

DATE: November 21, 2024
TO: Supervisor Jeff Gorell & Oak Park Municipal Advisory Council (MAC)
FROM: Brian Trushinski, Oak Park MAC Member

RE: Input from Brian Trushinski for November 21, 2024, MAC Agenda Item 20: Ventura County Public Works Watershed Protection District draft 2025-2030 California Department of Fish & Wildlife (CDFW) Routine Maintenance Agreement for Medea and Lindero Canyon Creeks and their Tributary Streams

Presented below is my input that I would like included in Ventura County Public Works Watershed Protection District's 2025-2030 Routine Maintenance Agreement submission to CDFW for Medea and Lindero Canyon creeks and their tributary streams.

1. The Agreement should specify all channel reaches of Medea and Lindero Canyon creeks and all their tributary streams, that will be included in the Watershed Protection District's routine maintenance, repair, and construction work program between 2025 and 2030. Please include a map that identifies all affected reaches.
2. The District shall maintain on a continual basis a no-cut/ no-disturb native riparian vegetated buffer area of at least 25-feet on each side of Medea and Lindero Canyon creeks and all their tributary streams (i.e., minimum 50-foot-wide buffer area in total) measured from top of channel bank. Removal of invasive plant species and palm trees would be permitted within this environmental buffer area. In some regulatory cases, the minimum 25-foot buffer width on a side of the creek/stream may need to be reduced to accommodate:
 - Ventura County Fire Department wildfire abatement regulations (i.e., 100-foot vegetation thinning/ "fuel load" reduction from the foundation wall of a building).
 - Ventura County Watershed Protection District flood control regulations for the 1% annual chance (100-year) flood event. The potential flood hazard risk (i.e., limit of the floodplain boundary) to nearby properties shall be based on industry-accepted hydrological and hydraulic engineering analyses.

In such cases, a technically justified reduced 25-foot buffer width on the affected side would be mitigated by increasing the width of the 25-foot buffer on the opposite side of the creek. This would ensure that a minimum 50-foot buffer width is maintained.

3. Where maintenance, repair, or construction of an in-channel flood control structure is deemed warranted by the Watershed Protection District (examples: culvert inlet/outlet clearing of sediment, replacement of damaged/deteriorated bridge abutments, wingwalls, etc.), any temporary disturbance of riparian vegetation within the buffer area shall be restored using plantings and seeding of native plants that were present prior to the work.

4. Prior to any routine maintenance activity including vegetation and tree removal, as well as repair and construction work that is proposed within and in close proximity to Medea and Lindero Canyon creeks and all their tributary streams, the District shall conduct a field investigation by a qualified biologist to determine if any threatened, endangered, or sensitive plant and wildlife species are present, including migratory bird species. If found present, the District shall reschedule the work when species are not present. The biologist shall also survey a 500-foot radius of the project area for raptor nest initiation or occupation.
5. During the migratory bird breeding season, as established by CDFW, (March 1 through September 15), no work activity shall occur within at least 300-feet of any portion of the work area.
6. A qualified biologist shall be present on-site during all routine maintenance and construction activities. The biologist will serve as environmental monitor to ensure that machinery and equipment staging areas, and work activities comply with all conditions of the approved CDFW Agreement.
7. The District shall not use pesticides, herbicides, or other chemical applications within and adjacent to Medea and Lindero Canyon creeks and all their tributary streams. However, for invasive plant species that cannot be killed without the use of herbicide, CDFW approval shall first be obtained along with proper community notification by the District before using.
8. No refueling of machinery and equipment, including weed whackers, shall be undertaken within the buffer area. Spill containment materials shall be installed outside of the buffer area.
9. The District shall notify CDFW in writing at least five (5) days prior to undertaking any routine maintenance, repair, and construction activities within and adjacent to Medea and Lindero Canyon creeks and all their tributary streams, as per Fish & Game Code. The District shall notify the County District 2 Supervisor at least 14 calendar days in advance of initiating the work, and the public shall be notified at least 72 hours in advance through the Oak Park community signage board and the Supervisor's website.
10. The District shall submit a technical report to CDFW at the end of each calendar year of the Agreement (2025-2030) documenting all routine maintenance, repair, and construction activities that occurred on Medea and Lindero Canyon creeks and all their tributary streams, including tracking of any environmental impacts that may have resulted from work activities. The annual report shall also be made available to the public through the Supervisor's website.

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