



Date: January 21, 2020

**TO:** LOCSD Board of Directors

**FROM:** Director Matthew Fourcroy, Parks & Recreation Advisory Committee Chairperson

**SUBJECT:** **Agenda Item 5G – February 6, 2020 Board Meeting**  
Summary of the January 21, 2020 Parks & Rec Meeting

**President**  
Marshall E. Ochylski

**Vice President**  
Charles L. Cesena

**Directors**  
Matthew D. Fourcroy  
Vicki L. Milledge  
Christine M. Womack

**General Manager**  
Ron Munds

**District Accountant**  
Robert Stilts, CPA

**Unit Chief**  
Scott M. Jalbert

**Battalion Chief**  
George Huang

The meeting was called to order at 5:30 and the minutes approved.

The Dog Park concept plan was presented. Input from the committee and public is requested. Concept plan on the website with comment form.

The Ferrell St. snail study has been completed. Snails were found in the old community garden. No snails were found in the pathway. A report has been sent to USFW regarding the pathway to see if it will be allowed to proceed without the HCP.

The next Parks & Recreation Advisory Meeting is planned for Tuesday, March 17 2020, at 5:30 pm.

Attachments

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**APN 074-229-027**

AREA OF DISTURBANCE: 66,377 SF

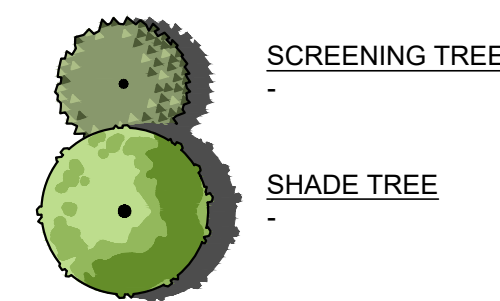
IMPERVIOUS AREA: 15,219 SF

DOG PARK AREA: 20,670 SF

LARGE BREED AREA: 15,536 SF

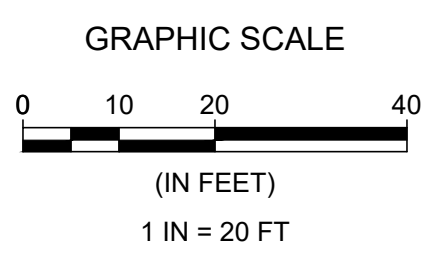
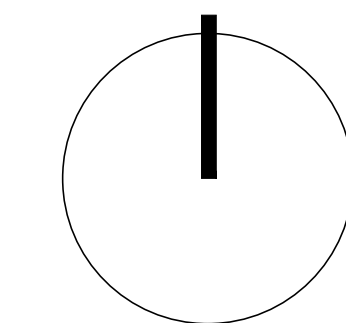
SMALL BREED AREA: 4,919 SF

**CONCEPT TREES**



**SITE DEVELOPMENT**

SYMBOL	NOTES
	ORNAMENTAL SHRUBS -DRIP IRRIGATION & MULCH
	DROUGHT TOLERANT NATIVE REVEGETATION -DRIP IRRIGATION
	EROSION CONTROL HYDROSEED MIX
	CONCRETE PATH
	ASPHALT
	PARK SURFACE A
	PARK SURFACE B



# LOS OSOS DOG PARK - CONCEPT PLAN

January 13, 2020



# Morro Shoulderband Snail Habitat Assessment and Protocol Survey Results Report for Ferrell Street Footpath Improvement Project (074-251-006), Los Osos, San Luis Obispo County, California



Prepared for:

Los Osos Community Services District  
2122 9th Street  
Los Osos, CA 93402

Prepared by:



January 6, 2019

## **Introduction**

The following Morro shoulderband snail (MSS) habitat assessment report has been prepared by Ecological Assets Management LLC (EAM) for the Los Osos Community Services District. This report presents the methods and results of a site visit (December 6, 2019) to conduct one protocol-level MSS survey and a habitat assessment on the 0.40-acre northern portion of the 1-acre undeveloped parcel located on Ferrell Street, Los Osos, San Luis Obispo County (Assessor's Parcel Number 074-251-006). The proposed project is to improve the existing Ferrell Street dirt footpath with a five- to seven-foot wide asphalt concrete pedestrian pathway and installation of symbolic fencing to reduce impacts to adjacent MSS habitat.

In summary, the 0.40-acre survey area was observed to be disturbed and dominated by nonnative veldt grass that is mowed annually for fire hazard abatement. Small isolated stands of coastal scrub habitat were observed within the survey area. During the focused survey efforts two live MSS were observed under coastal scrub habitat within the survey area. The isolated stands of coastal scrub habitat are the only habitats within the survey area that can provide suitable yearlong MSS habitat since the remaining portion of the parcel is mowed annually and do not provide aestivation habitat. Due to the scope of the proposed project and the location of the identified MSS habitat, and in association with implementation of the proposed avoidance and protection measures in the report, take of MSS is unlikely to occur.

## **Survey Methods**

The 2003 United States Fish and Wildlife Service (USFWS) Protocol Survey Guidelines for MSS require that five protocol surveys be performed during or immediately following a rain event to establish the presence or absence of MSS at a location. For this effort and per the guidance of the U.S. Fish and Wildlife Service, one survey of the parcel was conducted during protocol conditions and during this effort habitats present onsite were assessed to determine if they were suitable for MSS. Rainfall data used to document suitable survey conditions is obtained from either the Pacific Gas & Electric, Diablo Canyon Power Plant weather forecast (<http://www.tenera.com/weather/>) or from the rain gauge at EAM's Los Osos office. Site specific weather conditions (i.e. temperature and wind speed) were collected on site with a Kestrel 3000 wind meter.

Immediately following a rainfall event MSS permitted biologists Dwayne Oberhoff and Bob Sloan conducted one protocol survey on December 6, 2019, that covered the 0.40-acre northern portion of the subject parcel. Dwayne Oberhoff is permitted to conduct protocol surveys under federal recovery permit TE-180579-1. Bob Sloan is permitted to conduct MSS protocol surveys under federal recovery permit TE-43937B-0. The protocol survey and habitat assessment were conducted on foot and covered all areas of the 0.40-acre portion of the subject parcel to determine the presence/absence of live MSS, empty MSS shells and/or suitable MSS habitat. Survey

efforts focused on all areas of the site, including non-native habitat, anthropogenic debris, and edges of building foundations, fence lines, and other manmade structures that could provide habitat or shelter for MSS.

### **Description of Morro Shoulderband Snail and its Habitat**

MSS is found in western San Luis Obispo County within the vicinity of Morro Bay. Specifically, it is found south from the northern portion of the city of Morro Bay, west of Los Osos Creek and north of Hazard Canyon. Within this area, MSS is found on sandy soils within both coastal dune and coastal scrub plant communities. Key native plant species associated with MSS include mock heather (*Ericameria ericoides*), coast buckwheat (*Eriogonum parvifolium*), dune bush lupine (*Lupinus chamissonis*), deerweed (*Acmispon glaber*), California croton (*Croton californicus*), seaside golden yarrow (*Eriophyllum staechadifolium*), black sage (*Salvia mellifera*) and California sagebrush (*Artemisia californica*). MSS are also commonly found in association with non-native plant species such as veldt grass (*Ehrharta calycina*), ice plant (*Carpobrotus edulis*), and anthropogenic structures or debris/garbage (i.e. plywood, cardboard, etc).

Due to threats from habitat destruction, colonization of invasive plant species, aging habitat, and off-road vehicle use, MSS was listed as endangered by the USFWS on December 15, 1994. In 2006, following the five-year review conducted by the USFWS, the USFWS recommended MSS be downlisted from endangered to threatened, however the final rulemaking process for this downlisting has not been completed.

### **Site Location and Existing Conditions**

The Ferrell Street Footpath is located within a narrow portion of the one-acre parcel owned by the LOCSD, and is specifically located between Ferrell Street (west side) and the southern terminus of 7<sup>th</sup> Street (east side) within the community of Los Osos (refer to Figure 1 and Appendix B). The closest main cross street is Bush Drive located approximately 250 feet to the southeast of the subject parcel.

The 0.4-acre survey area was observed to be disturbed from annual mowing of the area for fire hazard abatement, public use as a footpath between Ferrell Street and 7<sup>th</sup> Street, and as a non-designated "dog park." The survey area was dominated by veldt grass with small isolated stands of coastal scrub species dominated by coyote brush (*Baccharis pilularis*) and black sage (*Salvia mellifera*). The survey area is surrounded by Ferrell Street to the west, an existing single-family residence to the north, a small disturbed vacant parcel and 7<sup>th</sup> Street to the east, and to the south is the remaining portion of the subject parcel that is used by the LOCSD as a storage yard. The adjacent parcels are dominated by disturbed areas that are vegetated with nonnative species. No large areas of native habitats suitable for MSS is contiguous with the survey area. Appendix A includes four (4) site photos taken during the survey and Appendix B includes an aerial of the survey area and subject parcel.



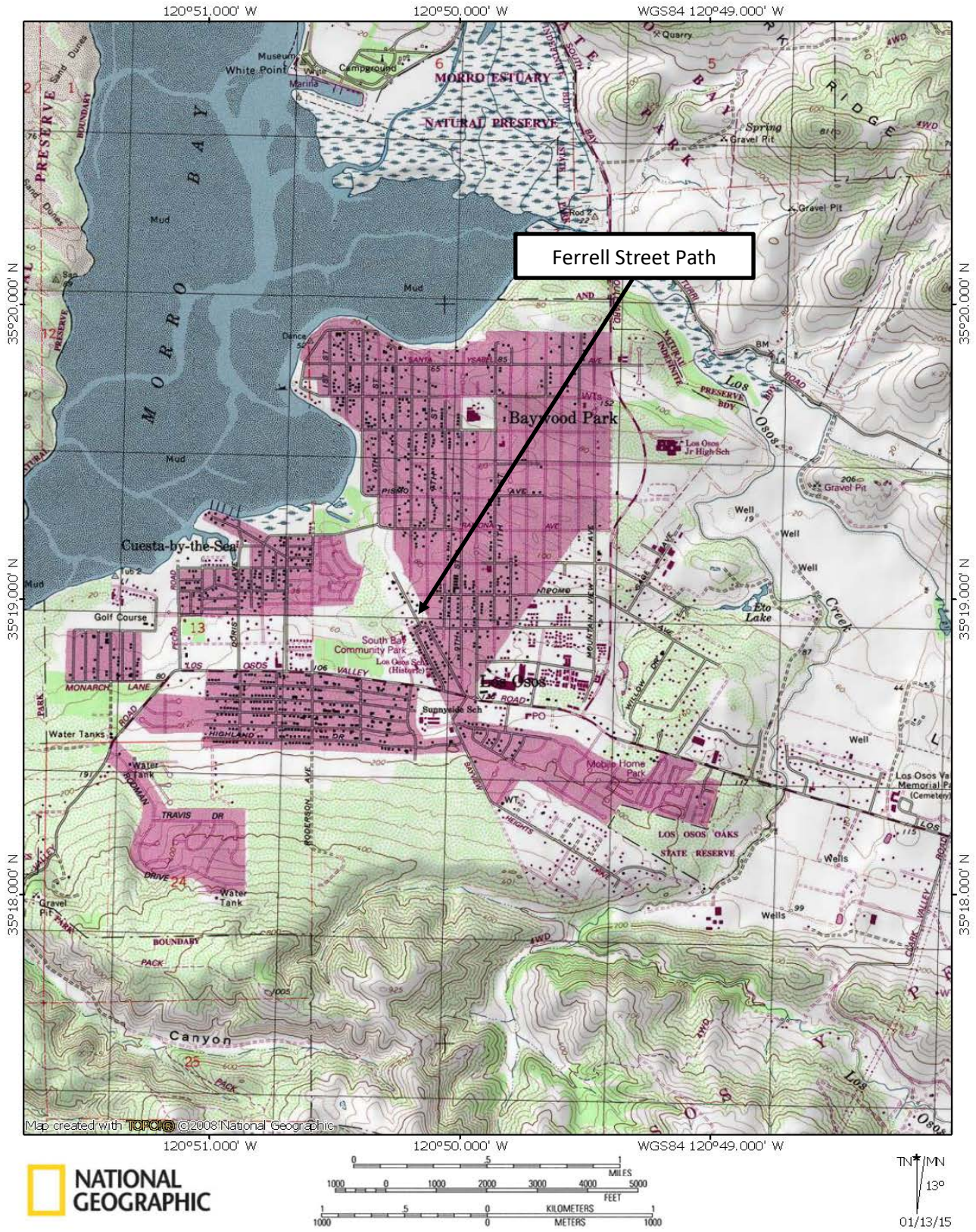


FIGURE 1. Location map of subject parcel in Los Osos, CA.



The subject parcel is outside of the boundaries of critical habitat units for MSS designated on February 7, 2001. The nearest critical habitat unit to the subject parcel is located approximately 0.5 miles to the south.

### **Proposed Project**

The LOCSO is proposing to improve the existing Ferrell Street dirt footpath with a five- to seven-foot wide asphalt concrete pedestrian pathway. In addition, along the northern side of the improved footpath, symbolic deterrent fencing (e.g. rope fence, signage, etc.) will be installed to reduce pedestrian traffic in areas of known adjacent MSS habitat.

### **Results**

EAM biologist Dwayne Oberhoff and Bob Sloan conducted a single site visit to the subject parcel to survey for MSS and conduct a MSS habitat assessment. The survey conducted on December 6, 2019, was conducted during protocol conditions with heavy precipitation (approximately 3.75-inches) during the ten days prior to the survey date.

All areas and habitats located within the 0.40-acre survey area were surveyed by walking transects, visual observation, and carefully sifting through soil and leaf litter by hand under vegetation, around woody debris, and other areas where MSS could be present.

Two live and active adult MSS were observed within the remnant coastal scrub habitat present within the survey area. Specifically, one MSS was observed under a coyote brush (*Baccharis pilularis*) and the other under a black sage (*Salvia mellifera*). No empty MSS shells and no other species of snail was observed during the survey efforts.

### **Discussion**

The survey results documented above provide a determination that the 0.40-acre survey area is dominated by nonnative and disturbed habitats with small areas of remnant native coastal habitat present. The nonnative habitats present on site do not provide suitable habitat for MSS due to annual fire hazard abatement (e.g. mowing) and absence of aestivation habitat. However, the isolated stands of coastal scrub habitat do provide suitable native habitat as evidenced by the presence of live MSS.

If a project can be shown to have no adverse impacts to MSS, USFWS may grant a Concurrence Authorization, which allows construction to occur. If a concurrence authorization is not granted by the USFWS, mitigation through preparation of a Habitat Conservation Plan (HCP) and receipt of an Incidental Take Permit would be necessary prior to construction.

To ensure no adverse impacts to MSS occur from the proposed project and that the project can move forward with a No-take Concurrence Authorization, the following avoidance and protection measures are being proposed for this project.

1. All project related ground disturbing activities shall occur during the dry season (June 1<sup>st</sup> - October 15<sup>th</sup>) when Morro shoulderband snail are aestivating and unlikely to migrate into work areas.
2. A Service-approved biologist shall conduct a pre-construction survey of the work area no more than 48 hours prior to the initiation of site work. The biologist shall notify the Service of the results of the survey immediately following the survey efforts. No live Morro shoulderband snail shall be relocated during these efforts.
3. Prior to any soil disturbance and/or vegetation removal, silt fencing or orange protective fencing will be installed around the perimeter of the proposed project area to prevent unauthorized ground disturbance outside of the work area.
4. A Service-approved biologist with demonstrable knowledge and experience with MSS and its habitat will conduct a pre-construction environmental awareness training session for all construction personnel involved in site disturbance. The training is intended to inform the permittees, construction crews, field supervisors, and equipment operators about the status and presence of the species, grading and construction-activity restrictions, and all proposed avoidance, protection and minimization measures.

Based on the location of MSS in the survey area, the proposed project location, and implementation of the proposed avoidance/protection measures, the proposed project is unlikely to result in take of MSS. A "No Take Concurrence Authorization" request is being included with this report and both will be submitted to the USFWS for review.



## **References**

Roth. 1985. Status Survey of the Banded Dune Snail, (*Helminthoglypta walkeriana*). Prepared for the U.S. Fish and Wildlife Service. Sacramento, California.

U.S. Fish and Wildlife Service. 1998. Recovery Plan for the Morro Shoulderband Snail and Four Plants from Western San Luis Obispo County, California. U.S. Fish and Wildlife Service, Portland, Oregon.

U.S. Fish and Wildlife Service. 2003. Protocol Survey Guidelines for the Morro Shoulderband Snail. U.S. Fish and Wildlife Service, Portland, Oregon.

U.S. Fish and Wildlife Service. 2006. Morro Shoulderband Snail 5-Year Review. U.S. Fish and Wildlife Service. Ventura Fish and Wildlife Field Office, Ventura California.

## Appendix A: Photo Pages

- 4 Photos





**Photo 1:** Photo viewing east of location where live MSS were observed during the focused survey efforts.

December 6, 2019





**Photo 2:** Photo viewing west from eastern property line toward Ferrell Street.

December 6, 2019





**Photo 3:** Photo viewing east down existing footpath toward the 7<sup>th</sup> Street terminus.

December 6, 2019





**Photo 4:** Photo viewing east from center of parcel toward the 7<sup>th</sup> Street terminus.

December 6, 2019



## **Appendix B: Existing Conditions and Survey Results Map**

