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April 25, 2019

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Governor's Office of Planning & Research

APR 25 2019

STATE CLEARINGHOUSE

Subject: Comments on the Notice of Intent to Adopt a Negative Declaration for the Removal of Vegetation by Goats at the Former Gothard Street Landfill, Huntington Beach, CA (SCH# 2019039142)

Dear Mr. Arnau:

The California Department of Fish and Wildlife (Department) has reviewed the above-referenced Notice of Intent (NOI) to adopt a Negative Declaration (ND) for the Removal of Vegetation by Goats at the Former Gothard Street Landfill. The following statements and comments have been prepared pursuant to the Department's authority as Trustee Agency with jurisdiction over natural resources affected by the project (California Environmental Quality Act [CEQA] Guidelines § 15386) and pursuant to our authority as a Responsible Agency under CEQA Guidelines section 15381 over those aspects of the proposed project that come under the purview of the California Endangered Species Act (Fish and Game Code § 2050 *et seq.*) and Fish and Game Code section 1600 *et seq.* The Department also administers the Natural Community Conservation Planning (NCCP) program. Orange County Waste and Recycling (OCWR) is a Participating Landowner under the County of Orange Central and Coastal Subregion NCCP/Habitat Conservation Plan (NCCP/HCP, Plan); however, the current project falls outside of the boundaries of the Plan.

The project area is located at 18131 Gothard Street in the City of Huntington Beach and consists of two adjoining parcels owned by the County of Orange (County), which total approximately 11.5 acres. Landfill operations were discontinued on the property in 1962 and the County used the site as a transfer station until 1982. In the late 1980's, the westerly portion of the site was hydroseeded with a coastal sage scrub (CSS) seed mix for erosion control and CSS habitat has since spread to the other parts of the property. OCWR is currently performing post-closure landfill maintenance activities on the property.

Future occupation of the CSS habitat by threatened or endangered species such as the federally threatened coastal California gnatcatcher (*Poliophtila californica californica*, gnatcatcher) could prevent OCWR from being able to perform post-closure maintenance activities during the nesting season. These activities are described in the ND as being necessary to protect public health and safety. In order to allow maintenance activities to continue during the nesting season, the project proposes to remove the approximately 8 acres of CSS vegetation from the property through the use of goat grazing in September 2019. Once the vegetation is removed, the site will be hydroseeded with an annual grassland mix to minimize erosion. Grazing is expected to take two months and no new developments or new activities are currently proposed for the site. Proposed mitigation to offset the project impacts includes the restoration of 4.88 acres of CSS at Crystal Cove State Park (CCSP).

Conserving California's Wildlife Since 1870

The Department offers the following comments and recommendations to assist OCWR in avoiding or minimizing potential project impacts on biological resources.

1. The project proposes to mitigate approximately 8 acres of CSS impacts by entering into a Mitigation Agreement with the Irvine Ranch Conservancy (IRC) to restore 4.88 acres of CSS and coastal bluff terrace scrub in CCSP using a combination of non-native species removal, seeding, installation of container plants, and hand watering with a temporary irrigation system. Rather than limiting the restoration to 4.88 acres, the Department recommends expanding the restoration to include the entire 7.5-acre coastal bluff terrace site in CCSP in order to nearly replace all CSS habitat lost to the project. The Gothard Street Landfill property provides moderate habitat for native species as described in Appendix D of the NOI, and evidenced by the species observed during 2018 gnatcatcher protocol surveys (Appendix C). In addition, it is likely that some natural recruitment of CSS vegetation has occurred during the 30 years since the site was hydroseeded for erosion control. Because there is no documentation of site conditions prior to landfill activities and it is unlikely the original habitat losses were replaced, we recommend that the presence of native species on site and likelihood of natural recruitment of CSS over the past 30 years warrants the replacement of the CSS habitat lost, at or near a 1:1 ratio. Following the expansion of the restoration project to the 7.5-acre CCSP site, the Department agrees that the conceptual restoration proposal submitted by IRC is appropriate for mitigating project impacts.
2. In order to ensure the restoration successfully replaces the habitat losses, we recommend including clear performance standards in the Mitigation Agreement that will be used by OCWR to evaluate completion of the restoration project. Typically, performance standards include targets for native and non-native vegetation cover and species diversity that are based on data collected from a nearby reference site of similar habitat type. By including strict criteria for non-native species (i.e., less than 10% non-native cover and no species ranked as highly invasive by the California Invasive Plant Council), it can be appropriate to reduce native species cover targets as compared to the selected reference site. This may help facilitate the expansion of the restoration project to the entire 7.5-acre site and in this situation would be preferred over a restoration project with a higher native cover requirement over a smaller area.
3. Following the grazing of CSS vegetation at the landfill site, OCWR will hydroseed using an annual grassland seed mix to minimize erosion. Rather than seeding with an annual grassland mix, the Department recommends seeding with a native grassland and annual forb mix. A native grassland and annual forb mix would provide increased species diversity and improved habitat for invertebrates and foraging species; whereas annual grasslands often form monotypic stands of vegetation that provide minimal benefit to native species. Additionally, annual (non-native) grasslands can also pose an increased fire risk due to the large amounts of readily ignitable biomass left following the growth season. The use of a native grassland and annual forb mix would not increase the risk of occupation by gnatcatcher as compared to an annual grassland seed mix, nor would it increase the risk of nesting by grassland specialists, since many are known to nest in habitat dominated by annual grasslands. In the event a native seed mix is used, the Department agrees that no mitigation would be needed for future

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impacts to any newly established habitat, provided impacts associated with the current project are mitigated according to the recommendations above.

4. The project only describes a single grazing event to be used for vegetation clearing. Goat grazing can be highly effective for removing above-ground vegetation and biomass; however, it has minimal effects on the root ball of established shrubs and there can be potential for resprouting during the next growing season. We recommend the ND be updated to reflect whether OCWR anticipates future grazing or other vegetation management being necessary should resprouting occur or to provide clarification as to why it will not be necessary. The use of grazing for ongoing annual vegetation management would not change the Department's recommendations for mitigating project impacts.

We appreciate the opportunity to comment on the referenced NOI. Questions regarding this letter and further coordination on these issues should be directed to Kyle Rice at (858) 467-4250 or kyle.rice@wildlife.ca.gov.

Sincerely,



FOR Gail K. Sevrens
Environmental Program Manager
South Coast Region

ec: Jonathan Snyder (U.S. Fish and Wildlife Service)
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