

TO: JAMES L. APP, CITY MANAGER

FROM: ED GALLAGHER, COMMUNITY DEVELOPMENT DIRECTOR

SUBJECT: OLSEN RANCH BEECHWOOD SPECIFIC PLAN - AUTHORIZATION FOR CONSULTANT SERVICES TO CONDUCT A SPECIAL STUDY

DATE: JANUARY 3, 2012

Needs: For the City Council to consider authorizing staff to prepare and execute a contract to hire a qualified biologist to conduct a vernal pool fairy shrimp protocol survey on property within the Olsen Ranch Beechwood Specific Plan Area.

- Facts:
1. In November 2004 a preliminary biological assessment was prepared for the Olsen Ranch. It identified a vernal pool, stock pond and riparian corridor. In August 2006 a preliminary biological assessment was prepared for the Beechwood Planning Area. This study identified that there are numerous potential vernal pools on the Beechwood property.
  2. Vernal pools are a type of wetland resource that provides habitat for “fairy shrimp”, which is a federally-protected endangered species.
  3. The only way to determine if fairy shrimp exist on the property is to have a vernal pool fairy shrimp “protocol” survey conducted.
  4. The project property owners are interested in having this survey conducted and are willing to pay for the work.
  5. Conducting a vernal pool fairy shrimp survey is time-sensitive since it needs to be initiated as soon as rain occurs, and the survey period can last between one and two years, depending on what is found in the field.
  6. The information to be obtained through this survey work is needed to guide development design and/or the mitigation program and agency permit process included in the environmental impact report to be prepared for this project.

Analysis and Conclusion: The prior guidance and direction provided from the previous environmental specialists suggested that the vernal pools could be avoided (not developed), thereby not impacting the resources. However, it would not be practical, if not impossible, to avoid every vernal pool on the properties and their associated drainage course. Additionally, vernal pool fairy shrimp have recently been found in the near vicinity on several properties.

Therefore, the resource agencies (i.e. US Fish and Wildlife Service and California Department of Fish and Game) could not accept an Environmental Impact Report with biological studies that do not include a survey for fairy shrimp since the properties have resources conducive to their habitat. If the properties were not surveyed at this time, the future developers of the properties would need to prepare these surveys prior to development which could cause a significant time delay. Since this is an environmental constraint it makes sense to get this information completed in a manner that satisfies regulatory requirements at the outset, and design a plan that reduces potential impacts to the extent feasible.

The City received two proposals to conduct the survey from qualified biologists. Staff met with the biologists and the property owners and is considering the merits of the proposals and qualifications. The cost estimates were similar in costs to do the work. The minimum amount needed from the property owners to start this work is \$21,000, however, depending on the resources found on the site and potential need for more extensive survey work, the City Council is requested to authorize the cost for the survey work to not exceed \$35,000.

If the property does not have fairy shrimp located on it, then under the Clean Water Act, the project would only need to obtain federal permits for disturbance wetland/vernal pool resources.

Fiscal

Impacts: None; this study would be funded by the Olsen Ranch and Beechwood area property owners.

Options:

- a. Authorize staff to prepare and execute a consultant contract to conduct a vernal pool fairy shrimp protocol survey for the Olsen Ranch and Beechwood property at a cost not to exceed \$35,000.
- b. Amend, modify, or reject the above option.

Report prepared by Susan DeCarli, City Planner.

Attachments:

1 – Beechwood Property Vernal Pool Map

# BEECHWOOD VERNAL POOL AREAS

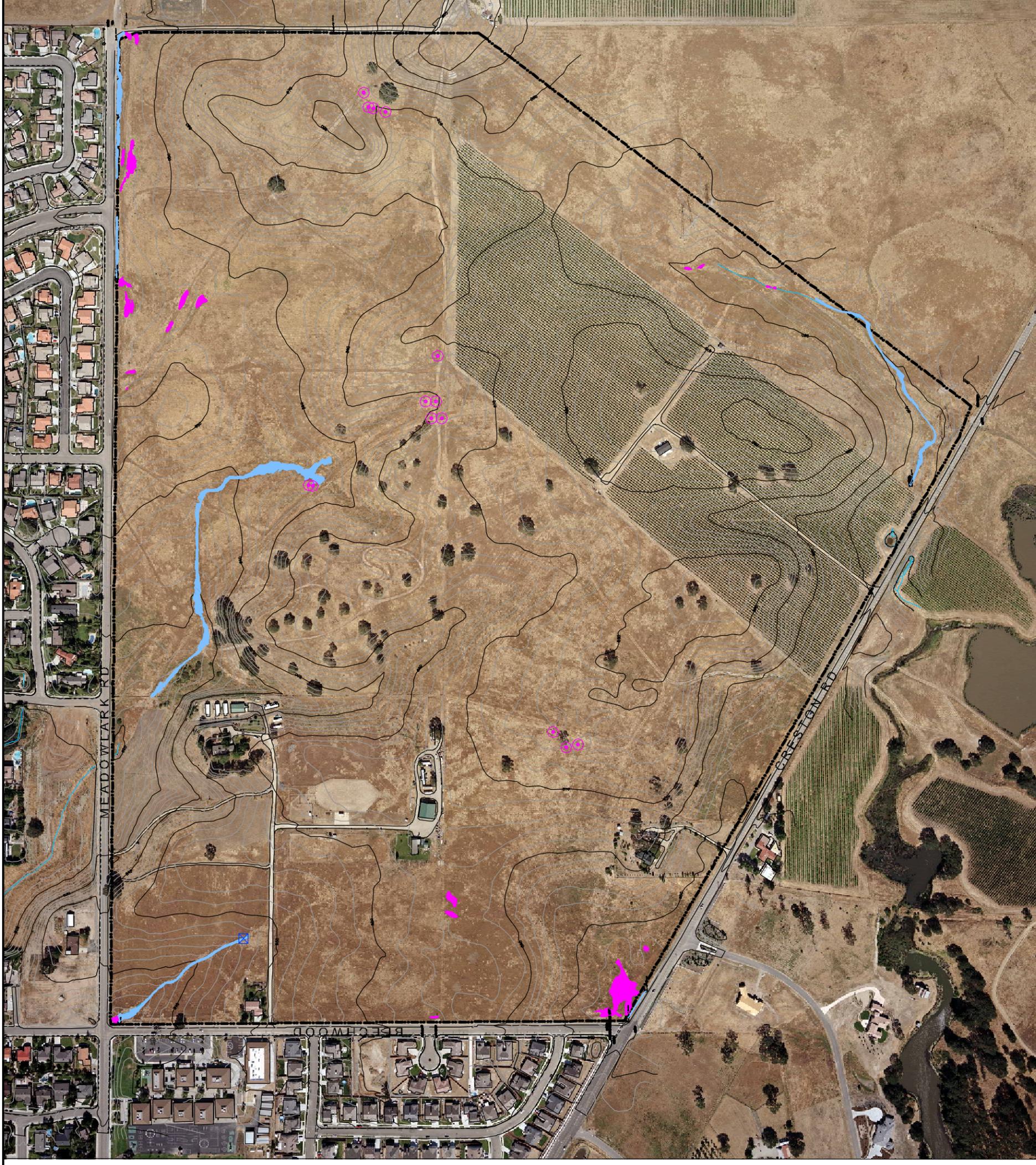
LEGEND: Vernal Pool Survey - January 5, 2006

 Swale: inundated; potential habitat for vernal pool species

 Vernal Pool

 Vernal Pool location: point indicates pool center; perimeter not mapped

 Spring: seasonal water source



1 INCH = 400