turtles occur in a variety of manmade and natural aquatic habitats including rivers, creeks, estuaries, lakes, ponds, marshes, and reservoirs. Pond turtles during the day, bask on land or near the water on logs, branches or boulders. Female pond turtles nest in adjacent upland areas within 1,000 ft. of aquatic habitat and both sexes will move into adjacent upland habitat to estivate (enter summer dormancy) when aquatic habitat dries up. There is no potential for western pond turtles to occur on the project site because there is no aquatic habitat and most of property is asphalt paved. The segment of San Jose Creek that is adjacent to the project site is tidally influenced, water levels fluctuate daily and the creek banks are very steep. The combination of fluctuating water levels and steep creek banks provides marginal habitat at best for western pond turtles. Western pond turtles have a low potential to occur in the segment of San Jose Creek that is adjacent (east) to the project site. Western pond turtles have no potential to occur in Old San Jose Creek because there is no aquatic habitat.

Coast horned lizard *(Phrynosoma blainvillii)* Status: CDFW Species of Species of Special Concern. Occurs in a variety of habitat types that have friable sandy soils. Coast horned lizards primarily feed on harvester ants, but also eats honeybees, beetles, and other insects. Harvester ants were not seen on or adjacent to the project site during performance of biological surveys in 2018 and 2022, or during performance of wetland delineation surveys in February of 2023. Coast horned lizards have no potential to occur in the portions of the project site that are asphalt paved, and they have a low potential to occur in the areas that are currently landscaped or in areas that were previously asphalt paved but now contain ruderal vegetation.

Belding's savannah sparrow *(Passerculus sandwichensis beldingi)* Status: California State Endangered. Belding's savannah sparrow is an endemic resident non-migratory songbird that lives in coastal salt marsh habitat and nests in pickleweed. Belding's savannah sparrows are known to occur in Goleta Slough and to nest in saltmarsh

pickleweed vegetation that occurs there. There is no potential for Belding's savannah sparrow to occur on the 907 South Kellogg Avenue property because there is no saltmarsh pickleweed vegetation. There is however a narrow 2-3 ft wide strip of pickleweed growing on the lower western banks of San Jose Creek and a narrow 5-10 ft. wide strip of pickleweed growing on the eastern bank of San Jose Creek adjacent (east) of the project site and a small (548 sq. ft.) stand of pickleweed at the southern terminus of Old San Jose Creek. These narrow strips and small isolated patch of pickleweed are within 300 ft. of the project site, and there is a moderate potential for Belding's savannah sparrow to occur within this saltmarsh pickleweed habitat. Dredging activities were performed in February 2023 by the Santa Barbara County Flood Control Department to remove sediment from the segment of San Jose Creek adjacent to the project site. This dredging removed and/or disturbed most of the pickleweed vegetation that was growing along the lower banks of San Jose Creek but did not disturb the small stand of pickleweed in Old San Jose Creek. The pickleweed along the lower banks of San Jose Creek within 300 ft. of the project site that was disturbed is expected to reestablish itself within next 1-2 years unless it is disturbed again.

Analysis of Potential Project Impacts to Special Status Species

Rachel Tierney's March 28, 2018 Biological Report for the Goleta Business Center contained an evaluation of potential project impacts to special status plant and wildlife species. Watershed Environmental biologist Mark de la Garza agreed with her conclusions that the project has a potential during the short-term to indirectly impact critical habitat for southern steelhead *(Oncorhynchus mykiss)* and tidewater goby *(Eucyclogobius newberryi)* and that the level of impact to these two listed species is significant but mitigable.

Mark also agreed with Rachel's assessment that the project during the short-term site development and construction phase has a potential to directly and indirectly impact protected migratory bird nests and protected raptor nests. Rachel's report did not however identify Belding's savannah sparrow as a special status species with a potential to occur in the project vicinity—Mark has corrected the omission in this amendment. Given the fact that saltmarsh pickleweed vegetation exists adjacent (within 300 ft.) to the project site where Belding's savannah sparrows may be present and nesting, Mark has concluded that the project also has the potential to indirectly impact Belding's savannah sparrow during the short-term site development and construction phase of the project. The level of short-term impact to protected migratory bird nests, protected raptor nests, and Belding's savannah sparrow nests is considered significant but mitigable.

The project as currently proposed is not expected to directly or indirectly impact any other special status wildlife or plant species other than the wildlife species described in the preceding paragraphs.

Analysis of Indirect Long-Term Impacts to San Jose Creek Aquatic Habitat caused by Operation of the Proposed Detention Basin

Long-term indirect project impacts to aquatic federally designated critical habitat for southern steelhead *(Oncorhynchus mykiss)* and tidewater goby *(Eucyclogobius newberryi)* in San Jose Creek were not adequately evaluated in the previous biological reports. The analysis provided below evaluates potential indirect long-term impacts to San Jose Creek aquatic habitat caused by operation of the proposed detention basin.

8.20 acres (70 percent) of the 11.71 acre 907 South Kellogg Avenue property is currently asphalt paved, a gravel parking area, dirt road, or a structure and only 3.50

acres is vegetated. Stormwater runoff from the paved and developed portions of the property collects onsite and is pumped into San Jose Creek by two large electric sump pumps. The sump pumps are located in the northeastern and southeastern portions of the property. The pumped stormwater flows through underground storm drain pipes to a discharge point on the western bank of San Jose Creek approximately 390 ft. south of Kellogg Avenue. The sump pumps are only used when needed after storm events.

The February 17, 2023 Revised Site Plan prepared by Rasmussen and Associates Architects for the Goleta Business Park Project depicts disturbance within a 6.75-acre area of which 1.24-acre is within the 100 ft. wide Streamside Protection Area (SPA) from City mapped ESHA along San Jose Creek. The only proposed activity within the 100 ft. wide Streamside Protection Area (SPA) from City mapped ESHA along Old San Jose Creek is demolition of a project booth structure which will temporarily disturb 600 sq. ft. within the Old San Jose Creek SPA (for locations refer to New Figure Depicting City of Goleta Mapped ESHA).

The proposed development area is in the floodplain of San Jose Creek and approximately 38,00 cu. yds. of fill will be imported to raise the development area out of the floodplain, so that the project can be built. Stormwater runoff from the 5.73-acre development area will be collected at several drop inlet locations in the parking lots and adjacent to the new business park structure and will be routed via below ground storm drain pipes into a 27,350 sq. ft. stormwater detention basin. The storm water collection system and the detention basin are designed to meet current local and state storm water runoff regulations for new development. The storm water detention basin will be 2.75 ft. deep with 4:1 side slopes and a flat bottom. The retention time for water stored in the basin is estimated to be 25 hours. Overflow from the detention basin will be routed via a below ground storm drain pipe to the location on the western bank of San Jose Creek where the two sump pumps currently outlet. The basin will also have a 10 ft. wide concrete emergency overland spillway at the southern end of the detention basin. As part of this project, the existing 36-inch diameter corrugated metal storm drain pipe used to discharge stormwater from the sump pumps on the western bank of San Jose Creek will be removed, and replaced with a new 18-inch diameter storm drain pipe. During the removal and replacement process, a 6 ft. x 6 ft. (36 sq. ft.) section of the existing concrete lined creek bank will be removed and replaced. The new stormwater management system for the project will gravity flow and will not require use of any pumps.

The sump pump in the northeast portion of the property will be removed during the site development phase of the project. The sump pump in the southeastern portion of the property will be retained and will continue to be used to remove rainwater that collects in the 6.16-acre portion of the property that will not be developed.

During the long-term life of the project, San Jose Creek will no longer receive storm water runoff from the 5.99-acre portion of the property where the business park structure and parking lots will be located unless the detention basin fills to capacity and overflows. San Jose Creek will continue to receive stormwater runoff from the remaining undeveloped 5.72-acre portion of the project site when that portion of the property floods and the sump pump is turned on. The volume of storm water runoff from the 907 South Kellogg Avenue property is expected by decrease by 51 percent after construction is completed. Storm water quality that flows into San Jose Creek from the project site is however expected to significantly improve over the long-term life of project because vehicles will no longer be parking or operated in the 5.72-acre undeveloped portion of

the property, and stormwater from the 5.99-acre developed area will have filters at the drop inlet locations and will be bio-filtered in the detention basin.

The long-term decrease in the volume of stormwater runoff to San Jose Creek is considered adverse but less than significant because the net decrease in runoff volume from the 5.99 acre portion of the property that will no longer flow in to San Jose Creek is minute considering the 5,651 acre (8.83 sq. mile) size of the San Jose Creek Watershed.

The long-term improvement to water quality caused by elimination of vehicle parking and operation in the undeveloped 5.72 acre portion of the property and by installation of filters at the storm water drop inlets and operation of the stormwater detention basin are considered beneficial because it will substantially improve storm water quality runoff from the project site into San Jose Creek.

Provide Recommended Biological Mitigation Measures
The following biological mitigation measures are intended to reduce potentially significant but mitigable impacts to less than significant levels and ensure project consistency with City of Goleta adopted biological resource protection policies. Implementation of these measures will also ensure project compliance the Federal Endangered Species Act, the California Endangered Species Act, the Federal Migratory Bird Treaty Act, and CDFW Code Regulations and Statutes.

Mitigation to reduce short-term indirect impacts to critical habitat for southern steelhead *(Oncorhynchus mykiss)* and tidewater goby *(Eucyclogobius newberryi).*

- Prior to performance of site preparation and construction activities, the applicant and/or the applicant's contractor will develop and implement a toxic materials control and spill response plan for hazardous materials that may be used/stored on site, such as petroleum-based products, fuel and lubricants and other potentially toxic materials. The plan shall specify that cleaning and refueling of equipment and vehicles will occur only within designated staging areas that are at least 100 feet from San Jose and Old San Jose Creeks.
- Prior to performance of site preparation and construction activities, the applicant shall retain the services of a qualified Storm Water Pollution Prevention Plan (SWPPP) developer to prepare a SWPPP. The construction contractors working for the applicant shall install and maintain appropriate erosion/sediment control devices and measures during site preparation, construction and installation of new landscaping. All erosion control materials—including straw wattles and erosion control blanket material—used on-site will be biodegradable. Use of erosion control containing plastic monofilament will not be allowed as wildlife may become entrapped in this material. These erosion and sediment control measures shall be periodically inspected by the City of Goleta building department inspectors and/or the City environmental compliance inspector.
- Prior to removal and replacement of the storm drain outlet on San Jose Creek, the applicant shall provide the City Planning & Environmental Review Department with copies of permits from the ACOE, RWQCB, and CDFW and/or copies of correspondence from these agencies stating a permit is not required to remove and replace the storm drain outlet.
- Removal and replacement of the storm drain outlet on San Jose Creek shall occur during the dry season (June 1 to October 31) when surface water flows are low. No concrete or any cement products shall be used within 150 feet of San Jose

Creek during the rainy season, or when there is a 25 percent or greater chance of 0.1 inches of rain within 10 days of a scheduled cement pour.

Mitigation to reduce short-term impacts to protected migratory bird nests, protected raptor nests, and Belding's savannah sparrows to less than significant levels and ensure project compliance with the Federal Migratory Bird Treaty Act, the California Endangered Species Act, and CDFW Code Regulations and Statutes.

- Vegetation removal and grading shall not occur during bird nesting season (February 1–August 31). If these activities must occur during this time, pre-construction breeding bird surveys shall be performed by a qualified, City of Goleta approved biologist no less than 3 days prior to the beginning of construction. Nesting bird pre-construction surveys shall occur within the area to be disturbed and shall extend outward 500 ft. where possible.
- If active bird nests are found, the biologist shall perform additional nesting surveys at least twice a week until the nestlings have fledged and the baby and adult birds are no longer using the nest. The biologist shall determine an appropriate buffer zone in consultation with CDFW that considers the bird species, nest location, nest height, existing pre-construction level of disturbance in the vicinity of the nest, and proposed construction activities. The buffer zone will range from 100 ft. for nesting passerine species to 500 ft. for nesting raptors. The nest buffer zone shall be demarcated with bright-orange construction fencing, flagging, construction lathe, or other means to mark the boundary.
- In addition to the nesting bird mitigation measures listed above, the following species-specific mitigation measures shall be implemented for Belding's savannah sparrow prior to the start of construction activities:
    - A City of Goleta and CDFW approved biologist shall perform five surveys for Belding's savannah sparrows within 300 ft. of the 907 South Kellogg Avenue property between mid-February and the end of April. Surveys shall be performed between 6:00 am and 10:00 am when birds are most active and may be performed on consecutive days. A recording of this species may not be used unless the biologist has a Memorandum of Understanding issued by CDFW. The biologist shall note the type of bird activity observed and behavior such as defending territory, singing for a mate, scolding intruders, perching together, nest building, feeding young, and aerial chasing. If an active Belding's savannah sparrow nest is observed within 250 feet of the project site, all project activities within 250 ft. of the nest will immediately cease, and the biologist will contact CDFW and the City of Goleta within 48 hours.

Conclusions

Given the habitat types present on and adjacent (within 300 ft.) to the project site, Mark believes the project has a potential to indirectly significantly impact southern steelhead *(Oncorhynchus mykiss)* and tidewater goby *(Eucyclogobius newberryi*) critical habitat in San Jose Creek during the short-term construction phase of the project. He also believes that the project has the potential to directly and indirectly impact protected migratory bird nests, protected raptor nests, and Belding's savannah sparrow nests during the short-term construction phase of the project. The mitigation measures contained in this amendment will ensure that short-term project impacts to special status species and protected bird nests are reduced to less than significant levels and that the project will

not cause take of a federally or state listed endangered, threatened, candidate, or CDFW fully protected species. Construction and long-term use of the project is not expected to directly or indirectly impact any CDFW species of special concern or any rare or sensitive plant species.

If the City of Goleta Planning & Environmental Review Department or Rincon Consultants have any questions regarding the contents of this amendment, please call me at (805) 729-1070.

Sincerely,

Mark de la Garza
President, Watershed Environmental, Inc.

cc: Nicole West – Rincon Consultants Inc.
Tracy LaTray – SyWest Development Inc.

Attachments
Attachment 1. Wetland Delineation Report

Appendix D-3

Wetland Delineation Report

February 20, 2023

Wetland Delineation Report
Goleta Business Park Project
907 South Kellogg Avenue, Goleta, California



Prepared for:
SyWest Development
150 Pelican Way
San Rafael, CA 94901

Prepared by:
Watershed Environmental, Inc.
3324 State Street, Suite B
Santa Barbara, CA 93105

Wetland Delineation Report
Goleta Business Park Project
907 South Kellogg Avenue, Goleta, California

Table of Contents

1.0 INTRODUCTION 1

2.0 PROJECT DESCRIPTION 1

3.0 ENVIRONMENTAL SETTING 3

3.1 Zoning and Land Use 3
3.2 Land Use History 3
3.3 Topography and Soils 3
3.4 USGS Mapped Watercourses 3
3.5 USFWS Mapped Wetlands 4

4.0 SURVEY METHODS 6

4.1 Wetlands and Waters Survey Methods 6
4.2 Wetland and Waters Definitions 6
4.3 Wetland Vegetation Terminology and Criteria 9
4.4 Hydric Soils Terminology and Criteria 10
4.5 Wetland Hydrology Terminology and Criteria 10

5.0 SURVEY RESULTS 11

5.1.1 Vegetation 11
5.1.2 Soils 15
5.1.3 Hydrology 15

6.0 IMPACTS TO WATERS AND WETLANDS 15

7.0 CONCLUSIONS 16

8.0 REFERENCES 18

TABLES

TABLE 1. WETLAND INDICATOR STATUS CATEGORIES..... 10

TABLE 2. VEGETATION AND LAND COVER TYPES ON AND ADJACENT TO PROJECT SITE 12

FIGURES

FIGURE 1. LOCATION MAP..... 2

FIGURE 2. USFWS MAPPED WETLANDS NEAR THE PROJECT SITE 5

FIGURE 3. WETLAND DELINEATION SAMPLE LOCATIONS AND VEGETATION AND LAND COVER TYPES..... 14

ATTACHMENTS

Attachment 1. Completed Wetland Determination Data Forms – Arid West Region

Attachment 2. Photographs of Wetland Delineation Sites

1.0 INTRODUCTION

This report describes the results of a wetland delineation survey performed by Watershed Environmental biologist/wetland scientist Mark de la Garza and environmental/GIS analyst Dominick Burnham on February 8 and 15, 2023 on the 11.71-acre Goleta Business Park project site (Latitude 34.425732, Longitude -119.827355) located at 907 South Kellogg Avenue (APN: 071-190-035) in the City of Goleta (Figure 1). The wetland delineation survey and this wetland delineation report were prepared by Watershed Environmental Inc. under contract to SyWest Development.

This report provides additional information requested by the City of Goleta and their environmental consultant Rincon Consultants Inc. to a November 2, 2022 Biological Report Update prepared by Watershed Environmental Inc. for this project, and to previous biological reports and a preliminary wetland delineation report prepared by Rachel Tierney in 2018. Rachel Tierney has since retired and Watershed Environmental Inc. is now the applicant's biological consultant for this project. The information contained in this wetland delineation report will become part of the public record for this project.

The City of Goleta is preparing an Environmental Impact Report for the SyWest Goleta Business Park Project with assistance from Rincon Consultants Inc. The City of Goleta Planning and Environmental Review Department is the lead agency responsible for performing the environmental review for this project required by the California Environmental Quality Act.

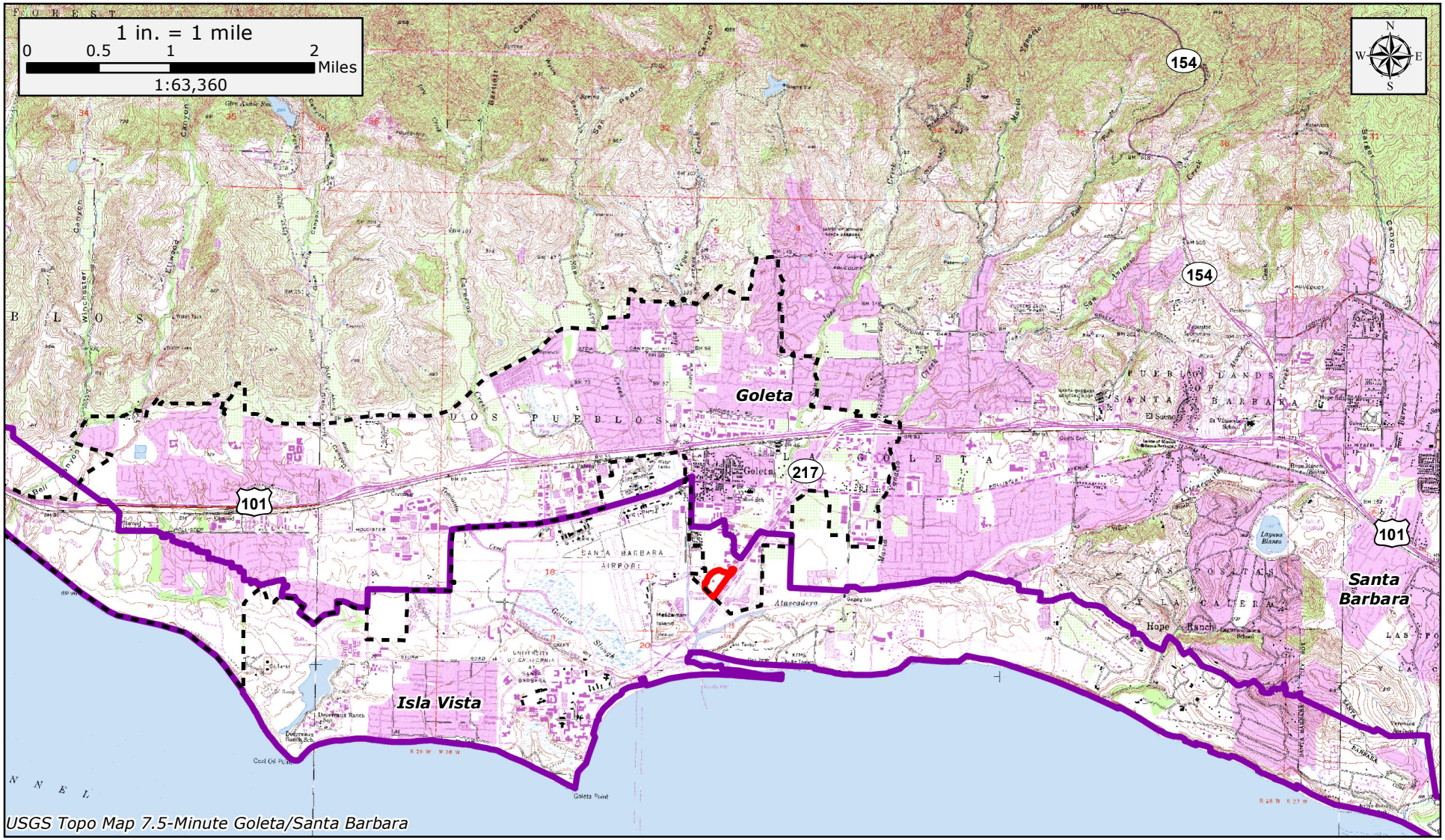
2.0 PROJECT DESCRIPTION

The project includes construction of the following within a 5.73-acre development area in the northern portion of the property, per the February 17, 2023 Revised Preliminary Grading & Drainage Plan prepared by Stantec Civil Engineers and the February 17, 2023 Revised Site Plan prepared by Rasmussen and Associates Architects:

- Building footprint – 70,594 sq. ft. (1.62 acres)
- Parking and paving – 113,193 sq. ft. (2.60 acres)
- Sidewalk – 4,910 sq. ft. (0.11 acre)
- Landscaping – 60,939 sq. ft. (1.40 acres)

The total area of disturbance is 6.75 acres which includes that area that will be temporarily disturbed by utility line trenching, and demolition of the snack bar and project booths. Grading estimates for this project are 600 cu. yds. of cut and 38,000 cu. yds. of fill, resulting in a net 37,400 cubic yards of imported fill. No trees will be removed during construction of this project. The existing stormwater treatment system will be improved with construction of a 27,350 sq. ft. bioretention basin which will collect runoff from the developed portion of the site, and will have a below ground overflow storm drain pipe that outlets to San Jose Creek.

Other onsite improvements to stormwater treatment include the use of stormwater filters at the drop inlet structures and bio-filtration within the detention basin. Access to the site will be provided from South Kellogg Avenue along the route currently used to access the drive-in theater. No new development is proposed in the southern 5.98-acre portion of the property. The existing structure which houses the restrooms and snackbar for the drive-in theater and the two projection booth will be demolished.



Map Items

City of Goleta Boundary
(City of Goleta General Plan/Coastal Land Use Plan)

Coastal Zone

Project Location (APN: 071-190-035)

Figure 1. Location Map

Wetland Delineation Report
Goleta Business Park Project
907 S. Kellogg Rd, Goleta, CA

Watershed Environmental, Inc. 2/20/2023

3.0 ENVIRONMENTAL SETTING

3.1 ZONING AND LAND USE

The 907 South Kellogg Avenue property is zoned for industrial services (IS) land use. Access to the property is provided via a private asphalt paved road that connects to South Kellogg Avenue.

The 11.71-acre property is within the City of Goleta and is in the coastal zone and as such is subject to conformance with the biological resource protection policies contained in the City of Goleta General Plan/Coastal Land Use Plan (City of Goleta 2006) and conformance with the policies contained in the California Coastal Act (Public Resources Code. 2023)

3.2 LAND USE HISTORY

A drive-in movie theater was built on the 907 South Kellogg Avenue property in 1966. Prior to 1966, the property was farmed and used to grow row crops; a portion was planted in walnut or lemon trees (USCB MIL. 2023). Historically, the property was once part of the Greater Goleta Slough and was probably a brackish or saltwater marsh. Gradually, the Goleta Slough was drained, the creeks that fed into the slough were channelized, and fill dirt was imported to create uplands that were farmed and subsequently developed.

3.3 TOPOGRAPHY AND SOILS

Elevations within the SyWest property range from a high of 15 ft. along the northern property line and western property line, to a low of 8 ft. in the southern half of the property. The property gently slopes 1-2 percent toward the south-southeast. The area where cars parked in the drive-in theater is asphalt paved, terraced, and is a depression. Rainwater collects in this asphalt paved depression and is pumped via two sump pumps into San Jose Creek via a buried 36-inch diameter corrugated metal pipe that outlets on a 45-degree concrete lined creek bank in the northeast corner of the property.

The National Resources Conservation Service (2023) maps the soils on the property as Camarillo fine sandy loam (Ca) occurring on 0-2 percent slopes in flood plains. This soil is classified as having moderate permeability and a very slow runoff rate. The NRCS lists this soil as hydric (2019).

3.4 USGS MAPPED WATERCOURSES

The SyWest property is located adjacent (west) to San Jose Creek and adjacent (south and east) to Old San Jose Creek. The USGS Goleta 7.5-minute topographic map (USGS 2018) depicts the segment of San Jose Creek adjacent to the project site as a 60 ft. wide solid blue line which indicates it has perennial surface water, while Old San Jose Creek is not even mapped as a watercourse. The lower section of San Jose Creek including the segment adjacent to the SyWest property is subject to tidal inundation when the creek mouth is not blocked by sand. The "mean high water" elevation in Goleta Slough and in the lower segment of San Jose Creek is 4.51 ft. and the "mean higher high water" elevation is 5.27 ft. (Goleta Slough Management Committee, 2015).

The USGS National Hydrography Dataset (USGS 2023) depicts the section of San Jose Creek adjacent to the project site as a perennial stream. Old San Jose Creek is not mapped as a stream or watercourse in the National Hydrography Dataset. San Jose Creek originates in the Los Padres National Forest and flows in a north to south direction into San Pedro

Creek approximately 1,300 ft. south of the project site. San Pedro Creek flows into Atascadero Creek which outlets into the Pacific Ocean at Goleta Beach County Park.

The USGS collects stream flow data from San Jose Creek from a stream gauge (Station 11120500) located approximately 2.5 miles upstream of the project site (USGS 2023). This stream gauge was installed in October 1, 1988 and is still operational today. San Jose Creek at the stream gauge location generally flows between the months of November and May with a volume that is dependent upon rainfall.

3.5 USFWS MAPPED WETLANDS

The USFWS National Wetland Inventory (USFWS 2023) mapped the segment of San Jose Creek adjacent to the project site (Figure 2) that is not concrete lined as "Estuarine and Marine Deepwater Habitat" with a classification code of "Estuarine Subtidal Unconsolidated Bottom Subtidal (E1UBL)". A narrow 0.23-acre strip of vegetation on the west side and a 0.82-acre strip of vegetation on the east of this deepwater habitat is mapped as "Freshwater Emergent Wetland" with a classification code of Palustrine Emergent Persistent Semi-Permanently Flooded Tidal (PEM1T).

The segment of San Jose Creek adjacent to the project site that is channelized with a concrete bed and bank is mapped by the USFWS National Wetland Inventory as Riverine Habitat with a classification code of "Riverine Intermittent Streambed Seasonally Flooded Excavated (R4SBCx)". None of this USFWS mapped riverine habitat occurs on the SyWest property (refer to Figure 2).

The USFWS National Wetland Inventory (USFWS 2023) maps the segment of Old San Jose Creek south and southwest of the project site as "Riverine Habitat" with a classification of "Riverine Intermittent Streambed (R4SB)". None of this USFWS-mapped riverine habitat occurs on the SyWest property. The USFWS has also mapped 0.32 acre of Freshwater Emergent Wetland with a classification of Palustrine Emergent Persistent Seasonally Flooded (PEMC) wetlands on the banks of Old San Jose Creek south of the project site. Approximately 2,125 sq. ft. of the USFWS-mapped Freshwater Emergent Wetland habitat is located on the SyWest property along the southern property line (refer to Figure 2).

The USFWS National Wetland Inventory has mapped the area south of the project site and south of Old San Jose Creek between San Pedro Creek and San Jose Creek as an Estuarine and Marine Wetland with a classification code of "Estuarine Intertidal Emergent Persistent Regularly Flooded" (E2EM1N) and a classification code of "Estuarine Intertidal Unconsolidated Shore Irregularly Flooded (E2USP)". None of this USFWS mapped Estuarine and Marine habitat occurs on the SyWest property (refer to Figure 2).



Figure 2. USFWS Mapped Wetlands Near the Project Site

Wetland Delineation Report
Goleta Business Park Project
907 South Kellogg Ave., Goleta, CA

Watershed Environmental, Inc. 2/20/2023

4.0 SURVEY METHODS

4.1 WETLANDS AND WATERS SURVEY METHODS

Watershed environmental scientist Mark de la Garza and environmental/GIS analyst Dominick Burnham performed wetland delineation surveys on February 8 and 15, 2023 to determine the extent and location of federal, state, and local regulated wetlands, waters, and riparian habitat on and adjacent to 907 South Kellogg Avenue Goleta Business Park project site. Mark is a member of the Society of Wetland Scientists and has completed a 40-hour training course on how to perform wetland delineation surveys using the ACOE's 1987 *Wetland Delineation Manual* and a 40-hour advanced hydric soils wetland delineation training course. Instructors for both courses were nationally recognized wetland scientists affiliated with the Wetland Training Institute.

Wetland surveys followed the prescribed methods in the ACOE's "Technical Report Y-87-1" (Environmental Laboratory 1987) and the *Regional Supplement to the Corps of Engineers Wetland Delineation Manual, Arid West Region VII,* v2 "Technical Report ERDC/EL TR-08-28" (Environmental Laboratory 2008). Attachment 1 contains the completed wetland determination data forms. Attachment 2 contains photographs of the wetland delineation sampling locations.

4.2 WETLAND AND WATERS DEFINITIONS

ACOE Wetland Definition (40 CFR 328.2[b])
Wetlands are subject to protection under Section 404 of the Clean Water Act and thus come under the regulatory authority of the ACOE, which issues permits to projects affecting ACOE jurisdictional wetlands. The term "jurisdictional wetland" describes legally defined wetlands protected and regulated via an ACOE dredge-and-fill permit system. Section 404 of the Clean Water Act defines wetlands as a subset of Waters of the US. The primary difference between waters and wetlands is that wetlands are vegetated. The Clean Water Act defines wetlands as:

> "Wetlands are areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas."

ACOE jurisdictional wetlands, under normal circumstances, must have 3 general diagnostic environmental characteristics:

Vegetation: The prevalent vegetation consists of macrophytes that are typically adapted to areas having hydrologic and soil conditions described above. Hydrophytic species, due to morphological, physiological, and/or reproductive adaptations, have the ability to grow, effectively compete, reproduce, and/or persist in anaerobic soil conditions.

Soil: Soils are present and have been classified as hydric or possess characteristics associated with reducing soil conditions.

Hydrology: The area is inundated either permanently or periodically at mean water depths of 2 meters (6.6 ft.), or the soil is saturated to the surface at some time during the growing season of the prevalent vegetation. The period of inundation or soil saturation varies according to the hydrologic/soil moisture regime and occurs in both tidal and non-tidal situations.

"Normal circumstances" are defined as: *"the soil and hydrologic conditions that are normally present, without regard to whether the vegetation has been removed"* (Environmental Laboratory 1987).

ACOE Waters of the US Definition (33 CFR Part 328)
Waters of the US are subject to protection under Section 404 of the Clean Water Act and thus come under the regulatory authority of the ACOE, which issues permits to projects affecting Waters of the US. Waters of the U.S. are currently defined as:

- All waters which are currently used, or were used in the past, or may be susceptible to use in interstate or foreign commerce;
- All interstate waters including interstate wetlands;
- All other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds, the use, degradation, or destruction of which could affect interstate or foreign commerce;
- Waters that are or could be used by interstate or foreign travelers for recreational or other purposes; or from which fish or shellfish are or could be taken and sold in interstate or foreign commerce; or which are used or could be used for industrial purpose by industries in interstate commerce;
- All impoundments of waters otherwise defined as waters of the United States; tributaries of waters of the U.S.;
- The territorial seas which are subject to the ebb and flow of the tide; wetlands adjacent to waters (other than waters that are themselves wetlands).

Note: *The Department of the Army Corps of Engineers, Department of Defense, and Environmental Protection Agency revised the definition of "Waters of the U.S." on January 18, 2023* (Federal Register 2023)*. The revised Waters of the U.S. definition will go into effect on March 20, 2023 unless delayed by the courts.*

January 18, 2023 ACOE Revised Definition of Waters of the U.S. (33 CFR Part 328)

1. Traditional navigable waters, the territorial seas, and interstate waters.
2. Impoundments of ''waters of the United States''.
3. Tributaries to traditional navigable waters, the territorial seas, interstate waters, or impoundments when the tributaries meet either the relatively permanent standard or the significant nexus standard.
4. Wetlands adjacent to waters; wetlands adjacent to and with a continuous surface connection to relatively permanent impoundments or to jurisdictional tributaries when the jurisdictional tributaries meet the relatively permanent standard; and wetlands adjacent to impoundments or jurisdictional tributaries when the wetlands meet the significant nexus standard.
5. Intrastate lakes and ponds, streams, or wetlands that meet either the relatively permanent standard or the significant nexus standard

State Water Resources Control Board Wetland Definition
On April 2, 2019 the State Water Resources Control Board formally approved and adopted the following definition of wetlands subject to protection by the State under the Porter-Cologne Water Quality Control Act:

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

State Water Code Definition of Waters of the State

The Water Code defines "waters of the state" as:

"Any surface water or groundwater, including saline waters, within the boundaries of the state." "Waters of the state" includes all "waters of the U.S."

The following types of wetlands are waters of the state:

1. Natural wetlands
2. Wetlands created by modification of a surface water of the state,
3. Artificial wetlands that meet any of the following criteria:
   a. Approved by an agency as compensatory mitigation for impacts to other waters of the state, except where the approving agency explicitly identifies the mitigation as being of limited duration;
   b. Specifically identified in a water quality control plan as a wetland or other water of the state;
   c. Resulted from historic human activity, is not subject to ongoing operation and maintenance, and has become a relatively permanent part of the natural landscape; or
   d. Greater than or equal to one acre in size, unless the artificial wetland was constructed, and is currently used and maintained, primarily for one or more of the following purposes:
      i. Industrial or municipal wastewater treatment or disposal,
      ii. Settling of sediment,
      iii. Detention, retention, infiltration, or treatment of stormwater runoff and other pollutants or runoff subject to regulation under a municipal, construction, or industrial stormwater permitting program,
      iv. Treatment of surface waters,
      v. Agricultural crop irrigation or stock watering
      vi. Fire suppression,
      vii. Industrial processing or cooling,
      viii. Active surface mining – even if the site is managed for interim wetlands functions and values,

California Coast Act Wetland Definition

Section 30121 Division 20 of the Public Resources Code Coastal Act defines wetlands as:

"Lands within the coastal zone that may be covered periodically or permanently with shallow water and include saltwater marshes, freshwater marshes, open or closed brackish water marshes, swamps, mudflats, and fens."

The California Code of Regulations Title 14 (14 CCR) establishes a "one-parameter definition" to establish wetland conditions:

'Wetland' shall be defined as land where the water table is at, near, or above the land surface long enough to promote the formation of hydric soils or to support the growth of hydrophytes, and shall also include those types of wetlands where vegetation is lacking and soil is poorly developed or absent as a result of frequent and drastic fluctuations of surface water levels, wave action, water flow, turbidity

or high concentrations of salts or other substances in the substrate. Such wetlands can be recognized by the presence of surface water or saturated substrate at some time during each year and their location within, or adjacent to, vegetated wetlands or deep-water habitats (14 CCR Section 13577).

City of Goleta Wetland Definition

The City of Goleta (City of Goleta 2006) defines wetlands as:

"Those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Lands classified as wetlands generally have one or more of the three indicators:

1) a substrate that is predominately undrained hydric soils;
2) a preponderance of plants adapted to moist areas, or hydrophytic plants; or
3) a surface or subsurface water source which is present for sufficient periods of time to promote formation of hydric soils or growth of hydrophytic plant species.

4.3 WETLAND VEGETATION TERMINOLOGY AND CRITERIA

The ACOE defines hydrophytic vegetation as "a community of macrophytes (i.e., plants) that occurs in areas where inundation or soil saturation is either permanent or of sufficient frequency and duration to exert a controlling influence on the plant species present" (Environmental Laboratory 2008).

The ACOE defines a hydrophyte as "any macrophyte (i.e., plant) that grows in water or on a substrate that is at least periodically deficient in oxygen as a result of excessive water content; plants typically found in wet habitats" (Environmental Laboratory 1987). Hydrophytic vegetation is present when a plant community is dominated by species that can tolerate prolonged inundation or soil saturation during the growing season (Environmental Laboratory 2008).

Classification of Wetlands and Deepwater Habitats of the United States (Cowardin 1979 and Reed 1988) contains an appendix titled "The National List of Plant Species that Occur in Wetlands" to assist biologists with identifying wetland plants. The list assigns 5 wetland indicator status categories that are still in use (Table 1). We used the most recent National Wetland Plant List (Federal Register 2021) to determine the hydophytic status of plant species. For plant species listed as NI (reviewed but given no regional indicator) or NO (no known occurrence in the region at the time the list was compiled), we applied the indicator status assigned to the species in the nearest adjacent region. If the plant species is not listed at all, we assigned the species an upland (UPL) indicator status per the methodology described in the 2008 ACOE Arid West Regional Supplement to Corps of Engineers Wetland Delineation Manual.

The ACOE criteria for a vegetation community to be classified as hydrophytic are that: 1) greater than 50 percent of the dominant plant species must have an OBL, FACW, or FAC indicator status or 2) the vegetation must have a prevalence index of $\leq$3. The prevalence index is a weighted average based on percent cover, as indicated in Attachment 1.

Table 1. Wetland Indicator Status Categories

Indicator Code	Indicator Status	Designation	Comment
OBL	Obligate Wetland	Hydrophyte	Almost always occur in wetlands.
FACW	Facultative Wetland	Hydrophyte	Usually occurs in wetlands, but may occur in non-wetlands.
FAC	Facultative	Hydrophyte	Occurs in wetlands and non-wetlands.
FACU	Facultative Upland	Non-hydrophyte	Usually occurs in non-wetlands, but may occur in wetlands.
UPL	Obligate Upland	Non-hydrophyte	Almost never occurs in wetlands.

4.4 HYDRIC SOILS TERMINOLOGY AND CRITERIA

The Soil Conservation Service defines hydric soils as "a soil that formed under conditions of saturation, flooding, or ponding long enough during the growing season to develop anaerobic conditions in the upper part" (SCS 1994).

Most hydric soils exhibit unique characteristics from repeated periods of saturation or inundation that cause anaerobic conditions (i.e., depleted oxygen) to develop over time. Anaerobic bacteria frequently develop in hydric soils, which slow the organic matter decomposition rate, produce hydrogen sulfide gas, and cause the reduction, translocation, and accumulation of iron and manganese. These biogeochemical processes result in distinctive characteristics that persist in the soil even when dry.

The ACOE *Arid West Regional Supplement Wetland Delineation Manual* (Environmental Laboratory 2008) contains 19 hydric soil indicators that, depending on soil type, identify the presence/absence of hydric soils. Determining the indicators present is done by digging an 18-24-in.-deep soil test pit, examining the soil profile using a ruler to measure the depth of the different soil horizons, consulting the *Munsell Soil-Color Charts* (Munsell 2009) to determine the soil matrix and redox feature colors when moist, and using a percent cover chart to estimate the amount of redox features present in the horizons. The presence of one or more of these indicators satisfies ACOE criteria for hydric soil.

4.5 WETLAND HYDROLOGY TERMINOLOGY AND CRITERIA

Hydrology is the study of water. The US Geological Survey defines it as "the natural science that encompasses the occurrence, distribution, movement and properties of the waters of the earth and their relationship with the environment within each phase of the hydrologic cycle" (USGS 2020).

"Wetland hydrology" describes areas with a natural hydrologic regime that causes development of hydric soil characteristics and hydrophyte-dominant vegetation. Sites with wetland hydrology have surface water or saturated soils visible in the field or historic aerial photography. Evidence of periodic flooding or ponding like water marks, drift deposits, and sediment deposits also indicates wetland hydrology. Oxidized rhizospheres on living roots and reduced soil iron or sulfur, which occur in long-saturated soils, are indicative as well. All

such evidence shows that a wetland hydrologic regime presently exists and is not a relic of former hydrological conditions.

The ACOE *Arid West Regional Supplement Wetland Delineation Manual* (Environmental Laboratory 2008) identifies 18 primary wetland hydrology indicators and 9 secondary wetland hydrology indicators. The criteria to establish wetland hydrology is the presence of at least 1 primary wetland hydrology indicator or 2 or more secondary wetland hydrology indicators.

5.0 SURVEY RESULTS

We collected vegetation, soil, and hydrology data from 7 sample locations on February 8, 2023, and from 2 sample locations on February 15, 2023 (Figure 3). The areas we sampled were in locations where development, grading, and underground utility lines are proposed, but did not include areas that are currently asphalt paved or within the structures (snackbar and projection boths) that will be demolished. The vegetation, soil, and hydrology at all but one of the sampling locations was not disturbed and normal circumstances were determined to be present at each sampling locations. At the time of our February 2023 surveys, the City of Goleta had received 16.77 inches of rain since September 1, 2022 or about 146% above average for this time of year (SBCO 2022) and the climatic/hydrologic conditions were determined to be typical for this time of year.

5.1.1 Vegetation

We mapped the vegetation and land cover types within and adjacent to the 11.71-acre 907 South Kellogg Avenue property (refer to Figure 3). A total of 12 different vegetation types and 7 land cover types existed at the time of our original August 9, 2022 survey and were unchanged on the 907 South Kellogg Avenue property during performance of our February 8 and 15, 2023 wetland delineation surveys.

The only change to vegetation observed was off-site south and east of the 907 South Kellogg Avenue property. During the performance of our February 15 survey, we discovered a small 548 sq. ft. stand of salt marsh vegetation that we had previously missed in the bed of Old San Jose Creek at the location where the creek flows into two 48-inch diameter culverts into San Jose Creek. During our February 8, 2023 survey, the County Flood Control department was using a crane and a dragline bucket dredge to remove sediment from San Jose Creek. This dredging operation removed all of the salt marsh vegetation along the western lower bank of San Jose Creek east of the project site and disturbed the quailbrush scrub and ruderal vegetation that existed on the upper creek banks. The soils from the dredging operation were loaded into a dump truck and dumped approximately 85 ft. south of the SyWest property in an area that we had previously mapped as coyote brush scrub and quailbrush scrub.

Sample sites P-1 was in iceplant and P-2 was in Laurel Sumac Scrub in the area where a detention basin is proposed. Sample site P-3 is off of the SyWest property at the existing sump pump outlet location on the western bank of San Jose Creek on a 45-degree slope concrete lined creek bank. The P-3 sample location was significantly disturbed and had no vegetation and no exposed soil, but was within the ordinary high water and tidal inundation zone of San Jose Creek. This existing 36-inch diameter reinforced metal pipe and existing outlet structure on the concrete lined creek bank will be used to discharge water from the proposed stormwater detention basin. Sample site P-4 was approximately 33 ft. west of sample site P-3 on the western edge of the dirt access road that parallels San Jose Creek, adjacent to an area landscaped with ornamental juniper shrubs. Sample site P-5 was

located in the southeastern corner of the property where an underground electrical utility line will connect to an existing power pole. Sample site P-6 was along the western property line in an area that the City of Goleta had previously mapped as environmentally sensitive riparian habitat but currently contains ruderal vegetation. Sample site P-7 was in the northeastern portion of the property in an area that was previously asphalt paved but currently contains non-native ruderal vegetation. Sample site P-8 was along the southern property line in area that is vegetated with ornamental myoporum shrubs but is mapped by the USFWS as a Freshwater Emergent Wetland. Sample site P-9 was offsite in Old San Jose Creek at the location where the creek flows into two 48-inch diameter culverts into San Jose Creek.

Table 2. Vegetation and Land Cover Types on and Adjacent to Project Site

Vegetation Types	**Area (sq. ft.)**	**Area (acres)**
Arroyo Willow Riparian Scrub	178,731	4.10
Coastal Sage Scrub (planted in Security Paving habitat restoraiton area)	11,932	0.27
Cottonwood/Arroyo Willow Riparian Woodland	27,315	0.63
Coyote Brush Scrub	70,255	1.61
Dune Sedge (planted in Security paving habitat restoraiton area)	6,785	0.16
Iceplant	12,664	0.29
Ornamental Trees and Shrubs	25,303	0.58
Pacific Willow/Arroyo Willow Riparian Woodland	78,854	1.81
Quailbush Scrub	25,781	0.59
Ruderal (tumbleweed, telegraph weed, Bermuda grass, horseweed, cheeseweed)	55,979	1.29
Saltmarsh (pickleweed, seablight, bulrush)	14,050	0.33
Subtotal Vegetation Types	**507,649**	**11.65**

Land Cover Types	**Area (sq. ft.)**	**Area (acres)**
Asphalt Road	415,515	9.54
Asphalt & Gravel Parking Area	41,054	0.94
Concrete Pavers (San Jose Creek Bed)	1,683	0.04
Concrete Rubble Stockpile	53,401	1.23
Dirt Road	35,731	0.82
Open Water (San Jose Creek)	104,047	2.39
Structures	130,661	3.00
Subtotal Land Cover Types	**782,092**	**17.96**
Grand Total Vegetation and Land Cover Types	**1,289,741**	**29.61**

**548 sq. ft. of additional Saltmarsh vegetation was observed during our February 15, 2023 survey. This table updates the Table 3 from Watershed Environmental's Nov 3, 2022 "Update to March 28, 2018 Biological Report for Goleta Business Center Project".*

Our wetland delineation survey did not find any hydrophytic vegetation on the 907 South Kellogg Avenue property. The dominant species in the area mapped by the USFWS as Freshwater Emergent Wetland habitat in the southern portion of the SyWest property is mousehole tree *(myoporum laetum)* which is a Facultative Upland (FACU) species. Based on our survey, the USFWS National Wetland Inventory incorrectly mapped 0.32 acre of

Freshwater Emergent Wetlands on the banks of old San Jose Creek and in the 2,125 sq. ft. portion that extends onto the SyWest Property.

The only locations where we found wetland vegetation were off-site—east and southeast—of the SyWest property in areas we identified and mapped as salt marsh vegetation. We were not able to sample the saltmarsh vegetation on the lower banks of San Jose Creek because of dredging operations. We were, however, able to sample a small 548 sq. stand of salt marsh vegetation in Old San Jose Creek at our P-9 sample site. The dominant species at the P-9 sample location was pickleweed (*Salicornia [Sarcocornia] pacifica)* which is an Obligate (OBL) wetland species.

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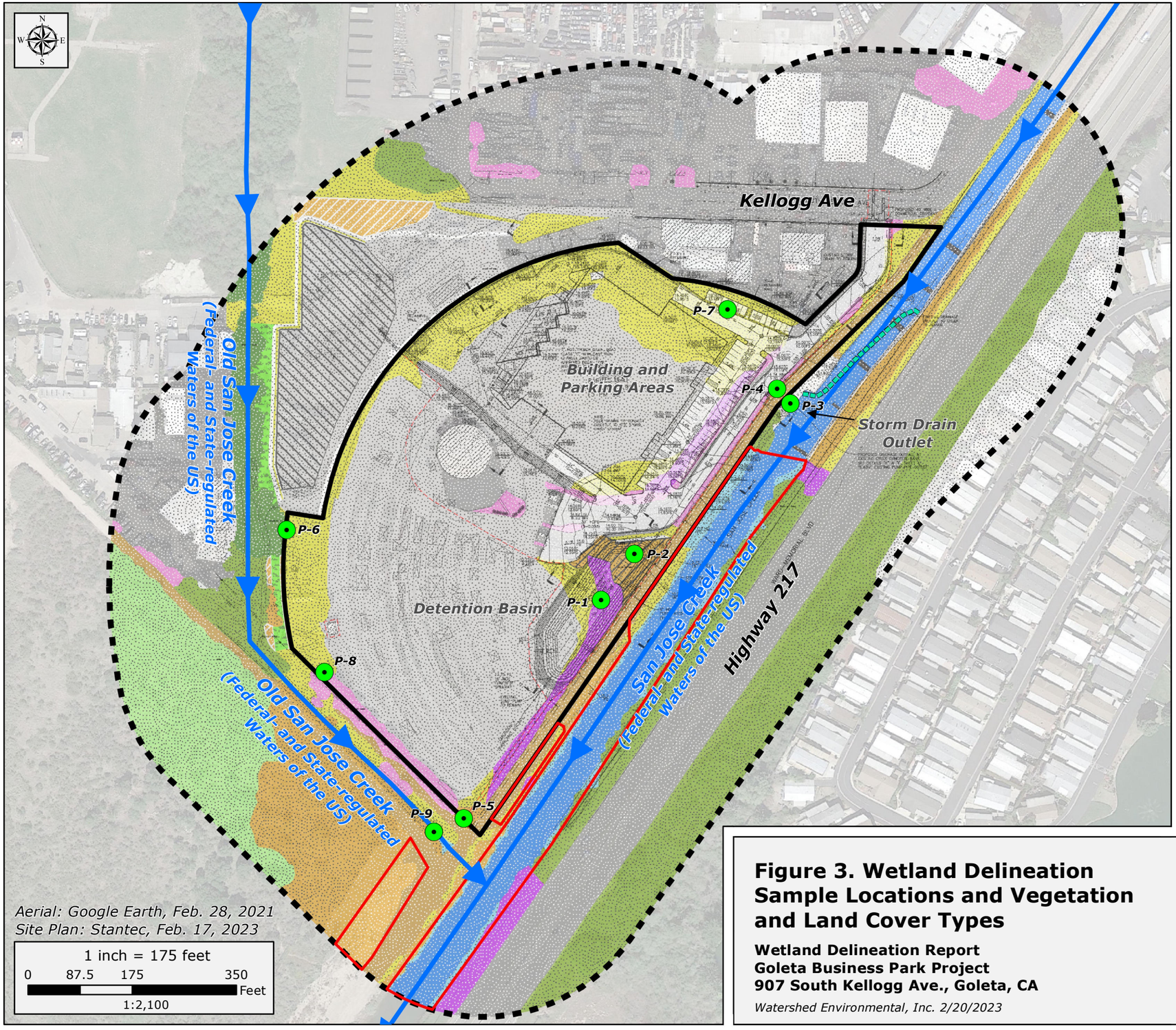


Figure 3. Wetland Delineation Sample Locations and Vegetation and Land Cover Types

Wetland Delineation Report
Goleta Business Park Project
907 South Kellogg Ave., Goleta, CA

Watershed Environmental, Inc. 2/20/2023

Map Items

- Property Boundary (APN: 071-190-035)
- 300 ft. Buffer from Property Boundary (Study Area)
  Survey Distance Req'd by Goleta ESHA Ordinance
- Tidal Influence Zone (+4.51 ft. mean high tide)
- Area Impacted by Dredging Excavation and Spoils Placement
- Wetland Determination Sampling Points

Vegetation Types

- Arroyo Willow Riparian Scrub
  CDFW-regulated riparian habitat
- Coastal Sage Scrub (Restoration)
- Cottonwood/Arroyo Willow Riparian Woodland
  CDFW-regulated riparian habitat
- Coyote Brush Scrub
- Dune Sedge (Restoration)
- Iceplant
- Laurel Sumac Shrub
- Ornamental Trees & Shrubs
- Pacific Willow/Arroyo Willow Riparian Woodland
  CDFW-regulated riparian habitat
- Quailbush Scrub
- Ruderal
- Saltmarsh
  Federal- and State-regulated Wetlands

Land Cover Types

- Asphalt Gravel Parking Area
- Asphalt Road
- Concrete Rubble Stockpile
- Concrete Pavers
- Dirt Road
- Open Water
  Federal- and State-regulated Waters of the US
- Structures

5.1.2 Soils

We dug 18-23 inch deep soil sampling pits at each of the nine wetland sampling locations, except for P-3 which was on the concrete lined bank of San Jose Creek at the existing sump pump outland location that will become the discharge point for the proposed detention basin.

Our wetland delineation survey did not find any hydric soil indicators or redox features in the seven soil sampling pits (P-1, P-2, P-4, P-5, P-6, P-7 and P-8) that we excavated on the 907 South Kellogg Avenue property. The soil texture at these seven sampling locations was loamy sand and sandy loam and the soil colors were: dark brown (10YR 3/3), dark gray brown (10YR 4/2), brown (10YR 4/3), and yellowish brown (10YR 5/4).

The only sampling location where we found hydric soil was at the P-9 sample location, approximately 50 ft. south of the SyWest property in the bed of Old San Jose Creek. The A-horizon soil was 8-inches thick and had clay loam soil texture and a dark brown (10YR 3/3) matrix color with 5 % depleted matrix redox concentration features in the poor linings that were yellowish red (5YR 5/4) in color. The B-soil horizon was 12-inches thick and was a loamy sand with a dark grayish brown (10YR 4/2) color with 30 percent sandy redox concentration features that were yellow (10YR 7/8) in color. For the purposes of this report, we assume that hydric soil exists in all locations within the study area that contain salt marsh vegetation.

5.1.3 Hydrology

We did not find any wetland hydrology indicators in the seven soil sampling locations (P-1, P-2, P-4, P-5, P-6, P-7 and P-8) on the 907 South Kellogg Avenue property. We did however, observe wetland hydrology indicators at the P-3 sample location on the western bank of San Jose Creek and at the P-9 sample location in the bed of Old San Jose Creek.

The P-3 sample site had the following primary wetland hydrology indicators: surface water, saturation, and inundation visible on aerial imagery. It also had the following secondary wetland hydrology indicators: water marks (riverine), sediment deposits (riverine) drift deposits and saturation visible on aerial imagery. The P-3 sample site was determined to have wetland hydrology based on the existence of these primary and secondary wetland hydrology indicators. The segment of San Jose Creek adjacent to project site within the 55 ft. wide ordinary high water mark meets the criteria to be classified as Waters of the U.S. and Waters of the State.

The P-9 sample site had saturation which is a primary wetland hydrology indicator. It also had the following secondary wetland hydrology indicators: water marks (riverine), sediment deposits (riverine), drift deposits (riverine) and drainage patterns. The P-9 sample site was determined to have wetland hydrology based on the existence of these primary and secondary wetland hydrology indicators. The segment of Old San Jose Creek adjacent to project site within the approximately 6 ft. wide ordinary high water mark meets the criteria to be classified as Waters of the U.S. and Waters of the State.

6.0 IMPACTS TO WATERS AND WETLANDS

This section describes the amount of state and federally regulated waters and wetlands potentially impacted by the proposed Goleta Business Park Project at 907 South Kellogg Avenue. This information has been provided so that the applicant can apply for and obtain

permits from the ACOE, RWQCB, and CDFW as needed for project activities within the regulatory jurisdiction of these agencies. It should be understood by all that ACOE jurisdiction is limited to Waters of the United States and wetlands containing hydrophytic vegetation, hydric soils, and wetland hydrology, and that CDFW, RWQCB, California Coastal Commission, and the City of Goleta have jurisdiction over all Federally regulated waters and wetlands, as well as all single parameter wetlands (i.e., areas with at least one wetland parameter such as hydrophytic vegetation, hydric soil, or wetland hydrology).

The project as currently designed will temporarily impact a 6 ft. x 6 ft. (36 sq. ft.) area that is subject to ACOE jurisdiction as "Waters of U.S." on the concrete lined bank of San Jose Creek. This 36 sq. ft. area is also subject to the regulatory jurisdiction of the RWQCB, CDFW, California Coastal Commission, and the City of Goleta. Proposed activities at this location include: removal of 36 sq. ft. of the concrete lined creek bank, removal of the existing 36-inch diameter corrugated metal pipe, replacement with a new 18-inch diameter storm drain pipe, and replacement of the concrete on the creek bank that was removed.

7.0 CONCLUSIONS

The SyWest 907 South Kellogg Avenue property does not contain any federal or state jurisdictional wetlands or waters, or any state regulated riparian habitat. The nearest federally and state regulated wetlands occur on the lower banks of San Jose Creek east of the project site and a small 548 sq ft. stand of salt marsh vegetation at the southern terminus of Old San Jose Creek that are dominated by pickleweed (*Salicornia [Sarcocornia] pacifica).* Recent dredging activities performed by the Santa Barbara County Flood Control Department to remove sediment has destroyed most of the salt marsh wetland vegetation that existed on the lower banks of San Jose Creek within 300 ft. of the SyWest property. During the performance of this wetland delineation survey, we found a small (548 sq. ft.) stand of pickleweed saltmarsh vegetation in the bed of Old San Jose Creek at sample site P-9 that was not disturbed by dredging activities. The saltmarsh vegetation in Old San Jose Creek is located approximately 45 ft. from the southern property line of the 907 South Kellogg Avenue SyWest property.

The proposed development of the Goleta Business Park project will not directly impact any of the pickleweed saltmarsh wetland vegetation in San Jose or Old San Jose Creek. Removal and replacement of the existing sump pump storm drain outlet with a new outlet to discharge water from the proposed detention basin will, however, temporarily impact 36 sq. ft. of ACOE Jurisdictional Waters of the U.S., which are also subject to the regulatory authority of the RWQCB, CDFW, the California Coastal Commission, and the City of Goleta. The proposed project will likely undergo several revisions during the environmental review process and project impacts to federal and state regulated waters and wetlands may change. The location of federal and state regulated wetlands and waters identified in this report are not expected to substantially change between now and when the environmental review process is completed and the project is approved by the City of Goleta.

After the project is approved, the applicant will likely need to obtain a 404 dredge and fill permit from the ACOE, a 401 water quality certification permit from the RWQCB, and a 1602

streambed alteration agreement from the CDFW for any project related activities within federal and/or state regulated waters and wetlands.

This Wetland Delineation Report was prepared by Mark de la Garza with Watershed Environmental Inc. Any questions regarding the contents of this report should be directed to Mark at 805 729-1070 or via email at mdelagarza@watershedenvironmental.com.

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Attachment 1.
Completed Wetland Determination Data Forms – Arid West Region

WETLAND DETERMINATION DATA FORM – Arid West Region

Project/Site: Goleta Business Park City/County: Goleta/Santa Barbara County Sampling Date: 2/8/2023

Applicant/Owner: SyWest Development State: CA Sampling Point: P-1

Investigator(s): Mark de la Garza, Dominick Burnham Section, Township, Range: S6, T04N, R28W

Landform (hillslope, terrace, etc.): hillslope Local relief (concave, convex, none): concave Slope (%): 5-10

Subregion (LRR): LRR C Lat: 34.4252507 Long: -119.8270175 Datum: WGS84

Soil Map Unit Name: Camarillo fine sandy loam (Ca) NWI classification: none

Are climatic / hydrologic conditions on the site typical for this time of year? Yes ✓ No _____ (If no, explain in Remarks.)

Are Vegetation _____, Soil _____, or Hydrology _____ significantly disturbed? Are "Normal Circumstances" present? Yes ✓ No _____

Are Vegetation _____, Soil _____, or Hydrology _____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes _____	No ✓	**Is the Sampled Area within a Wetland?** Yes _____ No ✓
Hydric Soil Present?	Yes _____	No ✓	
Wetland Hydrology Present?	Yes _____	No ✓	

Remarks:
Sample location in the center of detention basin

VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size: 30 ft. - 2,827 sq. ft.)	Absolute % Cover	Dominant Species?	Indicator Status
1.			
2.			
3.			
4.			
	0 = Total Cover		
Sapling/Shrub Stratum (Plot size: 15 ft. - 707 sq. ft.)			
1. Baccharis pilularis	1	Yes	UPL
2.			
3.			
4.			
5.			
	1 = Total Cover		
Herb Stratum (Plot size: 5.64 ft. - 100 sq. ft.)			
1. Carpobrotus edulis	85	Yes	UPL
2. Brassica nigra	8	No	UPL
3. Hordeum murinum ssp. leporinum	3	No	FACU
4. Erodium cicutarium	2	No	UPL
5. Malva parviflora	1	No	UPL
6.			
7.			
8.			
	99 = Total Cover		
Woody Vine Stratum (Plot size: 30 ft. - 2,827 sq. ft.)			
1.			
2.			
	0 = Total Cover		

% Bare Ground in Herb Stratum 1 % Cover of Biotic Crust 0

Dominance Test worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: 0 (A)

Total Number of Dominant Species Across All Strata: 2 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 0 (A/B)

Prevalence Index worksheet:

Total % Cover of:		Multiply by:	
OBL species	0	x 1 =	0
FACW species	0	x 2 =	0
FAC species	0	x 3 =	0
FACU species	3	x 4 =	12
UPL species	97	x 5 =	485
Column Totals:	100 (A)		497 (B)

Prevalence Index = B/A = 4.97

Hydrophytic Vegetation Indicators:

___ Dominance Test is >50%

___ Prevalence Index is ≤3.0[1]

___ Morphological Adaptations[1] (Provide supporting data in Remarks or on a separate sheet)

___ Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Hydrophytic Vegetation Present? Yes _____ No ✓

Remarks:
landscaped with iceplant

SOIL

Sampling Point: P-1

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix Color (moist)	Matrix %	Redox Features Color (moist)	Redox Features %	Type[1]	Loc[2]	Texture	Remarks
0-13	10YR 4/3	100					loamy sand	
13-22	10YR 4/2	100					sandy loam	

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Stratified Layers (A5) (**LRR C**)
- ___ 1 cm Muck (A9) (**LRR D**)
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Sandy Mucky Mineral (S1)
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Loamy Mucky Mineral (F1)
- ___ Loamy Gleyed Matrix (F2)
- ___ Depleted Matrix (F3)
- ___ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)
- ___ Vernal Pools (F9)

Indicators for Problematic Hydric Soils[3]:

- ___ 1 cm Muck (A9) (**LRR C**)
- ___ 2 cm Muck (A10) (**LRR B**)
- ___ Reduced Vertic (F18)
- ___ Red Parent Material (TF2)
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if present):

Type: none

Depth (inches): ____

Hydric Soil Present? Yes ____ No ✓

Remarks:

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one required; check all that apply)

- ___ Surface Water (A1)
- ___ High Water Table (A2)
- ___ Saturation (A3)
- ___ Water Marks (B1) (**Nonriverine**)
- ___ Sediment Deposits (B2) (**Nonriverine**)
- ___ Drift Deposits (B3) (**Nonriverine**)
- ___ Surface Soil Cracks (B6)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Water-Stained Leaves (B9)
- ___ Salt Crust (B11)
- ___ Biotic Crust (B12)
- ___ Aquatic Invertebrates (B13)
- ___ Hydrogen Sulfide Odor (C1)
- ___ Oxidized Rhizospheres along Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Recent Iron Reduction in Tilled Soils (C6)
- ___ Thin Muck Surface (C7)
- ___ Other (Explain in Remarks)

Secondary Indicators (2 or more required)

- ___ Water Marks (B1) (**Riverine**)
- ___ Sediment Deposits (B2) (**Riverine**)
- ___ Drift Deposits (B3) (**Riverine**)
- ___ Drainage Patterns (B10)
- ___ Dry-Season Water Table (C2)
- ___ Crayfish Burrows (C8)
- ___ Saturation Visible on Aerial Imagery (C9)
- ___ Shallow Aquitard (D3)
- ___ FAC-Neutral Test (D5)

Field Observations:

Surface Water Present? Yes ____ No ✓ Depth (inches): ____

Water Table Present? Yes ____ No ✓ Depth (inches): ____

Saturation Present? (includes capillary fringe) Yes ____ No ✓ Depth (inches): ____

Wetland Hydrology Present? Yes ____ No ✓

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

sample location 62.5 ft. west of the top of bank of San Jose Creek.

	**Photo.** P-1 location
	**Photo.** P-1 soil sample pit



Photo.
P-1 A-horizon soil

WETLAND DETERMINATION DATA FORM – Arid West Region

Project/Site: Goleta Business Park City/County: Goleta/Santa Barbara County Sampling Date: 2/8/2023

Applicant/Owner: SyWest Development State: CA Sampling Point: P-2

Investigator(s): Mark de la Garza, Dominick Burnham Section, Township, Range: S6, T04N, R28W

Landform (hillslope, terrace, etc.): flat Local relief (concave, convex, none): none Slope (%): 0-1

Subregion (LRR): LRR C Lat: 34.4254656 Long: -119.8268378 Datum: WGS84

Soil Map Unit Name: Camarillo fine sandy loam (Ca) NWI classification: none

Are climatic / hydrologic conditions on the site typical for this time of year? Yes ✓ No _____ (If no, explain in Remarks.)

Are Vegetation _____, Soil _____, or Hydrology _____ significantly disturbed? Are "Normal Circumstances" present? Yes ✓ No _____

Are Vegetation _____, Soil _____, or Hydrology _____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes _____	No ✓	**Is the Sampled Area within a Wetland?** Yes _____ No ✓
Hydric Soil Present?	Yes _____	No ✓	
Wetland Hydrology Present?	Yes _____	No ✓	

Remarks:
Sample location at the northern edge of proposed detention basin

VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size: 30 ft. - 2,827 sq. ft.)	Absolute % Cover	Dominant Species?	Indicator Status
1.			
2.			
3.			
4.			
	0 = Total Cover		
Sapling/Shrub Stratum (Plot size: 15 ft. - 707 sq. ft.)			
1. Malosma laurina	90	Yes	UPL
2.			
3.			
4.			
5.			
	90 = Total Cover		
Herb Stratum (Plot size: 5.64 ft. - 100 sq. ft.)			
1. Carpobrotus edulis	80	Yes	UPL
2.			
3.			
4.			
5.			
6.			
7.			
8.			
	80 = Total Cover		
Woody Vine Stratum (Plot size: 30 ft. - 2,827 sq. ft.)			
1.			
2.			
	0 = Total Cover		

% Bare Ground in Herb Stratum 10 % Cover of Biotic Crust 0

Dominance Test worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: 0 (A)

Total Number of Dominant Species Across All Strata: 2 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 0 (A/B)

Prevalence Index worksheet:

Total % Cover of:		Multiply by:	
OBL species	0	x 1 =	0
FACW species	0	x 2 =	0
FAC species	0	x 3 =	0
FACU species	0	x 4 =	0
UPL species	170	x 5 =	850
Column Totals:	170 (A)		850 (B)

Prevalence Index = B/A = 5.0

Hydrophytic Vegetation Indicators:

___ Dominance Test is >50%

___ Prevalence Index is ≤3.0[1]

___ Morphological Adaptations[1] (Provide supporting data in Remarks or on a separate sheet)

___ Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Hydrophytic Vegetation Present? Yes _____ No ✓

Remarks:
landscaped with iceplant and laurel sumac

SOIL

Sampling Point: P-2

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix Color (moist)	Matrix %	Redox Features Color (moist)	Redox Features %	Type[1]	Loc[2]	Texture	Remarks
0-12	10YR 4/3	100					loamy sand	
12-22	10YR 5/4	100					loamy sand	

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Stratified Layers (A5) (**LRR C**)
- ___ 1 cm Muck (A9) (**LRR D**)
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Sandy Mucky Mineral (S1)
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Loamy Mucky Mineral (F1)
- ___ Loamy Gleyed Matrix (F2)
- ___ Depleted Matrix (F3)
- ___ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)
- ___ Vernal Pools (F9)

Indicators for Problematic Hydric Soils[3]:

- ___ 1 cm Muck (A9) (**LRR C**)
- ___ 2 cm Muck (A10) (**LRR B**)
- ___ Reduced Vertic (F18)
- ___ Red Parent Material (TF2)
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if present):

Type: none

Depth (inches): ____

Hydric Soil Present? Yes ____ No ✓

Remarks:

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one required; check all that apply)

- ___ Surface Water (A1)
- ___ High Water Table (A2)
- ___ Saturation (A3)
- ___ Water Marks (B1) (**Nonriverine**)
- ___ Sediment Deposits (B2) (**Nonriverine**)
- ___ Drift Deposits (B3) (**Nonriverine**)
- ___ Surface Soil Cracks (B6)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Water-Stained Leaves (B9)
- ___ Salt Crust (B11)
- ___ Biotic Crust (B12)
- ___ Aquatic Invertebrates (B13)
- ___ Hydrogen Sulfide Odor (C1)
- ___ Oxidized Rhizospheres along Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Recent Iron Reduction in Tilled Soils (C6)
- ___ Thin Muck Surface (C7)
- ___ Other (Explain in Remarks)

Secondary Indicators (2 or more required)

- ___ Water Marks (B1) (**Riverine**)
- ___ Sediment Deposits (B2) (**Riverine**)
- ___ Drift Deposits (B3) (**Riverine**)
- ___ Drainage Patterns (B10)
- ___ Dry-Season Water Table (C2)
- ___ Crayfish Burrows (C8)
- ___ Saturation Visible on Aerial Imagery (C9)
- ___ Shallow Aquitard (D3)
- ___ FAC-Neutral Test (D5)

Field Observations:

Surface Water Present? Yes ____ No ✓ Depth (inches): ____

Water Table Present? Yes ____ No ✓ Depth (inches): ____

Saturation Present? (includes capillary fringe) Yes ____ No ✓ Depth (inches): ____

Wetland Hydrology Present? Yes ____ No ✓

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

sample location 60 ft. west of the top of bank of San Jose Creek.

	**Photo.** P-2 soil sample pit
	**Photo.** P-2 A-horizon soil
	Photo. P-2

WETLAND DETERMINATION DATA FORM – Arid West Region

Project/Site: Goleta Business Park City/County: Goleta/Santa Barbara County Sampling Date: 2/8/2023

Applicant/Owner: SyWest Development State: CA Sampling Point: P-3

Investigator(s): Mark de la Garza, Dominick Burnham Section, Township, Range: S6, T04N, R28W

Landform (hillslope, terrace, etc.): concrete bank Local relief (concave, convex, none): convex Slope (%): 0

Subregion (LRR): LRR C Lat: 34.4260882 Long: -119.8260593 Datum: WGS84

Soil Map Unit Name: Camarillo fine sandy loam (Ca) NWI classification: R4SBCx

Are climatic / hydrologic conditions on the site typical for this time of year? Yes ✓ No _____ (If no, explain in Remarks.)

Are Vegetation ✓, Soil ✓, or Hydrology _____ significantly disturbed? Are "Normal Circumstances" present? Yes ✓ No _____

Are Vegetation _____, Soil _____, or Hydrology _____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes _____	No ✓	**Is the Sampled Area within a Wetland?** Yes _____ No ✓
Hydric Soil Present?	Yes _____	No ✓	
Wetland Hydrology Present?	Yes ✓	No _____	

Remarks:

"Normal Circumstances" are present, however, it is the new normal: Site has been permanently modified with concrete channel. Sample location on concrete bank protection that slopes 45% into the channel bottom of San Jose Creek, at the existing 36" CMP storm drain outlet. Sample location at 5.3 ft. elevation, within tidal influence zone.

VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size: 30 ft. - 2,827 sq. ft.)	Absolute % Cover	Dominant Species?	Indicator Status
1.			
2.			
3.			
4.			
	0 = Total Cover		
Sapling/Shrub Stratum (Plot size: 15 ft. - 707 sq. ft.)			
1.			
2.			
3.			
4.			
5.			
	0 = Total Cover		
Herb Stratum (Plot size: 5.64 ft. - 100 sq. ft.)			
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			
	0 = Total Cover		
Woody Vine Stratum (Plot size: 30 ft. - 2,827 sq. ft.)			
1.			
2.			
	0 = Total Cover		

% Bare Ground in Herb Stratum 0 % Cover of Biotic Crust 0

Dominance Test worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: 0 (A)

Total Number of Dominant Species Across All Strata: 0 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 0 (A/B)

Prevalence Index worksheet:

Total % Cover of:		Multiply by:	
OBL species	0	x 1 =	0
FACW species	0	x 2 =	0
FAC species	0	x 3 =	0
FACU species	0	x 4 =	0
UPL species	0	x 5 =	0
Column Totals:	0 (A)		0 (B)

Prevalence Index = B/A = 0

Hydrophytic Vegetation Indicators:

___ Dominance Test is >50%

___ Prevalence Index is ≤3.0[1]

___ Morphological Adaptations[1] (Provide supporting data in Remarks or on a separate sheet)

___ Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Hydrophytic Vegetation Present? Yes _____ No ✓

Remarks:

1 arroyo willow tree 30 ft. away, otherwise all land cover within 30 ft. is concrete or compacted fill.

SOIL

Sampling Point: P-3

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix Color (moist)	%	Redox Features Color (moist)	%	Type[1]	Loc[2]	Texture	Remarks

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Stratified Layers (A5) (**LRR C**)
- ___ 1 cm Muck (A9) (**LRR D**)
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Sandy Mucky Mineral (S1)
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Loamy Mucky Mineral (F1)
- ___ Loamy Gleyed Matrix (F2)
- ___ Depleted Matrix (F3)
- ___ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)
- ___ Vernal Pools (F9)

Indicators for Problematic Hydric Soils[3]:

- ___ 1 cm Muck (A9) (**LRR C**)
- ___ 2 cm Muck (A10) (**LRR B**)
- ___ Reduced Vertic (F18)
- ___ Red Parent Material (TF2)
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if present):

Type: concrete bank

Depth (inches): 0

Hydric Soil Present? Yes _____ No _____

Remarks:

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one required; check all that apply)

- ✓ Surface Water (A1)
- ___ High Water Table (A2)
- ✓ Saturation (A3)
- ___ Water Marks (B1) (**Nonriverine**)
- ___ Sediment Deposits (B2) (**Nonriverine**)
- ___ Drift Deposits (B3) (**Nonriverine**)
- ___ Surface Soil Cracks (B6)
- ✓ Inundation Visible on Aerial Imagery (B7)
- ___ Water-Stained Leaves (B9)
- ___ Salt Crust (B11)
- ___ Biotic Crust (B12)
- ___ Aquatic Invertebrates (B13)
- ___ Hydrogen Sulfide Odor (C1)
- ___ Oxidized Rhizospheres along Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Recent Iron Reduction in Tilled Soils (C6)
- ___ Thin Muck Surface (C7)
- ___ Other (Explain in Remarks)

Secondary Indicators (2 or more required)

- ✓ Water Marks (B1) (**Riverine**)
- ✓ Sediment Deposits (B2) (**Riverine**)
- ✓ Drift Deposits (B3) (**Riverine**)
- ✓ Drainage Patterns (B10)
- ___ Dry-Season Water Table (C2)
- ___ Crayfish Burrows (C8)
- ✓ Saturation Visible on Aerial Imagery (C9)
- ___ Shallow Aquitard (D3)
- ___ FAC-Neutral Test (D5)

Field Observations:

Surface Water Present? Yes ✓ No _____ Depth (inches): _____

Water Table Present? Yes ✓ No _____ Depth (inches): _____

Saturation Present? (includes capillary fringe) Yes ✓ No _____ Depth (inches): _____

Wetland Hydrology Present? Yes ✓ No _____

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

Sample location 6 ft. west of the channel bottom, 16" above concrete-lined channel.
Sample location within Waters of US, and Waters of State.

	**Photo.** P-3 location
	**Photo.** P-3 culvert diameter



Photo.
P-3 dredging approx. 85 ft. south of sample location

WETLAND DETERMINATION DATA FORM – Arid West Region

Project/Site: Goleta Business Park City/County: Goleta/Santa Barbara County Sampling Date: 2/8/2023

Applicant/Owner: SyWest Development State: CA Sampling Point: P-4

Investigator(s): Mark de la Garza, Dominick Burnham Section, Township, Range: S6, T04N, R28W

Landform (hillslope, terrace, etc.): flat Local relief (concave, convex, none): flat Slope (%): 3

Subregion (LRR): LRR C Lat: 34.4261556 Long: -119.8261341 Datum: WGS84

Soil Map Unit Name: Camarillo fine sandy loam (Ca) NWI classification: none

Are climatic / hydrologic conditions on the site typical for this time of year? Yes ✓ No _____ (If no, explain in Remarks.)

Are Vegetation _____, Soil _____, or Hydrology _____ significantly disturbed? Are "Normal Circumstances" present? Yes ✓ No _____

Are Vegetation _____, Soil _____, or Hydrology _____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes _____	No ✓	**Is the Sampled Area within a Wetland?** Yes _____ No ✓
Hydric Soil Present?	Yes _____	No ✓	
Wetland Hydrology Present?	Yes _____	No ✓	

Remarks:

Sample location 3 ft. west of flood control access road

VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size: 30 ft. - 2,827 sq. ft.)	Absolute % Cover	Dominant Species?	Indicator Status
1.			
2.			
3.			
4.			
	0	= Total Cover	
Sapling/Shrub Stratum (Plot size: 15 ft. - 707 sq. ft.)			
1. Juniperus media	20	Yes	UPL
2.			
3.			
4.			
5.			
	20	= Total Cover	
Herb Stratum (Plot size: 5.64 ft. - 100 sq. ft.)			
1. Euphorbia peplus	1	Yes	UPL
2. Brassica nigra	1	Yes	UPL
3.			
4.			
5.			
6.			
7.			
8.			
	2	= Total Cover	
Woody Vine Stratum (Plot size: 30 ft. - 2,827 sq. ft.)			
1.			
2.			
	0	= Total Cover	

% Bare Ground in Herb Stratum 60 % Cover of Biotic Crust 0

Dominance Test worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: 0 (A)

Total Number of Dominant Species Across All Strata: 2 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 0 (A/B)

Prevalence Index worksheet:

Total % Cover of:		Multiply by:	
OBL species	0	x 1 =	0
FACW species	0	x 2 =	0
FAC species	0	x 3 =	0
FACU species	0	x 4 =	0
UPL species	22	x 5 =	110
Column Totals:	22 (A)		110 (B)

Prevalence Index = B/A = 5.0

Hydrophytic Vegetation Indicators:

___ Dominance Test is >50%

___ Prevalence Index is ≤3.0[1]

___ Morphological Adaptations[1] (Provide supporting data in Remarks or on a separate sheet)

___ Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Hydrophytic Vegetation Present? Yes _____ No ✓

Remarks:

Juniper is part of the landscaping for the drive-in theater

SOIL

Sampling Point: P-4

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix Color (moist)	Matrix %	Redox Features Color (moist)	Redox Features %	Type[1]	Loc[2]	Texture	Remarks
0-22	10YR 4/3	100					sandy loam	

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Stratified Layers (A5) (**LRR C**)
- ___ 1 cm Muck (A9) (**LRR D**)
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Sandy Mucky Mineral (S1)
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Loamy Mucky Mineral (F1)
- ___ Loamy Gleyed Matrix (F2)
- ___ Depleted Matrix (F3)
- ___ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)
- ___ Vernal Pools (F9)

Indicators for Problematic Hydric Soils[3]:

- ___ 1 cm Muck (A9) (**LRR C**)
- ___ 2 cm Muck (A10) (**LRR B**)
- ___ Reduced Vertic (F18)
- ___ Red Parent Material (TF2)
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if present):

Type: none

Depth (inches): _____

Hydric Soil Present? Yes _____ No _____

Remarks:

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one required; check all that apply)

- ___ Surface Water (A1)
- ___ High Water Table (A2)
- ___ Saturation (A3)
- ___ Water Marks (B1) (**Nonriverine**)
- ___ Sediment Deposits (B2) (**Nonriverine**)
- ___ Drift Deposits (B3) (**Nonriverine**)
- ___ Surface Soil Cracks (B6)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Water-Stained Leaves (B9)
- ___ Salt Crust (B11)
- ___ Biotic Crust (B12)
- ___ Aquatic Invertebrates (B13)
- ___ Hydrogen Sulfide Odor (C1)
- ___ Oxidized Rhizospheres along Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Recent Iron Reduction in Tilled Soils (C6)
- ___ Thin Muck Surface (C7)
- ___ Other (Explain in Remarks)

Secondary Indicators (2 or more required)

- ___ Water Marks (B1) (**Riverine**)
- ___ Sediment Deposits (B2) (**Riverine**)
- ___ Drift Deposits (B3) (**Riverine**)
- ___ Drainage Patterns (B10)
- ___ Dry-Season Water Table (C2)
- ___ Crayfish Burrows (C8)
- ___ Saturation Visible on Aerial Imagery (C9)
- ___ Shallow Aquitard (D3)
- ___ FAC-Neutral Test (D5)

Field Observations:

Surface Water Present? Yes _____ No _____ Depth (inches): _____

Water Table Present? Yes _____ No _____ Depth (inches): _____

Saturation Present? (includes capillary fringe) Yes _____ No _____ Depth (inches): _____

Wetland Hydrology Present? Yes _____ No _____

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

sample location 21 ft. west of the top of bank of San Jose Creek.

	**Photo.** P-4 soil sample pit
	**Photo.** P-4 A-horizon soil

WETLAND DETERMINATION DATA FORM – Arid West Region

Project/Site: Goleta Business Park City/County: Goleta/Santa Barbara County Sampling Date: 2/8/2023

Applicant/Owner: SyWest Development State: CA Sampling Point: P-5

Investigator(s): Mark de la Garza, Dominick Burnham Section, Township, Range: S6, T04N, R28W

Landform (hillslope, terrace, etc.): flat Local relief (concave, convex, none): flat Slope (%): 1

Subregion (LRR): LRR C Lat: 34.4242319 Long: -119.8277598 Datum: WGS84

Soil Map Unit Name: Camarillo fine sandy loam (Ca) NWI classification: none

Are climatic / hydrologic conditions on the site typical for this time of year? Yes ✓ No _____ (If no, explain in Remarks.)

Are Vegetation _____, Soil _____, or Hydrology _____ significantly disturbed? Are "Normal Circumstances" present? Yes ✓ No _____

Are Vegetation _____, Soil _____, or Hydrology _____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes _____	No ✓	**Is the Sampled Area within a Wetland?** Yes _____ No ✓
Hydric Soil Present?	Yes _____	No ✓	
Wetland Hydrology Present?	Yes _____	No ✓	

Remarks:

Sample location is at the southern end of proposed overflow swale from detention basin.

VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size: 30 ft. - 2,827 sq. ft.)	Absolute % Cover	Dominant Species?	Indicator Status
1. Myoporum laetum	3	Yes	FACU
2.			
3.			
4.			
	3	= Total Cover	
Sapling/Shrub Stratum (Plot size: 15 ft. - 707 sq. ft.)			
1. Baccharis pilularis	30	Yes	UPL
2. Nicotiana glauca	10	Yes	FAC
3. Solanum douglasii	2	No	FAC
4.			
5.			
	42	= Total Cover	
Herb Stratum (Plot size: 5.64 ft. - 100 sq. ft.)			
1. Brassica nigra	5	Yes	UPL
2. Conium maculatum	2	Yes	FACW
3.			
4.			
5.			
6.			
7.			
8.			
	7	= Total Cover	
Woody Vine Stratum (Plot size: 30 ft. - 2,827 sq. ft.)			
1.			
2.			
	0	= Total Cover	

% Bare Ground in Herb Stratum 40 % Cover of Biotic Crust 0

Dominance Test worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: 2 (A)

Total Number of Dominant Species Across All Strata: 5 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 40 (A/B)

Prevalence Index worksheet:

Total % Cover of:		Multiply by:	
OBL species	0	x 1 =	0
FACW species	2	x 2 =	4
FAC species	12	x 3 =	36
FACU species	3	x 4 =	12
UPL species	35	x 5 =	175
Column Totals:	52 (A)		227 (B)

Prevalence Index = B/A = 4.36

Hydrophytic Vegetation Indicators:

___ Dominance Test is >50%

___ Prevalence Index is ≤3.0[1]

___ Morphological Adaptations[1] (Provide supporting data in Remarks or on a separate sheet)

___ Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Hydrophytic Vegetation Present? Yes _____ No ✓

Remarks:

SOIL

Sampling Point: P-5

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix Color (moist)	Matrix %	Redox Features Color (moist)	Redox Features %	Type[1]	Loc[2]	Texture	Remarks
0-14	10YR 4/3	100					loamy sand	
14-22	10YR 3/3	100					sandy loam	

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Stratified Layers (A5) (**LRR C**)
- ___ 1 cm Muck (A9) (**LRR D**)
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Sandy Mucky Mineral (S1)
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Loamy Mucky Mineral (F1)
- ___ Loamy Gleyed Matrix (F2)
- ___ Depleted Matrix (F3)
- ___ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)
- ___ Vernal Pools (F9)

Indicators for Problematic Hydric Soils[3]:

- ___ 1 cm Muck (A9) (**LRR C**)
- ___ 2 cm Muck (A10) (**LRR B**)
- ___ Reduced Vertic (F18)
- ___ Red Parent Material (TF2)
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if present):

Type: none

Depth (inches): _____

Hydric Soil Present? Yes _____ No ✓

Remarks:

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one required; check all that apply)

- ___ Surface Water (A1)
- ___ High Water Table (A2)
- ___ Saturation (A3)
- ___ Water Marks (B1) (**Nonriverine**)
- ___ Sediment Deposits (B2) (**Nonriverine**)
- ___ Drift Deposits (B3) (**Nonriverine**)
- ___ Surface Soil Cracks (B6)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Water-Stained Leaves (B9)
- ___ Salt Crust (B11)
- ___ Biotic Crust (B12)
- ___ Aquatic Invertebrates (B13)
- ___ Hydrogen Sulfide Odor (C1)
- ___ Oxidized Rhizospheres along Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Recent Iron Reduction in Tilled Soils (C6)
- ___ Thin Muck Surface (C7)
- ___ Other (Explain in Remarks)

Secondary Indicators (2 or more required)

- ___ Water Marks (B1) (**Riverine**)
- ___ Sediment Deposits (B2) (**Riverine**)
- ___ Drift Deposits (B3) (**Riverine**)
- ___ Drainage Patterns (B10)
- ___ Dry-Season Water Table (C2)
- ___ Crayfish Burrows (C8)
- ___ Saturation Visible on Aerial Imagery (C9)
- ___ Shallow Aquitard (D3)
- ___ FAC-Neutral Test (D5)

Field Observations:

Surface Water Present? Yes _____ No ✓ Depth (inches): _____

Water Table Present? Yes _____ No ✓ Depth (inches): _____

Saturation Present? (includes capillary fringe) Yes _____ No ✓ Depth (inches): _____

Wetland Hydrology Present? Yes _____ No ✓

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

Sample point is 36 ft. north of Old San Jose Creek top of bank, and 46 ft. west of San Jose Creek top of bank.

	**Photo.** P-5 soil sample pit
	**Photo.** P-5 A-horizon soil

WETLAND DETERMINATION DATA FORM – Arid West Region

Project/Site: Goleta Business Park City/County: Goleta/Santa Barbara County Sampling Date: 2/8/2023

Applicant/Owner: SyWest Development State: CA Sampling Point: P-6

Investigator(s): Mark de la Garza, Dominick Burnham Section, Township, Range: S6, T04N, R28W

Landform (hillslope, terrace, etc.): flat Local relief (concave, convex, none): flat Slope (%): 0

Subregion (LRR): LRR C Lat: 34.4255489 Long: -119.8287767 Datum: WGS84

Soil Map Unit Name: Camarillo fine sandy loam (Ca) NWI classification: none

Are climatic / hydrologic conditions on the site typical for this time of year? Yes ✓ No _____ (If no, explain in Remarks.)

Are Vegetation _____, Soil _____, or Hydrology _____ significantly disturbed? Are "Normal Circumstances" present? Yes ✓ No _____

Are Vegetation _____, Soil _____, or Hydrology _____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes _____	No ✓	**Is the Sampled Area within a Wetland?** Yes _____ No ✓
Hydric Soil Present?	Yes _____	No ✓	
Wetland Hydrology Present?	Yes _____	No ✓	

Remarks:

Sample location along the western edge of parcel, in area previously mapped as ESHA in Goleta General Plan.

VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size: 30 ft. - 2,827 sq. ft.)	Absolute % Cover	Dominant Species?	Indicator Status
1. Populus fremontii (balsamifera) subsp. fremontii	10	Yes	FAC
2.			
3.			
4.			
	10	= Total Cover	
Sapling/Shrub Stratum (Plot size: 15 ft. - 707 sq. ft.)			
1. Baccharis pilularis	5	Yes	UPL
2. Ricinus communis	3	Yes	FACU
3. Salsola tragus	2	Yes	FACU
4.			
5.			
	10	= Total Cover	
Herb Stratum (Plot size: 5.64 ft. - 100 sq. ft.)			
1. Hordeum murinum	70	Yes	FACU
2. Malva parviflora	15	No	UPL
3.			
4.			
5.			
6.			
7.			
8.			
	85	= Total Cover	
Woody Vine Stratum (Plot size: 30 ft. - 2,827 sq. ft.)			
1.			
2.			
	0	= Total Cover	

% Bare Ground in Herb Stratum 5 % Cover of Biotic Crust 0

Dominance Test worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: 1 (A)

Total Number of Dominant Species Across All Strata: 6 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 16.67 (A/B)

Prevalence Index worksheet:

Total % Cover of:		Multiply by:	
OBL species	0	x 1 =	0
FACW species	0	x 2 =	0
FAC species	10	x 3 =	30
FACU species	75	x 4 =	300
UPL species	20	x 5 =	100
Column Totals:	105 (A)		430 (B)

Prevalence Index = B/A = 4.10

Hydrophytic Vegetation Indicators:

___ Dominance Test is >50%

___ Prevalence Index is ≤3.0[1]

___ Morphological Adaptations[1] (Provide supporting data in Remarks or on a separate sheet)

___ Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Hydrophytic Vegetation Present? Yes _____ No ✓

Remarks:

Restoration plants that were planted last year on the adjacent property were not included. They were not naturally occurring

SOIL

Sampling Point: P-6

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix Color (moist)	Matrix %	Redox Features Color (moist)	Redox Features %	Type[1]	Loc[2]	Texture	Remarks
0-23	10YT 5/4	100					loamy sand	

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Stratified Layers (A5) (**LRR C**)
- ___ 1 cm Muck (A9) (**LRR D**)
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Sandy Mucky Mineral (S1)
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Loamy Mucky Mineral (F1)
- ___ Loamy Gleyed Matrix (F2)
- ___ Depleted Matrix (F3)
- ___ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)
- ___ Vernal Pools (F9)

Indicators for Problematic Hydric Soils[3]:

- ___ 1 cm Muck (A9) (**LRR C**)
- ___ 2 cm Muck (A10) (**LRR B**)
- ___ Reduced Vertic (F18)
- ___ Red Parent Material (TF2)
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if present):

Type: none

Depth (inches): _____

Hydric Soil Present? Yes _____ No ✓

Remarks:

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one required; check all that apply)

- ___ Surface Water (A1)
- ___ High Water Table (A2)
- ___ Saturation (A3)
- ___ Water Marks (B1) (**Nonriverine**)
- ___ Sediment Deposits (B2) (**Nonriverine**)
- ___ Drift Deposits (B3) (**Nonriverine**)
- ___ Surface Soil Cracks (B6)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Water-Stained Leaves (B9)
- ___ Salt Crust (B11)
- ___ Biotic Crust (B12)
- ___ Aquatic Invertebrates (B13)
- ___ Hydrogen Sulfide Odor (C1)
- ___ Oxidized Rhizospheres along Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Recent Iron Reduction in Tilled Soils (C6)
- ___ Thin Muck Surface (C7)
- ___ Other (Explain in Remarks)

Secondary Indicators (2 or more required)

- ___ Water Marks (B1) (**Riverine**)
- ___ Sediment Deposits (B2) (**Riverine**)
- ___ Drift Deposits (B3) (**Riverine**)
- ___ Drainage Patterns (B10)
- ___ Dry-Season Water Table (C2)
- ___ Crayfish Burrows (C8)
- ___ Saturation Visible on Aerial Imagery (C9)
- ___ Shallow Aquitard (D3)
- ___ FAC-Neutral Test (D5)

Field Observations:

Surface Water Present? Yes _____ No ✓ Depth (inches): _____

Water Table Present? Yes _____ No ✓ Depth (inches): _____

Saturation Present? (includes capillary fringe) Yes _____ No ✓ Depth (inches): _____

Wetland Hydrology Present? Yes _____ No ✓

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

sample location is east of Old San Jose Creek top of bank.

	**Photo.** P-6 soil sample pit
	**Photo.** P-6 A-horizon soil

WETLAND DETERMINATION DATA FORM – Arid West Region

Project/Site: Goleta Business Park City/County: Goleta/Santa Barbara County Sampling Date: 2/8/2023

Applicant/Owner: SyWest Development State: CA Sampling Point: P-7

Investigator(s): Mark de la Garza, Dominick Burnham Section, Township, Range: S6, T04N, R28W

Landform (hillslope, terrace, etc.): flat Local relief (concave, convex, none): flat Slope (%): 2

Subregion (LRR): LRR C Lat: 34.4266017 Long: -119.8263443 Datum: WGS84

Soil Map Unit Name: Camarillo fine sandy loam (Ca) NWI classification: none

Are climatic / hydrologic conditions on the site typical for this time of year? Yes ✓ No _____ (If no, explain in Remarks.)

Are Vegetation _____, Soil _____, or Hydrology _____ significantly disturbed? Are "Normal Circumstances" present? Yes ✓ No _____

Are Vegetation _____, Soil _____, or Hydrology _____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes _____	No ✓	**Is the Sampled Area within a Wetland?** Yes _____ No ✓
Hydric Soil Present?	Yes _____	No ✓	
Wetland Hydrology Present?	Yes _____	No ✓	

Remarks:

Sample location is 172 ft. west of San Jose creek, in ruderal vegetation with highly compacted soil that may have been previously asphalt paved.

VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size: 30 ft. - 2,827 sq. ft.)	Absolute % Cover	Dominant Species?	Indicator Status
1.			
2.			
3.			
4.			
	0	= Total Cover	
Sapling/Shrub Stratum (Plot size: 15 ft. - 707 sq. ft.)			
1. Baccharis pilularis	3	Yes	UPL
2.			
3.			
4.			
5.			
	3	= Total Cover	
Herb Stratum (Plot size: 5.64 ft. - 100 sq. ft.)			
1. Vulpia myuros	54	Yes	FACU
2. Melilotus alba	25	Yes	UPL
3. Heterotheca grandiflora	15	No	UPL
4. Erodium cicutarium	5	No	UPL
5. Atriplex semibaccata	1	No	FAC
6.			
7.			
8.			
	100	= Total Cover	
Woody Vine Stratum (Plot size: 30 ft. - 2,827 sq. ft.)			
1.			
2.			
	0	= Total Cover	

% Bare Ground in Herb Stratum 0 % Cover of Biotic Crust 0

Dominance Test worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: 0 (A)

Total Number of Dominant Species Across All Strata: 3 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 0 (A/B)

Prevalence Index worksheet:

Total % Cover of:		Multiply by:	
OBL species	0	x 1 =	0
FACW species	0	x 2 =	0
FAC species	1	x 3 =	3
FACU species	54	x 4 =	216
UPL species	48	x 5 =	240
Column Totals:	103 (A)		469 (B)

Prevalence Index = B/A = 4.55

Hydrophytic Vegetation Indicators:

___ Dominance Test is >50%

___ Prevalence Index is ≤3.0[1]

___ Morphological Adaptations[1] (Provide supporting data in Remarks or on a separate sheet)

___ Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Hydrophytic Vegetation Present? Yes _____ No ✓

Remarks:

Sample location in ruderal vegetation which may have been previously paved

SOIL

Sampling Point: P-7

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix Color (moist)	Matrix %	Redox Features Color (moist)	Redox Features %	Type[1]	Loc[2]	Texture	Remarks
0-20	10YR 4/4	100					loamy sand	

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Stratified Layers (A5) (**LRR C**)
- ___ 1 cm Muck (A9) (**LRR D**)
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Sandy Mucky Mineral (S1)
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Loamy Mucky Mineral (F1)
- ___ Loamy Gleyed Matrix (F2)
- ___ Depleted Matrix (F3)
- ___ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)
- ___ Vernal Pools (F9)

Indicators for Problematic Hydric Soils[3]:

- ___ 1 cm Muck (A9) (**LRR C**)
- ___ 2 cm Muck (A10) (**LRR B**)
- ___ Reduced Vertic (F18)
- ___ Red Parent Material (TF2)
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if present):

Type: none

Depth (inches): _____

Hydric Soil Present? Yes _____ No ✓

Remarks:

compacted fill that may have been previously paved

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one required; check all that apply)

- ___ Surface Water (A1)
- ___ High Water Table (A2)
- ___ Saturation (A3)
- ___ Water Marks (B1) (**Nonriverine**)
- ___ Sediment Deposits (B2) (**Nonriverine**)
- ___ Drift Deposits (B3) (**Nonriverine**)
- ___ Surface Soil Cracks (B6)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Water-Stained Leaves (B9)
- ___ Salt Crust (B11)
- ___ Biotic Crust (B12)
- ___ Aquatic Invertebrates (B13)
- ___ Hydrogen Sulfide Odor (C1)
- ___ Oxidized Rhizospheres along Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Recent Iron Reduction in Tilled Soils (C6)
- ___ Thin Muck Surface (C7)
- ___ Other (Explain in Remarks)

Secondary Indicators (2 or more required)

- ___ Water Marks (B1) (**Riverine**)
- ___ Sediment Deposits (B2) (**Riverine**)
- ___ Drift Deposits (B3) (**Riverine**)
- ___ Drainage Patterns (B10)
- ___ Dry-Season Water Table (C2)
- ___ Crayfish Burrows (C8)
- ___ Saturation Visible on Aerial Imagery (C9)
- ___ Shallow Aquitard (D3)
- ___ FAC-Neutral Test (D5)

Field Observations:

Surface Water Present? Yes _____ No ✓ Depth (inches): _____

Water Table Present? Yes _____ No _____ Depth (inches): _____

Saturation Present? (includes capillary fringe) Yes _____ No ✓ Depth (inches): _____

Wetland Hydrology Present? Yes _____ No ✓

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

Sample location 172 ft. west of San Jose Creek top of bank.



Photo.
P-7 soil sample pit



Photo.
P-7 A-horizon soil

WETLAND DETERMINATION DATA FORM – Arid West Region

Project/Site: Goleta Business Park City/County: Goleta/Santa Barbara County Sampling Date: 2/15/2023

Applicant/Owner: SyWest Development State: CA Sampling Point: P-8

Investigator(s): Mark de la Garza, Dominick Burnham Section, Township, Range: S6, T04N, R28W

Landform (hillslope, terrace, etc.): flat Local relief (concave, convex, none): flat Slope (%): 0

Subregion (LRR): LRR C Lat: 34.4248940 Long: -119.8285504 Datum: WGS84

Soil Map Unit Name: Camarillo fine sandy loam (Ca) NWI classification: PEM1C

Are climatic / hydrologic conditions on the site typical for this time of year? Yes ✓ No _____ (If no, explain in Remarks.)

Are Vegetation _____, Soil _____, or Hydrology _____ significantly disturbed? Are "Normal Circumstances" present? Yes ✓ No _____

Are Vegetation _____, Soil _____, or Hydrology _____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes _____	No ✓	**Is the Sampled Area within a Wetland?** Yes _____ No ✓
Hydric Soil Present?	Yes _____	No ✓	
Wetland Hydrology Present?	Yes _____	No ✓	

Remarks:

Sample location is in canopy of myoporum trees that is accidentally mapped by the USFWS NWI as PEM1C (Freshwater Emergent wetland). Location in highly compacted soil that was previously asphalt paved.

VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size: 30 ft. - 2,827 sq. ft.)	Absolute % Cover	Dominant Species?	Indicator Status
1. Myoporum laetum	75	Yes	FACU
2.			
3.			
4.			
	75 = Total Cover		
Sapling/Shrub Stratum (Plot size: 15 ft. - 707 sq. ft.)			
1. Solanum douglasii	2	Yes	FAC
2.			
3.			
4.			
5.			
	2 = Total Cover		
Herb Stratum (Plot size: 5.64 ft. - 100 sq. ft.)			
1. Stellaria media	20	Yes	FACU
2. Conium maculatum	5	Yes	FACW
3.			
4.			
5.			
6.			
7.			
8.			
	25 = Total Cover		
Woody Vine Stratum (Plot size: 30 ft. - 2,827 sq. ft.)			
1.			
2.			
	0 = Total Cover		

% Bare Ground in Herb Stratum 70 % Cover of Biotic Crust 0

Dominance Test worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: 2 (A)

Total Number of Dominant Species Across All Strata: 4 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 50 (A/B)

Prevalence Index worksheet:

Total % Cover of:		Multiply by:	
OBL species	0	x 1 =	0
FACW species	5	x 2 =	10
FAC species	2	x 3 =	6
FACU species	95	x 4 =	380
UPL species	0	x 5 =	0
Column Totals:	102 (A)		396 (B)

Prevalence Index = B/A = 3.88

Hydrophytic Vegetation Indicators:

___ Dominance Test is >50%

___ Prevalence Index is ≤3.0[1]

___ Morphological Adaptations[1] (Provide supporting data in Remarks or on a separate sheet)

___ Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Hydrophytic Vegetation Present? Yes _____ No ✓

Remarks:

Sample location in myoporum canopy. Location was previously paved.

SOIL

Sampling Point: P-8

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix Color (moist)	Matrix %	Redox Features Color (moist)	Redox Features %	Type[1]	Loc[2]	Texture	Remarks
0-7	—	0						organic matter - leaf litter
7-8	—	0						asphalt
8-20	10YR 5/3	100					loamy sand	

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Stratified Layers (A5) (**LRR C**)
- ___ 1 cm Muck (A9) (**LRR D**)
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Sandy Mucky Mineral (S1)
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Loamy Mucky Mineral (F1)
- ___ Loamy Gleyed Matrix (F2)
- ___ Depleted Matrix (F3)
- ___ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)
- ___ Vernal Pools (F9)

Indicators for Problematic Hydric Soils[3]:

- ___ 1 cm Muck (A9) (**LRR C**)
- ___ 2 cm Muck (A10) (**LRR B**)
- ___ Reduced Vertic (F18)
- ___ Red Parent Material (TF2)
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if present):

Type: none

Depth (inches): _____

Hydric Soil Present? Yes _____ No _____

Remarks:

compacted fill that was previously paved. layer of leaf litter above the pavement.

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one required; check all that apply)

- ___ Surface Water (A1)
- ___ High Water Table (A2)
- ___ Saturation (A3)
- ___ Water Marks (B1) (**Nonriverine**)
- ___ Sediment Deposits (B2) (**Nonriverine**)
- ___ Drift Deposits (B3) (**Nonriverine**)
- ___ Surface Soil Cracks (B6)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Water-Stained Leaves (B9)
- ___ Salt Crust (B11)
- ___ Biotic Crust (B12)
- ___ Aquatic Invertebrates (B13)
- ___ Hydrogen Sulfide Odor (C1)
- ___ Oxidized Rhizospheres along Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Recent Iron Reduction in Tilled Soils (C6)
- ___ Thin Muck Surface (C7)
- ___ Other (Explain in Remarks)

Secondary Indicators (2 or more required)

- ___ Water Marks (B1) (**Riverine**)
- ___ Sediment Deposits (B2) (**Riverine**)
- ___ Drift Deposits (B3) (**Riverine**)
- ___ Drainage Patterns (B10)
- ___ Dry-Season Water Table (C2)
- ___ Crayfish Burrows (C8)
- ___ Saturation Visible on Aerial Imagery (C9)
- ___ Shallow Aquitard (D3)
- ___ FAC-Neutral Test (D5)

Field Observations:

Surface Water Present? Yes _____ No _____ Depth (inches): _____

Water Table Present? Yes _____ No _____ Depth (inches): _____

Saturation Present? (includes capillary fringe) Yes _____ No _____ Depth (inches): _____

Wetland Hydrology Present? Yes _____ No _____

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

Sample location 375 ft. west of San Jose Creek top of bank.



Photo.
P-8 soil sample pit



Photo.
P-8 A-horizon soil



Photo.
P-8 location

WETLAND DETERMINATION DATA FORM – Arid West Region

Project/Site: Goleta Business Park City/County: Goleta/Santa Barbara County Sampling Date: 2/15/2023

Applicant/Owner: SyWest Development State: CA Sampling Point: P-9

Investigator(s): Mark de la Garza, Dominick Burnham Section, Township, Range: S6, T04N, R28W

Landform (hillslope, terrace, etc.): creek bed Local relief (concave, convex, none): convex Slope (%): 2

Subregion (LRR): LRR C Lat: 34.4241686 Long: -119.8279298 Datum: WGS84

Soil Map Unit Name: Camarillo fine sandy loam (Ca) NWI classification: R4SBJ

Are climatic / hydrologic conditions on the site typical for this time of year? Yes X No _____ (If no, explain in Remarks.)

Are Vegetation _____, Soil _____, or Hydrology _____ significantly disturbed? Are "Normal Circumstances" present? Yes X No _____

Are Vegetation _____, Soil _____, or Hydrology _____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes X No _____	**Is the Sampled Area within a Wetland?** Yes X No _____
Hydric Soil Present?	Yes X No _____	
Wetland Hydrology Present?	Yes X No _____	

Remarks:

Sample location is in creek bed of Old San Jose Creek, within the OHW and approximately 50 ft. south of the 907 S. Kellogg Ave property.

VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size: 30 ft. - 2,827 sq. ft.)	Absolute % Cover	Dominant Species?	Indicator Status
1.			
2.			
3.			
4.			
	0 = Total Cover		
Sapling/Shrub Stratum (Plot size: 15 ft. - 707 sq. ft.)			
1. Artemisia californica	30	Yes	UPL
2. Baccharis pilularis	2	No	UPL
3.			
4.			
5.			
	32 = Total Cover		
Herb Stratum (Plot size: 5.64 ft. - 100 sq. ft.)			
1. Salicornia pacifica	85	Yes	OBL
2. Brassica nigra	5	No	UPL
3. Anagallis arvensis	2	No	UPL
4. Foeniculum vulgare	2	No	UPL
5.			
6.			
7.			
8.			
	94 = Total Cover		
Woody Vine Stratum (Plot size: 30 ft. - 2,827 sq. ft.)			
1.			
2.			
	0 = Total Cover		

% Bare Ground in Herb Stratum 3 % Cover of Biotic Crust 0

Dominance Test worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: 1 (A)

Total Number of Dominant Species Across All Strata: 2 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 50 (A/B)

Prevalence Index worksheet:

Total % Cover of:		Multiply by:	
OBL species	85	x 1 =	85
FACW species	0	x 2 =	0
FAC species	0	x 3 =	0
FACU species	0	x 4 =	0
UPL species	41	x 5 =	205
Column Totals:	126 (A)		290 (B)

Prevalence Index = B/A = 2.3

Hydrophytic Vegetation Indicators:

___ Dominance Test is >50%

X Prevalence Index is ≤3.0[1]

___ Morphological Adaptations[1] (Provide supporting data in Remarks or on a separate sheet)

___ Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Hydrophytic Vegetation Present? Yes X No _____

Remarks:

Sample location in pickleweed (Salicornia pacifica) stand in creek bed of Old San Jose Creek, approximately 50 ft. south of project parcel.

SOIL

Sampling Point: P-9

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix Color (moist)	%	Redox Features Color (moist)	%	Type[1]	Loc[2]	Texture	Remarks
0-8	10YR 3/3	95	5YR 5/4	5	C	PL	clay loam	
8-20	10YR 4/2	70	10YR 7/8	30	C	PL	loamy sand	

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Stratified Layers (A5) (**LRR C**)
- ___ 1 cm Muck (A9) (**LRR D**)
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Sandy Mucky Mineral (S1)
- ___ Sandy Gleyed Matrix (S4)
- X Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Loamy Mucky Mineral (F1)
- ___ Loamy Gleyed Matrix (F2)
- X Depleted Matrix (F3)
- ___ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)
- ___ Vernal Pools (F9)

Indicators for Problematic Hydric Soils[3]:

- ___ 1 cm Muck (A9) (**LRR C**)
- ___ 2 cm Muck (A10) (**LRR B**)
- ___ Reduced Vertic (F18)
- ___ Red Parent Material (TF2)
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if present):

Type: none

Depth (inches): ___

Hydric Soil Present? Yes X No ___

Remarks:

Standing water at 16 inches

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one required; check all that apply)

- ___ Surface Water (A1)
- ___ High Water Table (A2)
- X Saturation (A3)
- ___ Water Marks (B1) (**Nonriverine**)
- ___ Sediment Deposits (B2) (**Nonriverine**)
- ___ Drift Deposits (B3) (**Nonriverine**)
- ___ Surface Soil Cracks (B6)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Water-Stained Leaves (B9)
- ___ Salt Crust (B11)
- ___ Biotic Crust (B12)
- ___ Aquatic Invertebrates (B13)
- ___ Hydrogen Sulfide Odor (C1)
- ___ Oxidized Rhizospheres along Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Recent Iron Reduction in Tilled Soils (C6)
- ___ Thin Muck Surface (C7)
- ___ Other (Explain in Remarks)

Secondary Indicators (2 or more required)

- X Water Marks (B1) (**Riverine**)
- X Sediment Deposits (B2) (**Riverine**)
- X Drift Deposits (B3) (**Riverine**)
- X Drainage Patterns (B10)
- ___ Dry-Season Water Table (C2)
- ___ Crayfish Burrows (C8)
- ___ Saturation Visible on Aerial Imagery (C9)
- ___ Shallow Aquitard (D3)
- ___ FAC-Neutral Test (D5)

Field Observations:

Surface Water Present? Yes ___ No X Depth (inches): ___

Water Table Present? Yes X No ___ Depth (inches): 16

Saturation Present? (includes capillary fringe) Yes X No ___ Depth (inches): 8

Wetland Hydrology Present? Yes X No ___

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

Sample location within creek bed of Old San Jose Creek.
Sample location within Waters of the US, and Waters of the State.



Photo.
P-9 soil sample pit



Photo.
P-9 A-horizon soil



Photo.
P-9 A-horizon soil

Attachment 2.
Photographs of Wetland Delineation Sites

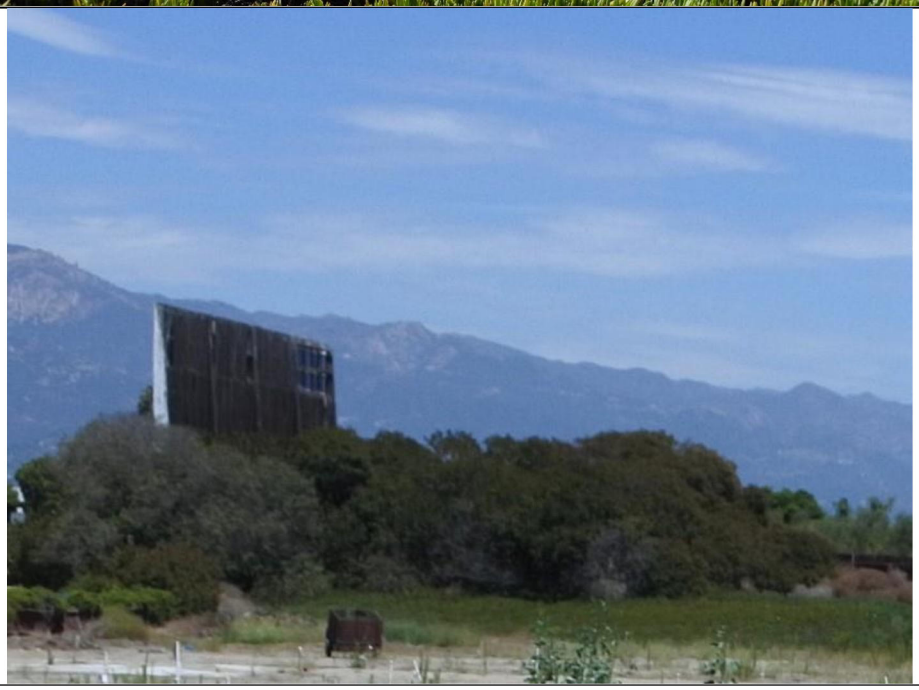
	**Photo 1.** Sample Site P-1 in iceplant in the center of the proposed stormwater detention basin. Crane is being used by flood control dept. to dredge San Jose Creek. Sample site P-5 is adjacent to telephone pole in background (view looking south taken 2/8/2023)
	**Photo 2.** Sample Site P-2 in laurel sumac vegetation along the northern edge of the proposed stormwater detention basin. (view looking northeast taken 8/9/2022)



Photo 3. Sample Site P-3 on western bank of San Jose Creek at existing and proposed storm drain outlet for detention basin. Sample site P-4 is adjacent to wooden fence in background (view looking west taken 2/8/2023)



Photo 4. Western bank of San Jose Creek after being dredged. This is apx. 50 ft. south of sample site P-3 (view looking south taken 2/8/2023)

	**Photo 5.** Sample site P-5 is apx. 10 ft. to the right of the telephone pole (view looking south taken 8/9/2022)
	**Photo 6.** Sample site P-6 is on left side of photo between pink building and rubble pile (view looking north taken 8/9/2022)



Photo 7. Sample site P-8 next to fence beneath myoporum trees (view looking south taken 2/15/2023)



Photo 8. Sample site P-9 in small stand of pickleweed in Old San Jose Creek. Rip-rap in foreground is in front of 48 inch diameter culverts that outlet to San Jose Creek (view looking west taken 2/15/2023)