

## MEMORANDUM

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**To:** Christine Fukasawa, Project Manager, Dudek  
Cathy Spence-Wells, Principal, Dudek

**From:** Allie Sennett, Biologist, Dudek

**Subject:** SOMO Village Project – Intersection Mitigation Sites Biological and Wetland Surveys

**Date:** August 7, 2019

**cc:** Mike Henry, Senior Ecologist, Dudek

**Attachment(s):** Figure 1a -1c. Project Site

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This memorandum transmits the findings of biological and wetlands resource surveys conducted by Dudek on July 17, 2019 at proposed road improvement sites associated with the SOMO Village Project in Rohnert Park, California. A supplemental environmental impact report (EIR) is being prepared for the SOMO Village Project, which amends the prior approved project (Sonoma Mountain Village Project EIR) including the proposed road improvement sites. The prior approved project EIR was certified in August 2010.

The three intersection sites investigated were: Petaluma Hill Road/Railroad Avenue, Petaluma Hill Road/Valley House Drive, and Petaluma Hill Road/East Cotati Avenue (Figure 1a -1c, Project Site).

## 1 Background

The three intersection sites are located within the plan area of the Santa Rosa Plain Conservation Strategy (Conservation Strategy). The Conservation Strategy's purpose is to create a long-term conservation program sufficient to mitigate potential adverse effects on listed species due to future development on the Santa Rosa Plain (Plain). The program will contribute to the recovery of the Sonoma County distinct population segment of the California tiger salamander (CTS; *Ambystoma californiense*), Burke's goldfield (*Lasthenia burkei*), Sonoma sunshine (*Blennosperma bakeri*), Sebastopol meadowfoam (*Limnanthes vinculans*) and the many-flowered navarretia (*Navarretia leucocephala* ssp. *plieantha*), and to the conservation of their sensitive habitat. The Conservation Strategy supports issuance of an authorization for incidental take of CTS and listed plants that may occur in the course of carrying out project activities on the Plain.

The Conservation Strategy identifies eight conservation areas for CTS and listed plants, one CTS and listed plant preserve system, and one listed plant conservation area. The designation of these areas is based on current available information on the occurrence and habitat needs of the listed species. The conservation areas were designated to conserve the species throughout their distribution range. These conservation areas identify lands where mitigation for project-related impacts to listed species will be directed. Designation of an individual property as being within a conservation area does not change that property's land use designation or zoning, or otherwise restrict the use of that property. The project area occurs in the Southeast Cotati Conservation Area, which has no existing preserves for CTS or listed plants. Breeding populations of CTS have been found in the western portion of

this Conservation Area across the railroad tracks approximately 6,000 feet from the intersection sites; however the Conservation Strategy notes that survey effort has not been intensive in this Conservation Area and more could be present. Within this Conservation Area, the ultimate goal for preserve acreage is 450 non-contiguous acres, or 350 acres if one contiguous core preserve of 350 acres is established.

The Conservation Strategy also directs that minimization measures be implemented to reduce impacts to CTS within Conservation Areas. The three types of activities requiring minimization measures are (1) an activity that impacts a CTS breeding site; (2) an activity that impacts CTS upland habitat; and (3) an activity where wetlands are being restored or created for either listed plants, CTS breeding or for wetland mitigation. None of these apply to the intersection improvements that are the subject of this survey and memorandum. In addition, mitigation for impacts to CTS are required if a project would impact CTS breeding or upland habitat within a Conservation Area. However, the Conservation Strategy states that certain road projects are not expected to impact CTS and would not be required to mitigate, as long as the direct and indirect activities do not impact CTS. The Conservation Strategy highlights roads that are considered significant for future success of conservation areas and that should be retrofitted with CTS undercrossings and exclusionary curbing, but none are included within the Southeast Cotati Conservation Area so it is assumed that would not be required for the proposed intersection improvements.

## 2 Methodology

The study area included all accessible portions of the roadway shoulder up to the fence line at each of the three intersection sites (Figure 1a -1c, Project Site). The study area at each site was based on the project footprint as provided to Dudek (W-Trans May 16, 2019; Concept Layouts of Petaluma Hill Road Intersections Improvements near Project Site), plus an approximately 50-foot buffer beyond the concept footprint. Dudek biologist Allie Sennett conducted a reconnaissance-level survey within the entirety of the study area. Native and naturalized plant and wildlife species encountered during the survey were identified and recorded. Dudek also assessed the site for wetlands and other aquatic habitat potentially subject to the jurisdiction of state and federal agencies such as the U.S. Army Corps of Engineers (ACOE), California Regional Water Quality Control Boards (RWQCB), and California Department of Fish and Wildlife (CDFW). Because the focus of this assessment was to identify resources potentially under the jurisdiction of these resource agencies to ensure impact avoidance, no formal protocol-level jurisdictional delineation was conducted during the field survey.

## 3 Results

### Petaluma Hill Road/Railroad Avenue

The Petaluma Hill Road/Railroad Avenue intersection site consists of paved roads and driveways, gravel road shoulders, roadside ditches, and ruderal vegetation. Common plant species present at this site include slender oat, woolly distaff thistle (*Carthamus lanatus*), English plantain (*Plantago lanceolata*), and poison hemlock (*Conium maculatum*). There are no potential wetlands or other waters within the study area for this intersection site. Roadside ditches and supporting upland plant species are present along the north and south side of Railroad Avenue, as well as on the west side of Petaluma Hill Road. There is one ephemeral drainage paralleling the east side of Petaluma Hill Road, approximately 20 feet east (outside) of the study area for this site. The drainage in this location supports riparian and wetland plant species, including curly dock (*Rumex crispus*), tall flatsedge (*Cyperus*

*eragrostis*), and willows (*Salix* sp.). Trees in the vicinity of the study area provide potential bird nesting habitat and roosting habitat for tree-roosting bats.

### Petaluma Hill Road/Valley House Drive

The Petaluma Hill Road/Valley House Drive intersection site consists of paved roads and driveways, gravel road shoulders, ruderal vegetation, and landscaping. Common plant species present in the study area at this site include slender oat, Himalayan blackberry, Bermuda grass (*Cynodon dactylon*), and fennel (*Foeniculum vulgare*). There are no potential wetlands or other waters within the study area for this site. One ephemeral drainage parallels the east side of Petaluma Hill Road, approximately 10 feet east (outside) of the study area. There is a narrow riparian corridor associated with this drainage, which contains several large interior live oaks (*Quercus wislizeni*); however, this riparian corridor is outside the study area. Trees in the vicinity of the study area provide potential bird nesting habitat and roosting habitat for tree-roosting bats.

### Petaluma Hill Road/East Cotati Avenue

The Petaluma Hill Road/East Cotati Avenue intersection site consists of paved road, road shoulders, and ruderal vegetation. Common plant species present at this site include slender oat (*Avena barbata*), Himalayan blackberry (*Rubus armeniacus*), California poppy (*Eschscholzia californica*), jointed charlock (*Raphanus sativus*), and salsify (*Tragopogon porrifolius*). Evidence of vegetation management (i.e., chemical application) is present along the south side of East Cotati Avenue. There are no potential wetlands or other waters present in or adjacent to this intersection site. Trees located adjacent to the site provide potential bird nesting habitat and roosting habitat for tree-roosting bats.

## 4 Conclusions and Recommendations

The lack of species diversity and presence of non-native plant species reflect the highly disturbed nature of the three intersection sites. In addition, these sites experience regular human disturbance in the form of mowing, pre-emergent herbicide application, and vehicle/pedestrian travel. Petaluma Hill Road is a major rural/urban connector that supports a moderate level of traffic.

### Special-Status, Rare, Non-Native, and Invasive Plants

No special-status plants were identified at the intersection sites during the survey. The potential for rare plants to occur at the intersection sites is extremely low due to a lack of suitable habitat, frequent onsite disturbances, and dominance of non-native plants. There are no records for special-status plants in or adjacent to the three intersection sites (CDFW 2019). Mitigation for impacts to rare plants would not be required for the proposed intersection improvement projects.

There are also numerous invasive plant species present at the three intersection sites. If feasible, Dudek recommends washing equipment upon exit from the project site to minimize the potential spread of invasive plants. This measure is generally included in a Storm Water Pollution Prevention Plan and other plans required under the project's National Pollutant Discharge Elimination System General Construction Activity Stormwater Permit.

## Special-Status Wildlife Species (California Tiger Salamander)

No special-status wildlife species were detected during the survey. However, because the three intersection sites are located within the Southeastern Cotati Conservation Area, mitigation for potential impacts to CTS from the minor road widening is likely to be required.

The Petaluma Hill Road/Valley House Drive and Petaluma Hill Road/Railroad Avenue intersection sites are located within critical habitat designated for the federal and state-listed CTS. No potential habitat, including rodent burrows or seasonal ponds and wetlands, were observed at the three intersection sites. Although two of the sites intersect critical habitat for CTS, these sites generally lack the physical and biological elements required by this species for survival and reproduction, such as vernal pools or stock ponds for breeding, and upland habitats with available underground refugia (USFWS 2011). However, there are 3 to 5 records of CTS within 2 miles of the three sites, and as such, CTS may be present in the general vicinity and could traverse area roadways. There is also one unprocessed record for a dead CTS found on Willow Avenue, approximately 1 mile northwest of the Petaluma Hill Road/Railroad Avenue intersection site (CDFW 2019). The likelihood for CTS to occur within the study area is very low as the project sites are mostly developed and lack potential upland and aquatic habitat. In addition, there are no CTS records east of the three sites (CDFW 2019), which suggests that CTS are not likely to traverse the intersection sites to access adjacent lands to the east.

Although CTS occurrence within the study area is unlikely, potential impacts to CTS could occur if any were to enter the site during construction. In addition, the Conservation Strategy directs that any road widening in a Conservation Area must mitigate for paving of areas that are not currently hardscaped. Where mitigation is required for road projects, the impact area consists of the land disturbed by the construction operation, which may be significantly wider than the area occupied by the improved roadway after construction is complete. Implementation of the prior approved project Mitigation Measures 3.3-2a-b would reduce potential impacts to CTS to a less-than-significant level.

MM 3.3-2a: Prior to the issuance of a grading permits for the Southern portion of the project (Phases 1C, 2, and 3), the project sponsor and/or their representatives shall initiate an informal consultation with the USFWS to discuss measures to avoid a potential take of CTS during construction. Additionally, since CTS became a Candidate for listing as Endangered under CESA on February 5, 2009, the project sponsor shall include CDFG in all informal consultations with the USFWS to discuss potential impacts on and mitigation measures for CTS. Although details of these measures would be developed in consultation with the USFWS and CDFG, they would likely include:

- Retaining a qualified biologist, approved by the City, to conduct a preconstruction survey of the project site area to ensure that no potential upland retreat habitat has been created (i.e., through ground squirrel activity) since the 2004 habitat assessment,
- Seasonal restrictions on grading and construction to avoid the wet season dispersal period (i.e., October through March),
- Installation of drift fences around the perimeter of the construction area to prevent any CTS from moving into the area,
- Providing compensation for loss of CTS upland habitat, as required by the USFWS and CDFG (either through avoidance, or purchase of mitigation credits at a USFWS/CDFG approved bank), if any suitable habitat is found during the preconstruction surveys referenced above, and,

- Retaining qualified biologists, approved by the City, to monitor the project site area during construction to ensure that no CTS would be harmed.

Assuming complete avoidance can be achieved, no incidental take permit from either CDFG or USFWS would be required. However, if CTS are discovered to be present in the project site area, and a “take” of the species cannot be avoided, Mitigation Measure 3.3-2(b) shall be required pursuant to the Santa Rosa Plain Conservation Strategy.

MM 3.3-2b: Prior to construction or issuance of a grading permits for the Southern portion of the project (Phases 1C, 2, and 3), the project sponsor and/or their representatives shall initiate consultation with the USFWS (pursuant to Section 7 of the Federal Endangered Species Act) and CDFG (pursuant to Section 2081 of the California Endangered Species Act) to obtain an incidental take permits for loss of any individual CTS. Details of the requirements of the Incidental Take Permit would be developed during consultation with the USFWS and CDFG, but would likely include (but not be limited to) the following.

- Preparation of a Biological Assessment pursuant to Section 7 of the FESA for submission to the USFWS for their review.
- Retaining qualified, permitted biologists to monitor for, and potentially move CTS outside of the project site area.
- Payment of mitigation fees, and/or purchase of mitigation land to compensate for the loss of CTS and their habitat.

If CTS should be elevated from Candidate to Endangered status under CESA, and additional and separate authorization from CDFG will be required.

## Wetlands and Other Waters

No potential wetlands or other waters are present at the three intersection sites. To prevent indirect impacts to the two ephemeral drainages adjacent to the Petaluma Hill Road/Valley House Drive and Petaluma Hill Road/Railroad Avenue intersection sites, appropriate Best Management Practices (BMPs) should be employed prior to ground disturbing activities. BMPs may include straw wattles, silt fence, and implementation of a spill response plan. In addition, Environmentally Sensitive Areas (ESA) fencing shall be use to delineate habitat to avoid, such as areas adjacent ephemeral drainages, large oak trees, and riparian habitat. These avoidance and minimization measures will be designed and implemented in accordance with the Storm Water Pollution Prevention Plan and other plans required under the project’s National Pollutant Discharge Elimination System General Construction Activity Stormwater Permit.

## Nesting Birds, Birds of Prey, and Tree-Roosting Bats

The three intersection sites provide potential habitat for nesting birds and birds of prey, as well as tree-roosting bats. Implementation of the prior approved project Mitigation Measures 3.3-4a-b would reduce potential impacts to nesting birds and birds of prey. Dudek recommends that the measures below be expanded to include tree-roosting bat species. With that change, impacts to nesting birds, birds of prey, and tree roosting bat would be reduced to a less-than-significant level.

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- MM 3.3-4a: If construction is to occur between March 15 through August 30, the project sponsor, in consultation with the CDFG, shall conduct a pre-construction breeding-season survey of the project site within ~~30~~14 days of when construction is planned to begin. The survey shall be conducted by a qualified biologist, approved by the City, to determine if any birds are nesting on or directly adjacent to the project site.
- MM 3.3-4b: The project sponsor, as required by CDFG, shall avoid all birds nest sites located in the project site during the breeding season (approximately March 15 through August 30) while the nest is occupied with adults and/or young. This avoidance could consist of delaying construction to avoid the nesting season. Any occupied nest shall be monitored by a qualified biologist, approved by the City, to determine when the nest is no longer used. If the construction cannot be delayed, avoidance shall include the establishment of a non-disturbance buffer zone around the nest site. The size of the buffer zone shall be approved by the CDFG. The buffer zone shall be delineated by highly visible temporary construction fencing.

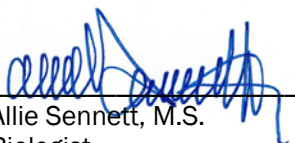
## Protected Trees

There are several large oak trees adjacent to the Petaluma Hill Road/Valley House Drive and Petaluma Hill Road/Railroad Avenue intersection sites. Implementation of the prior approved project Mitigation Measure 3.3-6 would reduce potential impacts to protected trees to a less-than-significant level.

- MM-3.3-6: To insure the project would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance under Impact Criterion #5, prior to the issuance of ~~a grading permits on any portion of the project site~~, the project sponsor shall hire a licensed and certified arborist to inventory all non exempt trees on the project site slated to be removed and assess ~~their value based on ISA standards including as directed by the City as to~~ size, health, species and location. This ~~evaluation~~inventory shall be provided to the City of Rohnert Park ~~Community Development Director~~Planning and Building Manager or his/her designee for review. The project sponsor shall then comply with the provisions of the Tree Removal Permit issued by the ~~Community Development Director~~, Planning and Building Manager, including tree replacement and the protection of any trees to be retained during construction.

If you have any questions or concerns regarding the content of this letter report, please contact me at 760.936.7969 or asennett@dudek.com.

Sincerely,



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Allie Sennett, M.S.  
Biologist

**References Cited**

CDFW (California Department of Fish and Wildlife). 2019. RareFind 5. California Natural Diversity Database. CDFW, Biogeographic Data Branch. Accessed July 2019.

<https://www.dfg.ca.gov/biogeodata/cnddb/mapsanddata.asp>.

US Fish and Wildlife Service. 2011. 50 CFR Part 17; Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Sonoma County Distinct Population Segment of California Tiger Salamander (*Ambystoma californiense*). June 21. <https://www.govinfo.gov/content/pkg/FR-2011-06-21/pdf/2011-15403.pdf#page=1>

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# Attachment A

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Figures 1a - 1c



SOURCE: ESRI 2018



**FIGURE 1A**  
**Project Site**  
 SOMO Village Project



File: 8580112... 1:1,409 Feet (1:409 Meters) Path: Z:\Projects\8580112\MapDocs\8580112\8580112.mxd

SOURCE: ESRI 2018

**DUDEK** 

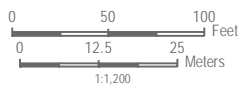
0 55 110 Feet  
 0 15 30 Meters  
 1:1,409

**FIGURE 1B**  
 Project Site  
 SOMO Village Project



SOURCE: ESRI 2018

**DUDEK**



**FIGURE 1C**  
**Project Site**  
SOMO Village Project