

5. *Environmental Analysis*

5.3 BIOLOGICAL RESOURCES

5.3.1 Methodology

The following assessment of biological resources is based on historical information compiled through previous documentation and appropriate reference materials. Previous studies which have been incorporated by reference and summarized below include a biological assessment conducted by LSA Associates in preparation for the EIR for the Mountain Park Specific Plan (1991), wildlife monitoring in association with the Eastern Transportation Corridor wildlife undercrossings conducted by LSA Associates (2000 and 2001), and several focused sensitive resource surveys conducted by Harmsworth Associates within the Central/Coastal NCCP Subregion.

5.3.2 Environmental Setting

The City of Anaheim is largely urbanized and is largely surrounded by other developed cities. In this portion of Orange County, there are few remaining areas of natural habitat. The developed areas of the City contain non-native species of plants and animals while the Hill and Canyon Area, located in the eastern portion of the City and Sphere of Influence, contains the majority of the City's remaining significant biological resources. The State of California purchased approximately 1,400 acres within Coal Canyon to provide a wildlife corridor between the Cleveland National Forest and the Chino Hills State Park. This site will be maintained in perpetuity as an open space wildlife corridor. The General Plan and Zoning Code Update reflects this use by designating this area for open space purpose. The other significant biological resource located in the City is the Santa Ana River.

The Hill and Canyon Area is topographically complex with steep, wooded and forested canyons and intervening scrub and chaparral-covered ridges. Several blue line streams occur in this area of the City and its Sphere-of-Influence. Significant portions of the Hill and Canyon Area are relatively undisturbed. The Hill and Canyon Area supports several habitat types considered sensitive by resource agencies, namely the California Department of Fish and Game (CDFG), due to their scarcity and their ability to support a number of State and Federally-listed endangered, threatened, and rare vascular plants, as well as several sensitive bird and reptile species. Sensitive plant communities found within this area of the City and its Sphere-of-Influence include coastal sage scrub communities, coast live oak communities (oak savannah and oak woodland), Tecate Cypress communities, nolina chaparral, needlegrass grassland, and riparian communities, as described below.

The Santa Ana River Watershed is the largest in Orange County, covering 153.2 square miles. The river begins almost 75 miles away in the San Bernardino Mountains, crossing central Orange County before emptying into the Pacific Ocean. The Orange County portion of the watershed includes portions of the cities of Anaheim, Brea, Huntington Beach, Orange, Placentia, Santa Ana, Villa Park, and Yorba Linda. The river serves as the main tributary to the watershed with Santiago Creek being the largest tributary within Orange County. Portions of the Santa Ana River provide wetland and riparian habitat.

A description of the vegetation types and wildlife likely to occur in the undeveloped portions of the City of Anaheim and its Sphere-of-Influence is presented below.

Vegetation

Annual Grasslands

Grassland communities consist of low, herbaceous vegetation that are dominated by grasses but generally also harbor native forbs and bulbs as well as annual forbs. Topographic factors that contribute



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to grassland presence include gradual slopes or flat areas with deep, well-developed soils in areas below 3,000 feet in elevation. The species richness of grassland communities is dependent upon a number of land use factors, including intensity and duration of natural or anthropogenic disturbances such as grazing. Heavily grazed grasslands have a lower species richness.

Chaparral

Chaparral communities consist of evergreen, medium height to tall sclerophyllous shrubs that form a dense cover on steep slopes. The dense, almost impenetrable, cover allows very little to no understory growth and usually consists mostly of leaf litter. Several types of chaparral exist within the Hill and Canyon Area depending upon the dominant species. Chaparral communities found within the area include scrub-chaparral ecotone/sere, chamise-sagebrush, chamise-sage scrub, mixed chaparral, chamise chaparral, bigpod chaparral, scrub oak chaparral, nolina chaparral, and toyon-sumac chaparral.

Coastal Sage Scrub

Coastal sage scrub communities consist of drought-deciduous, low, soft-leaved shrubs and herbs on gentle to steep slopes below 3,000 feet in elevation. Several dominant species occur within coastal sage scrub communities and some areas may be overwhelmingly dominated by one or two species. In addition, several coastal sage scrub communities support representative dominant species of two separate communities and are designated as such. Coastal sage scrub communities within the Hill and Canyon Area include sagebrush-buckwheat scrub, black sage scrub, white sage scrub, sagebrush scrub, buckwheat scrub, mixed sage scrub, sagebrush-coyote brush scrub, southern cactus scrub, yerba santa scrub, sagebrush grassland, buckwheat grassland, sagebrush-buckwheat grassland, coastal goldenbrush grassland, and mixed sage scrub grassland.

Riparian

Riparian communities support species along watercourses or water bodies adaptable to seasonal flooding. Structurally, riparian areas may range from a dense canopy of large trees with a bramble/thicket understory within a steep canyon, to open, lower-growing species within a sandy wash. Riparian communities within the Hill and Canyon Area include willow scrub, mule fat scrub, sycamore riparian cottonwood-willow riparian, and mixed riparian.

Woodland

Woodland communities are associated with multi-layered vegetation canopies and have a tree canopy that is at least 20% open. Woodland habitats are often associated with watercourses. Woodland communities within the Hill and Canyon Area include coast live oak woodland and Mexican elderberry woodland.

Forest Communities

Forest communities consist of multi-layered vegetation that forms a dense canopy cover that is almost completely closed. The Tecate Cypress forest is the only forest community within the Hill and Canyon Area.

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Cliff and Rock

Cliff and rock communities are characterized by an assortment of vascular plants and lichens scattered on steep cliffs and rock outcrops. Cliff and rock communities within the Hill and Canyon Area include xeric cliffs, vascular plant xeric cliffs, and rock outcrops.

Wildlife Movement Corridors

Portions of the Hill and Canyon Area are utilized for local movement by a wide variety of resident wildlife. In addition, the area is likely utilized for southwest-northeast regional movement due to its contiguity with vast open space areas, availability of resources, and proximity to the documented Coal Canyon wildlife crossing. Biological surveys of the study area have detected innumerable wildlife trails, bedding areas, burrows, caves which may be used as dens, tracks, and scat. Observations made during the course of field work, as well as photographs taken at automated photo stations, have confirmed the presence of a variety of reptiles, birds, and medium to large mammals including, but not limited to skunk, raccoon, mule deer, coyote, bobcat, gray fox, and mountain lion.

The Natural Communities Conservation Plan and Habitat Conservation Plan (NCCP/HCP) and NCCP Reserve design focused on habitat conservation at an ecosystem level in an effort to promote wildlife diversity and preserve wildlife corridors and established linkages. To achieve these conservation goals, the Reserve was established, designed, and approved incorporating key principles including: conservation of focus species and their habitats throughout the planning area; conservation of large habitat blocks; conservation of habitat diversity; maintenance of Reserve connectivity; and, protection of Reserves from encroachment and invasion of non-native species. Under the NCCP/HCP IA, it was determined that the Reserve design incorporated sufficient connectivity for purposes of wildlife movement. Coal Canyon, a documented wildlife corridor to the east of the Hill and Canyon Area, has been preserved within Chino Hills State Park.



Species and Communities of Special Concern

Sensitive Plan Communities/Habitat

The Hill and Canyon Area supports several habitat types considered sensitive by resource agencies, namely the CDFG, due to their scarcity and their ability to support a number of State and Federally-listed endangered, threatened, and rare vascular plants, as well as several sensitive bird and reptile species. Sensitive plant communities found within the Hill and Canyon Area include coastal sage scrub communities, coast live oak communities (oak savannah and oak woodland), Tecate Cypress communities, nolina chaparral, needlegrass grassland and riparian communities.

Sensitive Plant Species

Sensitive plants include those listed, or are candidates for listing, by the U.S. Fish and Wildlife Service (USFWS), CDFG, California Native Plant Society (CNPS), and those species included in the Central/Coastal NCCP. Regardless of their Federal or State status, species included in the NCCP/HCP are considered sensitive because they are associated with sensitive habitat (e.g., coastal sage scrub). Several sensitive plant species were reported in the California Natural Diversity Database (CNDDB) from the Hill and Canyon Area vicinity. Seven sensitive plant species were observed on-site including Tecate Cypress, many-stemmed dudleya, Coulter's matilija poppy, long-spined spineflower, Plummer's mariposa lily, foothill mariposa lily, and chaparral nolina. Seven additional sensitive plant species that were not observed but have the potential to occur including Robinson's peppergrass, Santa Monica

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Mountains dudleya, Braunton's milk-vetch, Nutall's scrub oak, heart-leaved pitcher sage, Hall's monardella, and Catalina mariposa lily.

Sensitive Wildlife Species

Sensitive wildlife includes those species listed as endangered or threatened under the Federal Endangered Species Act (FESA) or California's Endangered Species Act (CESA), candidates for listing by the USFWS or CDFG, species of special concern to the USFWS or CDFG, and those species included in the NCCP/HCP. Regardless of their Federal or State status, species included in the NCCP/HCP are considered sensitive because they are associated with sensitive habitat (e.g., coastal sage scrub). A number of sensitive wildlife species from the region were reported in the CNDDDB. The following sensitive wildlife species have been observed in the Hill and Canyon Area, including San Diego horned lizard, Belding's orange-throated whiptail, coastal western whiptail, northern red-diamond rattlesnake, golden eagle, sharp-shinned hawk, Cooper's hawk, red-shouldered hawk, southwestern willow flycatcher, coastal cactus wren, coastal California gnatcatcher, southern California rufous-crowned sparrow, tricolored blackbird, Costa's hummingbird, Pacific slope flycatcher, California thrasher, Bell's sage sparrow, lark sparrow, black-chinned sparrow, coyote, and gray fox.

Planning Programs, Regulations and Conservation of Natural Resources

There are several planning programs and laws currently in place that are intended to help conserve the City's and its Sphere-of-Influence's biological resources. The paragraphs below describe the programs and regulations applicable to the biological resources located within the City and Sphere-of-Influence.

Federal Endangered Species Act

The stated purpose of the FESA is to "provide a means whereby the ecosystems upon which endangered species and threatened species depend may be conserved, to provide a program for the conservation of such endangered species and threatened species..." Section 9 of the FESA prohibits unauthorized "take" of a threatened or endangered species. Sections 7 and 10(a) establish a permitting process that may allow an "incidental take" to occur in the course of a project. Issuance of the "take" permit is at the discretion of the USFWS and cannot be issued if the project would jeopardize the existence of species or subspecies. Future projects within both the developed and undeveloped portions of the City and its Sphere-of-Influence would be subject to the FESA, where applicable.

California Endangered Species Act

California's Endangered Species Act (CESA) defines species as "a native species or subspecies of a bird, mammal, fish, amphibian, reptile, or plant which is in serious danger of becoming extinct throughout all, or a significant portion, of its range due to one or more causes, including loss of habitat, change in habitat, overexploitation, predation, competition, or disease." The State defines threatened species as "a native species or subspecies of a bird, mammal, fish, amphibian, reptile, or plant that, although not presently threatened with extinction, is likely to become an Endangered species in the foreseeable future in the absence of the special protection and management efforts required by this chapter. Any animal determined by the commission as rare on or before January 1, 1985 is a threatened species." Candidate species are defined as "a native species or subspecies of a bird, mammal, amphibian, reptile, or plant that the commission has formally noticed as being under review by the department for addition to either the list of endangered species or the list of threatened species, or a species for which the commission has published a notice of proposed regulation to add the species to either list." Candidate species may be afforded temporary protection as though they were already listed

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as threatened or endangered at the discretion of the Fish and Game Commission. Unlike the FESA, CESA does not include listing provisions for invertebrate species.

Article 3, Section 2080 through 2085, of the CESA addresses the taking of threatened or endangered species by stating “no person shall import into this State, export out of this State, or take, possess, purchase, or sell within this State, any species, or any part or product thereof, that the commission determines to be an endangered species or a threatened species, or candidate species for scientific, educational, or management purposes.” Sections 1901 and 1913 of the California Fish and Game Code provide that notification is required prior to disturbance. It should be noted that for purposes of the Mountain Park study area, the landowner has a Section 2081 permit allowing take under the provisions of the NCCP/HCP.

In addition, some sensitive mammals and birds are protected by the State as Fully Protected Birds, as described in the California Fish and Game Code, Sections 4700 and 3511. California Species of Special Concern are species designated as vulnerable to extinction due to declining population levels, limited ranges, and/or continuing threats. This list is primarily a working document for the CDFG’s CNDDDB project. Informally listed taxa are not protected per se, but warrant consideration in the preparation of biotic assessments. For some species, the CNDDDB is only concerned with specific portions of the history, such as roosts, rookeries, or nest sites. Future projects within both the developed and undeveloped portions of the City and its Sphere-of-Influence would be subject to the Fish and Game Code, where applicable.

California Native Plant Society

The California Native Plant Society (CNPS) is a private plant conservation organization dedicated to the monitoring and protection of sensitive species in California. CNPS has compiled an inventory comprised of the information focusing on geographic distribution and qualitative characterization of rare, threatened, and endangered vascular plant species of California. The list serves as the candidate list for listing as threatened and endangered by CDFG.



Sensitive species that occur or potentially occur are based on one or more of the following: the direct observation of the species within a study area; a record reported in the CNDDDB or in the vicinity of the study area; and the presence of the study area within a known distribution of a species and contains appropriate habitat.

NCCP

The Natural Community Conservation Act and Section 2800-2840 of the Fish and Game Code authorize the preparation of Natural Community Conservation Plans (NCCPs) to protect natural communities and species, while allowing a reasonable amount of economic development. The Hill and Canyon Area is within the County of Orange Central and Coastal Subregion NCCP/HCP. This NCCP/HCP was approved by the CDFG and the USFWS, in 1996 with the purpose of addressing protection and management of coastal sage scrub (CSS) habitat and CSS-obligate species and other covered habitats and species, and mitigate anticipated impacts to those habitats and species, on a programmatic, sub-regional level, rather than on a project-by-project, single species basis.

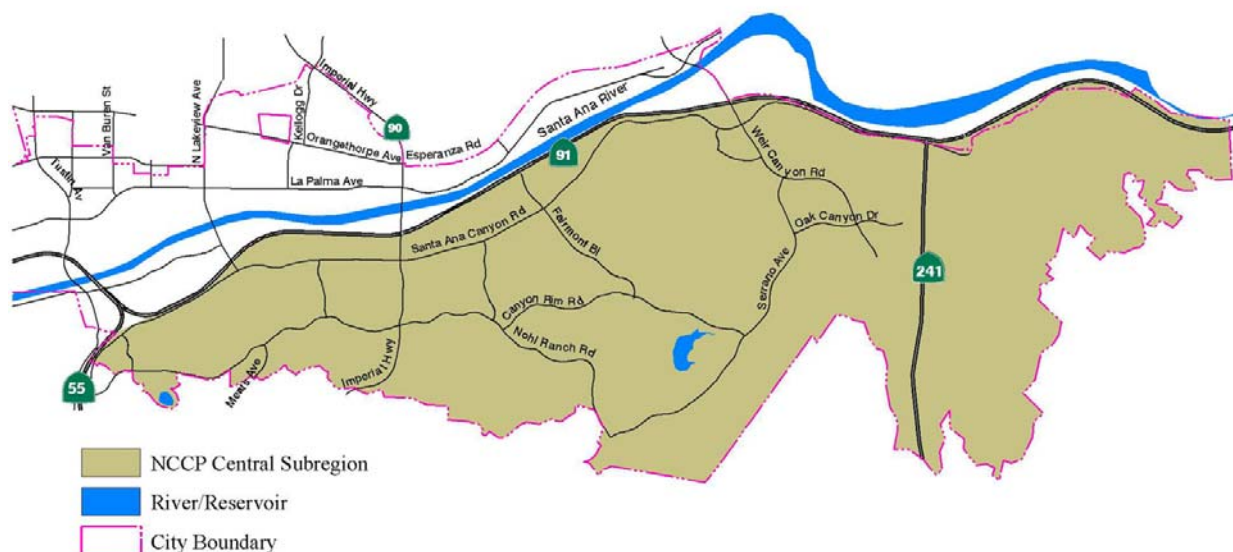
The future development areas in the Hill and Canyon Area are within a development area identified in the NCCP/HCP. In addition, a habitat Reserve in excess of 37,000 acres was established for the protection of CSS, other upland habitats (including Tecate Cypress), the coastal California gnatcatcher, and other primarily CSS dependent species identified in the NCCP/HCP. Specifically, the NCCP/HCP, the USFWS, and CDFG authorized “take” of 39 “Identified Species” of plants and animals. Further, the NCCP/HCP

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contains requirements for adaptive management, interim management, and funding management for the Reserve, as well as procedures and minimization measures related to the “take” of “Identified Species” and habitat. Thus, the NCCP/HCP provides for the protection of management of a broad range of plant and animal populations, while provided certainty to the public and affected landowners with respect to the location of future development and open space in the region.

The NCCP/HCP provides for the protection of a number of plant and animal species, referred to as Target Species and Identified Species. There are also identified NCCP species that have conditional regulatory coverage under the NCCP. The conservation and management of these species is provided for under the NCCP/HCP. A development activity authorized under the NCCP necessarily includes protection of these species. This means that no further action under CESA, FESA, National Environmental Policy Act (NEPA), CEQA or the Migratory Bird Treaty Act is required for the approved activity should any of the target or identified species be subsequently listed as endangered or threatened under either of these Acts. As a consequence, target and identified species are considered sensitive. Figure 5.3-1 shows the location of the NCCP/HCP Central Subregion within the City of Anaheim and its Sphere-of-Influence.

Figure 5.3-1 Location of the NCCP Central/Coastal Subregion within the City of Anaheim



5.3.3 Thresholds of Significance

The criteria used to determine the significance of biological impacts are taken from City-approved Thresholds of Significance based on the City of Anaheim’s Initial Study and the model Initial Study checklist contained in Appendix G of the State CEQA Guidelines. The project would typically result in a significant impact to biological resources if it would:

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

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- Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service;
- Have a substantial adverse effect on Federally Protected Wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means;
- Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites;
- Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance;
- Conflict with the provisions of an Adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plan.

5.3.4 Analysis of Environmental Impacts

IMPACT: WOULD THE PROJECT HAVE A SUBSTANTIAL ADVERSE EFFECT, EITHER DIRECTLY OR THROUGH HABITAT MODIFICATIONS, ON ANY SPECIES IDENTIFIED AS A CANDIDATE, SENSITIVE, OR SPECIAL STATUS SPECIES IN LOCAL OR REGIONAL PLANS, POLICIES, OR REGULATIONS, OR BY THE CALIFORNIA DEPARTMENT OF FISH AND GAME OR U.S. FISH AND WILDLIFE SERVICE

Impact Analysis:

Vegetation Communities

Sensitive vegetation communities in the City and its Sphere-of-Influence include coastal sage scrub, coast live oak/walnut woodland, riparian areas, and wetlands. In addition, a number of sensitive plant species are known to occur or have the potential to occur in the Hill and Canyon Area. Implementation of the General Plan and Zoning Code Update will not result in the direct removal of these sensitive vegetation communities because the General Plan does not infer direct development rights.

The General Plan will allow for the introduction of residential land uses into largely undisturbed areas. Such construction has the potential to have a significant impact on sensitive vegetation communities and individual plant species. The major impact will be the removal of sensitive vegetation communities and individual plant species for building pad development and building and roadway construction. Other potential impacts include continued increased incidence of fire due to human activity, trampling and increased erosion from roadways, the introduction of non-native weedy and insect species, and increased competition from non-native species. The collection of sensitive species may also increase as greater access is afforded to previously inaccessible areas through roadway development. Development within the Hill and Canyon Area will need to be reviewed for compliance with USFWS, CDFG and NCCP/HCP requirements. Potential impacts related to development of the Mountain Park Specific Plan area are mitigated through compliance with USFWS and CDFG requirements and the NCCP/HCP for the Central/Coastal Subregion.

Sensitive Species

As described previously, a number of sensitive animal species are known to occur or have the potential to occur within the Hill and Canyon Area. Land within this area of Anaheim has high wildlife diversity and an abundant wildlife population. In addition, the area provides important foraging, dispersal, migratory, and wildlife corridors for many sensitive species. Implementation of development consistent with the



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General Plan and Zoning Code Update will result in both direct and indirect significant adverse impacts to wildlife occurring in the Hill and Canyon Area.

The introduction of residential land uses into large undistributed areas will result in the elimination of habitat and food resources through the removal of vegetation communities. Species that are more mobile (e.g., birds, small mammals, etc.) will seek adjacent habitat for cover and food resources. However, competition amongst individual species for these adjacent resources will increase the dispersal of weaker or more juvenile individuals; increased mortality due to predation and lack of resources will result. These effects may be particularly pronounced for species with low tolerance for habitat modification or disturbances, especially some riparian bird species. Soil disturbance may significantly increase the presence of non-native species and may affect some species ability to forage or establish territories. Modifications to on-site topography may increase the ability of some species to identify prey (e.g., raptor perches, etc.) or abnormally increase levels of predation. To minimize the impacts to sensitive wildlife species and plant communities, the General Plan and Zoning Code Update establishes goals and policies related to the protection of open space and wildlife habitat.

The majority of impacts to sensitive vegetation communities and wildlife species will occur as a result of project-specific activities developed pursuant to the General Plan and Zoning Code Update. At the time individual development applications are submitted, the City will assess development proposals for potential impacts to significant natural resources pursuant to CEQA and associated State and Federal regulations. Potential impacts related to development of the Mountain Park Specific Plan area will be mitigated through compliance with the NCCP/HCP for the Central/Coastal Subregion and USFWS and CDFG requirements. In addition, mitigation measures will be required at the project level to minimize the impacts of development.

Relevant Goals and Policies

Proposed General Plan policies related to the conservation of biological resources include.

- Support efforts to preserve natural habitat through continued participation in the Natural Communities Conservation Plan. (Green Element, Goal 14.1, Policy 1)
- Encourage and support regional efforts to educate the public about habitat resources and conservation efforts. (Green Element, Goal 14.2, Policy 1)
- Require new development to mitigate light and glare impacts on surrounding sensitive habitat and open space areas, where appropriate. (Green Element, Goal 14.3, Policy 1)

Existing Codes and Regulations

- Future projects shall comply with the provisions of the Migratory Bird Treaty Act, Federal Endangered Species Act, the California Endangered Species Act, and the Central/Coastal Subregion (NCCP/HCP) for protection of Federal or State listed species.

Level of Significance Before Mitigation: Potentially significant.

Mitigation Measures: To reduce localized impacts of development on biological resources, the following mitigation measures shall be required for projects within sensitive plant communities and wildlife corridors and/or for projects containing sensitive wildlife species:

- 5.3-1 For all areas of the City located outside the Central/Coastal NCCP/HCP, Retention of rare communities shall be incorporated into building and project design to the maximum extent practical. Rare communities include oak, riparian and wetland, walnut woodland, and

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coastal sage scrub. If retention is not practical, healthy specimens shall be relocated and/or replaced.

- 5.3-2 **For all areas of the City located outside the Central/Coastal NCCP/HCP, Property** owners/developers will be required to restore and re-vegetate where the loss of small and/or isolated habitat patches is proposed.
- 5.3-3 If construction activity is timed to occur during the nesting season (typically between March 1 and July 1), developers will be required to provide focused surveys for nesting birds pursuant to California Department of Fish and Game requirements. Such surveys shall identify avoidance measures taken to protect active nests.
- 5.3-4 Removal of nonnative trees shall be permitted only outside the nesting season.
- 5.3-5 Any crushing of existing habitat during the breeding season of the gnatcatcher shall occur only under the supervision of a biological monitor.
- 5.3-6 Preserved and/or protected areas will be identified by the project biologist and isolated with construction fencing or similar materials prior to clearing or grading activities. Protected areas include existing woodland and coastal sage scrub adjacent to revegetation areas and individual trees and patches of native habitat to be preserved within revegetation areas.
- 5.3-7 Lighting in residential areas and along roadways shall be designed to prevent artificial lighting from reflecting into adjacent natural areas.

Level of Significance After Mitigation: Less than significant.

IMPACT: WOULD THE PROJECT HAVE A SUBSTANTIAL ADVERSE EFFECT ON ANY RIPARIAN HABITAT OR OTHER SENSITIVE NATURAL COMMUNITY IDENTIFIED IN LOCAL OR REGIONAL PLANS, POLICIES, REGULATIONS OR BY THE CALIFORNIA DEPARTMENT OF FISH AND GAME OR U.S. FISH AND WILDLIFE SERVICE

Impact Analysis: Areas along the Santa Ana River as well as the eastern portion of the City currently contain riparian habitat. The areas along the Santa Ana River are mostly disturbed, except for portions in the far eastern area of the City and Sphere-of-Influence. Riparian communities support species along watercourses or water bodies adaptable to seasonal flooding. Riparian communities within the Hill and Canyon Area include: willow scrub, mule fat scrub, sycamore riparian, cottonwood-willow riparian, and mixed riparian. Implementation of the proposed General Plan and Zoning Code Update could impact existing riparian areas through development in the Hill and Canyon Area and potential recreational uses within the Santa Ana River. However, potential impacts to riparian or other habitat related to development in accordance with the General Plan and Zoning Code Update will be mitigated through compliance with ACOE regulations under Section 404 and CDFG regulations under Section 1601-1603. In addition, mitigation measures will be required at the project level to minimize the impacts of development.

Relevant Goals and Policies

Proposed General Plan policies related to the conservation of biological resources include.

- Support efforts to preserve natural habitat through continued participation in the Natural Communities Conservation Plan. (Green Element, Goal 14.1, Policy 1)



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Existing Codes and Regulations

- Future development shall comply with Section 1601-1603 of the Fish and Game Code and Section 404 of the Clean Water Act.

Level of Significance Before Mitigation: Potentially significant.

Mitigation Measures:

- 5.3-8 Prior to the issuance of grading permits for any project potentially affecting riparian or wetland habitat, the property owner/developer shall provide evidence that all necessary permits have been obtained from the State Department of Fish and Game (pursuant to Section 1601-1603 of the Fish and Game Code) and the U.S. Army Corps of Engineers (pursuant to Section 404 of the Clean Water Act) or that no such permits are required, in a manner meeting the approval of the City of Anaheim Planning Department. If a Section 404 Permit from the ACOE is required, a Section 401 Water Quality Certification will also be required from the California Regional Water Quality Control Board, Santa Ana Region.

Level of Significance After Mitigation: Less than significant.

IMPACT: **WOULD THE PROJECT HAVE A SUBSTANTIAL ADVERSE EFFECT ON FEDERALLY PROTECTED WETLANDS AS DEFINED BY SECTION 404 OF THE CLEAN WATER ACT (INCLUDING, BUT NOT LIMITED TO, MARSH, VERNAL POOL, COASTAL, ETC.) THROUGH DIRECT REMOVAL, FILLING, HYDROLOGICAL INTERRUPTION, OR OTHER MEANS**

Impact Analysis: As described above, potential impacts to riparian or other habitat related to development in accordance with the General Plan and Zoning Code Update will be mitigated through compliance with ACOE regulations under Section 404 and CDFG regulations under Section 1601-1603. In addition, mitigation measures will be required at the project level to minimize the impacts of development.

Relevant Goals and Policies

Proposed General Plan policies related to the conservation of biological resources include.

- Support efforts to preserve natural habitat through continued participation in the Natural Communities Conservation Plan. (Green Element, Goal 14.1, Policy 1)

Existing Codes and Regulations

- Future development shall comply with Section 1601-1603 of the Fish and Game Code and Section 404 of the Clean Water Act.

Level of Significance Before Mitigation: Potentially significant.

Mitigation Measures: No mitigation measures in addition to Mitigation Measure 5.3-8 are necessary.

Level of Significance After Mitigation: Less than significant.

IMPACT: **WOULD THE PROJECT INTERFERE SUBSTANTIALY WITH THE MOVEMENT OF ANY NATIVE RESIDENT OR MIGRATORY FISH OR WILDLIFE SPECIES OR WITH**

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ESTABLISHED NATIVE RESIDENT OR MIGRATORY WILDLIFE CORRIDORS, OR IMPEDE THE USE OF NATIVE WILDLIFE NURSERY SITES

Impact Analysis: Several areas within the Hill and Canyon Area of the City and its Sphere-of-Influence are utilized as migratory corridors for the movement of wildlife. Development within the Hill and Canyon Area could cause an increase in both vehicular traffic levels and nighttime light levels. Both of these factors have been found to deter the movement of many animals. In addition, the washes, which are tributaries to Gypsum Canyon Wash, are extensively utilized as wildlife travel routes and could potentially be impacted either directly by the placement of fill or indirectly by the placement of bridges within the Hill and Canyon Area.

The Gypsum Canyon underpass provides a feasible option for wildlife movement of several species between the Santa Ana River and Gypsum Canyon and one of only a few potential crossing points linking large mammals between the Chino Hills and the Santa Ana Mountains. Assuming some species utilize the Gypsum Canyon Road undercrossing at some level, there is an approximately 1,300-foot stretch that must be traversed, most of which is without cover, for access between the open space of the Hill and Canyon Area and the Santa Ana River. Development of the Mountain Park Specific Plan area would remove riparian and other habitat currently providing cover and would increase the distance that animals would need to traverse. This increase would further deter wildlife from utilizing this area as a wildlife crossing.

These linkages are crucial in preventing the effects of isolation by maintaining the genetic viability of populations of top predators in the Chino Hills and in turn the overall community health. As such, the Gypsum Canyon underpass may represent an important wildlife crossing from some species and impacts associated with planning the Mountain Park area are considered potentially significant.

Coal Canyon, east of the Mountain Park Specific Plan area, is the primary documented north/south regional wildlife movement corridor in the Hill and Canyon Area. Coal Canyon connects the Santa Ana Mountain and Chino Hills, and has been purchased by the State. It is now included within the Chino Hills State Park. The Mountain Park planning area provides more than a 0.5-mile buffer, including a prominent ridgeline, between development and the Coal Canyon wildlife corridor.

Relevant Goals and Policies

Proposed General Plan policies related to the conservation of biological resources include.

- Support efforts to preserve natural habitat through continued participation in the Natural Communities Conservation Plan. (Green Element, Goal 14.1, Policy 1)
- Encourage and support regional efforts to educate the public about habitat resources and conservation efforts. (Green Element, Goal 14.2, Policy 1)
- Require new development to mitigate light and glare impacts on surrounding sensitive habitat and open space areas, where appropriate. (Green Element, Goal 14.3, Policy 1)

Existing Codes and Regulations

- Future projects shall comply with the provisions of the Migratory Bird Treaty Act, Federal Endangered Species Act, the California Endangered Species Act, and the Central/Coastal Subregion (NCCP/HCP) for protection of Federal or State listed species.

Level of Significance Before Mitigation: Potentially significant.



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Mitigation Measures:

- 5.3-9 Prior to issuance of a grading permit for any project potentially affecting the Gypsum Canyon underpass, the property owner/developer shall submit a biological resources analysis which assesses potential impacts to wildlife movement.

Level of Significance After Mitigation: Less than significant.

IMPACT: WOULD THE PROJECT CONFLICT WITH ANY LOCAL POLICIES OR ORDINANCES PROTECTING BIOLOGICAL RESOURCES, SUCH AS A TREE PRESERVATION POLICY OR ORDINANCE

Future projects in accordance with the General Plan and Zoning Code Update would comply with all relevant policies and ordinances relating to tree preservation, including the City of Anaheim Street Tree Ordinance.

Relevant Goals and Policies

Proposed General Plan policies related to the conservation of biological resources include.

- Support efforts to preserve natural habitat through continued participation in the Natural Communities Conservation Plan. (Green Element, Goal 14.1, Policy 1)

Existing Codes and Regulations

- Future projects shall comply with the applicable provisions of the Anaheim Municipal Code relating to tree preservation.

Level of Significance Before Mitigation: Less than significant.

Mitigation Measures: No mitigation measures are necessary.

Level of Significance After Mitigation: No significant impacts have been identified and no mitigation measures are required.

IMPACT: CONFLICT WITH THE PROVISIONS OF AN ADOPTED HABITAT CONSERVATION PLAN, NATURAL COMMUNITY CONSERVATION PLAN, OR OTHER APPROVED LOCAL, REGIONAL, OR STATE HABITAT CONSERVATION PLAN

Impact Analysis: Portions of the City of Anaheim, including the Hill and Canyon Area, are within the Orange County Central/Coastal Natural Communities Conservation Plan Subregion (NCCP) and Habitat Conservation Plan (HCP). This NCCP/HCP was approved by CDFG and USFWS in 1996 to address protection and management of coastal sage scrub habitat, coastal sage scrub obligate species, and other covered habitats and species, including coastal sage scrub, oak woodlands, chaparral, tecate cypress forest, and cliff and rock.

Relevant Goals and Policies

Proposed General Plan policies related to conflicting with an HCP or NCCP

- Support efforts to preserve natural habitat through continued participation in the Natural Communities Conservation Plan. (Green Element, Goal 14.1, Policy 1)

5. *Environmental Analysis*

Existing Codes and Regulations

- Future projects shall comply with the provisions of the Migratory Bird Treaty Act, Federal Endangered Species Act, the California Endangered Species Act, and the Central/Coastal Subregion (NCCP/HCP) for protection of Federal or State listed species.

Level of Significance Before Mitigation: Less than significant.

Mitigation Measures: No mitigation measures are required.

Level of Significance After Mitigation: No significant adverse impacts were identified and no mitigation measures are necessary.

5.3.5 Significant Unavoidable Adverse Impacts

Implementation of the adopted NCCP/HCP, the General Plan Goals and Policies, existing codes and regulations, and the mitigation measures listed above will reduce all biological impacts to a level of insignificance.



5. *Environmental Analysis*

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