# 5.6 Biological Resources

## 5.6.1 Environmental Setting

The Musick Jail site is located on a highly modified agricultural site, with no remaining natural resources. Borrego Wash, immediately to the west of the site, will not be affected by the jail construction, but rather by the construction of Alton Parkway. The loss of the partially vegetated sandy wash area in Borrego Wash to the road and associated storm drain construction was addressed in the FCPP EIR.<sup>21</sup>

### 5.6.2 Project Impacts Prior to Mitigation

There are no impacts to biological resources on the Musick site outside the Alton Parkway extension area. As to the Alton Parkway construction, the analysis in FEIR 472 concerning the loss of 4.3 acres of Borrego Wash found that the wetlands in the wash, although they require a Streambed Alteration Agreement (1602-1603) to remove, were not significant. Therefore, mitigation was determined appropriate and feasible.<sup>22</sup>

Since FEIR 472 was certified, there have been efforts to mitigate the wetlands loss in Borrego Wash. The length of time which has passed since 1985 and now is not indicative of any problem finding wetland mitigation area, but rather the delay in the road's construction due to contamination on the MCAS El Toro. In 1996, it was determined that several sources for mitigation exist, both on County property and on private property, such as the Aliso Creek Wildlife Habitat Enhancement Project, Rancho Santa Margarita, and Coto de Caza. The Coto de Caza site has been the most preferable.<sup>23</sup>

Wetland loss as a result of Alton Parkway construction may even be avoided if only a one-half section of the road is built. However, half-section plans do not currently exist, and this EIR's analysis is based on the worst case scenario of full width construction.

The decision to displace these wetlands in this area was made eight years ago in connection with the certification of FEIR 472. It is apparent from data in that EIR, as well as recent research, that mitigation is feasible off-site. Therefore, mitigation for off-site compensation reduces all impacts to insignificant levels.

In addition, there is a very small area at the extreme southwesterly corner of the site which is at a lower elevation topographically than the rest of the site. This area, approximately 5,000 square feet in size, receives agricultural runoff. Plants are a mixture of natives and exotics. The area was created when rip rap and road protection for Irvine Boulevard and

<sup>&</sup>lt;sup>21</sup>FEIR 472, Foothill Circulation Phasing Plan, 1988; at page 4-48, incorporated herein by reference.

<sup>&</sup>lt;sup>22</sup>*Ibid.*, at page 4-51.

<sup>&</sup>lt;sup>23</sup>Personal communication, Bob Hamilton, Harbors, Beaches and Parks; August 2, 1996.

Irvine Spectrum were installed. It possesses no significant biological characteristics, is essentially man made, and can be easily mitigated, if necessary.

#### 5.6.3 <u>Mitigation Measures</u>

40. Prior to the construction of any portion of Alton Parkway affecting wetlands in Borrego Wash, the County of Orange shall enter into a Streambed Alteration Agreement with the California Department of Fish & Game and obtain any necessary federal authorization. This agreement will call for the compensation of wetland losses through off-site habitat creation or participation in a wetlands credit bank. If determined necessary by the Department of Fish and Game, the small vegetated area at southwest corner of the site will also be mitigated.

## 5.6.4 Level of Significance After Mitigation

As a result of the referenced mitigation measure, all impacts have been reduced to an insignificant level.