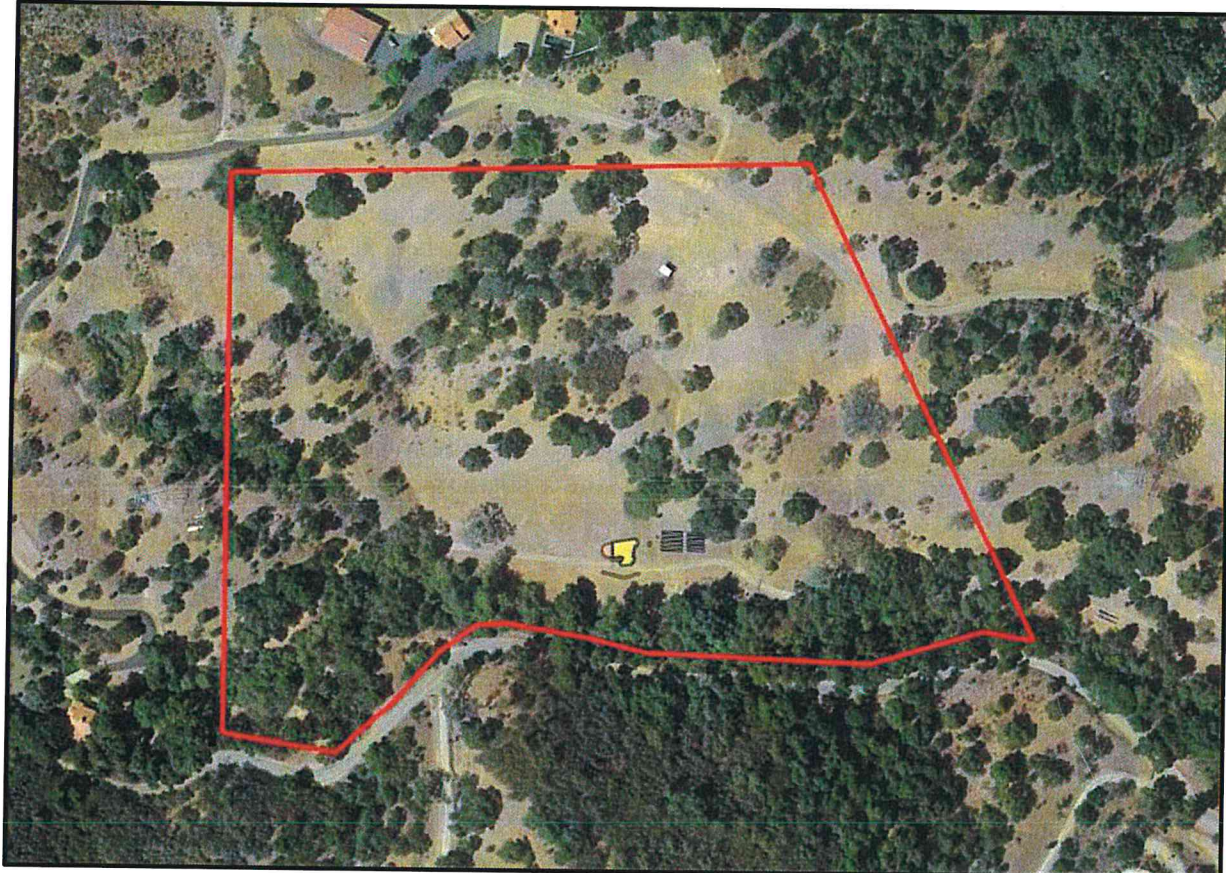


BIOLOGICAL RESOURCE ASSESSMENT
SOUZA SUBDIVISION AND RESIDENTIAL CONSTRUCTION
APN: 070-093-018
Tassajara Creek Road, Santa Margarita, California



5 December 2019

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EXECUTIVE SUMMARY

This Biological Resource Assessment has been prepared by EcoVision Partners, LLC (EcoVision) at the request of Steve and Julie Souza (applicant) for a proposed parcel subdivision (Tentative Parcel Map CO 18-0072 / SUB2019-00019-SOUZA) and construction of a single family residential structure (PMTR2019-00681) at a rural location off Tassajara Creek Road in west-central San Luis Obispo County. The location of the proposed residence is the 17.67 acre parcel to be created at the southwestern corner of the 474-acre parent parcel (APN 070-093-018). The applicant proposes construction of a four bedroom, single-family residential home on the south central part of the new parcel. A development footprint of approximately 0.35 acres is indicated on the project plans for the residential structure, landscape/hardscape, 150 foot bio-swale, and leach field. Water and electrical service will be from existing sources on the parent parcel to the east.

The purpose of this Biological Resource Assessment is to identify sensitive biological resources that have the potential to occur on the project site in support of review of the project pursuant to the California Environmental Quality Act (CEQA). EcoVision conducted field surveys of the 0.35-acre development footprint and a surrounding 8.5 acre area on 28 June 2019, 15 August 2019, and 13 September 2019. Surveys included inventories of botanical and wildlife resources, mapping of vegetation communities, a preliminary identification of potential jurisdictional waters and wetlands, and an assessment of the potential for occurrence of special-status plant and wildlife species.

The development footprint is located within an area of periodically grazed annual grassland habitat on a level terrace north of Tassajara Creek. The annual grassland community that will be impacted by the proposed project is not considered a sensitive plant community. No special-status plant species were observed or detected during the field surveys of the development footprint or surrounding habitats. However, surveys occurred outside the typical blooming period for about half of the 21 special-status plants considered to have a low potential for occurrence on the parcel. Only seven of the 21 species have a potential to occur in grassland habitat within the proposed development footprint. If present, direct impacts to special-status plant species could occur during initial ground disturbance activities.

No special-status wildlife species were observed or detected during field surveys but analysis of range, habitat requirements, and conditions on the site indicates some potential for the occurrence of 23 special-status wildlife species on the parcel. Suitable upland habitat is present within the proposed development footprint for foraging, dispersal and/or migration of the federally listed, threatened California red-legged frog (*Rana draytonii*) and several reptiles and amphibians designated California 'Species of Special Concern' (SSC) (e.g., Coast Range newt and western pond turtle [including nests]). Various SSC bird and bat species, and protected migratory birds, may also forage within the development footprint but would not utilize the annual grassland habitat for nesting or roosting. Marginally suitable habitat exists for foraging or temporary utilization of habitat within the development footprint by American badger and Monterey dusky-footed woodrat, both of which have SSC status. Finally, abandoned rodent burrows in grassland habitat within the

disturbance footprint could be utilized as nest sites for the crotch bumble bee (*Bombus crotchii*), a native species that is currently a candidate being considered for endangered listing status under the California Endangered Species Act (CESA). Abandoned rodent burrows in grassland habitat may also be used for nesting by the obscure bumble bee (*Bombus caliginosus*), a species on the California Department of Fish and Wildlife (CDFW) 'Special Animals' (SA) list. Project activities have a low potential to result in direct or indirect impacts to special-status wildlife, if present, within the development footprint during project construction, or indirect impacts to special-status wildlife in adjacent habitats.

The development footprint is within United States Fish and Wildlife Service (USFWS) designated critical habitat for the federally listed, threatened California red-legged frog (CRLF). Additionally, the reach of Tassajara Creek that crosses the parcel is designated by the National Marine Fisheries Service (NMFS) as critical habitat for the federally listed, threatened South/Central California Coast steelhead DPS (SCCC steelhead). The proposed development footprint is located outside the 50 foot top-of-bank (TOB) setback for Tassajara Creek and project activities will not directly impact riparian vegetation or designated critical habitat for SCCC steelhead. The presumed presence of CRLF and SCCC steelhead and critical habitat for the species may require consultation with the USFWS and NMFS prior to any construction activities.

Tassajara Creek and several potential jurisdictional wetland areas that were identified during surveys are likely within U.S. Army Corps of Engineers (ACOE), Regional Water Quality Control Board (RWQCB), and CDFW jurisdiction. Additionally, the riparian community associated with Tassajara Creek (California sycamore woodland) and vegetation communities within potential jurisdictional wetland areas on the parcel (common monkeyflower seeps and arroyo willow thicket) are listed as sensitive natural communities by the CDFW. All of these potential jurisdictional features and sensitive habitats are located outside the development footprint and will not be directly impacted by project activities. Potential indirect impacts to these sensitive areas could occur through the inadvertent disturbance by equipment, vehicles, or foot traffic, or the discharge of sediment and other contaminants. Any direct impacts to potentially jurisdictional features within the project area requires consultation with the ACOE, RWQCB, and CDFW, prior to the initiation of construction activities.

Construction and occupation of the proposed residential structure will impact a small development footprint in annual grassland habitat and has a low potential to result in direct and/or indirect adverse impacts to special-status plant and wildlife species and sensitive habitats. If sensitive species are present direct and/or indirect impacts could occur and may be significant pursuant to the CEQA. This Biological Resource Assessment provides recommended Best Management Practices (BMPs) and impact avoidance, minimization, and mitigation measures to reduce potential impacts to levels that are less than significant.

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SECTION ONE

INTRODUCTION

This report presents the results of a Biological Resource Assessment conducted by EcoVision Partners, LLC (EcoVision) at the request of Steve and Julie Souza (applicant) for a proposed parcel subdivision (Tentative Parcel Map CO 18-0072) and construction of a single family residential structure (PMTR2019-00681) at a location in west-central San Luis Obispo County. The purpose of this Biological Resource Assessment is to support of review of the project pursuant the California Environmental Quality Act (CEQA) through the documentation and analysis of information about sensitive biological resources with the potential to occur on the project site. Sensitive resources are defined in this report as plant and wildlife species and natural communities or habitats that have special-status or are of management concern to federal, state, and regional/local resource agencies. This report includes an analysis of potential impacts to sensitive biological resources from project activities and provides suggested measures to avoid or minimize impacts and mitigate for impacts that cannot otherwise be avoided.

Project Location

The project site is located on a proposed new parcel along Tassajara Creek Road, which intersects with the southbound lanes of U.S. Highway 101 approximately 1.6 miles north of the Cuesta Grade summit and 0.95 miles south of the State Highway (Route) 58/Santa Margarita exit (Exit 211) (Figure 1). Access to the project site is from a private asphalt driveway that intersects with the north side of Tassajara Creek Road approximately 1.6 miles west of the U.S. 101-Tassajara Creek Road intersection. A gravel access road to the project site is located off the east (right) side of the asphalt drive on the first corner inside the main gate.

The project site is located near the southeastern corner of the *Atascadero, California* 7.5 minute United States Geological Survey (USGS) topographic quadrangle, in Section 26 Township 29S; and Range 12E in San Luis Obispo County, California. Approximate coordinates for the northwestern corner of the proposed residential structure are latitude 35.380175, longitude -120.662615 (WGS 84). The project site is located in the North County Planning Area of San Luis Obispo County and the Salinas River Sub-Area.

Project Description

The applicant proposes the subdivision of a 474-acre parent parcel (APN 070-093-018) into two parcels (SUB2019-00019), with a new 17.67 acre parcel (project site) being created at the southwestern corner of the parent parcel. The ultimate goal of the subdivision is construction of a four bedroom, 2,486 square foot, single-family residential home on the south central part of the new parcel (PMTR2019-00681). Access to the residential structure would be from an existing all weather gravel road. A septic tank will be installed approximately 20 feet east of the residential structure and a leach field will be constructed east of the septic tank and outside the 100 foot setback from the top of bank (TOB) for Tassajara Creek. An approximate disturbance footprint of 0.35 acres is indicated on

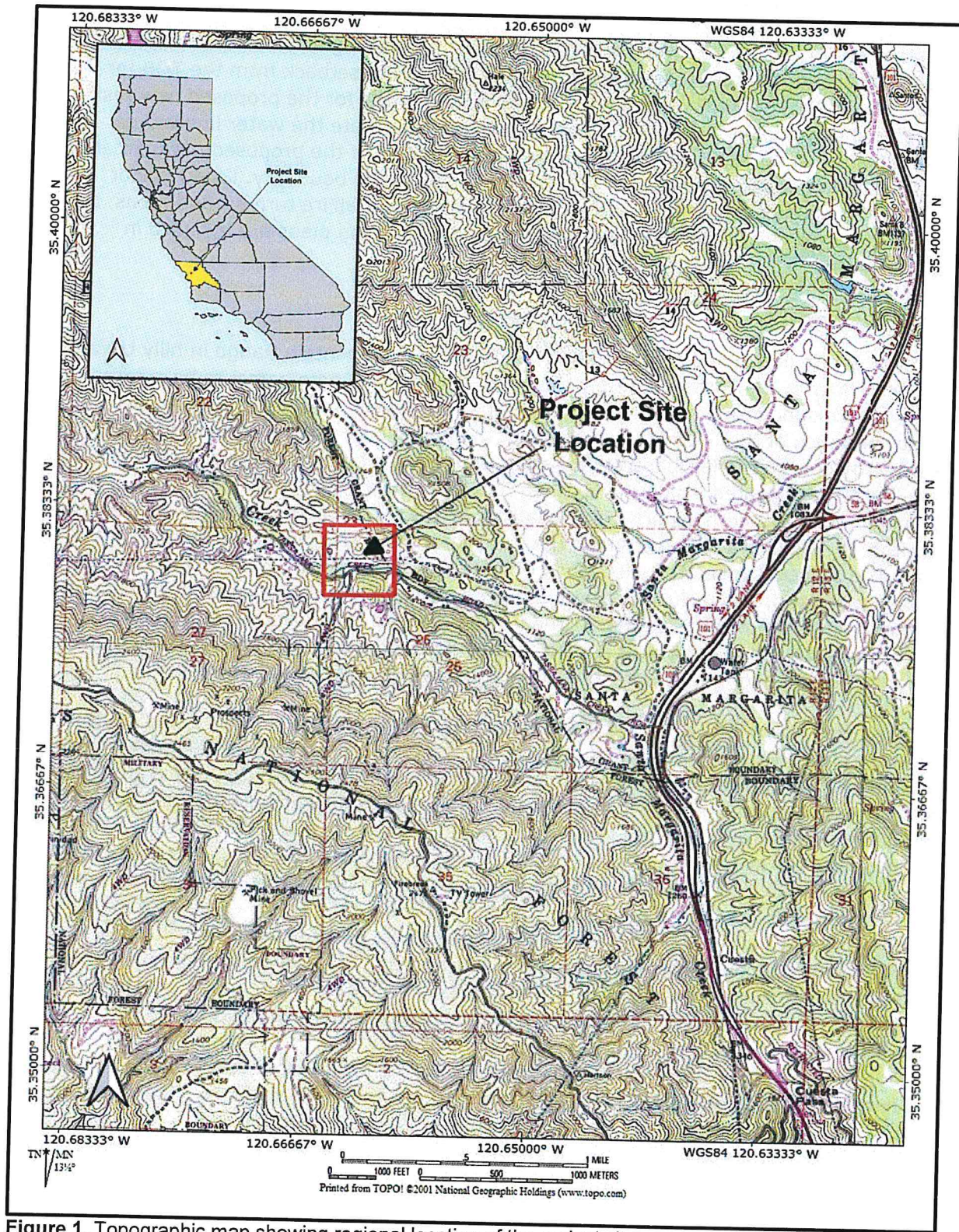


Figure 1. Topographic map showing regional location of the project site.

the project grading plans for the residential structure, landscape/hardscape, 150 foot bio-swale, and leach field. Approximately 0.02 acres (1,080 square feet) of the 0.35 acre development footprint is the road and road bed for the existing all weather ranch road. All areas of the disturbance footprint are outside of the 50 foot setback from the TOB for Tassajara Creek. The well, water tank, and electrical service for the proposed new residence are located on the parent parcel. Current project plans indicate the water line will be installed within a 10 foot wide easement that extends east of the proposed new parcel to an existing pump house approximately 650 feet from the parcel boundary. Locations for construction staging areas, fire hazard clearance areas, or CalFire turn around areas, if required, are not shown on current project plans. Site grading plans are included in Attachment A.

Site Description

The project site is situated at the base of the Santa Lucia Mountain Range in hilly terrain along the floor of the Tassajara Creek Valley. The new 17.67 acre parcel to be created by the proposed subdivision has a varied topography with steep hills and drainage swales occupying much of the northern two-thirds of the parcel and a low gradient, relatively level terrace adjacent to the left bank of Tassajara Creek in the south. Tassajara Creek is a USGS blue-line stream located inside the southern boundary of the proposed new parcel. The site has a generally southern aspect with elevations of 1,330 feet along the northern boundary and from to 1,230 to 1,200 feet along the Tassajara Creek channel in the south (west to east). The parcel is vegetated with a mix of annual grassland, oak woodland, chaparral, and riparian woodland, and includes several drainage swales that convey water in a generally southerly direction toward Tassajara Creek. The proposed disturbance footprint on site supports annual grassland that is somewhat disturbed by periodic livestock grazing and is comprised of a mix of native and non-native grasses and herbaceous species.

The proposed new 17.67 acre parcel is bounded by Tassajara Creek Road to the south, developed multi-acre rural residential parcels to the north, west, and to the south across Tassajara Creek Road, and agricultural lands on the parent parcel to the east (Figure 2). Both the parent parcel and newly created parcel are zoned for Agriculture, Residential Rural, and Rural Lands uses. Currently, the parent parcel is used as rangeland for cattle/livestock and has been developed with a main residence, several outbuildings, and a fenced corral. The proposed new parcel is used periodically for pasturing horses and is developed with a three-sided shelter structure and water trough near the northeastern corner. An existing all-weather gravel road crosses the relatively level southern portion of the parcel where construction of the new residential structure is proposed. Culverts at three locations along the road convey surface spring/seep water and runoff beneath the road to Tassajara Creek. A 230 kV power transmission line (and 75 foot easement) spans the south-central part of the parcel with a transmission tower located immediately outside the western parcel boundary. The proposed new single-family home will be located on the south central part of the new parcel, on a fluvial terrace above the left bank of Tassajara Creek. The southern limit of the disturbance footprint for the residence is located 50 feet from the top of the stream bank. The proposed disturbance footprint currently supports an annual grassland plant community.

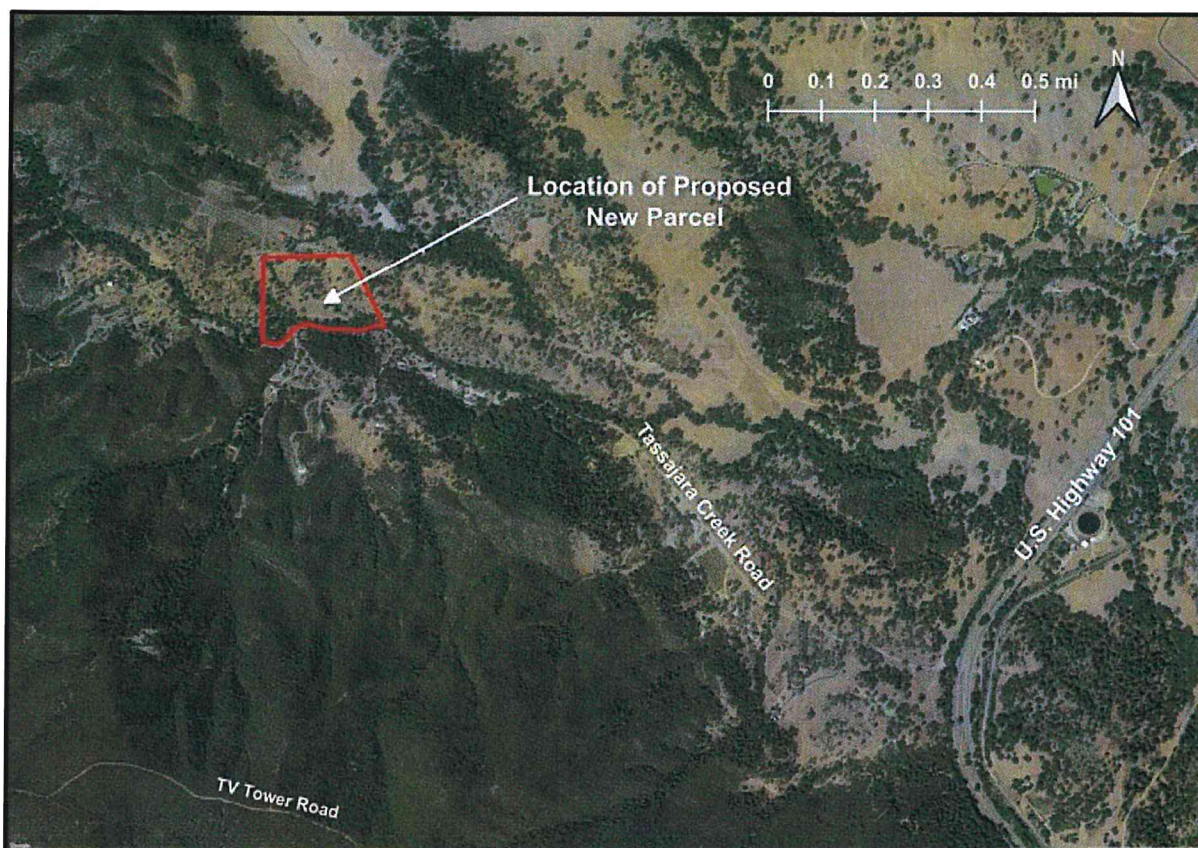


Figure 2. Aerial view showing project site location and surrounding land uses (Image Source: Google 2019).

SECTION TWO

METHODOLOGY

This preliminary Biological Resource Assessment consisted of a review of available environmental information for the project vicinity followed by field surveys of the project site and surrounding area to characterize and document the biological and botanical resources present. The focus of the data review and field surveys was to identify rare plants, special-status wildlife species, and sensitive plant communities that are known to be present in the project vicinity and have the potential to occur on the project site. The data review and field surveys of the site were conducted by EcoVision biologist Dan Dugan.

The pre-field data review consisted of a search of online databases and available environmental documents for sensitive biological resources documented in the site vicinity that have the potential to occur in areas impacted by the construction of the residential structure. The following online resources were reviewed as part of the background research:

- Aerial photographs (Google Earth, 1989-2016) and project site plans
- USGS Atascadero 7.5-minute topographic quadrangle (USGS 2019)
- Online Soil Survey of San Luis Obispo County, California (Natural Resources Conservation Service [NRCS], 2019)
- California Natural Diversity Database (CNDDB) list of special-status species with potential to occur within the Atascadero 7.5-minute quadrangle and the surrounding eight quadrangles (San Luis Obispo, Lopez Mountain, Morro Bay North, Morro Bay South, Santa Margarita, Creston, Templeton, York Mountain) (California Department of Fish and Wildlife [CDFW], 2019)
- Map of CNDDB and literature data for special-status species that have been documented within a 3-mile radius of the project site
- California Native Plant Society (CNPS) Inventory of Rare and Endangered Plants for the Atascadero 7.5-minute quadrangle and surrounding eight quadrangles (CNPS, 2019)
- National Oceanographic and Atmospheric Administration (NOAA) Fisheries Critical Habitat Mapper (NOAA 2019a)
- U.S. Fish and Wildlife Service (USFWS) Critical Habitat Portal (USFWS, 2019a)
- U.S. Fish and Wildlife Service (USFWS) ECOS Environmental Conservation Online System (2019b)
- USFWS National Wetlands Inventory (NWI) map for San Luis Obispo County (USFWS 2019c)
- Final Survey Report on the Biological Resources of the Stenner Springs Natural Reserve (Tenera 2009)
- Consortium of California Herbaria (CCH)

A list of special-status plant and wildlife species was generated for the project region based on the results of the scientific database queries and biological studies for the project vicinity. The habitat requirements of special-status species identified as occurring in the nine-quadrangle region were further analyzed to determine the potential for each species' occurrence in the project vicinity. Species for which suitable habitat, appropriate soils, or other life history requirements were not present, and/or the project site is outside of the

known geographic range of the species, were not analyzed or discussed further. Based on the types and quality of habitats observed in the project vicinity and on the project site during the field surveys, a focused list of potentially-occurring species was developed for discussion in greater depth in Section Five of this report.

Field surveys of the project site were conducted by EcoVision biologist Dan Dugan during the afternoon of 28 June 2019, the morning and afternoon hours of 15 August 2019, and the morning hours of 13 September 2019. Surveys lasted three hours, five and a half hours, and two hours, respectively. Surveys were conducted approximately one month after the cessation of seasonal rains on 27 May 2019 (NOAA 2019b). The project area received above average rainfall during the 2018-2019 rainy season (Cal Poly, 2019). Conditions and visibility were suitable on all three days to detect potentially occurring sensitive wildlife species. Survey dates, times, and weather conditions are provided in Table 1.

Table 1. Summary of biological survey dates, times, weather conditions, and biologist

Survey Date	Survey Time (Start-Stop)	Temperature (° F)	Weather Conditions	Biologist
6/28/2019	15:30-18:30	82-78° F	Clear, sunny with wind < 2-5 mph	Dan Dugan
8/15/2019	10:30-16:15	84-89° F	Clear, sunny with wind < 2 mph	Dan Dugan
9/13/2019	10:30-12:30	82-85° F	Clear, sunny with wind < 2 mph	Dan Dugan

The Study Area encompassed the proposed disturbance footprint and approximately 8.5 acres of adjacent habitat on the surrounding hillsides and drainage swales to the north and accessible corridors of the riparian area to the south. Surveys of the proposed 0.35 acre disturbance footprint and an adjacent one acre buffer area on the fluvial terrace consisted of walking approximate 20 foot transects for full coverage of the area. The remainder of the 8.9 acre Study Area was covered using a meandering survey method through swales and along game/livestock trails on the hillsides, with stationary observations made at various vantage points. Stationary observations were made for 10 to 15 minutes at each point where the observer remained still, watching and listening for wildlife movement or calls. Wildlife species were documented through direct observation, vocalizations, or through sign such as tracks, scat, skeletal remains, fur or feathers, dens, or burrows. Access to riparian habitat along and within Tassajara Creek was limited to three representative locations by dense understory vegetation, including abundant poison oak (*Toxicodendron diversilobum*). An aerial photograph showing the Study Area is provided in Figure 3. In addition to the habitat covered during the pedestrian surveys, surrounding areas of the parcel were scanned with 10 power binoculars to detect additional wildlife species or trees and plants that may have required additional investigation.

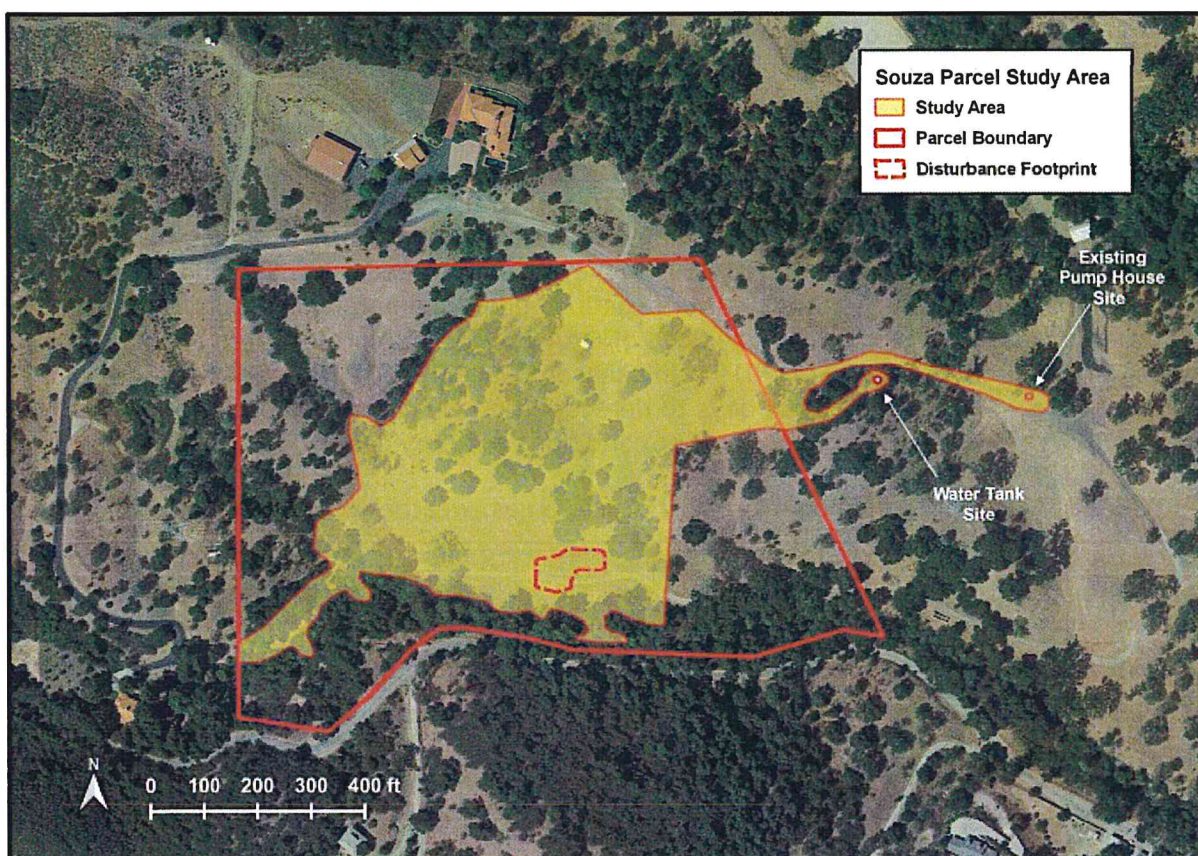


Figure 3. Aerial view showing boundaries of proposed new parcel, the disturbance footprint, and the surveyed area of the parcel (Image Source: Google 2019).

Common plant species observed during the survey were identified in the field by visual characteristics and morphology. Clippings and photographs of plant species that were uncommon or less familiar were collected and identified offsite using taxonomical guides. Plant taxa were identified to a level necessary to determine if they were rare, threatened, or endangered. Botanical species identifications and taxonomic nomenclature followed *The Jepson Manual: Vascular Plants of California, 2nd edition* (Baldwin *et al.* 2012) as well as taxonomic updates provided in Jepson eFlora online (Jepson 2019).

The initial reconnaissance survey was conducted to map vegetation communities on the site and identify the general components of each community. Vegetation communities were mapped on a recent aerial photograph using hand notation. The identified communities were then characterized using the second edition of *A Manual of California Vegetation, Second Edition* (MCV2) classification system (Sawyer *et al.* 2009), with some adaptation when necessary to make the general descriptions in the MVC2 more relevant to the project site. Potential jurisdictional water features present on site (*e.g.*, seeps, wetlands, etc.) were identified and described but a formal delineation or jurisdictional analysis was not conducted. Vegetation community maps were created in QGIS 3.6.3 with GRASS 7.6.1 software using field notes and available high resolution online aerial imagery (Google 2019).

Data Sufficiency

The information provided in this Biological Resource Assessment is considered to be of sufficient detail to identify special-status wildlife species that have the potential to occur in the project vicinity and to determine potential impacts to those species from the proposed project. However, wildlife field surveys were general in nature and did not include protocol level surveys for California red-legged frog, surveys of aquatic habitat in Tassajara Creek, delineation of potential wetland features, or focused surveys for nesting birds, or special-status reptiles, amphibians, bats, and small mammals.

Field surveys were initiated in late June of 2019 so did not occur during the typical blooming period for many potentially occurring special-status plants. It is recognized that the summer-fall timing of the surveys could not detect all special-status plant species with the potential to occur on the site. Determinations provided in this report about the potential for these species to occur on site are based on the conditions observed during surveys.

The above average rainfall for the general project region during the 2018-2019 rainy season provided suitable conditions for identification of potential jurisdictional hydrologic features. Rainfall data from the California Polytechnic State University, San Luis Obispo (Cal Poly) Irrigation Training and Research Center (ITRC), located approximately 5.2 miles south of the project site, measured 29.48 inches for the 2018-2019 season; approximately 134 percent of the 143-year annual station average of 22 inches (Cal Poly, 2019). Precipitation at the National Oceanic and Atmospheric Administration (NOAA) La Panza, California station, located 27 miles east of the project site, reported 32.2 inches for the 2018-2019 season (NOAA 2019b). The last measurable rain for 2019 at the La Panza station was 0.10 inch on 27 May 2019, approximately one month prior to the first site survey.

■ SECTION THREE

EXISTING CONDITIONS

The Study Area supports varied topography, soils, hydrologic features, and plant communities that provide diverse habitat for wildlife. Four soil types and five natural communities were documented within the Study Area. Representative site photographs of the proposed disturbance footprint and different plant communities on the site are provided in Attachment B.

Soils

The NRCS online soil report indicated that four soil units occur on the proposed new parcel. Soils on approximately 90 percent (15.9 acres) of the proposed new parcel, and the entire Study Area, are mapped as Lodo-Hambright-Millsholm families association, 30 to 60 percent slopes (Unit 16). The southwestern corner of the parcel, approximately 0.9 acres, is within a Cuesta-Henneke families complex, 15 to 60 percent slopes (Unit 4) map unit and a small area of the southeastern corner, <0.1 acres, is mapped as Xerofluvents-Xerorthents-Riverwash complex, 0 to 15 percent slopes (Unit 50). The remainder of the proposed new parcel, an approximate 0.8 acre triangular area along the eastern parcel boundary is mapped as Millsholm-Dibble complex, 30 to 50 percent slopes (Unit 170). A description of these soil units is provided below.

Soil Unit 4: Cuesta-Henneke families complex, 15 to 60 percent slopes- The parent material of this soil type is residuum weathered from serpentinite. The unit is composed of weathered and unweathered bedrock overlain by very cobbly to very rocky clay over cobbly loam. The drainage class of the unit is well drained with a runoff class of very high. This soil type tends to occur on mountains at elevations from 1,800 to 4,000 feet and is not considered prime farmland.

Soil Unit 16: Lodo-Hambright- Millsholm families association, 30 to 60 percent slopes- The parent material of this soil type is residuum weathered from shale. The unit is composed of clay loam over unweathered bedrock with a drainage class of somewhat excessively drained and a runoff class of medium. This soil type tends to occur on mountains at elevations from 800 to 3,100 feet and is not considered prime farmland.

Soil Unit 50: Xerofluvents-Xerorthents-Riverwash complex, 0 to 15 percent slopes- The parent material of this soil type is alluvium. The unit is composed of fine sandy loam over weathered stratified gravelly sandy loam to gravelly loamy sand over stratified gravelly loamy sand to cobbly sandy loam. The drainage class of the unit is well drained with a runoff class of low. This soil type tends to occur on terraces at elevations from 1,400 to 1,600 feet and is not considered prime farmland.

Soil Unit 170: Millsholm-Dibble complex, 30 to 50 percent slopes- The parent material of this soil type is residuum weathered from shale and/or sandstone. The unit is composed of clay loam over unweathered bedrock with a drainage class of well drained and a runoff class of very high. This soil type tends to occur on hills at elevations from 1,000 to 2,500 feet and is not considered prime farmland.

Hydrologic Features

The primary hydrologic feature on the proposed new parcel is Tassajara Creek, a mapped USGS blue line stream that runs from west to east through the southern part of the proposed new parcel. Tassajara Creek is a perennial, first order tributary to the Salinas River located within the west-central part of the 82,000 acre Mid Salinas-Atascadero Creek Area Watershed region in northern San Luis Obispo County. The terrain in the project vicinity is scattered with perennial and ephemeral seeps and in addition to Tassajara Creek, five areas on the proposed new parcel had hydrologic features that indicate potential jurisdictional wetlands (Figure 4). Four of these features are located within drainage swales that convey runoff southward from upland areas on the parcel toward Tassajara Creek. The two western drainage swales on the parcel (Drainage Swale A and Drainage Swale B) are mapped in the NWI online database as freshwater emergent wetlands. The upper reach of the western branch of Drainage Swale B, located at the northwest corner of the proposed new parcel, is mapped as a PSSA wetland (palustrine, shrub-scrub, temporarily flooded). Although generally accurate, the NWI uses analysis of high-altitude imagery to produce their spatial data so the maps may not accurately reflect current conditions on the ground (USFWS 2019c). The fifth hydrologic feature identified is not within a drainage swale and appears to be a perched seep located on a hillside east of Drainage Swale C.

These hydrologic features support assemblages of plants that are distinct from adjacent grasslands and woodlands and are dominated by wetland-indicator species (*i.e.*, hydrophytic), as defined by the U.S. Army Corps of Engineers (ACOE) (Lichvar *et al.* 2016). Surface water and/or saturated soils were present throughout the survey period in three of the five likely wetland features. A formal wetland delineation was not completed and soil characteristics were not assessed. However, because of the dominance of hydrophytic vegetation along the bottom of the swales, and apparent connectivity to the mapped blue line stream, it is expected that these drainage features, or portions of the features, would be considered waters of the United States under the jurisdiction of the ACOE, and waters of the State, under the jurisdiction of CDFW and the Regional Water Quality Control Board (RWQCB).

Vegetation Communities

The proposed new parcel supports a mosaic of plant communities that differ in community composition, structure, and vegetation density. Natural communities on the parcel burned during the Highway 41 Fire in August 1994 but have sustained relatively low disturbance levels since, primarily from periodic livestock grazing. Past disturbance has likely resulted in the establishment of some of the non-native and invasive plant species observed, particularly in the grassland community, but native species are generally dominant within the Study Area. A total of 91 vascular plant species was identified within the plant communities, of which 29 (32 percent) were non-native, and 20 of the non-native species are listed on the California Invasive Plant Council's (Cal-IPC) Invasive Plant Inventory. A list of vascular plant species identified during surveys is provided in Attachment C, Table 1.

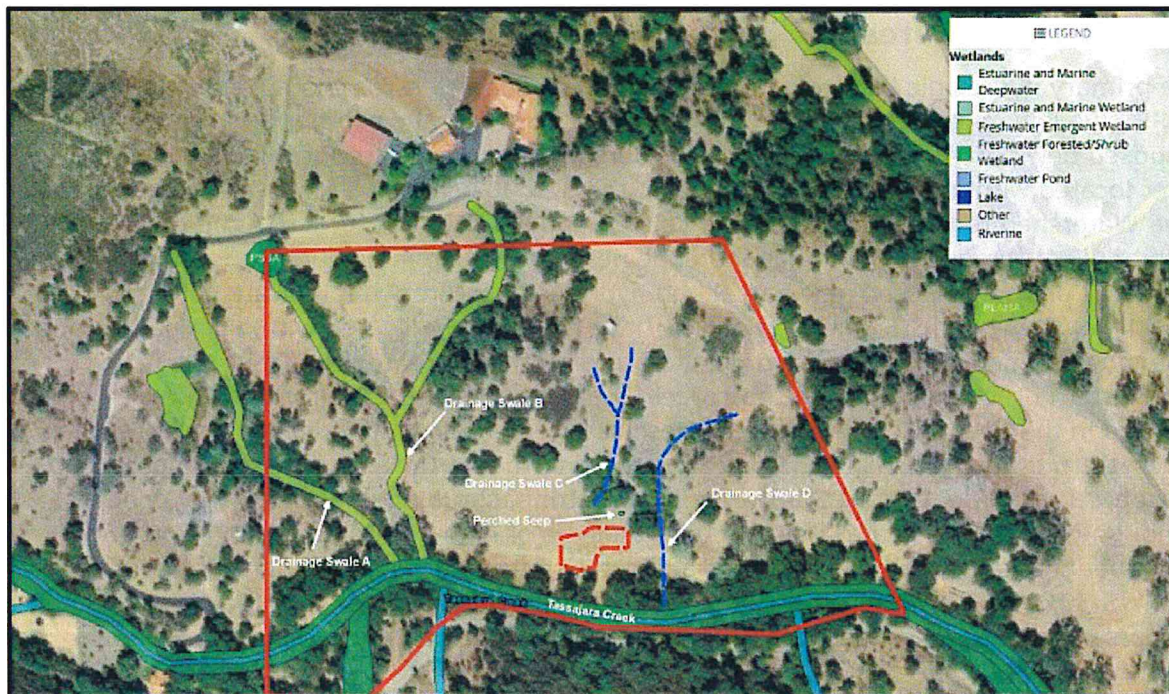


Figure 4. Aerial view showing boundaries of proposed new parcel, the disturbance footprint, NWI mapped wetlands, and drainage swales identified during surveys (Image Source: Google 2019).

The following five generalized plant communities were identified on the parcel during surveys.

- annual grassland
- mixed oak forest
- California sycamore woodland
- chamise chaparral
- drainage swales/seeps

Three of the plant communities, mixed oak forest, California sycamore woodland, and chamise chaparral, conform generally with alliance descriptions in the MCV2. The community within drainage swales and seeps on the site varied considerably in composition but included areas that are consistent with MCV2 alliance descriptions (common monkeyflower seeps, arroyo willow thickets, Pacific willow groves [*Salix lasiandra*]). The annual grassland community on the site was a mix of annual grasses and herbs with scattered trees and shrubs that did not fit neatly with any single MCV2 alliance description. A map showing the location and extent of each community is provided in Figure 5. General descriptions of the communities are provided below.

Annual Grassland (6.82 acres)

The annual grassland community occupies a combined area of approximately 6.82 acres of the proposed new parcel. Annual grassland is also present as understory throughout much of the mixed oak forest and chamise chaparral communities. The 0.35 acre disturbance footprint for the proposed new residence is located entirely within the annual grassland community. Areas identified as grassland habitat consist of a variable mixture of native and

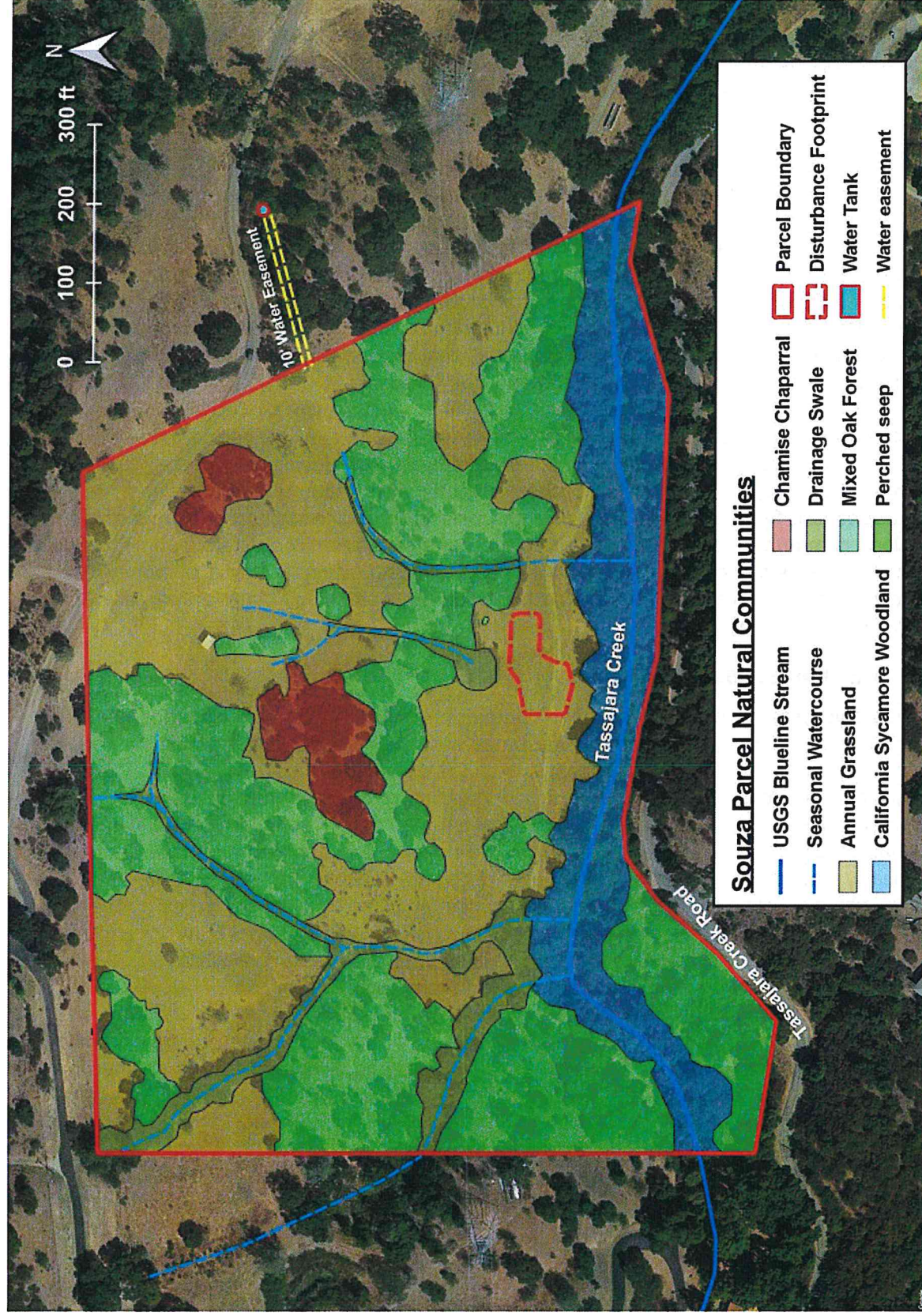


Figure 5. Aerial view showing the location and extent of the plant communities identified during surveys (Image Source: Google 2019).

introduced grasses and herbaceous species. Approximately half of the taxa identified within the grassland community were introduced species. Common grass species within the community include non-native wild oats (*Avena fatua*), slender wild oats (*Avena barbata*), nit grass (*Gastridium phleoides*), ripgut brome (*Bromus diandrus*), red brome (*Bromus madritensis* ssp. *rubens*), and goldentop grass (*Lamarckia aurea*).

Herbaceous species, particularly native clustered tarweed (*Deinandra fasciculata*) were among the dominant components of the annual grassland community during the survey period. Clustered tarweed was particularly abundant in the grassland community along the stream terrace where the new residence is proposed. Other common native herbaceous species within the annual grassland community on the stream terrace were naked buckwheat (*Eriogonum nudum*), common sandaster (*Corethrogyne filaginifolia*), western vervain (*Verbena lasiostachys*), vinegarweed (*Trichostema lanceolatum*), and an unidentified clover (*Trifolium* sp.). Introduced herbaceous species noted within the grassland community included Mediterranean hoary mustard (*Hirschfeldia incana*), field hedge parsley (*Torilis arvensis*), fiddle dock (*Rumex pulcher*), bur clover (*Medicago polymorpha*) as well as an abundance of non-native, invasive thistle species such as yellow star thistle (*Centaurea solstitialis*), tocolote (*Centaurea melitensis*), purple star thistle (*Centaurea calcitrapa*), bull thistle (*Cirsium vulgare*), and Italian thistle (*Carduus pycnocephalus*). Several individual native shrubs and trees are scattered through the annual grassland community including western poison oak (*Toxicodendron diversilobum*), coyote brush (*Baccharus pilularis*), silver bush lupine (*Lupinus albifrons*), chaparral honeysuckle (*Lonicera subspicata* var. *denudata*), foothill pine (*Pinus sabiniana*), and an occasional isolated oak tree (*Quercus* spp.).

Mixed Oak Forest (6.87 acres)

A mixed oak forest community occupies approximately 6.87 acres of the proposed new parcel. The community bears some consistency with the MCV2 Quercus Forest Alliance in that co-dominant components are coast live oak (*Quercus agrifolia*), valley oak (*Quercus lobata*), and blue oak (*Quercus douglasii*). In addition to the co-dominant oak species, foothill pine trees were scattered throughout the mixed oak forest community. Tree spacing is variable, ranging from stands adjacent to the riparian corridor with high tree densities and nearly closed canopies to relatively open, sparsely forested hillsides with limited or no canopy interconnection. The clearings between single trees or groups of trees on the hillsides support an understory comprised of grasses and herbs occurring in the annual grassland community and scattered native shrubs or shrub groupings. Species noted in the shrub stratum within the mixed oak forest community included scrub oak (*Quercus berberidifolia*), Jim brush (*Ceanothus oliganthus* var. *sorediatus*), hollyleaf redberry (*Rhamnus ilicifolia*), toyon (*Heteromeles arbutifolia*), silver bush lupine (*Lupinus albifrons*), coffeeberry (*Frangula californica*), and poison oak. A stand of approximately six manzanita (*Arctostaphylos* sp.) shrubs/trees is present in the north-central part of the site. A number of the locally endemic manzanita are considered rare due to their restricted distributions. Surveys were conducted outside of the blooming season for manzanita so species identification and status were not determined. The stand of manzanita is not in an area proposed for disturbance by project activities.

California Sycamore Woodland (2.43 acres)

A California sycamore woodland community occupies approximately 2.40 acres within the parcel boundaries along the banks and terraces of Tassajara Creek. The community is comprised of a multi-canopy tree stratum with a dense understory of shrubs, vines, and herbs. Dominant canopy species are California sycamore (*Platanus racemosa*), coast live oak (*Quercus agrifolia*), Fremont cottonwood (*Populus fremontii*), and bay laurel (*Umbellularia californica*). Several Sargent cypress trees (*Cupressus sargentii*) were also noted within the upper canopy. Willows (*Salix* spp.) and juvenile bay laurel trees are major components of the riparian sub-canopy. Understory vegetation is dense in most places within the community and comprised of shrubs, vines, and herbaceous growth. Common understory species along the stream banks and terraces include poison oak, *Carex* spp., *Juncus* spp., tall flatsedge (*Cyperus eragrostis*), giant horsetail (*Equisetum telmateia*), non-native Himalayan blackberry (*Rubus armeniacus*), native California blackberry (*Rubus ursinus*), California mugwort (*Artemisia douglasiana*), California hedge nettle (*Stachys bullata*), California hemp (*Hoita macrostachya*), California wild rose (*Rosa californica*), durango root (*Datisca glomerata*), and mint (*Mentha* sp.). The channel bed is mostly rocky and comprised of bedrock, boulders, cobble, and gravel. California sycamore woodland is listed by the CDFW as a sensitive natural community.

Chamise Chaparral (0.62 acres)

A chamise chaparral community largely consistent with the *Adenostoma fasciculatum* Shrubland Alliance described in the MCV2 is present on two hilltops on the parcel and occupies an area of approximately 0.62 acres. Dense stands of chamise (*Adenostoma fasciculatum*) are the dominant feature of the community and occupy much of the hilltop and its eastern aspect immediately north of the proposed building site. The chamise stand on the upper elevations of the hill is surrounded by various native shrubs, small trees, and annual grasses. Trees and shrubs within the community include coast live oak, blue oak (*Quercus douglasii*), scrub oak (*Quercus berberidifolia*), foothill pine (*Pinus sabiniana*), hollyleaf redberry (*Rhamnus ilicifolia*), silver bush lupine (*Lupinus albifrons*), toyon (*Heteromeles arbutifolia*), and poison oak. A grass and herb layer comprised of many common species found within the grassland community on the site surrounds the chamise chaparral community and forms the understory of the associated shrub/tree stratum. Wild oats (*Avena fatua*), nit grass (*Gastridium phleoides*), ripgut brome (*Bromus diandrus*), naked buckwheat (*Eriogonum nudum*), and field hedge parsley (*Torilis arvensis*) are among the species noted in the chamise chaparral understory.

Drainage Swales/Seeps (0.93 acres)

Four drainage swales convey runoff southward from upper elevation areas on the parcel toward Tassajara Creek. The swales cross through mixed oak forest and annual grassland communities and the sides of the swales support a mix of grasses, trees, and shrubs from the adjacent upland communities. Vegetation assemblages along the bottom of the drainage swales, particularly in lower gradient reaches, consist of plant species that are distinct from those in the surrounding upland communities and include an abundance of plants adapted to hydric conditions. Standing water or saturated soils was present in three of the swales on the parcel through the survey period (June through September). The prevalence of emergent hydrophytic species in the bottom of the drainage swales indicates likely groundwater sources such as seeps. Additionally, one possible perched seep area supporting

a mix of upland and wetland indicator species was noted on a hillside above the proposed disturbance footprint. Drainage swales occupy approximately 0.93 acres of the proposed new parcel. A formal evaluation and delineation of potential jurisdictional areas within the drainage swales was not conducted as part of this Biological Resource Assessment. Vegetation assemblages differ within each of the four drainage swales and the potential perched seep so each is described separately below.

Drainage Swale A: Vegetation within the bottom of Drainage Swale A, the westernmost drainage swale, occupies 0.26 acres on the proposed new parcel and extends approximately 400 feet from the Tassajara Creek channel to the western property boundary. A CMP culvert beneath the access road conveys surface runoff from the swale into the Tassajara Creek riparian corridor and channel. The lower gradient portions of the swale are densely vegetated with willows (*Salix* spp.), *Carex* (spp.), *Juncus* spp., tall flatsedge (*Cyperus eragrostis*), giant horsetail (*Equisetum telmateia*), and poison oak. A coast live oak tree canopy shades understory vegetation within the upper two-thirds of the swale before it crosses the western parcel boundary. The swale is shown on the NWI wetlands map as a freshwater emergent wetland. A reconnaissance level survey of the lower gradient portions of the swale confirmed an abundance of wetland indicator species. Soils in parts of the lower portions of the swale remained saturated throughout the survey period into September. Mapped vegetation within lower gradient areas of the swale is somewhat consistent with the *Salix lasiolepis* Shrubland Alliance (arroyo willow thickets) in the MCV2.

Drainage Swale B: Vegetation within the bottom of Drainage Swale B occupies 0.51 acres of the proposed new parcel, extending approximately 1,175 feet through the parcel from the Tassajara Creek channel to the northern property boundary. An HDPE culvert beneath the access road conveys surface runoff from the swale into the Tassajara Creek riparian corridor and channel. The swale splits into two branches approximately 290 feet from the Tassajara Creek channel, with one branch extending to the northwest and the other to the northeast. The northeast branch splits again approximately 320 feet from the first divergence. Vegetation is variable within each branch of the swale. The lower gradient area of the swale located immediately upstream from the culvert supports a vegetation community consistent with the *Mimulus (guttatus)* Herbaceous Alliance (Common monkeyflower seeps) in the MCV2. Common components of the community include yellow monkeyflower (*Erythranthe guttata*), pale spikerush (*Eleocharis macrostachya*), tall flatsedge, sneezeweed (*Helenium puberulum*), non-native rabbitsfoot grass (*Polypogon monspeliensis*), and clustered dock (*Rumex conglomeratus*). The low gradient portion of the swale located between the access road and the first upstream branch is shown on the NWI wetlands map as a freshwater emergent wetland. Saturated soils were present within this low gradient reach throughout the study period.

The northwestern branch of the swale rises 100 feet in elevation over approximately 420 feet of channel. Much of the branch was not within the area subject to the reconnaissance survey but was scanned with binoculars to assess the vegetation cover type. The channel was densely vegetated with arroyo willows, coyote brush (*Baccharis pilularis*), and poison oak. Individual coast live oak trees formed an

intermittent canopy with annual grasses and thistles growing along the periphery of the willow thickets. Vegetation within the swale is most consistent with the *Salix lasiolepis* Shrubland Alliance (arroyo willow thickets) in the MCV2. Most of the northwest branch of the swale is shown on the NWI wetlands map as a freshwater emergent wetland but the uppermost reach on the parcel is shown as a PSSA wetland (palustrine, shrub-scrub, temporarily flooded).

The northeastern branch of the swale rises at about half the gradient of the northwestern branch over the approximately 320 feet of channel to the second branching. Vegetation within the mapped portions of the branch was a mix of upland and hydrophytic species. The canopy over much of the mapped area consisted of coast live oak trees with a few small California sycamore and valley oak. Arroyo willows occur in a couple of locations outside of the oak canopy. Shrubs and herbaceous vegetation in the bottom of the swale include coyote brush, poison oak, yellow monkeyflower, California mugwort, cattail (*Typha* sp.), clustered dock, and teasel. Most of the northeast branch of the swale is shown on the NWI wetlands map as a freshwater emergent wetland. A meadow-like community of grasses that includes non-native rabbitsfoot grass is present in the upper part of the northeastern branch where the swale branches off the east.

Drainage Swale C: Drainage Swale C is located immediately north of the proposed disturbance footprint. The mapped portion of the swale occupies 0.09 acres of the site and extends from the central part of the parcel down to a Pacific willow tree (*Salix lasiandra*) located approximately 40-50 feet upslope from the proposed disturbance footprint. The swale conveys runoff from upland areas on the site onto the level terrace downslope of the Pacific willow with no discernable channel and no culvert beneath the access road. Vegetation in the upper portions of the swale include a mix of hydrophytic plants (e.g., tall flatsedge, clustered dock, rabbitsfoot grass) and grasses and herbs found commonly in the annual grassland community. However, grasses within the swale grow in greater densities than on surrounding hillsides and the presence of hydrophytic species within the community indicate a more mesic soil regime. The lower portion of the swale is beneath the canopy of coast live oak, small foothill pines, and Pacific willow. Understory shrubs and herbs noted within the swale include poison oak, coyote brush, western vervain, clustered dock, common sandaster, and teasel. An area of saturated soil was present throughout the study period near the base of the largest Pacific willow tree. This area supported a community of hydrophytic species that included tall flatsedge, pale spikerush, *Juncus* sp., and rabbitsfoot grass. The center swale is not mapped with a wetland designation on the NWI wetlands map. However, the moist to saturated soils near the base of the Pacific willow throughout the summer and the associated hydrophytic vegetation indicate a potential jurisdictional wetland.

Perched Seep: A seasonal seep is present less than 40 feet to the east of the Pacific willow in Drainage Swale C and 40-50 feet north of the disturbance footprint. The seep area is a small patch of vegetation approximately 40 square feet in size within the annual grassland community on the south-facing hillside. Species found in the surrounding grassland community such as nit grass, wild oats, Spanish clover, and annual yellow sweetclover (*Melilotus indicus*) occur within the patch as well as tall

flatsedge and rabbitsfoot grass, which are both FACW wetland indicator species that tend to occur in soils that are moist to saturated for a greater duration of the growing season. The area supported higher densities of vegetation than annual grassland areas on the surrounding hillside. Additionally, clustered tarweed, which is abundant in the grassland community a few feet away, appeared excluded from the seep area. The seep area is not mapped on the NWI wetlands map.

Drainage Swale D: Vegetation mapped within Drainage Swale D, the easternmost drainage swale, occupies 0.06 acres of the proposed new parcel and extends approximately 450 feet from an upland location near the eastern property boundary to Tassajara Creek. An HDPE culvert beneath the access road conveys surface runoff from the swale into the Tassajara Creek riparian corridor and channel. Drainage Swale D appeared to have a more ephemeral water regime than the other hydrologic features within the Study Area. Standing water or saturated soils were not observed at any location within the swale at any time during the survey period. Vegetation within the swale was generally consistent with understory described for surrounding annual grassland and mixed oak forest communities. The lower elevation portion of the swale is beneath the canopy of coast live oak trees and supports relatively sparse understory vegetation. Coast live oak, foothill pine, and California sycamore provide intermittent canopy cover in upslope portions of the swale. Within this more open area the swale bottom supports a dense growth of grasses similar in composition to the upper portions of Drainage Swale C. The NWI wetlands map for the area does not show any mapped wetland features for Drainage Swale D within the boundaries of the proposed new parcel. However, an area within the swale a short distance upslope of the eastern parcel boundary is mapped as an emergent wetland.

Wildlife

A variety of wildlife species was observed or detected within the Study Area during surveys including one reptile, 26 birds, and seven mammals. Fishes were also noted in Tassajara Creek but could not be positively identified using binoculars from the banks. No attempts were made to capture the fishes for closer inspection and identification. Based on the body shape and movement patterns of the observed fishes, two distinct taxa were represented. None of the fishes observed appeared to be salmonids. In addition to vertebrates, many invertebrates were observed on the site including various grasshoppers, bumble bees, wasps, and butterflies. Invertebrates were not captured or collected for identification.

Wildlife activity during site surveys was relatively low, possibly due to the seasonal and/or diurnal timing of site visits. Focused avian surveys during migratory and nesting periods would likely reveal many additional bird species, particularly in the California sycamore woodland and mixed oak forest communities. A list of species observed or detected during surveys as well as their status and the communities in which they were observed is provided in Attachment C, Table 2.

■ SECTION FOUR

REGULATORY OVERVIEW

This Biological Resource Assessment has been prepared to support the review of the proposed project by responsible regulatory agencies with regard to biological resources. Regulatory authority over the management of sensitive biological resources is shared by federal, state, and local agencies under the following legislative acts:

- Federal Endangered Species Act (FESA)
- California Endangered Species Act (CESA)
- Federal Clean Water Act (CWA)
- California Fish and Game Code (CFGC)
- Migratory Bird Treaty Act (MBTA)
- The Bald and Golden Eagle Protection Act
- Porter-Cologne Water Quality Control Act

San Luis Obispo County (County) is the local lead agency responsible for providing review of the project under the California Environmental Quality Act (CEQA). CEQA is a state statute that is generally analogous to the National Environmental Policy Act (NEPA) on the federal level in that it requires the environmental review for projects that may result in impacts to the human environment and environmental resources. CEQA requires lead agencies, and any other responsible state agencies issuing discretionary permits, to evaluate and disclose the significance of all potential environmental impacts of a project. The impact significance evaluation is disclosed through preparation of a Categorical Exclusion, Negative Declaration, or Environmental Impact Report for the project. The lead agency is also responsible for implementing feasible impact avoidance, minimization, or mitigation measures that reduce and compensate for significant environmental impacts with the goal of reducing those impacts to less than significant levels.

Under CEQA §15065[a][1], a project must be determined to have a “significant impact” if it would

- substantially degrade the quality of the environment
- substantially reduce the habitat of a fish or wildlife species
- cause a fish or wildlife population to drop below self-sustaining levels
- threaten to eliminate a plant or animal community
- substantially reduce the number or restrict the range of an endangered, rare or threatened species

The Environmental Checklist Form in the CEQA Guidelines, Appendix G, states that impacts to biological resources are considered “significant” if, among other things, a proposed project will:

- have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by CDFW or USFWS

- have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations by CDFW or USFWS
- interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites

As the local lead agency the County must identify and coordinate with other responsible agencies with jurisdiction and discretionary approval for project activities. A brief overview of the federal, state, and local regulatory agencies that may require consultation during the CEQA review process, and the areas of responsibility of each, is provided below.

U.S. Fish and Wildlife Service (USFWS)- USFWS responsibilities include terrestrial and freshwater organisms that are listed, proposed for listing, or candidates for listing under FESA, migratory birds, and bald and golden eagle protection. The USFWS also designates critical habitat for FESA listed species and must be consulted on any actions that may "destroy or adversely modify" critical habitat for listed species. The proposed project site is within designated critical habitat for one FESA listed species, the California red-legged frog.

National Oceanic and Atmospheric Administration National Marine Fisheries Service (NMFS)- NMFS has the responsibility for protection, conservation, and recovery of marine and anadromous species that are listed, proposed for listing, or candidates for listing under FESA. NMFS also designates critical habitat for FESA listed species and must be consulted on any actions that may "destroy or adversely modify" critical habitat for listed species. Tassajara Creek is within designated critical habitat for one FESA listed species, the South-central California Coast (SCCC) steelhead DPS.

U.S. Army Corps of Engineers (ACOE)- ACOE responsibilities include administration and enforcement of CWA Section 404, which regulates the discharge of dredged or fill material into Waters of the United States, including traditional navigable waters, wetlands adjacent to traditional navigable waters, relatively permanent non-navigable tributaries that have a continuous flow at least seasonally (typically 3 months), and wetlands that directly adjoin relatively permanent tributaries. Tassajara Creek is a perennial stream subject to ACOE regulation and the drainages within parcel boundaries are also likely be subject to ACOE regulation.

California Department Fish and Wildlife (CDFW)- CDFW has broad responsibilities over natural resources in the state under the CFGC. As a trustee agency under CEQA, CDFW reviews potential project impacts to biological resources including wetlands. CDFW responsibilities include the conservation, protection, and management of CESA listed and fully-protected species, special-status plants, sensitive natural communities, riparian vegetation, streams, rivers, lakes, and marine species and habitats. The following CFGC sections may have applicability for the proposed project:

- §3503- prohibits the take, possession, or destruction of the nest or eggs of any bird

- §3513- prohibits the take or possession of any migratory nongame bird or part thereof as designated in the MBTA
- §3511- prohibits the take or possession of bird species classified as Fully Protected (FP). Fully protected birds may not be "taken" or possessed (*i.e.*, kept in captivity) at any time
- §3800- prohibits the take of non-game birds occurring naturally in the state except as provided or in accordance with regulations of the commission
- §1600-1616- requires notification of CDFW by an entity before commencing an activity that will substantially divert or obstruct the natural flow of, or substantially change or use any material from the bed, channel, or bank of, any river, stream, or lake, or deposit or dispose of debris, waste, or other material containing crumbled, flaked, or ground pavement where it may pass into any river, stream, or lake. Since riparian vegetation is defined as, "vegetation which occurs in and/or adjacent to a stream and is dependent on, and occurs because of, the stream itself", removal of riparian vegetation also requires CDFW notification
- The Native Plant Protection Act (NPPA) enacted in 1977 and administered by CDFW prohibits take of endangered or rare and species, subspecies, and varieties of plants.

Tassajara Creek is jurisdictional under CFGC §1600-1602 due to presence of a defined bed and bank. Potential wetland areas within the drainage swales on the parcel are also likely considered jurisdictional under CFGC §1600-1602 due to presence of wetland vegetation.

Central Coast Regional Water Quality Control Board (RWQCB)- Through their primary responsibility for protecting water quality in California, the State Water Resources Control Board (SWRCB) and nine local RWQCBs regulate a broad range of activities that could degrade water quality. Regulated activities include wastewater discharges to surface and ground water, storm water discharges from construction, industrial, and municipal activities; discharges from irrigated agriculture, discharges of fill and dredged material into Waters of the State, and other activities with practices that could degrade water quality. RWQCB responsibilities include the administration of Section 401 of the CWA and the Porter-Cologne Water Quality Control Act. A Section 401 State Water Quality Certification, or a waiver, issued by the SWRCB or RWQCB is required for a CWA Section 404 permit issued by the ACOE for the permit to be valid. Tassajara Creek is subject to ACOE regulation and therefore is also subject to regulation by SWRCB/RWQCB. Potential wetland areas within the drainage swales on the parcel are also likely subject to ACOE regulation due to presence of wetland vegetation and therefore are also subject to regulation by SWRCB/RWQCB.

The CEQA review by the County must include an impact significance evaluation for the species and/or sensitive habitats protected under the regulatory framework discussed above (*e.g.*, FESA, CESA, MTBA, CWA, and CFGC). In addition, CEQA Guidelines §15125(c) and §15380(d) provide that species not listed on the federal or state lists of protected species may be considered rare or endangered if the species can be shown to meet certain criteria. Through this guidance CEQA provides the ability to protect a species from potential project

impacts until the respective government agencies have an opportunity to consider designating the species as protected.

Lists of special animals and plants are maintained by CDFW. These lists include a species conservation ranking status from multiple sources, including FESA, CESA, federal departments with unique jurisdictions (e.g., Bureau of Land Management, USFWS, and U.S. Forest Service), the California Native Plant Society (CNPS), and other non-governmental organizations. Based on these sources, CDFW assigns a heritage rank to each species according to their degree of imperilment (as measured by rarity, trends, and threats). These ranks follow NatureServe's Heritage Methodology, in which all species are listed with the G (global) and S (state) ranks from 1 to 5, with 1 denoting critically imperiled species and 5 denoting species whose populations are considered secure. Species with state ranks of S1-S3 are considered imperiled in the state to a degree that they must be addressed in the CEQA environmental review processes.

The CNPS publishes the *Inventory of Rare and Endangered Plants of California* (CNPS Inventory) that lists and ranks plants whose populations that are significantly reduced from historical levels, occur in limited distribution, or are otherwise rare or threatened with extinction (CNPS 2019). The following ranks are assigned to each plant in the CNPS Inventory:

- 1A. Presumed extirpated in California and either rare or extinct elsewhere
- 1B. Rare or Endangered in California and elsewhere
- 2A. Presumed extirpated in California, but more common elsewhere
- 2B. Rare or Endangered in California, but more common elsewhere
- 3. Plants for which we need more information - Review list
- 4. Plants of limited distribution - Watch list

The California Rare Plant Rank (CRPR) also uses a decimal-style threat rank extension of 1 to 3 to designate the level of threats to a species with 1 being the most threatened and 3 being the least threatened. So most CRPRs read as 1B.1, 1B.2, 1B.3, etc.

Taxa with a CRPR of 1A, 1B, 2A, and 2B in the CNPS Inventory consist of plants that meet the definitions of the CESA and the CFGC, are eligible for state listing, and meet the definition of Rare or Endangered under CEQA Guidelines §15125 (c) and §15380(d). Many of the CRPR 3 taxa meet the definitions of the CESA and the CFGC and are eligible for state listing. CRPR 3 taxa may meet the definition of Rare or Endangered under CEQA Guidelines §15125 (c) and §15380 and therefore the CNPS indicates that impacts to these species or their habitat should be analyzed during preparation of environmental documents relating to CEQA. Some CRPR 4 taxa may also meet the CESA and the CFGC definitions but few, if any, are eligible for state listing. However, many CRPR 4 taxa are considered significant locally and the CNPS recommends that CRPR 4 plants be evaluated for impact significance during preparation of environmental documents relating to CEQA. Consideration of impact significance for CRPR 4 species may be particularly appropriate if a location represents the type locality of the species, populations on the periphery of the species' range, areas where the taxon is especially uncommon, areas where the taxon has sustained heavy losses, or populations that exhibit unusual morphology and/or occur on unusual substrates (CNPS 2019).

Consideration of riparian habitats and sensitive vegetation communities are required by CEQA checklist IV (b). Sensitive vegetation communities are natural communities and habitats that are either unique, of relatively limited distribution in the region, or of particularly high wildlife value. Sensitive natural communities do not currently have legal protection but an assessment of whether any such resources would be affected is required under CEQA as well as a finding of significance if there will be substantial losses. High quality occurrences of natural communities with heritage ranks of 3 or lower are considered to be significant resources by CDFW and require evaluation of impact significance under CEQA. Avoidance, minimizations, or mitigation measures should be implemented if project-affected stands of rare vegetation types or natural communities are considered high-quality occurrences of the subject community.

SECTION FIVE

SURVEY RESULTS

Sensitive Biological Resources

The pre-field data review for the *Atascadero* 7.5-minute quadrangle and the surrounding eight quadrangles resulted in a list of eight sensitive natural communities and 199 special-status species, including 108 plants and 91 wildlife species. The nine quadrangle area encompasses several hundred square miles and considerable variation in habitat, extending west to coastal terraces, salt marshes, and marine habitats, and northeast to arid grasslands and shrublands. The project site and surrounding area is outside of the known range of many of the species on this regional list and/or does not offer suitable habitat conditions for many others. A comparative analysis of the habitat requirements for species on the list and the habitat conditions and physical features of the project site was conducted to determine the potential for each species to occur in the project vicinity. Sensitive resources identified, or considered to have a potential to occur, within the Study Area are discussed below.

Sensitive Natural Communities

CNDDDB records show eight Sensitive Natural Communities within the *Atascadero* and surrounding eight 7.5-minute quadrangle query area. None of these CNDDDB designated sensitive natural communities are present within the Study Area. The following sensitive natural communities are documented in the nine-quadrangle query area:

- **Central Dune Scrub-** CNDDDB Element Code CTT21320CA
- **Central Maritime Chaparral-** CNDDDB Element Code CTT37C20CA
- **Coastal and Valley Freshwater Marsh-** CNDDDB Element Code CTT52410CA
- **Coastal Brackish Marsh-** CNDDDB Element Code CTT52200CA
- **Northern Coastal Salt Marsh-** CNDDDB Element Code CTT52110CA
- **Northern Interior Cypress Forest-** CNDDDB Element Code CTT83220CA
- **Serpentine Bunchgrass-** CNDDDB Element Code CTT42130CA
- **Valley Needlegrass Grassland-** CNDDDB Element Code CTT42110CA

One sensitive natural community mapped in the CNDDDB occurs within three miles of the project site; Northern Interior Cypress Forest. Northern Interior Cypress Forest, also known as *Hesperocyparis sargentii* Sargent cypress woodland (CA Code *81.500.00; CDFW 2019a) occurs along West Cuesta Ridge.

Three MCV2/CDFW described sensitive natural communities were observed within the Study Area:

- California sycamore woodland habitat (MCV2), also known as sycamore alluvial woodland as defined by Holland 1986 (CA Code *61.310.00; CDFW 2019a)
- *Mimulus (guttatus)* Herbaceous Alliance (Common monkeyflower seeps) (MCV2) also defined as Common monkeyflower seeps (CA Code *44.111.00; CDFW 2019a) in Holland 1986

- arroyo willow thicket, defined as *Salix lasiolepis* Shrubland Alliance (arroyo willow thickets) in the MCV2 and Central Coast arroyo willow riparian forest as defined by Holland 1986 (CA Code *61.201.01; CDFW 2019a)

Special-status Plant Species

Special-status plants are defined in this analysis as those species legally protected under the Federal and California Endangered Species Acts (FESA and CESA, respectively) and/or other regulations, and species that are considered rare by the scientific community (e.g., CNPS). These include:

- plants that are listed or proposed for listing as threatened or endangered under the FESA (50 Code of Federal Regulations [CFR] 17.12 50 for plants; various notices in the Federal Register [FR] for proposed species), the CESA (Fish and Game Code §2050 et seq.; 14 CCR §670.5)
- plants that are candidates for possible future listing as threatened or endangered under the FESA and under the CESA
- plants that meet the definition of endangered, rare, or threatened under the CEQA (State CEQA Guidelines, Section 15380)
- plants considered by the CNPS to be "rare, threatened, or endangered" in California on Ranks 1A, 1B, 2A, 2B of the CNPS Inventory of Rare and Endangered Plants of California (online edition, v8-03 0.39)
- plants listed by CNPS as plants about which we need more information and plants of limited distribution; Lists 3, and 4 of CNPS Inventory of Rare and Endangered Plants of California (online edition, v8-03 0.39)
- plants listed under the California Native Plant Protection Act (California Fish and Game Code §1900)

Information on the regionally occurring special-status plant species investigated for the potential to occur in the project vicinity is provided in Attachment D, Table 1. CNDDDB spatial data shows no special-status plants mapped on or in the immediate vicinity of the project site. However, CNDDDB occurrence records show 17 special-status plant species from locations within three miles of the Study Area (Figure 6). Several of these plants occur in specialized habitats, substrates, or plant communities that are not present on the project site.

Our analysis of the ecological requirements and known ranges of the 108 plant species on the regional list and the habitat conditions, soils, and elevations within the Study Area indicate 21 species with a potential for occurrence within the Study Area. Ten of the identified species are on the CRPR 1B list and are considered by the CNPS to be rare throughout their range (CNPS 2019). All of the plants assigned to CRPR 1B status meet the definitions of §1901, Chapter 10 of the NPPA or the CESA and the CFGC, are eligible for State listing, and meet the definition of rare or endangered under CEQA. Impacts to these species or their habitat must be analyzed during preparation of environmental documents relating to CEQA. The ten CRPR 1B list species considered to have some potential for occurrence within the Study Area are:

- **Santa Lucia manzanita** (*Arctostaphylos luciana*), CNPR List 1B.2
- **La Panza manzanita** (*Arctostaphylos pilosula*), CRPR List 1B.2

- **San Luis Mariposa Lily** (*Calochortus obispoensis*) CRPR List 1B.2
- **San Luis Obispo sedge** (*Carex obispoensis*), CRPR List 1B.2
- **San Luis Obispo owl's-clover** (*Castilleja densiflora* var. *obispoensis*), CRPR List 1B.2
- **Ojai fritillary** (*Fritillaria ojaiensis*), CNPR 1B.2
- **Santa Lucia dwarf rush** (*Juncus luciensis*), CRPR List 1B.2
- **Carmel Valley bush-mallow** (*Malacothamnus palmeri* var. *involucratus*), CRPR List 1B.2
- **Santa Lucia bush-mallow** (*Malacothamnus palmeri* var. *palmeri*), CRPR List 1B.2
- **Hooked popcorn flower** (*Plagiobothrys uncinatus*), CNPR 1B.2

An additional eleven plant species identified as having a potential for occurrence within the Study Area are assigned to CRPR Lists 3 and 4 of the CNPS Inventory (CNPS 2019). One species is a CRPR 3 species and the remaining 10 are CRPR 4 species. Nearly all of the plants assigned to CRPR 3 are taxonomically problematic and more information is necessary to assign them to one of the other ranks or to reject them. The plants assigned to CRPR 4 are of limited distribution or infrequent throughout a broader area in California, and while the CNPS does not call these plants "rare" from a statewide perspective, they are considered fairly threatened in California and their status requires regular monitoring.

Very few of the plants on the CRPR List 4 meet the definitions of §1901, Chapter 10 of the NPPA or CFGC §2062 and §2067, and few, if any, are eligible for state listing. Nevertheless, because some populations may be significant locally, the CNPS recommends that CRPR 4 plants be evaluated for consideration during preparation of environmental documents relating to CEQA. The following eleven CRPR List 3 and List 4 species were identified as having some potential for occurrence within the Study Area:

- **Salinas milk vetch** (*Astragalus macrodon*), CRPR List 4.3
- **Brewer's calandrinia** (*Calandrinia breweri*), CRPR List 4.2
- **Club haired mariposa lily** (*Calochortus clavatus* var. *clavatus*) CRPR List 4.3
- **Cambria morning glory** (*Calystegia subacaulis* ssp. *episcopalis*) CRPR List 4.2
- **Island mountain-mahogany** (*Cercocarpus betuloides* var. *blancheae*), CRPR List 4.3
- **Slender clarkia** (*Clarkia exilis*), CRPR List 4.3
- **Monkey-flower savory** (*Clinopodium mimuloides*) CRPR List 4.2
- **Small-flowered gypsum-loving larkspur** (*Delphinium gypsophilum* ssp. *parviflorum*) CRPR List 3.2
- **Stinkbells** (*Fritillaria agrestis*), CRPR List 4.2
- **Jones' bush-mallow** (*Malacothamnus jonesii*), CRPR List 4.3
- **Michael's rein orchid** (*Piperia michaelii*), CRPR List 4.2

Field surveys were completed from late June through mid-September, which coincides with the bloom period for some special-status plant species on the lists above, but is outside the typical bloom period for many. No special-status plant species were identified within the project disturbance footprint during the survey period. A stand of around six manzanita shrubs are present at a location on the northern aspect of a hill approximately 330 feet north of the proposed disturbance footprint. The manzanita on the parcel were not blooming at the time of the surveys so a positive identification of the species, or if it is a special-status species, was not determined.

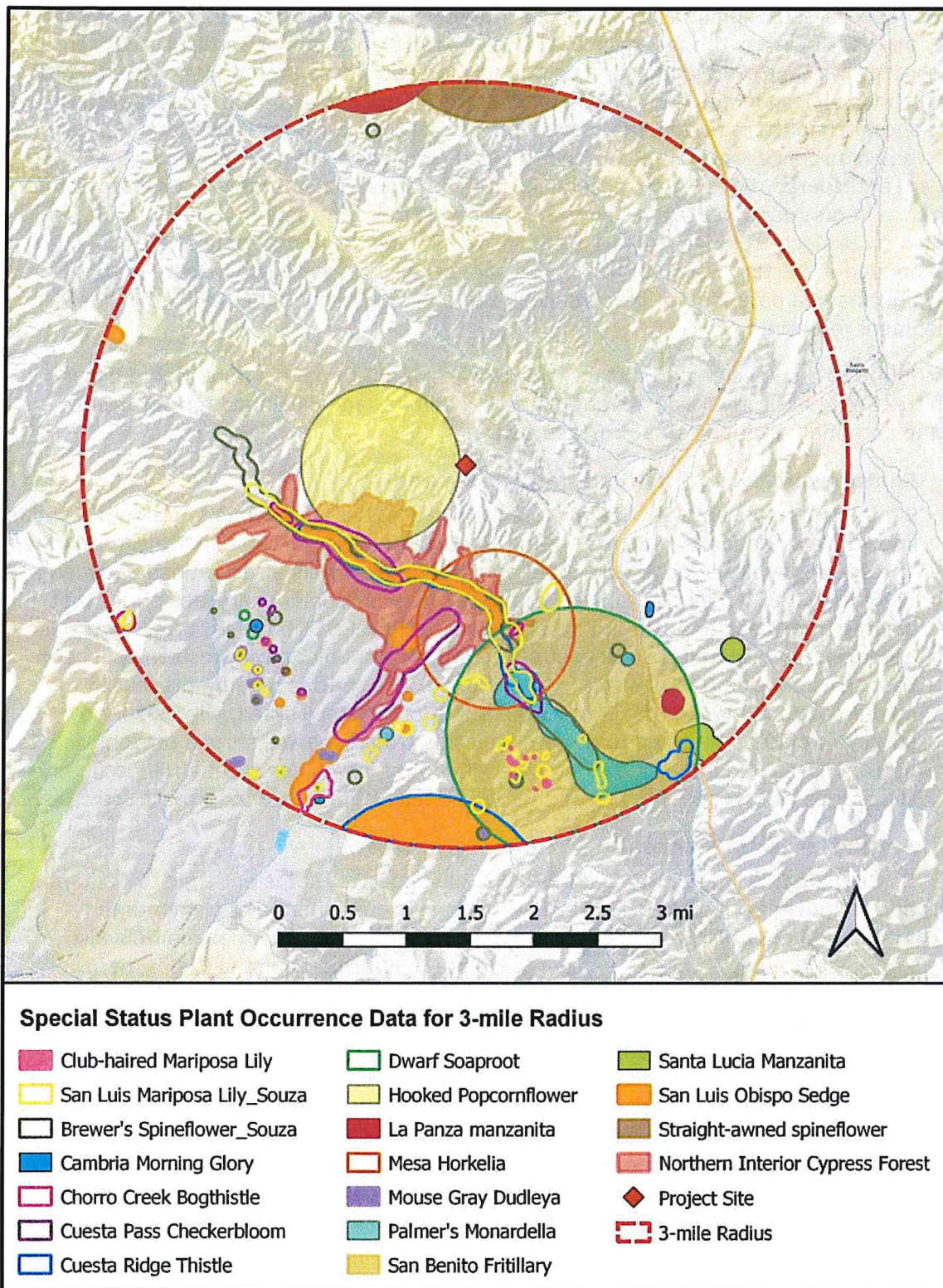


Figure 6. Documented special-status plant species occurrences within a three mile radius of the project site (Source CNDDb; Tenera 2009).

No other special-status plant species were identified within the Study Area during the survey period. However, the presence of special-status plants cannot be dismissed from consideration without conducting surveys during the appropriate time of year. Fourteen of the 21 plant species identified in this analysis either do not occur (based on surveys), or due to specific habitat requirements, have no potential to occur in the grassland habitat within the disturbance footprint so no impacts to these species, if present within the Study Area, are anticipated. Seven plant species identified in this analysis have a low potential for occurrence in grassland habitat within the disturbance footprint and, if present, could be impacted by project activities. Impact avoidance and minimization measures are recommended in Section Seven of this report for species that were not detected during surveys but have a potential for occurrence in the annual grassland habitat within the development footprint.

A description of the special-status plant species considered to have a potential to occur within the Study Area, their conservation status, habitats, and likelihood for occurrence (and the potential for impacts) is provided below.

Santa Lucia Manzanita (*Arctostaphylos luciana*)

Santa Lucia manzanita is a CRPR 1B.2 list species that is endemic to California and is known from chaparral and cismontane woodland habitat in San Luis Obispo County. The species typically occurs on shale or shale-derived soils at elevations between 1,150 and 2,800 feet. Santa Lucia manzanita is a perennial evergreen shrub that blooms from December through March. The nearest CNDDDB record of *A. luciana* is approximately 2.5 miles southeast of the project site, along the western aspect of East Cuesta Ridge (CNDDDB Occurrence No. 8). The species may be present in the mixed oak forest within the Study Area but appropriately-timed, winter-spring surveys would be required to determine if the *Arctostaphylos* shrubs present on site are *A. luciana*. No impacts to the unidentified *Arctostaphylos* shrubs will occur since the shrubs are present in an area that would not be impacted by project activities.

Santa Margarita Manzanita (*Arctostaphylos pilosula*)

Santa Margarita manzanita is a CRPR 1B.2 list species that is endemic to California and is known from chaparral, closed-cone coniferous forest, and cismontane woodland habitat in San Luis Obispo County. Santa Margarita manzanita is also known commonly as the La Panza manzanita and formerly as the Well's manzanita (*A. wellsi*). The species typically occurs on shale outcrops or sometimes sandstone at elevations between 250 and 3,600 feet. Santa Margarita manzanita is a perennial evergreen shrub that blooms from December through May. The nearest CNDDDB record of *A. pilosula* is approximately 2.8 miles southeast of the project site, along the western aspect of East Cuesta Ridge (CNDDDB Occurrence No. 51). The species may be present in the mixed oak forest within the Study Area but appropriately-timed surveys would be required to determine if the *Arctostaphylos* shrubs present on site are *A. pilosula*. No impacts to the unidentified *Arctostaphylos* shrubs will occur since the shrubs are present in an area that would not be impacted by project activities.

Salinas Milk-vetch (*Astragalus macrodon*)

Salinas milk-vetch is a CRPR 4.3 list species that is known to occur from San Benito County south into northern San Luis Obispo County and east to Kern County. In San Luis Obispo County occurrences of Salinas milk-vetch are distributed mostly in the northern and eastern regions of the County. Salinas milk-vetch occurs in sandstone, shale, or serpentine soils in chaparral (openings), cismontane woodland, and valley and foothill grassland habitat at elevations from 820 to 3,120 feet. The species is a perennial herb that blooms from April through July. The nearest CCH record for Salinas milk-vetch is a 1936 collection from a location in Atascadero approximately 7.6 miles north of the project site, near the junction U.S. Highway 101 and California Highway 41. Although shale derived soils and chaparral, grassland, and cismontane woodland are present, Salinas milk-vetch was not observed within the Study Area during the appropriately-timed initial site survey. Since marginally suitable habitat and soils for Salinas milk-vetch are present on the site, the potential for the species' occurrence is considered low.

Brewer's calandrinia (*Calandrinia breweri*)

Brewer's calandrinia is a CRPR 4.2 list species that is endemic to California and Baja California and occurs over a wide geographic range that includes the coastal ranges and canyons from Lake County south along the west side of the Sacramento-San Joaquin Valley, the South Coast, the Peninsular Ranges, the San Gabriel and San Bernardino Mountains, and the central and southern Sierras. Occurrences of Brewer's calandrinia are distributed somewhat sporadically in northern and central San Luis Obispo County. Brewer's calandrinia is an annual herb that occurs in sandy to loamy soil in chaparral, coastal scrub, coastal sage scrub communities at elevations below 3,950 feet. The species blooms from March through June and often occurs in disturbed areas such as recently burned sites. The nearest CCH record for Brewer's calandrinia is a 1990 collection from a location approximately 0.9 miles west of the project site. The occurrence was on shale in disturbed flats near the northern boundary of the Cuesta Ridge Botanical Area, approximately 0.4 miles south of Tassajara Creek Road and 1.8 miles west of U.S. Highway 101. The chaparral community within the study area provides marginally suitable habitat for Brewer's calandrinia but the occurrence of the species in the grassland community within the development footprint is unlikely. Brewer's calandrinia was not detected within the Study Area during the initial site survey, which was completed near the end of the typical bloom period for the species. Chaparral areas where the species has a low potential to occur will not be impacted by project activities so no impacts to Brewer's calandrinia, if present, are anticipated.

Club haired mariposa lily (*Calochortus clavatus* var. *clavatus*)

Club haired mariposa lily is a CRPR 4.3 list species that is endemic to California, with occurrences in San Benito County and coastal counties from San Luis Obispo County south to Los Angeles County. In San Luis Obispo County occurrences are concentrated in central, coastal areas from the City of San Luis Obispo to the coast, and in the southeastern region of the County. The species usually occurs in serpentine soils but can be found in clay or rocky soils as well. Club haired mariposa lily is a perennial bulbiferous herb that blooms in May and June and is found in

chaparral, cismontane woodland, coastal scrub, and valley and foothill grassland to elevations of 4,265 feet. The nearest CCH record for club haired mariposa lily is a 1968 record from a location in the Los Padres National Forest approximately 1.3 miles south of the project site and 1.0 mile west of the Cuesta Grade summit on US Highway 101. Club haired mariposa lily was not detected within the Study Area during the initial site survey, which was conducted near the end of the typical bloom period for the species. Marginally suitable clay soils are present for club haired mariposa lily within the grassland habitat that will be impacted by construction activities so there is a low potential for the species' occurrence.

San Luis Mariposa Lily (*Calochortus obispoensis*)

San Luis mariposa lily is a CRPR 1B.2 list species that is endemic to San Luis Obispo County. The species typically occurs in association with serpentine outcrops and serpentine-derived soils but can also occur on sandstone or shale. San Luis mariposa lily is a perennial bulbiferous herb the blooms between May and July and is found in chaparral, coastal scrub, and valley and foothill grassland communities to elevations of 2,400 feet. The nearest CHH occurrence record for San Luis mariposa lily is a 1940 record from a location in the Los Padres National Forest approximately 0.9 miles south of the project site on West Cuesta Ridge. A number of more recent occurrences are also documented along West Cuesta Ridge in the CNDDDB (CNDDDB Occurrence No. 1). San Luis mariposa lily was not detected within the Study Area during the initial site survey, which was conducted within of the typical bloom period for the species. Soils within the disturbance footprint are considered marginal for San Luis mariposa lily but potentially suitable grassland habitat is present so there is a low potential for the species' occurrence.

Cambria Morning-glory (*Calystegia subacaulis* ssp. *episcopalis*)

Cambria morning-glory is a CRPR 4.2 list species that is endemic to San Luis Obispo County, occurring along the coastal ridges and foothills of the Outer South Coast Ranges. Cambria morning-glory is a perennial herb that typically occurs in clay soils in association with grassland, chaparral, and openings in foothill woodlands. The species usually occurs below 1,640 feet in elevation and blooms between April and June. The nearest CCH record for Cambria morning-glory is from a location within Cal Poly's Pennington Creek Biological Reserve approximately 2.9 miles southwest of the project site in coastal foothills on the southern aspect of the Santa Lucia Mountains. The occurrence was in clay soils derived from serpentine parent material. A number of other occurrences of Cambria morning glory are documented in the valleys and grasslands along the southern aspect of the Santa Lucia Mountains. Cambria morning glory was not detected within the Study Area during the initial site survey, which was conducted near the end of the typical bloom period for the species. Soils within the Study Area, which are clay loam weathered from shale, are marginally suitable for the species and there is a low potential for occurrence within grassland habitat in the development footprint.

San Luis Obispo sedge (*Carex obispoensis*)

San Luis Obispo sedge is a CRPR 1B.2 list species that is endemic to coastal areas of Central California. This perennial grass-like sedge generally occurs on serpentine

soils but is also known from gabbro and often clay soils as well. San Luis Obispo sedge occurs near springs and streamsides in chaparral, closed-cone coniferous forest, coastal prairie, coastal scrub, and valley and foothill grassland. It occurs up to 2,625 feet in elevation and blooms between April and June. The nearest CCH and CNDDDB record (CNDDDB Occurrence No. 10) for San Luis Obispo sedge is from a location 1.1 miles to the south of the project site and 2.5 miles west of the Cuesta Summit Pass on US Highway 101. A number of other occurrences of San Luis Obispo sedge are documented along West Cuesta Ridge and the valleys and grasslands along the southern aspect of the Santa Lucia Mountains. The seeps, springs and streams within the Study Area provide potentially suitable habitat conditions for the San Luis Obispo sedge and there is a low potential for the species' occurrence. However, the springs, seeps, and riparian areas where the species would be expected to occur will not be impacted by project activities. No impacts to San Luis Obispo sedge are anticipated from project activities.

San Luis Obispo owl's-clover (*Castilleja densiflora* var. *obispoensis*)

San Luis Obispo owl's-clover is a CRPR 1B.2 list species that is endemic to San Luis Obispo County, with occurrences in coastal grasslands and valleys from Piedras Blancas south through the Chorro and Los Osos Creek valleys and the Irish Hills to near Avila Beach. There are also several CHH records for the species in North County including one near Santa Margarita. San Luis Obispo owl's-clover is sometimes found on serpentine soils and occurs in meadows and seeps, coastal grasslands, and valley and foothill grassland to around 1,300 feet in elevation. This annual herb blooms from March through May. The nearest CCH record for San Luis Obispo owl's-clover is from a location 3.0 miles northeast of the project site on Santa Margarita Ranch. A number of other occurrences of the species are documented in the valleys and grasslands along the southern aspect of the Santa Lucia Mountains. Surveys were conducted outside of the annual bloom period for San Luis Obispo owl's-clover and the species was not detected. Marginally suitable habitat for San Luis Obispo owl's-clover is present within the Study Area and in the proposed development footprint and there is a low potential for the species' occurrence.

Island mountain-mahogany (*Cercocarpus betuloides* var. *blancheae*)

Island mountain-mahogany is a CRPR 4.3 list species that is endemic to California and known from coastal counties from San Luis Obispo south to Los Angeles and on Santa Catalina Island and the Northern Channel Islands (Santa Cruz and Santa Rosa Islands). The species occurs in chaparral and closed-cone coniferous forest to elevations of 1,970 feet. Island mountain-mahogany is a perennial evergreen shrub that blooms from February through May. The nearest CCH record for island mountain-mahogany is a 1965 record from a location 4.2 miles south of the project site on a hill west of Poly Canyon, San Luis Obispo. However, this record is yellow-flagged in CCH and *Jepson eFlora* because the georeferenced location for the record falls outside of the distributional range of the taxon as it is described in the *Jepson eFlora*. Site surveys were conducted outside of the annual blooming period for island mountain-mahogany but as a distinctive evergreen shrub, any *Cercocarpus* specimens would have been readily detectable during surveys. No *Cercocarpus* was present within the Study Area. The project site also appears to be outside known

range of island mountain mahogany so the species will not be impacted by project activities.

Slender clarkia (*Clarkia exilis*)

Slender clarkia is a CRPR 4.3 list species that is endemic to California and known primarily from the eastern regions of Kern and Tulare counties. The species occurs in cismontane woodland habitat at elevations to 3,280 feet. Slender clarkia is an annual herb that blooms in April and May. One record of slender clarkia has been reported from San Luis Obispo County, a 1969 collection by Hoover from Creston, which was annotated as possibly *C. tembloriensis*. Surveys were conducted outside of the annual bloom period for slender clarkia and the species was not detected. However, the project site appears to be outside known range of the species and woodland communities on the site will not be impacted by project activities. Therefore, no impacts to slender clarkia, if present, are anticipated from project activities.

Monkey-flower savory (*Clinopodium mimuloides*)

Monkey-flower savory is a CRPR 4.2 list species that is endemic to California and known from Monterey, San Luis Obispo, Santa Barbara, and Los Angeles counties. The species occurs in moist places, along streambanks, and in chaparral and North Coast coniferous forest communities to 5,900 feet in elevation. Monkey-flower savory is a perennial herb that blooms from June through October. The nearest CCH record for monkey-flower savory is a 1958 record from a location west of the City of San Luis Obispo approximately 3.6 miles south of the project site in the vicinity of Stenner Creek. Monkey-flower savory was not detected within the Study Area during appropriately timed surveys. Suitable mesic conditions for the species are present within the Study Area but not in areas that will be impacted by construction activities. Therefore, no impacts to monkey-flower savory, if present, are anticipated from project activities.

Small-flowered Gypsum-loving Larkspur (*Delphinium gypsophilum* ssp. *parviflorum*)

Small-flowered gypsum-loving larkspur is a CRPR 3.2 list subspecies that is known from Fresno, Monterey, San Luis Obispo, and Kern counties. The subspecies occurs on rocky clay and sometimes serpentine slopes in cismontane woodlands and valley and foothill grasslands to around 3,940 feet in elevation. Small-flowered gypsum-loving larkspur is a perennial herb that blooms from March through June. The status of the subspecies was recently updated by the CNPS to Rank 3.2 from Rank 4.3 and is under consideration for Rank 1B because it appears rarer than previously thought. However, further study and documentation of this subspecies is required as it is treated as a synonym of *Delphinium gypsophilum* in the second edition of the Jepson Manual. The nearest CCH record for small-flowered gypsum-loving larkspur is a 1937 record from a location approximately 20.0 miles northeast of the project site off State Highway 58. Small-flowered gypsum-loving larkspur was not detected within the Study Area during the initial site survey, which was conducted near the end of the typical bloom period for the species. Soils within the Study Area may be marginally suitable for the species but occurrence records suggest the potential for its presence in the project vicinity is low so no impacts from project activities are anticipated.

Stinkbells (*Fritillaria agrestis*)

Stinkbells is a CRPR 4.2 list species that is endemic to California and is known from Yolo County south through the Central Valley and Coastal Ranges to Ventura County. It is mostly known from the eastern region of San Luis Obispo County but there is one record from the Chorro Creek Valley on Camp San Luis Obispo. Stinkbells occur in clay, often vertic clay, and occasionally serpentine soils in chaparral, cismontane woodland, pinyon and juniper woodland, valley and foothill grassland, and wetland-riparian habitats to 5,100 feet in elevation. Stinkbells is a perennial bulbiferous herb that blooms from March through June. The nearest CCH record for stinkbells is a 2002 record from a location approximately 4.5 miles southwest of the project site on Camp San Luis Obispo. Stinkbells was not detected within the Study Area during the initial site survey, which was conducted near the end of the typical bloom period for the species. Soils within the annual grassland that will be impacted by construction activities are considered marginally suitable for stinkbells so the potential for the species' occurrence is considered low.

Ojai fritillary (*Fritillaria ojaiensis*)

The Ojai fritillary is a CRPR 1B.2 list species known from Monterey, San Luis Obispo, Santa Barbara, and Ventura Counties. Ojai fritillary is perennial bulbiferous herb that is found in mesic conditions on rocky slopes and in river basins, in broad-leaved upland forest, chaparral, and lower montane coniferous forest at elevations to 3,280 feet. The species blooms between March and May. The nearest CCH record for Ojai fritillary is a 1991 record from a location approximately 4.4 miles south of the project site on a ridge near California Polytechnic State University. Potentially suitable conditions for the species are present in the California sycamore woodland and seep communities within the Study Area but the species' presence in annual grassland areas that will be impacted by construction is unlikely. Ojai fritillary was not observed within the Study Area during summer surveys. Spring surveys would be required to determine if it is present. However, project activities will not impact suitable habitat for the Ojai fritillary so no impacts to the species, if present, are anticipated.

Santa Lucia Dwarf Rush (*Juncus luciensis*)

Santa Lucia dwarf rush is a CRPR 1B.2 list species known from San Diego, Riverside, Santa Barbara, San Luis Obispo, Monterey counties, and from scattered locations in northern California. The species occurs in wet, often sandy soils in a variety of seasonally mesic environments such as meadows and seeps, vernal pools, damp hillside swales, and streams. The species is known from foothill woodland, chaparral, riparian woodland, and grassland habitats to 6,560 feet in elevation. Santa Lucia dwarf rush is a small annual species that rarely exceeds two inches in height and blooms from April through July. The nearest CCH/CNDDDB record for Santa Lucia dwarf rush is a 1958 record from a location approximately 13.7 miles north of the project site in damp lowland grain fields east of Paso Robles on Creston Road (CNDDDB Occurrence No. 8). A more recent 1998 CCH record of the species is from 19.4 miles east of the project site near Shell Creek Road. Santa Lucia dwarf rush was not detected within the Study Area during the initial site survey, which was conducted within the typical bloom period for the species. Potentially suitable wet

habitats for the Santa Lucia dwarf rush are present in the California sycamore woodland and seep communities within the Study Area. These communities will not be impacted by construction activities and the potential for the species' presence in annual grassland areas that will be impacted by construction is low. Therefore, no impacts to Santa Lucia dwarf rush, if present, are anticipated.

Jones' Bush-mallow (*Malacothamnus jonesii*)

Jones' bush-mallow is a CRPR 4.3 list species that is known from Monterey, San Luis Obispo, and Santa Barbara Counties. The species occurs in open chaparral and cismontane woodland to elevations of 3,530 feet. Jones' bush-mallow is a perennial deciduous shrub that blooms from April through July. The nearest CCH occurrence record for the species is a 1938 record from a location approximately 5.8 miles northeast of the project site on a ridge south of what is now the Las Pilitas Rock Quarry. Numerous additional occurrences of the species are reported from areas along California Highway 58 to the east of the 1938 occurrence. Potentially suitable habitat for Jones' bush-mallow is present within the Study Area. However, bush-mallow shrubs were not observed during surveys and would have been readily detectable if present so impacts to the species are not anticipated.

Carmel Valley Bush-mallow, (*Malacothamnus palmeri* var. *involucratus*)

Carmel Valley bush-mallow is CRPR 1B.2 list subspecies endemic Monterey and San Luis Obispo Counties. This subspecies is a shrub known to occur in chaparral, cismontane woodland, and coastal scrub habitats to elevations of 3,600 feet. Carmel Valley bush-mallow blooms from May through August. The nearest occurrence record for the species is a 1946 record from a location in the Los Padres National Forest approximately 5.3 miles northwest of the project site (CNDDB Occurrence No. 1). The occurrence was on a steep rocky slope near the Cerro Alto Campground off California Highway 41 between Morro Bay and Atascadero. Potentially suitable habitat for this bush mallow subspecies is present within the Study Area. However, bush-mallow shrubs were not observed during surveys and would have been readily detectable if present so impacts to any bush-mallow species or subspecies are unlikely.

Santa Lucia Bush-mallow (*Malacothamnus palmeri* var. *palmeri*)

Santa Lucia bush-mallow is CRPR 1B.2 list subspecies endemic Monterey and San Luis Obispo Counties. This subspecies is a shrub known to occur on rocky substrates in chaparral, cismontane woodland, and coastal scrub habitats to elevations of 1,200 feet. Santa Lucia bush-mallow blooms May through July. The nearest occurrence record for the species is a 1927 record from a location in the Los Padres National Forest approximately 6.0 miles northwest of the project site (CNDDB Occurrence No. 3). The occurrence was along California Highway 41 between Morro Bay and Atascadero northwest of Cerro Alto. Potentially suitable habitat for this bush mallow subspecies is present within the Study Area. However, bush-mallow shrubs were not observed during surveys and would have been readily detectable if present so impacts to any bush-mallow species or subspecies are unlikely.

Michael's rein orchid (*Piperia michaelii*)

Michael's rein orchid is a CRPR 4.2 list species that is endemic to California and is known from a number of locations in west-central and northern San Luis Obispo County. The species is reported from generally dry sites in coastal scrub, coastal bluff scrub, chaparral, cismontane woodland, lower montane coniferous forest woodland, and mixed-evergreen or closed-cone-pine forest at elevations to 3,000 feet. Michael's rein orchid is a perennial herb that blooms from April through August. The nearest CCH occurrence record for the species is a 1995 record from a location in the Los Padres National Forest approximately 1.5 miles southeast of the project site on West Cuesta Ridge. Surveys were completed within the appropriate bloom period for Michael's rein orchid and the species was not detected within the Study Area. Potentially suitable conditions for the Michael's rein orchid are present within the Study Area but the potential for the species presence in the annual grassland areas that will be impacted by project activities is considered low so no impacts to this species are anticipated.

Hooked Popcorn Flower (*Plagiobothrys uncinatus*)

Hooked popcorn flower is a CRPR 1B.2 list species that is endemic to California and known from San Benito, Monterey, and northern San Luis Obispo counties. The species is an annual herb found on canyon sides and rock/sandstone outcrops, in chaparral with dry sandy substrate, and in cismontane woodland, and valley and foothill grassland habitats at elevations to 2,500 feet. Hooked popcorn flower blooms during April and May and is known as a fire following species. The nearest occurrence record for the species is a 1990 record from a location in the Los Padres National Forest approximately 0.6 miles to the west of the project site (CNDDDB Occurrence No. 16). The occurrence was reported in chaparral on shale-derived substrates. Hooked popcorn flower was not observed within the Study Area during the surveys but potentially suitable soils and habitat for the species are present. Surveys were completed outside of the appropriate bloom period for hooked popcorn flower. The potential for the species' presence in the annual grassland areas that will be impacted by project activities is considered low.

Special-status Wildlife Species

Special-status wildlife species are defined in this analysis as those species legally protected under FESA and CESA and/or other regulations that include:

- animals that are listed or proposed for listing as threatened or endangered under the FESA (50 CFR 17.11 for animals; various notices in the FR for proposed species), and the CESA (CFGF §2050 et seq.; 14 CCR §670.5)
- animals that are candidates for possible future listing as threatened or endangered under the FESA and under the CESA
- animals that meet the definition of endangered, rare, or threatened under the CEQA (State CEQA Guidelines, Section 15380)
- animals that are designated as state "Species of Special Concern" (SSC) by CDFW (2019)
- animal species that are "fully protected" in California (Fish and Game Codes §3511 [birds], §4700 [mammals], §5050 [reptiles and amphibians], and §5515 [fish])

The results of the online database and literature review identified 91 special-status wildlife species within the nine-quadrangle data search area. The Study Area is outside of the known range of many of the species on this regional list and/or does not offer suitable habitat for many others. The known ranges and ecological preferences of the wildlife species on the regional list were compared with habitat conditions within the Study Area with to determine which special-status wildlife species have a potential to occur on the project site or in adjacent habitats. Attachment D, Table 2 provides information on the special-status wildlife species investigated for the potential to occur in the project vicinity. Spatial data for special-status wildlife species occurrences within three miles of the project site are provided in Figure 7. No CNDDDB records were found for any previous special-status species occurrences within the Study Area.

The results of this analysis indicate the following 23 special-status wildlife species have a potential for occurrence in habitats within the Study Area:

Invertebrates:

- Obscure bumble bee (*Bombus caliginosus*) CDFW SA
- Crotch bumble bee (*Bombus crotchii*) CESA- SCE
- San Luis Obispo pyrg (*Pyrgulopsis taylori*) CDFW SA

Fishes:

- South-central California coast steelhead DPS (*Oncorhynchus mykiss irideus*) FT

Amphibians:

- Lesser slender salamander (*Batrachoseps minor*) SSC
- Foothill yellow-legged frog (*Rana boylei*) SSC; CESA-SCT
- California red-legged frog (*Rana draytonii*) FT; SSC
- Coast Range newt (*Taricha torosa torosa*) SSC

Reptiles:

- Northern California legless lizard (*Anniella pulchra pulchra*) SSC
- Western pond turtle (*Emys marmorata*) SSC

Birds:

- Cooper's hawk (*Accipiter cooperii*) WL
- Sharp-shinned hawk (*Accipiter striatus*) WL
- White-tailed kite (*Elanus leucurus*) SSC, FP
- Yellow Warbler (*Dendroica petechia brewsteri*) SSC
- Loggerhead shrike (*Lanius ludovicianus*) SSC
- Purple martin (*Progne subis*) SSC

Mammals:

- Pallid bat (*Antrozous pallidus*) SSC
- Townsend's big-eared bat (*Corynorhinus townsendii*) SSC
- Western mastiff bat (*Eumops perotis californicus*) SSC
- Western red bat (*Lasiurus blossevillei*) SSC
- Monterey dusky-footed woodrat (*Neotoma macrotis luciana*) SSC
- big free-tailed bat (*Nyctinomops macrotis*) SSC
- American badger (*Taxidea taxus*) SSC

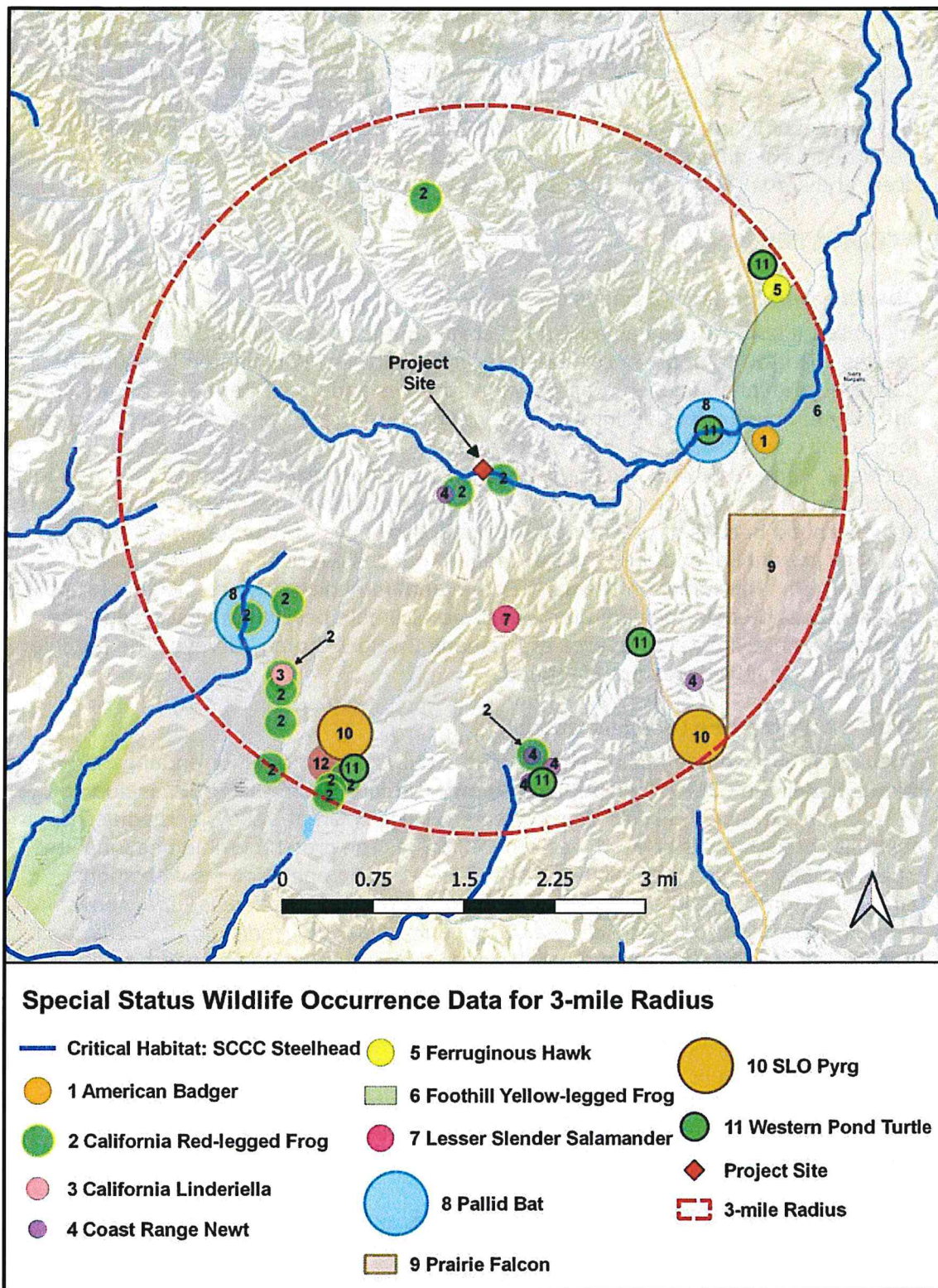


Figure 7. Documented special-status wildlife species occurrences within a three mile radius of the project site (Source CNDDB; Tenera 2009).

Most of the special-status species determined to have a potential for occurrence within the Study Area have an SSC designation by CDFW. The SSC designation provides no legally mandated protection but likely meets the definition of "rare" pursuant to the CEQA (14 CCR §15380(2)(A)). As a result, potential impacts to species with SSC status must be considered during CEQA review for any project and any unmitigated adverse impacts to such species may be regarded as significant pursuant to CEQA (§21068). The range, habitat, known occurrences, and survey results for each species is discussed below.

INVERTEBRATES

Obscure bumble bee (*Bombus caliginosus*)

The obscure bumble bee has no federal status but is on the CDFW SA list. The species is known to occur in coastal areas from northern Washington to southern California and inhabits open grassy coastal prairies and Coast Range meadows. The obscure bumble bee is classified as a medium long-tongued species whose reported food plant genera include *Baccharis*, *Ceanothus*, *Cirsium*, *Clarkia*, *Grindelia*, *Keckiella*, *Lathyrus*, *Lotus*, *Lupinus*, *Phacelia*, *Rhododendron*, *Rubus*, *Trifolium*, and *Vaccinium*. Nests are often located underground in abandoned rodent nests, or above ground in tufts of grass, old bird nests, rock piles, or cavities in dead trees. Colonies are annual and only the new, mated queens overwinter. These queens emerge from hibernation in the early spring and immediately start foraging for pollen and nectar and begin to search for a nest site. Bumble bees were observed in the common monkeyflower seep area of Drainage Swale B during surveys. The bumble bee species involved was not identified.

Crotch bumble bee (*Bombus crotchii*)

The crotch bumble bee has no federal status but is a candidate for endangered listing status under the CESA. The species is known primarily from California, including the Mediterranean region, Pacific Coast, Western Desert, Great Valley, and adjacent foothills through most of southwestern California. The crotch bumble bee inhabits open grassland and scrub habitats where it forages on open flowers with short corollas. Reported food plant genera include *Antirrhinum*, *Asclepias*, *Chaenactis*, *Clarkia*, *Dendromecon*, *Eschscholzia*, *Eriogonum*, *Lupinus*, *Medicago*, *Phacelia*, and *Salvia*. The species, like most other bumble bees, primarily nests underground and overwinter in soft, disturbed soil or under leaf litter or other debris. The flight period for crotch bumble bee queens in California is from late February to late October, with a peak in early April and a second pulse in July. The flight period for workers and males in California is from late March through September with worker and male abundance peaking in early July. Bumble bees were observed in the common monkeyflower seep area of Drainage Swale B during surveys. The bumble bee species involved was not identified.

San Luis Obispo pyrg (*Pyrgulopsis taylori*)

The San Luis Obispo pyrg has no federal status but is on the CDFW SA list. The San Luis Obispo pyrg is a tiny, gilled, operculate, aquatic snail species that is endemic to San Luis Obispo County. Specific life history information for the species is limited. The nearest record for the San Luis Obispo pyrg is a 1992 record from a location in

Chorro Creek approximately 2.4 miles southwest of the project site (CNDDDB Occurrence No. 3). A second CNDDDB record of the species from 2000 is documented from a location approximately 2.8 miles southeast of the project site (CNDDDB Occurrence No. 2), in a spring along the east side of US Highway 101 on the Cuesta Grade. The San Luis Obispo pyrg was not observed or detected during surveys but suitable habitat is present within seep and riverine habitat in the Study Area and the potential for occurrence is considered moderate.

FISHES

Steelhead (*Oncorhynchus mykiss irideus*)

The South-Central California Coast steelhead DPS (SCCC steelhead) is listed under the FESA as threatened and is designated a SSC by CDFW. The SCCC steelhead DPS occurs below natural and constructed barriers in coastal streams and rivers from the Pajaro River in Monterey County south to, but not including, the Santa Maria River on the border of San Luis Obispo and Santa Barbara counties. SCCC steelhead occur in coastal streams in San Luis Obispo County as well as in the Salinas River and some of its tributaries. In San Luis Obispo County, critical habitat for SCCC steelhead extends upstream in the Salinas River to the vicinity of Santa Margarita and up Tassajara Creek through the proposed new parcel to a location west of the Study Area. The Salinas River is considered to be critical spawning habitat for steelhead.

SCCC steelhead occur in various habitats in coastal streams including pools, runs, and riffles, depending on life stage. The species prefers streams with cool, well oxygenated water, abundant in-stream cover, and shading from riparian vegetation, but the species can persist in some warmer water habitats. Spawning and rearing occurs in cool, clear flowing streams with abundant gravel or cobble and riffles. The nearest reported location for SCCC steelhead is from a 2002 occurrence in a pool on Tassajara Creek approximately 0.1 mile downstream of the eastern boundary of the proposed new parcel (CNDDDB Occurrence No. 528 [CRLF]). The perennial reach of Tassajara Creek that crosses the Study Area offers suitable rearing habitat for SCCC steelhead and potentially suitable spawning habitat. The potential presence of SCCC steelhead within the reach of Tassajara Creek that crosses the parcel is considered high.

AMPHIBIANS

Lesser slender salamander (*Batrachoseps minor*)

The lesser slender salamander has no special federal status but is designated a SSC by CDFW. The species is endemic to a small geographic range within the southern Santa Lucia Mountains in central San Luis Obispo County. Lesser slender salamanders inhabit a variety of moist, wooded habitats in forests of mixed oak, tanbark oak, sycamore and laurel. The species prefers moist locations in forests under rotting logs, boards, rocks, and surface litter. The nearest record for lesser slender salamander is a 1977 record from a location in the Los Padres National Forest approximately 1.2 miles south of the project site and 1.1 miles west of the Cuesta Grade summit on US Highway 101 (CNDDDB Occurrence No. 8). Lesser slender

salamander were not detected during surveys but suitable habitat is present in the California sycamore woodland, drainage swale/seep areas, and also in some mixed oak forest areas. These potentially suitable habitat areas will not be impacted by construction activities. The grassland area that will be impacted by construction offers marginally suitable moisture conditions and little cover for the lesser slender salamander. The potential for occurrence of the species in impacted areas is considered low.

California red-legged frog (*Rana draytonii*)

The California red-legged frog (CRLF) is listed under the FESA as threatened and is designated a SSC by CDFW. CRLF are known from Mendocino County to Northern Baja California and eastward through the Northern Sacramento Valley and Sierra Nevada foothills. The species occupies a variety of habitat types with aquatic breeding areas mixed within riparian and upland dispersal habitats. CRLF breed in aquatic habitats such as pools and backwaters within streams and creeks, ponds, marshes, springs, dune ponds and lagoons, and in artificial impoundments such as stock ponds. CRLF also use upland habitats for migration and dispersal. Excursions of more than two miles into uplands have been documented for individual CRLF in moist coastal areas during the course of a wet season (Bulger et al. 2003; 90). In upland areas CRLF are frequently found in woods adjacent to streams and utilize downed woody vegetation, leaf litter, and small mammal burrows for protection from predators and to avoid desiccation.

The nearest reported location for CRLF is from a 2002 occurrence in a pool on Tassajara Creek approximately 0.1 mile downstream of the eastern boundary of the proposed new parcel (CNDDDB Occurrence No. 528). The species is documented from 12 additional locations within three miles of the project site (CNDDDB 2019; Tenera 2009). CRLF were not observed within the Study Area during surveys. However, Tassajara Creek and the California sycamore woodland, seeps and drainage swales, mixed oak woodland, and grassland communities within the Study Area provide suitable breeding habitat, non-breeding aquatic habitat, upland habitat, and dispersal habitat for CRLF. The potential for the presence of the species within one or more of these habitats on the parcel is considered high. Consequently, there is potential for upland dispersal through the project site, particularly during rainy conditions.

Foothill yellow-legged frog (*Rana boylei*)

The foothill yellow-legged frog (FYLF) has no special federal status but is designated a SSC by CDFW and in 2017 was designated a candidate species for listing as threatened under the CESA. The species is known from Coast Ranges from the Oregon border south to the Transverse Mountains in Los Angeles County, in most of northern California west of the Cascade crest, and along the western flank of the Sierra south to Kern County. The FYLF typically occurs in or near perennial, rocky streams in a variety of habitats, including valley-foothill woodlands and riparian habitats, mixed conifer, coastal scrub, mixed chaparral, and wet meadows. The species prefers gravelly or sandy streams with sunny banks and is rarely encountered more than a few yards from permanent water. The nearest reported CNDDDB record for FYLF is from a 1917 occurrence approximately 3.1 miles east of

the proposed new parcel from what is now a residential community in central Santa Margarita (CNDDDB Occurrence No. 825). A second CNDDDB record for the area is from a 1939 collection approximately 7.3 miles south of the project site in Reservoir Canyon east of San Luis Obispo. The FYLF was not observed during surveys and no recent collections or observations of this species are reported from inland San Luis Obispo County. Tassajara Creek offers potentially suitable habitat for FYLF including perennial water and rocky, gravelly streambed substrates along with openings in vegetation for basking. However, the presence of foothill yellow-legged frogs in the Study Area is considered low due to an absence of recent occurrences the species of from the project vicinity.

Coast Range newt (*Taricha torosa torosa*)

The Coast Range newt has no special federal status but is designated an SSC by CDFW. The species is endemic to California and is known from coastal areas and coast range mountains from Mendocino County south to San Diego County. The Coast Range newt occurs in oak forests, evergreen forests, chaparral, and rolling grasslands. During their terrestrial phase newts spend the hot, dry months in moist habitats under woody debris, or in rock crevices and animal burrows. In moist habitats they may be seen wandering overland any time of the year. In their aquatic phase, and when breeding, they are found in ponds, reservoirs, lakes, and slow-moving streams. The nearest reported location for Coast Range newt is from a location on a tributary to Tassajara Creek approximately 0.4 miles southwest of the western boundary of the proposed new parcel. The species is also reported from a location 2.4 miles south of the project site in the Stenner Creek Ecological Reserve (Tenera 2009). Coast Range newts were not observed within the Study Area during surveys. However, Tassajara Creek and the California sycamore woodland, seeps and drainage swales, and grassland communities within the Study Area provide suitable habitat for the terrestrial and aquatic phases of the Coast Range newt. The presence of the species within one or more of these habitats on the parcel is considered high.

REPTILES

Western Pond Turtle (*Actinemys marmorata*)

The western pond turtle (WPT) has no special federal status but is currently under consideration for listing under FESA. The species is also designated an SSC by CDFW. WPT is restricted to those populations inhabiting the central coast range south of the San Francisco Bay area to the species' southern range boundary, including the Mojave River. The species occurs in woodland, forest, and grassland areas, inhabiting various aquatic habitats including ponds, lakes, rivers, streams, creeks, marshes, irrigation ditches, and may enter brackish water and even seawater. WPT prefer large, deep pools to shallower areas in streams, abundant vegetation, and either rocky or muddy bottoms. Logs, rocks, cattail mats, and exposed banks are required for basking. WPT utilize upland areas for nesting and over-wintering and will move up seasonal streams during the winter months. WPT may over-summer in burrows or other types of adequate shelter when seasonal ponds and pools dry out.

The nearest reported occurrence for WPT is from a location on Tassajara Creek approximately 1.9 miles east of the project site near the northbound California Highway 58 on-ramp to US Highway 101. A 2002 CNDDDB record for WPT is from an occurrence approximately 2.9 miles northeast of the project site at a location immediately east of US Highway 101 and 1 mile northwest of Santa Margarita (CNDDDB Occurrence No. 1134). WPT were not detected during surveys but suitable aquatic habitat for the species is present within Tassajara Creek and potential nesting and to overwintering habitat is present in the California sycamore woodland, seeps and drainage swales, mixed oak woodland, chaparral, and grassland communities within the Study Area. The potential presence of the WPT within one or more of these habitats on the parcel is considered high.

Northern California Legless Lizard (*Anniella pulchra*)

The Northern California legless lizard has no special federal status but is designated an SSC by CDFW. The species is known from northern Contra Costa County south through the Coast and Transverse Ranges to Ventura County with disjunct populations along the western edge of the southern Sierra Nevada Mountains and parts of the San Joaquin Valley and Mojave Desert. The species occurs in both coastal and inland regions of San Luis Obispo County. The Northern California legless lizard inhabits moist, warm, loose soils in a variety of habitats including coastal dunes, pine-oak woodlands, chaparral, riparian habitat, sandy washes, and stream terraces with sycamores, cottonwoods, or oaks. Soil moisture is essential for the species. The Northern California legless lizard is frequently found in leaf litter under trees and bushes and under surface objects such as rocks, boards, driftwood, and logs. The nearest record for the species is a 1960 record from a location 2.6 miles northwest of the project site (CNDDDB Occurrence No. 163) along what is now US Highway 101.

The Northern California legless lizard was not detected within the Study Area during surveys. Soils within much of the Study Area are likely unsuitably dry and too compacted for Northern California legless lizard but the California sycamore woodland, and moist soils within seeps areas and drainage swales may provide suitable moist soils and thick layers of leaf litter. These potentially suitable habitat areas will not be impacted by construction activities. The grassland area that will be impacted by construction does not support suitable soils or leaf litter for the Northern California legless lizard.

RAPTORS, MIGRATORY BIRDS, AND NESTING BIRDS

Site surveys were initiated late in the nesting season of most resident and migratory bird species. Twenty six bird species were observed within the Study Area during surveys, including two species on the USFWS list of Birds of Conservation Concern (BCC) and Migratory Nongame Birds of Management Concern; the oak titmouse (*Baeolophus inornatus*) and Nuttall's woodpecker (*Picoides nuttallii*) (USFWS 2008).

The results of the search of online databases and literature identified 44 special-status bird species within the nine quadrangle search area. Based on our analysis of the ranges and habitat preferences of each species on the regional list, and habitat within the Study Area,

fifteen bird species were considered to have a potential for utilization of habitat on the site. No FESA or CESA listed bird species are considered to have a potential for occurrence within the Study Area beyond possible rare flyovers by species such as the California condor (*Gymnogyps californianus*) or bald eagle (*Haliaeetus leucocephalus*). Habitat on the site was considered unsuitable for seven additional bird species designated as SSC by CDFW. The following six species on the list (and migratory birds) are considered to have some potential for occurrence and utilization of habitat on the site.

Cooper's hawk (*Accipiter cooperii*)

The Cooper's hawk has no special federal status but is a CDFW Watch List species (formerly SSC) that ranges throughout the United States and is widely distributed throughout California. This accipiter hawk is not uncommon in San Luis Obispo County where it forages and nests in open woodlands and woodland margins, riparian forests, and in suburban and urban environments. Cooper's hawks frequently nest and forage in and near deciduous riparian areas such as the California sycamore woodland on the proposed new parcel. A foraging accipiter hawk was briefly observed in mixed oak forest habitat within the Study Area during the September site survey but a positive identification was not possible during the encounter. The species was likely a Cooper's hawk due to its perceived size and flight pattern. However, the occurrence of a sharp shinned hawk (*Accipiter striatus*), which are generally similar in appearance, could not be entirely dismissed because the observation was so brief and distant.

Sharp-shinned hawk (*Accipiter striatus*)

The sharp-shinned hawk has no special federal status but is a CDFW Watch List species (formerly SSC) that ranges throughout North America and is a fairly common migrant and winter resident throughout California, except in areas with deep snow. Sharp-shinned hawks occur in ponderosa pine, black oak, riparian deciduous, mixed conifer, and Jeffrey pine habitats. The species prefers, but is not restricted to, riparian habitats. Like the larger Cooper's hawk, the sharp-shinned hawk is an accipiter that frequently forages in openings at edges of woodlands and is often observed foraging around bird feeders in suburban and urban environments. Nests are usually in dense, pole and small-tree stands of conifers that are cool, moist, well shaded, and with little ground-cover. Nests are usually located within 275 feet of water. Woodland areas such as the California sycamore woodland and mixed oak forest areas on the proposed new parcel offer suitable nesting and foraging habitat for the species. As previously stated, a foraging accipiter hawk was briefly observed in mixed oak forest habitat within the Study Area during the September site survey but a positive identification was not possible during the encounter.

White-tailed kite (*Elanus leucurus*)

The white-tailed kite has no special federal status but is designated an SSC by CDFW and is listed as Fully Protected under the CFGC. The species ranges throughout valley and coastal lowlands in California and is a somewhat uncommon resident in San Luis Obispo County. White-tailed kites most commonly utilize open landscapes such as grasslands, agricultural areas, valley margins with scattered oaks, and bottomlands or marshes along rivers adjacent to oak woodlands. The species nests and roosts in

dense broad-leafed deciduous tree canopy adjacent to open foraging areas. The nearest record for nesting white-tailed kites is a 1999 record from a location 2.7 miles southwest of the project site (CNDDDB Occurrence No. 79) in riparian woodland on Camp San Luis Obispo dominated by coast live oaks. This species is also known to nest near Santa Margarita from locations approximately 3.9 and 4.5 miles east of the project site (CNDDDB Occurrence No. 73 and 65). Generally suitable foraging and nesting habitat is present within the Study Area, particularly in the California sycamore woodland and dense areas of the mixed oak forest. White-tailed kites were not observed within the Study Area during surveys. The potential for occurrence of the species in the site vicinity is considered moderate.

Yellow warbler (*Setophaga petechia brewsteri*)

The yellow warbler has no special federal status but is designated a CDFW SSC. The species ranges widely throughout California except in the Central Valley, Owens Valley, and Mojave Desert. Yellow warblers are relatively common in riparian habitats in San Luis Obispo County and nest and forage in riparian woodlands and thickets with willows, cottonwoods, sycamores, and alders that are in close proximity to water along streams and wet meadows. There are no breeding records in the CNDDDB for yellow warbler in SLO County; however yellow warbler is a regular spring and fall migrant that will breed in the County. Riparian vegetation along Tassajara Creek and within some seep and drainage swale areas provide potential nesting and foraging habitat for the species. Yellow warblers were not observed during surveys but are considered to have a high potential to forage and possibly nest within the Study Area.

Loggerhead shrike (*Lanius ludovicianus*)

The loggerhead shrike has no special federal status but is designated a CDFW SSC. The species ranges widely throughout North America in open and semi-open habitats from southern Canada to southern Mexico and from the Gulf States west into California. The species occurs in lowland habitats throughout most of California but is in decline or has been extirpated from some localities. Loggerhead shrikes prefer open terrain with limited taller vegetation but scattered shrubs, trees, posts, fences, utility lines, or other adequate lookout posts from which to forage. Suitable nesting and foraging habitat for the loggerhead shrike is present within mixed oak forest, chaparral, and annual grassland habitats within the Study Area. Loggerhead shrikes were not observed during surveys but are considered to have a high potential to forage and possibly nest within the Study Area.

Purple martin (*Progne subis*)

The purple martin has no special federal status but is a CDFW SCC with a limited range and low abundance in California. Purple martins historically nested throughout most of California except in the high Sierra Nevada Mountains and desert regions east and southeast of the Sierras. The current breeding range of the purple martin in California has shrunk considerably, particularly in the northern Central Valley, the coastal foothills, and locally in the Sierra Nevada and Cascade ranges (Airola and Williams 2008). Purple martins nest colonially or sometimes singly in abandoned woodpecker and natural cavities in trees, particularly California sycamore (*Platanus*

racemosa), and typically return to the same site year after year. Purple martin typically nest from April into August, with peak activity in June. There are two nesting localities documented in the CNDDDB for San Luis Obispo County. The nearest CNDDDB nesting record is from a location approximately 5.4 miles southeast of the project site (CNDDDB Occurrence No. 15) on the Santa Margarita Ranch and the second is from a location 5.8 miles north of the property, along Highway 41 at the southwestern edge of Atascadero (CNDDDB Occurrence No. 26). Purple martin were not observed during surveys within the Study Area but suitable sycamore trees with woodpecker cavities are present and provide potentially suitable nesting habitat. However, the potential for occurrence of nesting purple martins is considered low.

Migratory Nesting Birds

The natural communities within the Study Area are likely utilized by numerous other resident and migratory bird species for nesting and foraging. Many species can be expected to occur within the Study Area during all seasons of the year. All native bird species are protected under the federal MBTA and by various sections of the CFGC. The highest potential for the presence and disruption of these species is during their nesting season, when active nests, eggs, and/or young are present. Depending on the species, and if conditions allow for multiple clutches, nesting season generally occurs between 1 February and 15 September for most species. The California sycamore woodland and mixed oak forest adjacent to the construction site offer the highest quality habitat for nesting, but chaparral and annual grassland habitat may also provide nesting habitat for various species. Raptors species may utilize large trees in the area for nesting, and are typically less tolerant of disturbance than many other avian species.

MAMMALS

The results of the search of online databases and literature identified 15 special-status mammal species within the nine quadrangle search area. The 15 mammal species identified on this regional list included seven bat species. Based on our analysis of the ranges and habitat preferences of each species and habitat within the Study Area, two special-status terrestrial mammals and five bat species were considered to have a potential for utilization of habitat on the site. None of the subject mammal species are FESA or CESA listed but all are designated as SSC by CDFW. The following species on the regional list are considered to have some potential for occurrence and utilization of habitat on the site.

Bats (Order Chiroptera)

Detection of different bat species often requires specialized equipment and survey techniques so occurrence records are lacking in many areas. The perennial water source and mosaic of habitats within the Study Area provide potentially suitable foraging habitat for the following SSC bat species: pallid bat (*Antrozous pallidus*), Townsend's big-eared bat (*Corynorhinus townsendii*), western mastiff bat (*Eumops perotis californicus*), western red bat (*Lasiurus blossevillii*), and big free-tailed bat (*Nyctinomops macrotis*). Other bat species such as the hoary bat (*Lasiurus cinereus*), Yuma myotis (*Myotis yumanensis*), and fringed myotis (*Myotis thysanodes*) may also forage on the project site. The hoary bat is a CDFW SA and the Yuma myotis and fringed myotis are designated Bureau of Land Management

(BLM) 'sensitive' species. The western red bat and hoary bat are tree-roosting species that have the potential to roost in trees within the Study Area. Pallid bats are primarily a crevice roosting species but are also known to roost in trees.

The **pallid bat** has no special federal status but is designated a CDFW SSC. The species has a wide geographic range from southern British Columbia through the southwestern and western United States as far east as Kansas, Oklahoma, and Texas and into Mexico and Baja California. The pallid bat is a locally common species of low elevations throughout much of California and occurs near water in a variety of open, arid and semi-arid habitats including low desert, oak woodland, oak savannah, coniferous forests, cismontane woodlands, brushy terrain, rocky canyons, and open farm land. Pallid bats are primarily a crevice roosting species and commonly roost in rock crevices, old buildings, bridges, caves, mines, and hollow trees. Recent research indicates the species may roost in trees more frequently than previously thought. Rock crevices and caves are commonly utilized for communal wintering or maternity colonies. Pallid bats give birth in early summer and pups are dependent on their mothers for at least 6 weeks. The nearest pallid bat occurrence is a 2002 record from 1.9 miles northeast of the project site in the US Highway 101 bridge over Santa Margarita Creek, at Santa Margarita Ranch (CNDDDB Occurrence No. 76). Pallid bats were not detected during the field surveys and no evidence of bats guano or urine staining was observed within the Study Area. Suitable foraging habitat and potential tree roosts for pallid bats are present within the Study Area. Based on the habitat present the pallid bat is considered to have a high potential to forage and possibly roost within the Study Area.

The **Townsend's big-eared bat** has no special federal status but is designated a CDFW SSC. CDFW named the Townsend's big-eared bat a candidate for protection under CESA in 2013 but in 2016 made the determination that listing under CESA was not warranted. The Townsend's big-eared bat occurs throughout the western and southwestern United States and is found throughout most of California from sea level along the coast to 6,000 feet in the Sierra Nevada. The species is typically found in rural settings from the inland deserts to the cool, moist coastal redwood forests, in oak woodlands of the inner coast ranges and Sierra Nevada foothills, and lower to mid-elevation mixed coniferous-deciduous forests. The species' distribution is strongly associated with the availability of caves or cave-like roosting habitat. Townsend's big-eared bats are known to forage in desert canyons, within forested habitat, within oaks tree canopies, and along heavily vegetated stream corridors, generally avoiding open, grazed pasture land. Young are born sometime between May and July, are capable of flight at 2.5 to 3 weeks of age, and are fully weaned at 6 weeks, usually in August. The nearest Townsend's big-eared bat occurrence is a 2002 record from a location 3.2 miles northeast of the project site along Santa Margarita Creek at Santa Margarita Ranch Headquarters (CNDDDB Occurrence No. 119). A second 2001 record is from 4.4 miles southwest of the project site from a location east of Camp San Luis Obispo and north of Highway 1 (CNDDDB Occurrence No. 169). Townsend's big-eared bats were not detected during the field survey and no evidence of bat guano or urine staining was observed within the Study Area. No suitable roost habitat for Townsend's big-eared bats was observed but suitable

foraging habitat is present and the species is considered to have a moderate potential to forage within the Study Area.

The **western mastiff bat** has no special federal status but is designated a CDFW SSC. The species is found from central Mexico across the southwestern United States through parts of California, southern Nevada, southwestern Arizona, southern New Mexico and western Texas. In California the mastiff bat occurs most widely in southern California, from the Colorado River to the coast, but has been documented in Yosemite National Park and as far north as Butte County. The species is common in coastal lowland areas from San Francisco to San Diego including the San Joaquin Valley and Salinas Valley. The mastiff bat is primarily a crevice dwelling species that is found in a variety of habitats including desert scrub, chaparral, oak woodland and ponderosa pine forests. The distribution of the species is thought to be determined by the presence of significant rock features that offer suitable roosting habitat such as large exfoliating slabs of granite, sandstone slabs, in columnar basalt, and on cliff faces or in large boulders. Roosts are generally high above the ground to allow a clear vertical drop of at least 10 feet below the entrance for flight. Most young are born by early July but births are not synchronous so juveniles can be present through the fall. The nearest western mastiff bat occurrence is a 1991 record from a location 6.8 miles south of the project site in San Luis Obispo (CNDDDB Occurrence No. 180). Western mastiff bats were not detected during field surveys and no evidence of bat guano or urine staining was observed within the Study Area. No suitable roost habitat for western mastiff bats was observed within the Study Area but suitable foraging habitat is present and the species is considered to have a moderate potential to forage within the Study Area.

The **western red bat** has no special federal status but is designated a CDFW SSC. The western red bat ranges from southern British Columbia through much of the western United States, Mexico, Central America, to as far south as Argentina and Chile in South America. In California the species is known from coastal areas from the San Francisco Bay area south through the Central Valley and surrounding foothills, and into southern California. Western red bats are generally solitary and roost in the foliage of trees and shrubs, predominantly in edge habitats adjacent to streams and open fields. Young are born from late May through early July and are capable of flight at three to six weeks of age. A live western red bat was collected in 2003 from a location 8.2 miles north of the project site in a residential neighborhood off San Jacinto Avenue east of Highway 101 in Atascadero (D. Dugan personal obs.) The closest western red bat occurrence in the CNDDDB is a 1998 record from a location 16.6 miles southeast of the project site, in vicinity of the Salinas River southeast of Pippin Corner (CNDDDB Occurrence No. 15). Western red bats were not detected during field surveys and no evidence of bat guano or urine staining was observed within the Study Area. Suitable foraging and roosting habitat for western red bats is present within the Study Area and the potential for the occurrence of the species is considered high.

The **big free tailed bat** has no special federal status but is designated a CDFW SSC. The species ranges from Uruguay and northern Argentina, northward through South America, mostly east of the Andes, through central America and Mexico into the

southwestern United States including Arizona, New Mexico, and parts of Texas, Nevada, Utah, Colorado and a few records from California. In California it is known mostly from central and southern regions of the state. The species is usually associated with arid, high relief, rocky landscapes and occurs in desert shrub, oak woodlands, and evergreen forest habitats. Big free tailed bats roost primarily in the crevices of cliff rocks but may also utilize buildings, caves, and tree cavities. Young are born in June or July and reports indicate pupping may last into September in some circumstances. The nearest big free tailed bat occurrence is a 1981 record from a location 12.5 miles southwest of the project site in Morro Bay State Park (CNDDDB Occurrence No. 19). Big free tailed bats were not detected during the field surveys and no evidence of bat guano or urine staining was observed within the Study Area. No suitable roost habitat for big free tailed bats was observed within the Study Area but suitable foraging habitat is present. Due to the relative scarcity of big free tailed bats in central California, the potential for the presence of the species is considered low.

Monterey dusky-footed woodrat (*Neotoma macrotis luciana*)

The Monterey dusky-footed woodrat has no federal status but is designated a CDFW SSC. The Monterey dusky-footed woodrat is a subspecies of the dusky-footed woodrat (*Neotoma fuscipes*) that occurs throughout Monterey and northern San Luis Obispo counties. Dusky-footed woodrats are generally found in dense chaparral, streamside thickets, coastal sage-scrub, pinyon-juniper, oak and riparian woodlands, and mixed conifer forest habitats where there is a moderate canopy with a dense to moderate understory. The preferred habitat for the species is brushy habitat or woodland with a live oak component and an abundant supply of downed wood, sticks, bark, and miscellaneous plant materials to build characteristic large stick nests. Dusky-footed woodrats are nocturnal, feeding mainly on woody plants and foraging on the ground, in bushes, and in trees. The project site is located at the southern edge of the range for the Monterey dusky-footed woodrat subspecies. Woodrat nests were observed in the California sycamore woodland and seep areas within the Study Area. The range of the Monterey dusky-footed woodrat borders the ranges of three other woodrat subspecies (*N. f. perplexa*, *N. f. bullatior*, and *N. m. macrotis*) and there is some overlap in populations. Cranial and molecular characters are used to differentiate these four subspecies in areas where their ranges overlap. No attempt was made to capture or identify the woodrat subspecies associated with the observed nests. Since the project site is within the range of the Monterey dusky-footed woodrat and woodrat nests and suitable habitat are present, there is a high potential for the occurrence of the species within the Study Area.

American badger (*Taxidea taxus*)

American badger has no federal status but is designated a CDFW SSC. The species occurs throughout most of California except for the northernmost region of the North Coast. The American badger is an uncommon, largely nocturnal species that occurs in open, generally arid habitats, including grasslands, meadows, savannahs, open chaparral, desert scrub, forest habitats, and uncultivated pastures. The species prefers and is strongly associated with open, treeless habitats but is also known to occupy open patches in forested areas. American badgers require friable soils in open

areas with low to moderate slopes and an abundant food source of burrowing rodents such as California ground squirrels (*Otospermophilus beecheyi*) and Botta's pocket gopher (*Thomomys bottae*), as well as mice and sometimes reptiles, insects, earthworms, eggs, birds, and carrion. The nearest CNDDDB record for American badger is a 2003 record from a location on Santa Margarita Ranch approximately 2.4 miles east of the project site (CNDDDB Occurrence No. 29). The occurrence was in open oak savannah habitat just south of California Highway 58 and approximately 0.5 miles east of US Highway 101. The species was also observed in 2019 at a location 2.6 miles northeast of the project site (Monk and Associates 2019). American badger or evidence of recent or past badger activity such as burrows or dens were not observed within the Study Area during surveys. Much of the topography of the proposed new parcel has steeper slopes than typically associated with badger habitat. A suitable prey base is present so there is a potential for the species to occur in the project vicinity but the possibility for occurrence on the project site is considered low.

Sensitive Habitats

Federal and State Waters and Wetlands

The reach of Tassajara Creek that crosses the southern part of the proposed new parcel is a perennial first order tributary to the Salinas River and as such meets the definition of waters of the United States under Section 404 of the federal CWA (as revised in 2019). The watercourse also meets the California criteria for waters of the state (California Water Code §13050[e]). Several areas within drainage swales on the parcel and one perched seep area identified during surveys support wetland indicators and are potential jurisdictional wetlands. A formal delineation of these potential wetland areas was not conducted as part of this biological assessment but based on the presence of wetland indicators for hydrology and vegetation these areas would likely meet both federal and state criteria for wetlands. Authorization for any alteration or other impacts to these sensitive habitats falls under the jurisdiction of the ACOE, RWQCB, and CDFW, and would be subject to evaluation of impact significance pursuant CEQA.

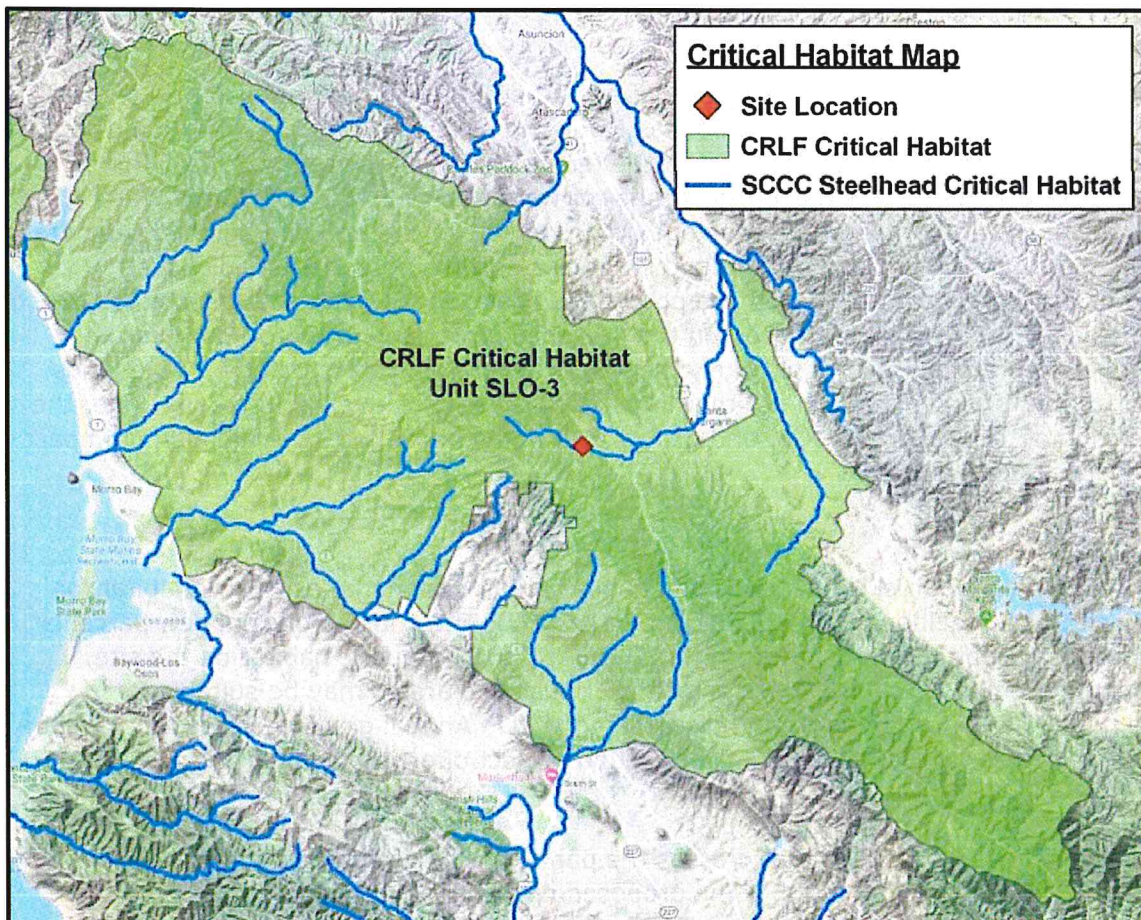
Critical Habitat

The proposed new parcel is located within habitat areas designated as critical habitat for CRLF and SCCC steelhead (USFWS 2010; NOAA 2005). The entire proposed new parcel is within Critical Habitat Unit SLO-3 for CRLF (USFWS 2010). Aquatic habitat on the site, including perennial Tassajara Creek and the various seep areas, may be suitable for breeding, long-term occupancy, and dispersal for CRLF. Annual grassland areas that will be directly impacted by the residential construction project offer marginal upland habitat for dispersing CRLF.

The reach of Tassajara Creek that crosses the parcel is also designated critical habitat for the SCCC Steelhead (NOAA 2005). The proposed disturbance envelope for the project is located outside the designated 50 foot TOB setback for Tassajara Creek.

The extent of current critical habitat areas designated by USFWS and NOAA Fisheries is mapped for the project area in Figure 8 (NOAA 2005; USFWS 2010).

The proposed project site is located in a rural area of San Luis Obispo County surrounded by multi-acre parcels and low density residential development. The site vicinity provides wildlife habitat of high function and value for shelter/cover, foraging, nesting, dispersal, and migration, as well as sufficient area for healthy genetic exchange within individual species. No existing barriers to wildlife movement through area were identified and fragmentation of wildlife habitat from scattered rural homesites is considered low. Wildlife movement corridors exist within the California sycamore woodland along Tassajara Creek, the open low-gradient grassland habitat (and ranch road) along the stream terrace, and the moderate gradient hills and drainage swales that occupy much of the northern two-thirds of the parcel. Tassajara Creek provides perennial aquatic habitat for the movement of fishes and other aquatic and semi-aquatic species through the site. Existing fencing and ranch gates do not alter habitat connectivity or pose barriers to wildlife movement. An existing residence, electric gate, and bridge over Tassajara Creek located just outside the southwest corner of the proposed new parcel may be an area along the stream terrace that is avoided by some wildlife species but would not be a barrier to movement.



SECTION SIX

IMPACT ANALYSIS

The purpose of this report is to assess the biological resources and habitat within the Study Area, and to evaluate potential adverse impacts to special-status species, sensitive habitats, and jurisdictional waters and wetlands that could result from the construction and occupation of the proposed new residential structure. Any activity that modifies a sensitive community or a habitat occupied by special-status species on a permanent or temporary basis may constitute an adverse impact. Potential adverse impacts from the proposed project are analyzed in this section based on the existing site conditions, the regulatory environment, and proposed activities on the site.

Summary of Potential Impacts

The proposed new parcel is currently undeveloped except for existing all-weather ranch road through the site and improvements for the occasional pasturing of horses that include fencing, a pasture shelter, and water trough. The development envelope for the new residential structure is situated entirely within an annual grassland community on a level terrace above the left bank (facing downstream) of Tassajara Creek. The grassland community that will be impacted by construction is not considered a sensitive natural community and currently supports a mix of native and non-native grasses and herbs. Site plans indicate construction of the residential structure will result in the disturbance of up to 0.35 acres of annual grassland habitat. The proposed residence and associated hardscape will occupy approximately 0.1 acre of the proposed development footprint and will be permanently converted to rural residential use, of which 0.02 acres is the existing ranch road. Temporary impacts to an additional 0.12 acres of the grassland are anticipated from the initial leach field installation and possible future expansion area. Annual grassland habitat surrounding the building pad occupies the remaining 0.13 acres of the proposed development footprint. Impacts to these areas are expected to be temporary during construction.

No special-status plants or sensitive wildlife species were identified within the proposed development footprint during surveys. However, three sensitive natural communities, designated critical habitat for two FESA listed species, potential habitat for rare plants, suitable habitat for special-status wildlife species, and jurisdictional, and potentially jurisdictional, hydrologic features were identified within the Study Area. Additionally, these surrounding areas support trees, shrubs, and other vegetation that provide foraging and nesting habitat for resident and migratory passerine birds and raptors protected under the MBTA and various CFGC sections. Construction and occupation of the proposed residential structure has a limited potential to result in direct and/or indirect, adverse impacts to seven special-status plants, if present, and 23 special-status wildlife species. Potential impacts to the identified species are presented below.

Introduced/Invasive Weed Species

The annual grassland habitat that will be disturbed during construction currently supports a mix of native and introduced grasses and herbs. A number of the non-native species currently on the site are listed on the California Invasive Plant Council (Cal-IPC) Inventory and are considered invasive. Construction activities have the risk of introducing new invasive plant species to the project site or spreading existing invasive species into new areas off the project site. Invasive plant species can impact special-status plant populations and sensitive habitats through competition with native species for space, light, water, and nutrients, and alteration of fire regimes in an area. Measures to minimize the risk of introductions of new noxious, invasive plant species or spreading such species to offsite areas are provided in Section Seven.

Potential Impacts to Sensitive Plants

No special-status plants were documented within the proposed 0.35 acre disturbance footprint or surrounding Study Area during field surveys. However, field surveys were conducted from late June through September so the presence of spring-blooming, special-status annuals could not be determined. No perennial shrubs such as bush mallow or manzanita were present in grassland habitat within the proposed disturbance footprint so no impacts to special-status shrubs will result from project implementation.

The shale-derived, clay loam soils within the disturbance footprint offer potentially suitable conditions for the occurrence of seven of the special-status plant species discussed in Section Five. These plants may not have been detectable at the time of the surveys so direct impacts could occur during ground disturbance and vegetation removal activities if seeds or mature plants are present. Project implementation could also result in the permanent conversion of grassland habitat supporting such species, if present. Measures to avoid and minimize the potential for impacts to sensitive plant species are provided in Section Seven.

Potential Impacts to Special-Status Wildlife

Construction of the proposed rural residence has a limited potential for direct and/or indirect impacts to special-status wildlife species and migratory nesting birds that may occur in the project vicinity. Direct impacts to special-status wildlife could occur from increased vehicular/foot traffic during construction and construction activities such as grading or trenching where, if individuals are present, mortality or injury could result from trampling by personnel or crushing by equipment and vehicles. Construction-related noise, vibration, dust, and other human-induced disturbances could indirectly impact sensitive wildlife species by disrupting foraging and breeding patterns in adjacent habitats. Finally, soils disturbed or stockpiled during grading and other construction activities have the potential to enter Tassajara Creek in runoff during winter storm events and adversely impact habitat for sensitive aquatic species. Possible impacts to the special-status wildlife species with a potential for occurrence within the Study Area are discussed below. Due to a general similarity in potential impacts, and in impact avoidance and minimization measures, some of the taxa are discussed as groups to reduce redundancy.

Impacts to Critical Habitat

The proposed new parcel is located within the area designated as critical habitat for CRLF and SCCC steelhead (NOAA 2005; USFWS 2010). USFWS-designated Critical Habitat Unit SLO-3 for CRLF overlays the entire new parcel. Aquatic habitat on the site, including perennial Tassajara Creek and the various seep areas, may be suitable for breeding, long-term occupancy, and dispersal for CRLF. The annual grassland area that will be directly impacted by the residential construction project offers marginal upland habitat for dispersing CRLF. Implementation of the proposed residential construction project will result in the permanent conversion of approximately 3,200 square feet (0.07 acres) of annual grassland within Critical Habitat Unit SLO-3 to rural residential use. Up to 2,400 square feet (0.06 acres) of annual grassland will be temporarily impacted during the initial leach field installation and potential future leach field area expansion. Impacts to aquatic features on the site are not anticipated so it is expected that implementation of recommended avoidance and minimization measures provided in Section Seven will minimize the potential for significant adverse impacts to critical habitat for CRLF. The expected presence of CRLF in the Study Area may require consultation with USFWS prior to any construction activities.

The reach of Tassajara Creek that crosses the parcel is also designated critical habitat for the South-central California Coast Steelhead DPS (NOAA 2005). The proposed disturbance envelope is located outside of the stream channel and designated 50 foot TOB setback. Direct impacts to Tassajara Creek are not anticipated based on current site plans but indirect impacts may result from runoff and/or sedimentation during project construction and prior to establishment of permanent groundcover vegetation for disturbed areas. Implementation of recommended avoidance and minimization measures provided in Section Seven will minimize the potential for significant impacts to critical habitat for SCCC steelhead. The expected presence of SCCC steelhead in the Study Area may require consultation with the National Marine Fisheries Service (NMFS) prior to initiation of construction activities.

SCCC Steelhead

SCCC steelhead were not detected during general wildlife surveys but based the suitability of habitat conditions within Tassajara Creek and occurrence records in the site vicinity, the presence of the species is expected. Direct and/or indirect impacts to SCCC steelhead could occur if project activities result in water quality degradation or impacts to riparian vegetation. The southern extent of the disturbance footprint for the project is set back a minimum of 50 feet from the TOB for Tassajara Creek so there will be no direct project impacts within the creek channel. Additionally, no disturbance or trimming of the riparian tree canopy or removal of understory riparian vegetation is proposed so shading of the stream channel and the current filtration and erosion control functions of the riparian vegetation will not be altered. Soils that will be disturbed within the development footprint during grading and fill activities have the potential to inadvertently wash into riparian areas or enter the Tassajara Creek channel during winter storm events, adversely impacting water quality and habitat for SCCC steelhead. Accidental leaks from construction equipment or spills of fuel, paint, or other contaminants could also adversely impact water quality and aquatic habitat for SCCC steelhead. Implementation of the avoidance and minimization measures recommended in Section Seven will reduce the potential for indirect impacts to SCCC steelhead or critical habitat for the species.

California Red-legged Frog

Species-specific surveys for CRLF were not conducted as part of this biological assessment and the species was not detected during general wildlife surveys. However, based on habitat conditions and occurrence records the presence of the CRLF is expected. Project activities are confined to a 0.35 acre development footprint of annual grassland habitat and will avoid impacts to potential CRLF habitat within the Tassajara Creek channel and riparian, and drainages/seeps in upland areas of the Study Area. The presence of CRLF within the disturbance footprint cannot be completely dismissed during rainy periods when CRLF are dispersing or foraging in upland areas. If present during construction, individual CRLF may be directly impacted by vegetation removal, grading, trenching, and construction activities. Injury or mortality to CRLF could result from construction equipment, vehicular and foot traffic, entrapment in open trenches or pits, and movement or stockpiling of construction materials/debris. Noise and vibration associated with construction activities could indirectly impact CRLF habitat usage and foraging patterns. Additionally, adverse impacts to aquatic habitat could occur from eroded soils/sediments from the site entering the creek channel, or accidental leaks from construction equipment or spills of fuel, paint, or other toxic substances.

A variety of measures can be implemented to avoid and/or mitigate potential inadvertent impacts to individual CRLF that may disperse through or forage in upland areas during construction. These include installation of barrier fencing, pre-construction surveys by a qualified biologist, and worker training. Implementation of the impact avoidance and minimization measures recommended in Section Seven will reduce the potential for direct and indirect impacts to CRLF or critical habitat for the species.

Invertebrates

Three special-status invertebrate species, the crotch bumble bee (SCE), obscure bumble bee (SA), and San Luis Obispo pyrg (SA) were determined to have a potential for occurrence within the Study Area. Bumble bees were observed in Drainage Swale B during the June survey but were not positively identified. If bumble bee nests occur in abandoned rodent burrows within the development footprint, direct impacts to the nests and the queen/workers could occur from ground disturbing activities or the movement of equipment, vehicles, and materials. Noise, vibration or dust from construction activities could result in indirect impacts from harassment. Adverse impacts to nests of the crotch bumble bee, a candidate for state listing as endangered, would constitute a significant impact under CESA.

The San Luis Obispo pyrg was not observed during surveys but, if present, would occupy aquatic habitats that would not be directly impacted by construction activities. Indirect impacts to the San Luis Obispo pyrg could occur from eroded soils/sediments or other contaminants from the site entering occupied aquatic habitat.

Additional SSC Reptiles and Amphibians

No special-status reptile or amphibian species were detected during general wildlife surveys within the Study Area but suitable habitat conditions are present for five SSC reptile and amphibian species; the lesser slender salamander, foothill yellow-legged frog, Coast Range newt, western pond turtle, and Northern California legless lizard. Direct impacts to potential habitat for these SSC species will be avoided within the Tassajara Creek channel and

riparian, and drainages/seeps in upland areas of the Study Area. Based on occurrence information and habitat conditions (e.g., lack of cover, moisture), the potential presence of lesser slender salamander, foothill yellow-legged frog, and Northern California legless lizard is considered low within grassland habitat directly impacted by project activities. The occasional presence of Coast Range newt and western pond turtle within the impacted grassland habitat, and the potential for western pond turtle nests, cannot be completely dismissed during periods when individuals are dispersing, nesting, or foraging in upland areas. If present during construction, individual Coast Range newts or pond turtles may be directly impacted by vegetation removal, grading, trenching, and construction activities. Injury or mortality to individuals and pond turtle eggs, or young could result from ground disturbing activities, construction equipment, vehicular and foot traffic, entrapment in open trenches or pits, and movement or stockpiling of construction materials/debris. Noise and vibration associated with construction activities could indirectly impact habitat usage and foraging patterns of SSC reptiles and amphibians, resulting in the temporary abandonment of sheltering habitat near the construction site and possibly exposing individuals to increased risk of mortality from predation or desiccation. As discussed above with SCCC steelhead and CRLF, aquatic habitat could be adversely impacted by eroded soils/sediments from the site entering the creek channel, or accidental leaks from construction equipment or spills of fuel, paint, or other contaminants.

Completion of the residential structure will result in the conversion of approximately 0.1 acres of upland grassland habitat that could potentially be utilized for dispersal and foraging by SSC reptiles and amphibians. Project plans indicate that remaining habitat within the proposed 0.35 acre disturbance footprint would be modified or temporarily impacted during construction. Temporarily impacted grassland habitat within the leach field and some areas surrounding the residential structure will be available for dispersal and foraging for these species following construction. Project completion would have no direct effect on Tassajara Creek and associated riparian vegetation or any drainages and seep areas that provide potentially higher habitat suitability for dispersal and foraging. Increased vehicular and human activity during the construction phase of the project has a higher potential for direct mortality or injury to individual SSC reptiles and amphibians than during the post-construction phase. However, a low potential for direct impacts remains for individuals dispersing across or foraging on the project site during occupation of the residence.

Implementation of the same protective measures discussed for CRLF will avoid and/or minimize potential inadvertent direct or indirect impacts to individual SSC reptiles and amphibians that may occasionally occur in upland areas during construction.

Raptors, Migratory Birds, and Nesting Birds

A variety of common native bird species and two species on the USFWS BCC and Migratory Nongame Birds of Management Concern lists were identified within the Study Area during surveys. No listed avian species, candidates for listing, CDFW fully protected species, or SSC species were observed or detected on the site. However, the California sycamore woodland, mixed oak woodland, chaparral, and grassland communities within the Study Area provide suitable foraging and nesting habitat for common native birds as well as a number of special-status avian species, including the species described in Section Five of this report. Removal or trimming of trees and shrubs that may be used for foraging or nesting by these species is not proposed. Permanent conversion of 0.1 acre and temporary impacts to up to

0.25 acres of grassland habitat will occur as a result of project implementation. Direct impacts to the active nests of ground nesting species are considered unlikely due to the small project footprint and marginal nature of habitat within the grassland areas to be impacted.

Indirect impacts to avian species that may be nesting or foraging in adjacent habitats could result from the noise, dust, and vibration from construction equipment, the operation of tools such as saws and nail guns, and the increased levels of human activity on the site during construction. Construction-related disturbances could alter foraging and nesting patterns or result in nest abandonment or failure. Noise and activity levels will be reduced following construction but will remain higher than current levels.

Construction activities are most likely to result in adverse impacts to raptors and other avian species during the breeding season, which generally extends from 1 February through 15 September. This time period encompasses seasonal breeding activities from courtship and nest initiation through the time when fledglings should no longer be dependent on the nest tree or parental care. During the early stages of courtship and nest initiation many bird species, and particularly raptors, are sensitive to disturbance and with frequent disturbance may seek alternative nest sites or delay nesting.

The implementation of the impact avoidance and minimization measures recommended in Section Seven such as pre-activity surveys, appropriate timing of grubbing and grading, and work exclusion zones around nests, if present, will reduce the potential for adverse effects to nesting bird species during construction activities.

SSC Mammals

No special-status mammal species were identified within the Study Area during surveys. The varied plant communities within the Study Area provide potential foraging and roosting habitat for a number of special-status bat species, potential foraging and/or denning habitat for American badger, and potential foraging/nest habitat for the Monterey dusky-footed woodrat. Each of these mammals is designated as SSC species by CDFW and none are listed or are currently candidates for listing under FESA or CESA.

Nests of an unidentified woodrat species were observed at various locations within the Study Area including in Drainage Swale C, within 50 feet north of the proposed disturbance footprint. Woodrat nests were also observed in the California sycamore woodland and drainage swales to the west. The woodrat subspecies associated with the nests and therefore the regulatory status of the woodrat taxa, was not determined. Project activities will not impact the areas where the woodrat nests were located so there will be no direct impacts to woodrat nests regardless of the status of the subspecies associated with the observed nests. Noise and vibration associated with construction activities could indirectly impact habitat usage of woodrats or result in the temporary abandonment of nests near the construction site, possibly exposing individuals to increased risk of mortality from predation. Woodrats are more likely to forage in forested or brushy areas, not grasslands, but could wander on to the construction site and become entrapped in open trenches or pits, or seek shelter in stored construction materials or debris. If entrapped or sheltering on the construction site, woodrats could be subject to injury or mortality from construction activities, or exposed to increased risk of predation. Implementation of the avoidance and

mitigation measures recommended in Section Seven will minimize the potential for direct or indirect impacts to Monterey dusky-footed woodrats, if present.

Bats are discussed as a group because of the general similarity of potential project-related impacts and avoidance and minimization measures for each species. Grassland within the proposed area of disturbance, surrounding grasslands, riparian woodland, and habitat edges within the Study Area provide suitable foraging habitat for the various CDFW-designated SSC bat species described in Section Five. Bats are most active at night and during the crepuscular hours around dawn and dusk. Construction activities typically occur during daylight hours after bats have returned to their roosts. Construction activities during crepuscular hours or at night, and the use of intense work lights, have a greater potential for disruption of bat foraging behavior and direct or indirect impacts to foraging bats than daytime construction activities. Direct impacts include potential harassment, injury, or mortality if they are foraging within the construction area or increased risk of predation after disorientation from lights.

Cavities and loose bark on mature trees and snags in the project vicinity provide potential roosting habitat for several special-status bat species. Project activities will not directly impact trees that could provide potential roosting sites for bats. However, indirect impacts to roosting bats from noise, dust, and vibration associated with construction activities could result in adverse impacts to bats or even to the abandonment of preferred roosts near the construction site. Disturbance or abandonment of existing roost sites could be particularly adverse during pupping season if maternity roosts are located nearby, which in most cases would be considered a significant impact pursuant to the CEQA. Extensive disturbance to roosts of special-status bats could also be potentially significant under CEQA. Implementation of the avoidance and mitigation measures recommended in Section Seven will minimize the potential for direct or indirect impacts to special-status bat species, if present.

American badger or potential dens for the species were not observed within the Study Area during surveys. Although habitat within the Study Area appeared to be marginal for support of badgers, a suitable prey base is present so there is a potential for the temporary utilization of the project site for foraging and/or denning. If present at the site prior to the start of construction, badgers could be directly impacted through destruction of burrows, being struck by vehicles or equipment, and/or harassed during the breeding season. Implementation of the avoidance and mitigation measures recommended in Section Seven will minimize the potential for direct or indirect impacts to American badger, if present.

Federal and State Waters and Wetlands

Several potential jurisdictional wetland areas were identified within the Study Area that would be considered sensitive habitats by the ACOE and CDFW. Formal wetland delineations of these areas were not conducted as part of this biological assessment. The current location and design of the proposed new residence and leach field avoids direct impacts to federal and state jurisdictional waters and potential wetland features. Project plans indicate the outer extent of the proposed area of disturbance is located outside the 50 foot setback from the TOB of Tassajara Creek. The footprint for the leach field is located a minimum of 100 feet from the TOB for Tassajara Creek and more than 25 feet downslope from the nearest wetland features identified during surveys (Drainage Swale C and the perched

seep). Construction activities will not result in indirect impacts to the nearby wetland features from runoff and sedimentation since the potential wetland areas are upslope of the proposed development footprint. The Tassajara Creek channel is located downslope from the proposed development footprint so a potential exists for indirect impacts from the discharge of sediment and other pollutants in runoff from the site during construction and prior to establishment of permanent groundcover vegetation in disturbed areas. Potential indirect impacts to waters, wetland features, and riparian vegetation could also result from inadvertent disturbance by equipment or foot traffic. Installation of avoidance and minimization measures recommended in Section Seven will minimize the potential for indirect impacts to Tassajara Creek and other jurisdictional waters and wetland habitat features during project implementation.

If existing culverts require replacement or project plans are altered in a manner that would result in direct or indirect impacts to Tassajara Creek or any of the potentially jurisdictional wetland areas identified, a review and possible permit approval from the appropriate jurisdictional agencies (*e.g.*, ACOE, RWQCB, and CDFW) will be required. The construction of structures, placement of fill, or removal of vegetation within the bed or bank, ordinary high water mark, or between tops of banks of drainages requires such permit approval. The project proponent/applicant would be responsible for obtaining all necessary permits from the appropriate agencies.

Wildlife Movement/Habitat Connectivity

The proposed residential structure will be constructed within the open, low gradient terrain along the stream terrace, situated north of the riparian corridor and south of the moderate gradient, open hilly terrain on the remainder of the parcel. Wildlife species and sign (*e.g.*, scat, tracks, burrows/dens) were observed during surveys along the stream terrace area where the new residence is proposed. Wildlife and wildlife trails and sign were also common on the hills and within the drainage swales to the north of the proposed project site. Construction of the residential structure would not affect movement of fishes, amphibians, aquatic reptiles, birds, or small mammals through the Tassajara Creek corridor or the movement of wildlife species through the upland portions of the site. Some wildlife species may be expected to move around the occupied structure through riparian habitat along Tassajara Creek or the hills and drainage swales to the north. However, the structure would not function as an impediment wildlife movement through the site.

■ SECTION SEVEN

RECOMMENDED AVOIDANCE, MINIMIZATION, AND MITIGATION MEASURES

Based on the small project footprint and negative survey results within the annual grassland area that will be impacted, construction of the proposed rural residence is not expected to result in adverse impacts to sensitive habitats, rare plants, or special-status wildlife species. However, surveys were conducted outside the bloom period for many of the rare plants evaluated for occurrence on the site, and the diverse habitats adjacent to the development footprint provide high value wildlife habitat that may support special-status wildlife species. As a result, construction activities have the potential to result in direct and/or indirect, adverse impacts to special-status plant and wildlife species, if present, and sensitive habitats. The following avoidance and minimization measures are recommended to reduce the potential for any such impacts to the greatest degree possible.

General Avoidance and Impact Minimization Recommendations

BIO 1: Environmental Awareness Training- Prior to initiation of construction activities on the site, a qualified biologist shall present an environmental awareness training program to all construction personnel. The environmental awareness training shall include a description of all sensitive resources and special-status species with potential to occur on the project site, information about the regulatory status and general ecological requirements of sensitive species, and a review of the location of any sensitive habitats, the limits of construction, and protection measures to reduce the potential for impacts to sensitive biological resources within the work area. All employees shall sign a form provided by the qualified biologist documenting they have attended the environmental awareness training program and understand the information presented.

BIO 2: Best Management Practices- Many of the potential indirect impacts from construction activities to sensitive habitats and special-status wildlife species can be avoided or minimized through the implementation of standard Best Management Practices (BMPs) for the construction site. The following general wildlife BMPs are recommended for construction activity on the project site:

- a. Prior to the initiation of construction activities, aquatic and riparian habitat, drainage features, potential wetlands, and other sensitive habitat areas shall be identified by a qualified biologist and high visibility orange construction fencing shall be installed to establish the limits of the construction area. Fencing shall be installed a minimum buffer width of 20 feet (where feasible) from the edge of the riparian canopy or top of bank, and the edge wetland features and maintained throughout the construction period. No use of heavy equipment and vehicles or staging of materials shall occur outside the limits of the construction area. Once construction is complete, the fencing may be removed.

- b. To avoid impacts to nocturnal and crepuscular species, construction work shall be restricted to daylight hours (7:00 AM to 7:00 PM). No construction night lighting shall be permitted within 50 feet of the top of the Tassajara Creek bank.
- c. All food-related trash that may attract predators must be properly contained and removed from the work site on a daily basis. All construction debris and waste shall be stored in a proper container and regularly disposed of at an appropriate site. Following construction, all trash and construction debris will be removed from the site.
- d. All vehicles and equipment used on site shall be in good working condition and free of leaks. Construction equipment shall be inspected and maintained by the operator on a daily basis to ensure that equipment is in good working order and no fuel or lubricant leaks are present.
- e. Construction materials and equipment shall be inspected at the beginning of each day to ensure that no wildlife is utilizing such objects for shelter. Any wildlife species found during inspections shall be gently encouraged to leave the area by a qualified biological monitor or otherwise trained personnel.
- f. All refueling, maintenance, and staging of equipment and vehicles shall occur within a designated staging area at least 60 feet from the TOB of Tassajara Creek and in a location where an accidental spill would not drain toward the creek channel or other wetland features. Secondary containment such as drip pans shall be used as necessary to prevent contamination of soils and vegetation from potential leaks and spills.
- g. An Accidental Spill Response Plan directing prompt and effective response to any accidental spill must be prepared prior to the initiation of work activities. All materials and equipment necessary for an effective spill response and clean-up shall be available on-site at all times during construction. All workers shall be informed of the appropriate measures to take should an accidental spill occur.
- h. To minimize the potential for adverse impacts from sediment in storm water runoff or other contaminants from entering aquatic habitat within Tassajara Creek or wetland features, erosion control BMPs (e.g., silt fence, straw wattles, fiber rolls, and barriers, etc.) shall be installed along appropriate downslope locations to the construction site. Erosion control measures and other installed BMPs will be checked and maintained on a daily basis throughout the duration of construction to ensure that they are intact and functioning effectively. Erosion control BMPs utilizing plastic monofilament netting shall not be utilized on site. Adequate dust control techniques, such as site watering, will be implemented as necessary during construction to protect water quality.
- i. An equipment and tool cleaning/washout area shall be established at a location at least 60 feet from wetlands, other waters, or other aquatic areas such that no stormwater runoff or discharge will reach Tassajara Creek or drainage/wetland features on the site.

- j. All open trenches or pits shall be constructed with suitable exit ramps to allow for the escape of wildlife that may accidentally become entrapped in the trench. Trenches will remain open only for the period necessary to complete required work. Similarly, open pits/holes shall be covered at the end of the work day to prevent the accidental entrapment of wildlife species.

Recommendations for Impacts to Special-status Plants

No special-status plants were documented within the proposed development footprint during site surveys. However, since surveys were conducted outside the bloom period for many of the species discussed in Section Five, direct impacts may occur to those species if they are present within construction areas.

BIO 3: Noxious Weed Species- To prevent the potential spread of invasive weed species all vehicles and equipment used at the site shall be inspected and, as necessary, cleaned of all dirt, mud, and plant debris prior to exiting the site. This will prevent tracking of potential noxious plants and seed stock off the property. The equipment wash area shall be contained within a catchment basin to prevent runoff from entering any adjacent aquatic habitats.

BIO 4: Special-status Plants- A qualified botanist shall conduct surveys of the disturbance footprint prior to ground disturbing activities to ensure potentially occurring special-status plant species discussed in Section Five are not impacted. Surveys will encompass all areas proposed for disturbance during construction, including staging and laydown areas and utility installation corridors. If special-status plants are not observed during the surveys, no further action is required. If special-status plant populations are detected, the individual plants shall be flagged and construction activities shall avoid impacting the flagged areas to the maximum extent practicable.

If avoidance of individuals or populations of any sensitive plant is not feasible, then impacts to the population shall be reduced to less than significant levels by conserving the native seed bank in salvaged topsoil and reapplying the soil to temporarily impacted areas following construction. The top six inches of native topsoil shall be scraped and stockpiled on site until project activities are concluded in the area or construction is complete, whichever is sooner. The native topsoil shall be re-applied to appropriate areas that will no longer be directly or indirectly impacted by construction or occupation of the residence. These measures will preserve the seeds of any rare plants present as well as the diversity and composition of the existing annual grassland community.

Recommendations for Impacts to Special-status Wildlife

Special-status wildlife species were not observed or detected during surveys of the disturbance envelope and surrounding area. However, various special-status species have the potential to occur at times in habitat on or adjacent to the development footprint. Project activities could result in direct or indirect impacts to those species if they are present.

BIO 5: Pre-activity Surveys- A qualified biologist shall conduct pre-activity survey two weeks prior to and within 48 hours prior to the initiation of project activities to ensure that special-status amphibians, reptiles, ground nesting birds, or mammals are not present

within the development footprint at the start of construction. The pre-activity survey shall also include a general assessment for all sensitive resources with potential to be impacted. A letter report shall be prepared by the qualified biologist and submitted to the County detailing the findings of the pre-activity survey, documenting conditions on the site, and updating information on special-status species, sensitive habitats, and the potential for impacts from project activities.

BIO 6: Monitoring- A qualified biological monitor shall be available on-site at the time of initial vegetation removal and grading and shall survey for special-status species immediately ahead of any ground disturbing activity. Should individuals of any special-status species be observed in an area where mortality or injury from work activities may occur, the qualified biologist shall stop work in the area and contact the appropriate agency. If a prior letter of permission from CDFW has been obtained, the qualified biologist shall capture and relocate any SSC species or other native species to suitable habitat outside of the area of impact. If a FESA listed species (e.g., CRLF) is observed on the site, the individual or individuals shall be allowed to exit the area on their own accord and the qualified biologist shall consult USFWS before work activities resume. The qualified biologist shall record all appropriate data documenting the occurrence and promptly submit the CNDDDB data form to CDFW.

Following completion of ground disturbing activities, the qualified biologist shall be available on an on-call basis during other project related activities. If construction occurs during the rainy season, monitoring shall occur during rain events and a pre-activity survey shall be conducted prior to the resumption of work after rain events. The qualified biologist shall maintain a daily monitoring log and submit a monitoring report to the County upon completion of the construction phase of the project.

BIO 7: Avoidance/Mitigation for Potential Impacts to SCCC Steelhead- To minimize the potential for impacts to SCCC steelhead from soils/sediment entering the Tassajara Creek, a continuous silt fence shall be installed above the TOB and outside of any associated riparian vegetation prior to ground disturbing activities. Additional BMP's including silt fence, straw wattles, fiber rolls shall be installed as necessary at appropriate locations to prevent impacts to water quality and aquatic habitat from soils/sediment entering the creek channel or wetland features. BMPs, BIO 2 (d, f, g, h, and i), shall be implemented to avoid impacts from contaminants entering aquatic habitat and adversely affecting SCCC steelhead. Therefore, construction of the proposed single-family residence will avoid impacts to SCCC steelhead and critical habitat for the species.

BIO 8: Avoidance/Mitigation for Potential Impacts to California Red-legged Frog- A USFWS-approved biologist shall survey the project area for CRLF no more than 48 hours prior the onset of work activities. If possible, initial site grubbing and grading activities shall occur during dry conditions to minimize the potential for impacts to dispersing CRLF. If construction is scheduled to start during the rainy season (*i.e.*, November through May) when dispersal activity through upland areas has a greater likelihood, a qualified biologist shall monitor initial site grubbing and grading activities. Monitoring shall include a daily inspection of the work site and equipment prior to the start of work each day and continue until the initial vegetation clearing and grading has been completed. During the rainy

season monitoring shall occur during rain events and a pre-activity survey shall be conducted prior to the resumption of work after rain events.

If dispersing CRLF are observed during pre-construction or monitoring surveys, work activities shall stop and the approved biologist shall consult with and obtain USFWS approval before work activities resume.

BIO 9: Avoidance/Mitigation for Potential Impacts to SSC Reptiles and

Amphibians- Prior to construction, the qualified biological monitor shall obtain a letter of permission from the CDFW to relocate foothill yellow-legged frog, western pond turtles, coast range newt, and other SSC species if encountered in work areas during construction. If present during pre-activity surveys or monitoring, any SSC species or other native wildlife species encountered shall be captured and relocated by the qualified biologist to suitable habitat outside of the disturbance envelope. Implementation of BMP BIO 2 (k) will reduce the potential for impacts to SSC reptiles and amphibians from entrapment in open trenches and pits during construction.

BIO 10: Avoidance/Mitigation for Potential Impacts to Raptors and Nesting Birds If

ground disturbing activities or other site work is scheduled to begin within the nesting bird season, typically from February 1 through September 15, a qualified biologist shall conduct a nesting bird survey within two weeks prior to the initiation of work activities. The pre-activity nesting bird survey shall include the proposed development footprint and adjacent habitats within 200 feet. Pre-activity nesting bird surveys shall be timed appropriately to capture high activity levels among birds on the site and for a sufficient duration to determine the presence or absence of nesting birds and raptors in habitats adjacent to the work site.

If active nests are found to be present on or near the proposed development footprint, an activity exclusion zone shall be established around the nest site to exclude all activities within 50 feet around nests of non-listed, passerine species, and 250-feet around nests of raptor species. The boundaries of the activity exclusion zones shall be demarcated using highly visible flagging, tape, or orange construction fencing. Activity exclusion zones shall be observed until a qualified biologist has determined that the young birds have fledged or that proposed construction activities would not cause adverse impacts to the nest, adults, eggs, or young. In the event that nests of special-status avian species are identified, CDFW and/or the USFWS shall be consulted to determine appropriate work exclusion zones for the species. Work on the site shall not be initiated until an appropriate activity exclusion zone around the nest(s) is/are established. Implementation of these recommended measures would avoid and/or minimize potential impacts to nesting birds and raptors.

BIO 11: Avoidance/Mitigation for Potential Impacts to American Badger- A qualified biologist shall conduct a pre-activity survey within two weeks prior to the start of initial project activities to ensure American badger are not present on the site before the initiation of ground disturbing activities. If a potential badger den is discovered within the development footprint, work activities shall not be initiated until the qualified biologist determines if the potential den is occupied. Infrared camera stations or other means shall be used for several (3) consecutive nights to determine the occupation status of the potential den. If the qualified biologist determines that the potential den is inactive, it will be hand excavated with a shovel to prevent re-occupation, and work activities can be

initiated without further mitigation. If the determination is made that the potential dens may be active during the non-breeding season, the qualified biologist shall implement humane measures (e.g., incremental blockage of den entrance) to discourage the use of the den prior to initiation of project activities. Once the qualified biologist determines that badgers have abandoned the den, it shall be hand excavated with a shovel to prevent re-occupation during construction.

If occupied American badger dens are found during the species' breeding and pup-rearing season (February 15 through June 30), the den shall be flagged and ground disturbing activities avoided within a 100-foot buffer to protect adults and nursing young. Buffers around occupied maternity dens shall not be removed until the qualified biologist has determined that the den is no longer in use.

BIO 12: Avoidance/Mitigation for Potential Impacts to SSC Bats- Removal of trees or other potential bat roost habitat is not proposed as a part of project implementation so direct impacts to bat roosts are not anticipated. Indirect impacts from construction-related disturbance may occur if roosting bats are present in nearby habitats during construction. A qualified biologist shall conduct a pre-activity survey for roosting bats within 48 hours of the initiation of ground disturbing activities. Survey methodology may include visual surveys for bats during foraging periods and inspection of riparian trees and other suitable habitat for sign (urine and guano) indicating the presence of a roost.

If an active roost is detected, the qualified biologist shall determine if young are present. If the roost is determined to be a maternity roost, the roost tree will be avoided by establishment of a 50-foot activity exclusion zone until the bat pups are independent of their mothers. If non-maternity roost sites are found, the qualified biologist will make a determination whether special-status bat species are present and if any action, such as the establishment of activity exclusion zones, is warranted. If construction activity is to occur during nighttime or crepuscular hours, activity near the roost should be restricted and lighting should be directed away from potential roost sites. If any bats are found day roosting within the structure under construction or other structures/equipment on the site, the individual bat or bats shall not be injured or harassed and allowed to leave the roost the following evening. If it becomes necessary, the qualified biologist shall develop and implement a means of excluding the bats from the structure in question.

BIO 13: Avoidance/Mitigation for Potential Impacts to SSC Woodrats- The woodrat nests in Drainage C are outside the proposed disturbance envelope and will be within work exclusion zones delineated by orange construction fencing as part of protection measures for sensitive habitats (potential wetland features). Implementation of BMPs BIO 2 (c) and BIO 2 (i) should avoid or reduce the potential for impacts to woodrats through removal of potentially attractive food-related trash and preventing entrapment of woodrats that may enter the work site. If a woodrat is encountered on the site by construction personnel, the individual woodrat shall not be harmed or captured and shall be allowed to move off the site on its own. If the woodrat does not move off the site on its own, work will be stopped in the immediate sheltering area and the qualified on-call biologist shall be contacted to determine the means of encouraging the individual to leave the site.

Recommendations for Impacts to Sensitive Habitats

BIO 14: Avoidance/Mitigation for Potential Impacts to Sensitive Habitats-

- a) Direct impacts to federal and state waters and potentially jurisdictional wetlands shall be avoided through construction setbacks delineated on site plans and minimum 25 foot buffer areas from sensitive habitats identified by the qualified biologist and marked with high visibility orange construction fencing as required by BIO 2 (a) above. The 25 foot buffer area should be maximized wherever feasible. BMPs specified in BIO 2 (d, f, g, h, and i) will avoid indirect impacts to sensitive aquatic habitats from sedimentation or spills of fuel, paints, or other contaminants that could adversely impact aquatic species and habitats. If current project plans are altered in a way that may result in impacts to any potentially jurisdictional areas, a formal delineation of the potentially affected wetland areas shall be conducted and the applicant shall obtain from all necessary permits and authorizations to complete the work from the ACOE, RWQCB, and CDFW.
- b) To reduce the potential for indirect impacts from sediments in runoff from the site entering sensitive aquatic habitats, all disturbed soils shall be revegetated or otherwise stabilized prior to the onset of seasonal rains. As described in BIO 4, salvaged native topsoil from the site shall be reapplied to appropriate, temporarily disturbed areas that will no longer be directly or indirectly impacted by construction or occupation of the residence. The reapplied topsoil shall be irrigated for a sufficient period of time prior to the onset of seasonal rains to re-establish stabilizing groundcover. Invasive or exotic plants observed in these areas shall be actively controlled to the maximum extent practicable to reduce their prevalence in the community.
- c) Riparian trees and understory vegetation provide high value functions for sensitive aquatic species as well as foraging and nesting habitat for numerous species. Depending of the specific location, riparian habitat may fall within the jurisdiction of the ACOE or CDFW. As such, no riparian trees or vegetation shall be removed or trimmed. BIO 2 (a) shall be implemented to avoid impacts to riparian vegetation.

■ SECTION EIGHT

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USFWS, U.S. Fish and Wildlife Service. 2019b. ECOS Environmental Conservation Online System. Online at: <https://ecos.fws.gov/ecp/>. Accessed July 2019.

USFWS, U.S. Fish and Wildlife Service. 2019c. USFWS National Wetlands Inventory (NWI) map for San Luis Obispo County Online at: <https://www.fws.gov/wetlands/data/mapper.html>. Accessed July 2019.

ATTACHMENT A

SITE GRADING PLAN

SEPTIC DESIGN STATISTICS:

LIVING AREA SQFT	2,486 SF
NUMBER OF BEDROOMS	4
DESIGN PERC RATE (ASSUMED)	40 MIN/IN
TRENCH WIDTH	5 FT
TRENCH DEPTH BELOW PIPE	1 FT
APPLICATION AREA	0.5 GPD/SF
ABSORPTION AREA PER CHTS	750 SF
FLOW PER DAY	575 GPD
TOTAL TRENCH LENGTH PER CHTS	168 LF
TRENCH SPACING	6 FT (MIN)

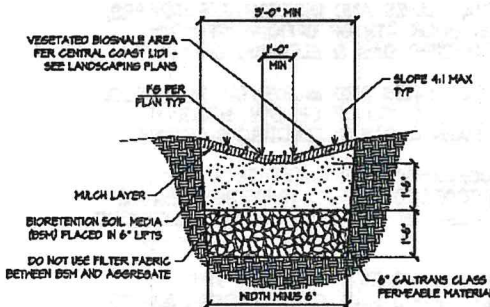
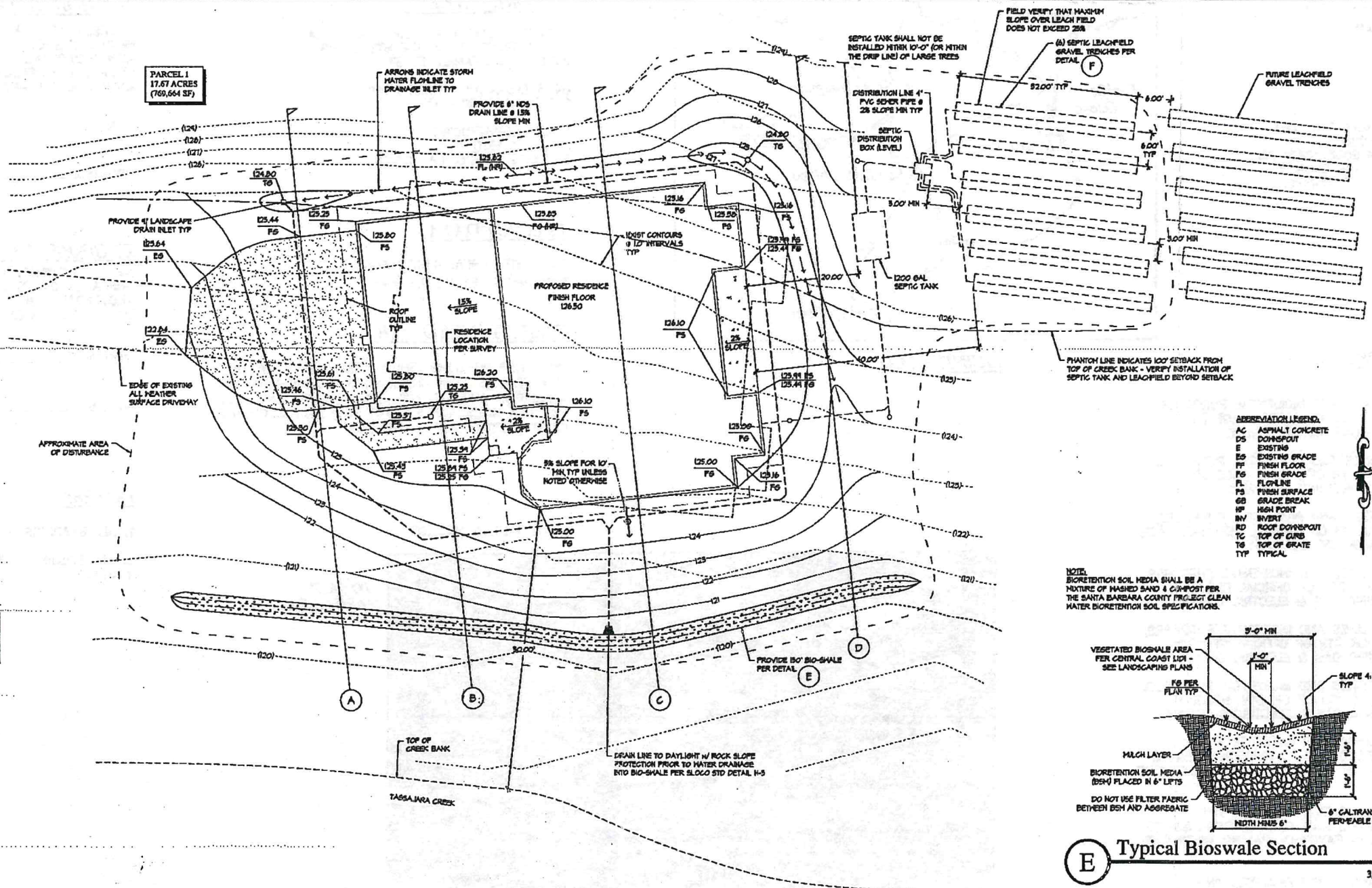
TOTAL LF OF TRENCH REQ	(6) 52 FT LONG
TOTAL ABSORPTION AREA	750 SF
RESULTING APPLICATION RATE	0.486 GPD/SF

NOTE:
A SOILS INVESTIGATION SHALL BE PERFORMED TO VERIFY THE PERCOLATION RATE.

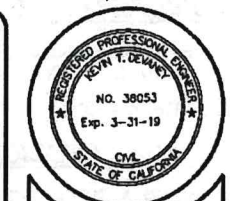
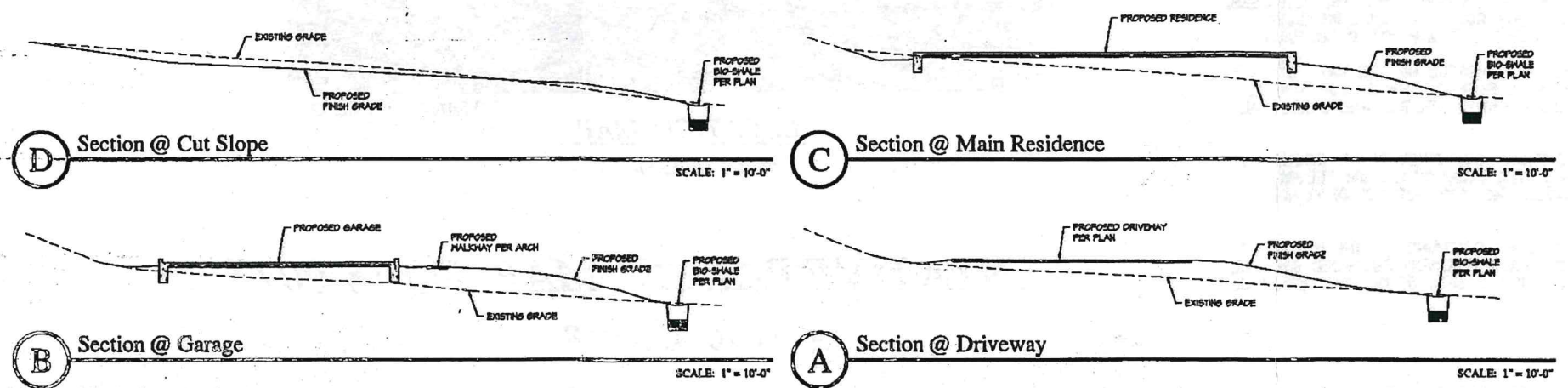
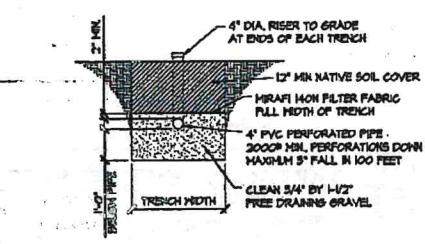
NOTES:

- ALL ROOF DOWNSPOUTS SHALL BE ROUTED INTO THE DRAIN PIPE WITH A JUTE CONNECTION. ADD ADDITIONAL PIPING & 1/8" AS NEEDED PER DEVELOPER'S PROJECT MANAGER. PROVIDE CLEANOUT AT ALL POINTS OF CONNECTION TO DRAIN LINE.
- FOR PROPERTY LINE BEARINGS & DISTANCES SEE APPROVED TRACT MAP.
- GRADING SHOWN HEREON IS FOR PLANNING PURPOSES ONLY. GRADING OF SITE TO BE DONE IN ACCORDANCE WITH APPROVED GRADING PLAN.
- THE SITE GRADING SHALL COMPLY WITH THE COUNTY OF SAN LUIS OBISPO STANDARDS.
- PRELIMINARY EARTHWORK ESTIMATES:
APPROX. AREA OF DIST = 0.35 ACRES
CUT = 240 CY
FILL = 420 CY
(QUANTITIES BASED ON THE DIFFERENCE BETWEEN EXISTING GROUND SURFACE AND PROPOSED FINISH GRADES. EXACT SHRINKAGE, CONSOLIDATION AND SUBSIDENCE FACTORS AND LOSSES DUE TO CLEARING OPERATIONS ARE NOT INCLUDED.)

NOTE:
A SOIL OR CIVIL ENGINEER TO DETERMINE GRADING PERFORMED IS IN SUBSTANTIAL CONFORMANCE WITH THE APPROVED PLANS AND IS SUITABLE TO SUPPORT THE INTENDED STRUCTURE.



Grading and Drainage Plan



REVISIONS	
NO.	DATE

Souza Residence
CD 16-0072 - APN 070-093-010 Parcel 1
Santa Margarita, CA

Grading and Drainage Plan



DATE: 11 FEB 2019
DRAWN BY: KEV
CHECKED BY: KTD
PROJECT NO.: 2018-03

SHEET NO.
C2
OF 4

PROPERTY ADDRESS & APN

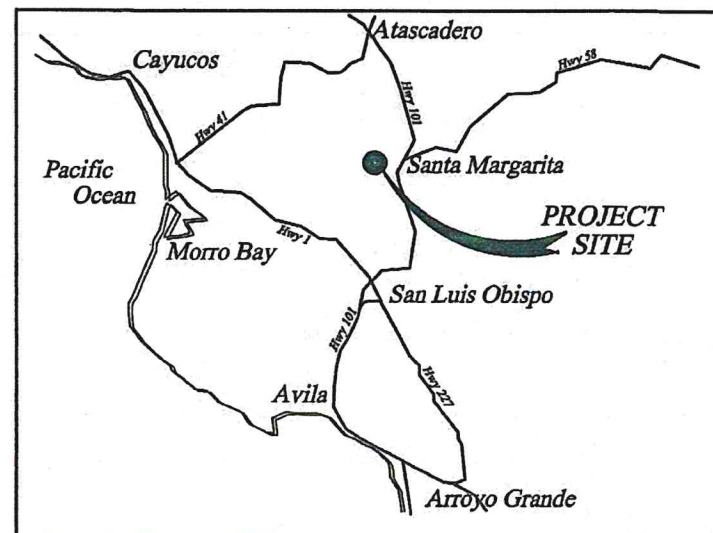
8475 TASSAJARA CREEK ROAD,
SANTA MARGARITA, CA
070-093-018

LEGAL DESCRIPTION

BEING A SUBDIVISION OF PARCEL 1 OF LOT
LINE ADJUSTMENT COAL-03-0284 AS
RECORDED IN C.C. O.R. DOC# 2005016431 AS
RECORDED IN THE OFFICE OF THE COUNTY
RECORDER, COUNTY OF SAN LUIS OBISPO,
STATE OF CALIFORNIA

EASEMENTS OF RECORD

1. AN EASEMENT FOR PIPELINES AND INCIDENTAL PURPOSES,
RECORDED SEPT. 2, 1911, BOOK 90 OF DEEDS, PAGE 70. IN
FAVOR OF PRODUCERS TRANSPORTATION COMPANY.
2. AN EASEMENT FOR PIPELINES AND INCIDENTAL PURPOSES,
RECORDED MAR. 7, 1930, BOOK 78 OF DEEDS, PAGE 303. IN
FAVOR OF PRODUCERS TRANSPORTATION COMPANY.
3. AN EASEMENT FOR PIPELINES AND INCIDENTAL PURPOSES,
RECORDED APR. 1, 1930, BOOK 78 OF OFFICIAL RECORDS, PAGE
334. IN FAVOR OF SANTA MARIA GAS COMPANY.
4. AN EASEMENT FOR POLE LINES AND INCIDENTAL PURPOSES,
RECORDED FEB. 14, 1942, BOOK 317 OF OFFICIAL RECORDS,
PAGE 405. IN FAVOR OF PACIFIC GAS & ELECTRIC COMPANY.
5. AN EASEMENT FOR POLE LINES AND INCIDENTAL PURPOSES,
RECORDED AUG. 19, 1946, BOOK 412 OF OFFICIAL RECORDS,
PAGE 351. IN FAVOR OF PACIFIC GAS & ELECTRIC COMPANY.
6. AN EASEMENT FOR POLE LINES AND INCIDENTAL PURPOSES,
RECORDED JUL. 18, 1947, BOOK 450 OF OFFICIAL RECORDS,
PAGE 114. IN FAVOR OF PACIFIC GAS & ELECTRIC COMPANY.
7. AN EASEMENT FOR COMMUNICATION FACILITIES AND
INCIDENTAL PURPOSES, RECORDED JUNE 1, 1949, BOOK 524 OF
OFFICIAL RECORDS, PAGE 290. IN FAVOR OF PACIFIC TELEPHONE
COMPANY.
8. AN EASEMENT FOR COMMUNICATION FACILITIES AND
INCIDENTAL PURPOSES, RECORDED AUG. 9, 1949, BOOK 531 OF
OFFICIAL RECORDS, PAGE 39. IN FAVOR OF PACIFIC TELEPHONE
COMPANY.
9. AN EASEMENT FOR COMMUNICATION FACILITIES AND
INCIDENTAL PURPOSES, RECORDED SEPT. 30, 1953, BOOK 728
OF OFFICIAL RECORDS, PAGE 58. IN FAVOR OF PACIFIC
TELEPHONE COMPANY
10. AN EASEMENT FOR TOWER LINES AND INCIDENTAL PURPOSES,
RECORDED APR. 18, 1959, BOOK 996 OF OFFICIAL RECORDS,
PAGE 525. IN FAVOR OF PACIFIC GAS & ELECTRIC COMPANY.
11. AN EASEMENT SHOWN OR DEDICATED ON THE MAP FILED OR
RECORDED AUGUST 31, 1984 AS BOOK 35, PAGE 68 OF PARCEL
MAPS FOR INGRESS, EGRESS, PUBLIC UTILITIES AND INCIDENTAL
PURPOSES.
12. THE TERMS AND PROVISIONS CONTAINED IN THE DOCUMENT
ENTITLED EASEMENT FOR WATER DELIVERY SYSTEM RECORDED
JUNE 12, 1997 AS INSTRUMENT NO. 1997-029861 OF OFFICIAL
RECORDS.
13. THE TERMS AND PROVISIONS CONTAINED IN THE DOCUMENT
ENTITLED WELL AND WATERLINE AGREEMENT RECORDED JUNE 12,
1997 AS INSTRUMENT NO. 1997-029863 OF OFFICIAL RECORDS.



VICINITY MAP

RECORD OWNERS

STEVEN A. SOUZA AND JULIE A. SOUZA,
AS CO-TRUSTEES OF THE STEVE AND
JULIE SOUZA FAMILY TRUST

8475 TASSAJARA CREEK ROAD
SANTA MARGARITA, CA

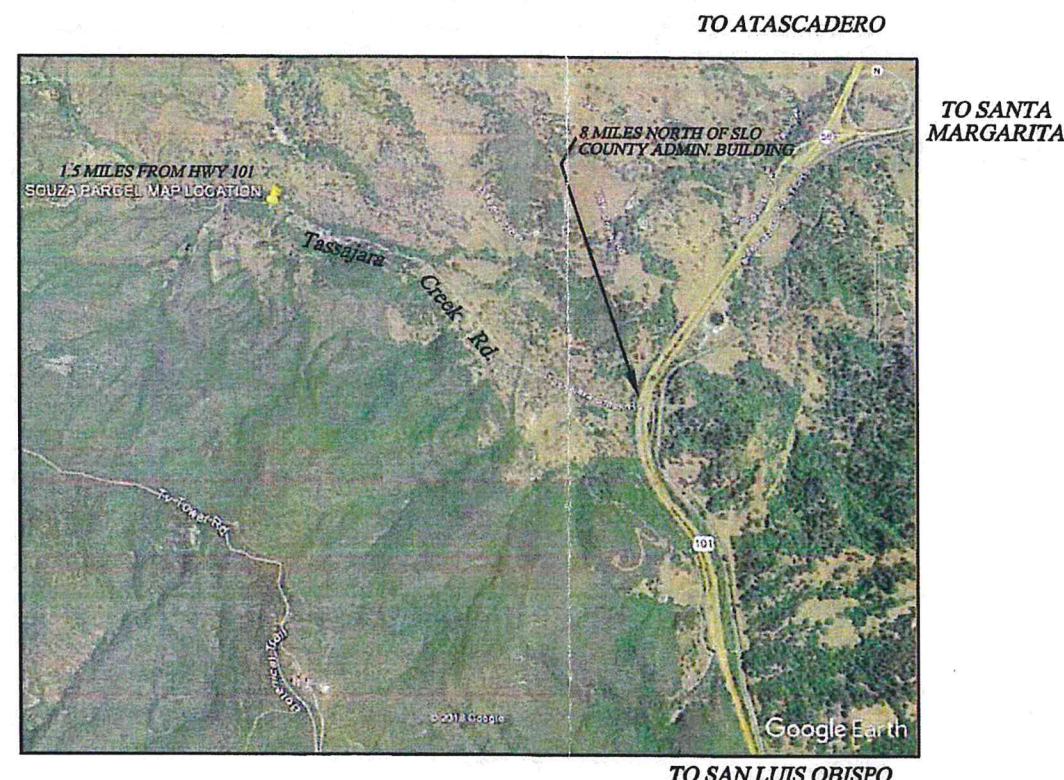
SOUZA CONSTRUCTION
P.O. BOX 3810
SAN LUIS OBISPO, CA 93401

PROJECT DATA

TOTAL SITE AREA: 469.74 ACRES
TOPOGRAPHY BY U.S.G.S. MAP

DIRECTIONS TO SITE

ON EITHER NORTH OR SOUTH BOUND HIGHWAY 101
EXIT AT TASSAJARA CREEK ROAD (BETWEEN SANTA
MARGARITA AND SAN LUIS OBISPO) AND HEAD WEST
FOR 1.25 MILES. THE SUBJECT PROPERTY IS ON THE
RIGHT (NORTH) SIDE OF THE ROAD.



LOCATION MAP

SCALE: 1"=0.5 MILES

TENTATIVE PARCEL MAP CO 18-0072

APN 070-093-018

AUTHORIZED AGENT'S CERTIFICATE

I HEREBY APPLY FOR APPROVAL OF THE DIVISION OF REAL
PROPERTY SHOWN ON THIS MAP AND CERTIFY THAT I AM THE
AUTHORIZED AGENT OF SAID PROPERTY AND THAT THE
INFORMATION HEREON IS TRUE AND CORRECT TO THE BEST OF
MY KNOWLEDGE AND BELIEF.

SIGNED: _____
ROBERT C. TARTAGLIA

ADDRESS: _____
TARTAGLIA ENGINEERING
P.O. BOX 1930
7360 EL CAMINO REAL, SUITE 'E'
ATASCADERO, CA

ENGINEER'S CERTIFICATE

I HEREBY CERTIFY THAT THIS MAP WAS PREPARED BY ME OR
UNDER MY DIRECT SUPERVISION AND TO THE BEST OF MY
KNOWLEDGE COMPLIES WITH THE SUBDIVISION MAP ACT AND
LOCAL ORDINANCES.

SIGNED: _____
ROBERT C. TARTAGLIA

ADDRESS: _____
TARTAGLIA ENGINEERING
P.O. BOX 1930
7360 EL CAMINO REAL, SUITE 'E'
ATASCADERO, CA

NOTES:

1. ALL BEARINGS AND DISTANCES ARE BASED ON COAL 03-0284.
2. ALL EXISTING STRUCTURES ON THE PROJECT SITE WILL REMAIN
IN PLACE.

Sheet 1 of 2

TE TARTAGLIA ENGINEERING
CIVIL ENGINEERS
7360 El Camino Real, Suite E, Atascadero, CA 93422
805-466-5660 FAX: 805-466-5471

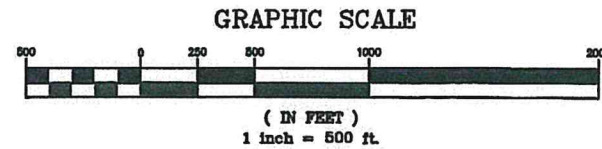
**STEPHAN A. & JULIE A.
SOUZA**

LEGEND

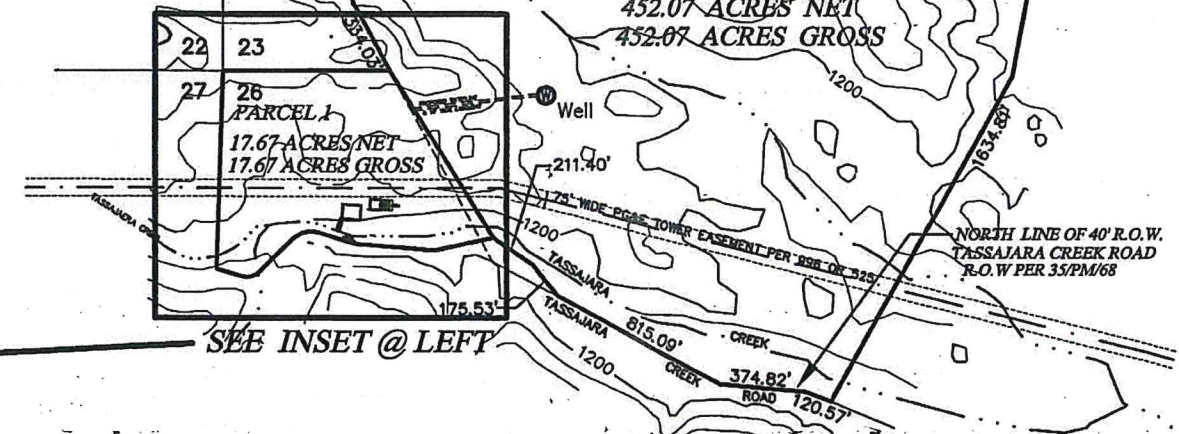
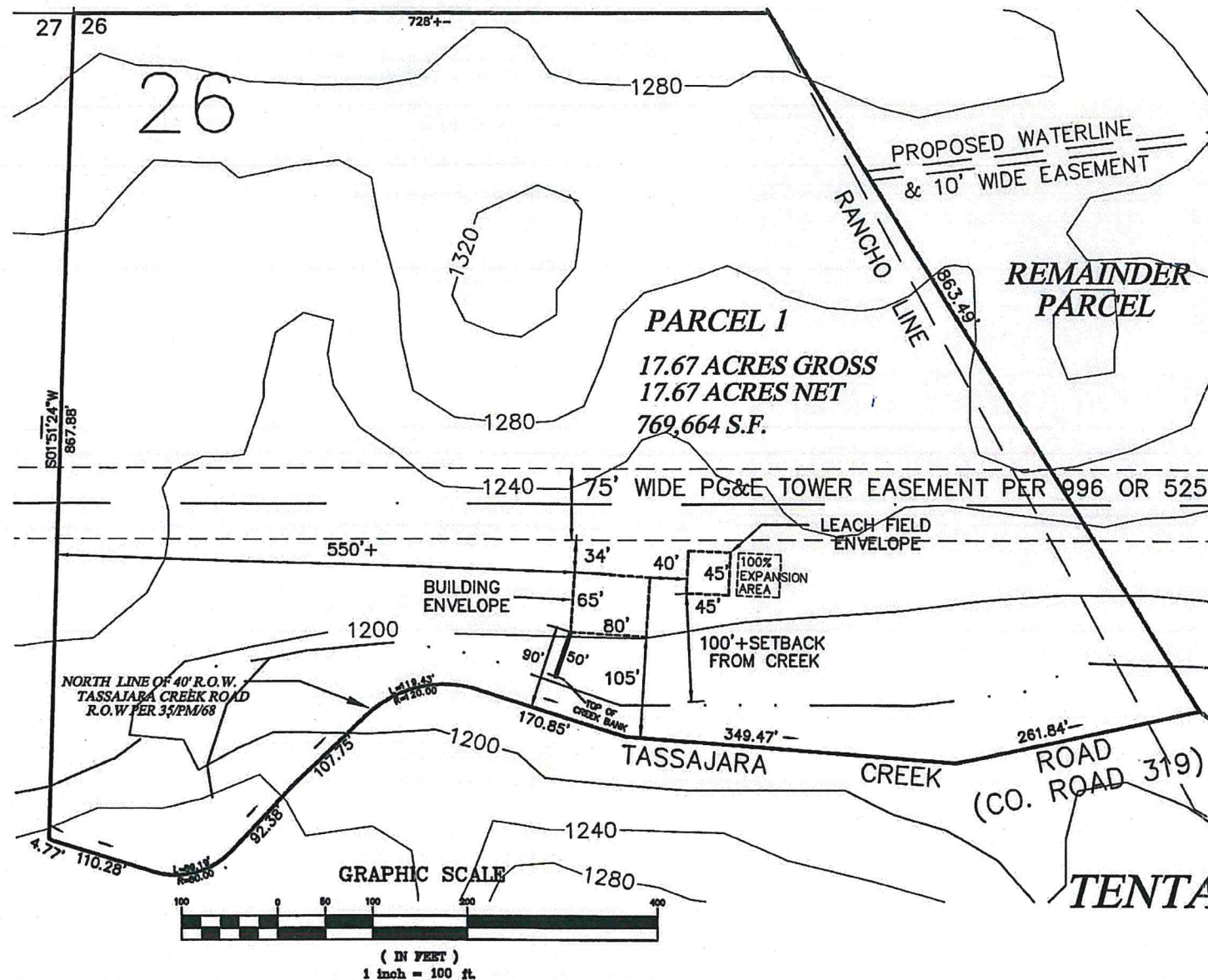
- EXTERIOR SURVEYED BOUNDARY
- - - - - PROPOSED LOT LINES
- · - · - EXISTING PG&E EASEMENT
- - - - - PROPOSED ACCESS EASEMENT

NOTES:

1. ALL BEARINGS AND DISTANCES ARE BASED ON THE CERTIFICATE OF COMPLIANCE O.R. DOC# 2005016431.
2. EXISTING STRUCTURES ON THE PROJECT SITE WILL BE LEFT UNDISTURBED.
3. SOUTH BOUNDARY OF PARCEL 1 AND REMAINDER PARCEL IS THE NORTH RIGHT OF WAY LINE FOR TASSAJARA CREEK ROAD (CO RD 319) PER PARCEL MAP COAL 83-178.



SITE MAP
SCALE: NTS



TENTATIVE PARCEL MAP CO 18-0072

APN 070-093-018

Sheet 2 of 2

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SOUZA

ATTACHMENT B

SITE PHOTOGRAPHS



Image 1. Image showing existing grassland habitat and ranch road at site of proposed residential structure.



Image 2. Image showing approximate location of proposed new residence in grassland habitat from northeast.



Image 3. Image showing approximate location of proposed new residence in grassland habitat from northwest.

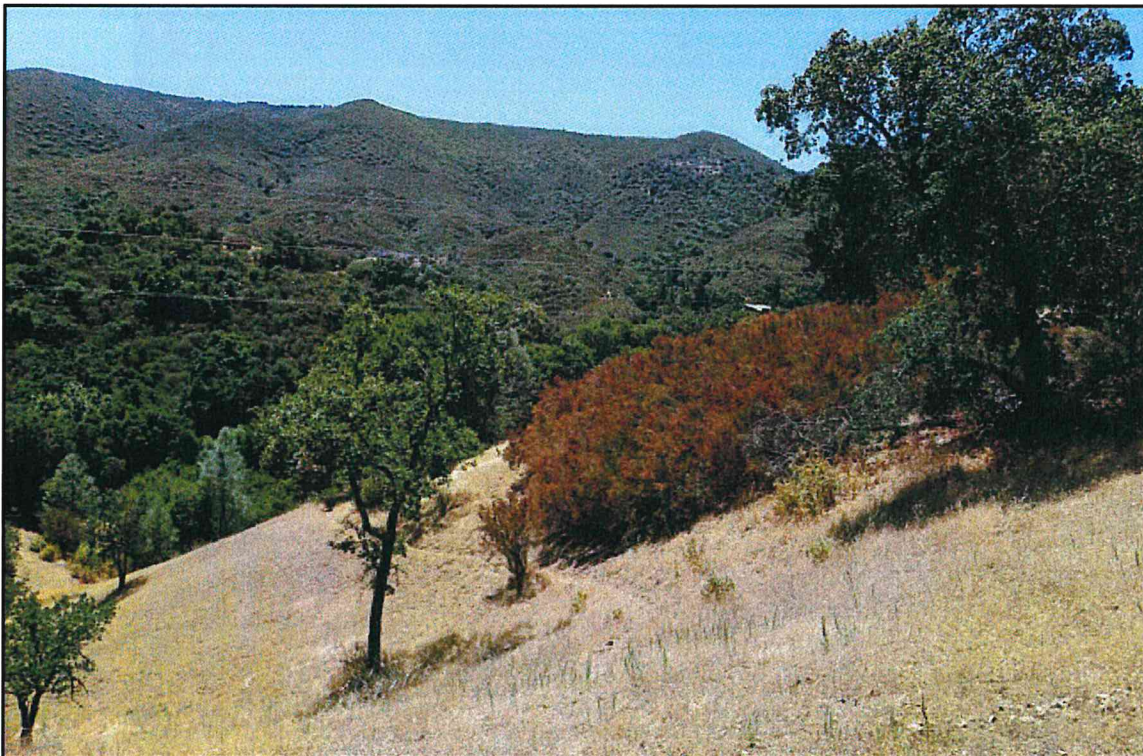


Image 4. Image showing chamise chaparral and grassland communities within study area.



Image 5. Image showing common monkeyflower seep community in the lower elevations of Drainage Swale B.



Image 6. Image showing seep community in Drainage Swale C.



Image 7. Image showing perched seep community on hillside above disturbance footprint.



Image 8: Image showing riparian habitat within Tassajara Creek channel.

ATTACHMENT C

SPECIES LISTS FOR STUDY AREA

Table 1.. List of vascular plant species identified within the survey area (June-September 2019).

Family	Scientific Name Common Name	Origin	Wetland	Invasive	Community
Anacardiaceae	<i>Toxicodendron diversilobum</i>				Chaparral, Mixed oak forest,
	Western poison oak	Native	FACU		Riparian
Apiaceae	<i>Conium maculatum</i>				
	Poison hemlock	Introduced	FACW	Moderate	Riparian
	<i>Torilis arvensis</i>				
Apocynaceae	Field hedge parsley	Introduced	NL	Moderate	Grassland
	<i>Apocynum cannabinum</i>				
	Indianhemp dogbane	Native	FAC		Seep
	<i>Asclepias fascicularis</i>				
	Narrow leaf milkweed	Native	FAC		Grassland
	<i>Asclepias vestita</i>				
Asteraceae	Woolly milkweed	Native	NL		Grassland
	<i>Artemisia californica</i>				
	California sagebrush	Native	NL		Chaparral
	<i>Artemisia douglasiana</i>				
	California mugwort	Native	FAC		Riparian, Seeps
	<i>Baccharis glutinosa</i>				
	Marsh Baccharis	Native	FACW		Riparian, Seeps
	<i>Baccharis pilularis</i>				
	Coyote brush	Native	NL		Riparian, site
	<i>Carduus pycnocephalus</i>				
	Italian thistle	Introduced	NL	Moderate	Mixed oak woodland
	<i>Centaurea calcitrapa</i>				
	Purple star thistle	Introduced	NL	Moderate	Grassland
	<i>Centaurea melitensis</i>				
	Tocalote	Introduced	NL	Moderate	Grassland
	<i>Centaurea solstitialis</i>				
	Yellow star thistle	Introduced	NL	High	Grassland

Table C1. . List of vascular plant species identified within the survey area (June-September 2019) *continued*.

Family	Scientific Name Common Name	Origin	Wetland	Invasive	Community
	<i>Cirsium vulgare</i> Bull thistle	Introduced	FACU	Moderate	Riparian, Seeps
	<i>Corethrogyne filaginifolia</i> Common sandaster	Native	NL		Grassland
	<i>Deinandra fasciculata</i> Clustered tarweed	Native	FACU		Grassland
	<i>Helenium puberulum</i> Sneezeweed	Native	FACW		Seeps
	<i>Pseudognaphalium californicum</i> Ladies tobacco	Native	NL		Mixed oak woodland
	<i>Hirschfeldia incana</i> Mediterranean hoary mustard	Introduced	NL	Moderate	Grassland
Brassicaceae	<i>Lonicera subspicata</i> var. <i>denudata</i> Chaparral honeysuckle	Native	NL		Grassland
Caprifoliaceae	<i>Symphoricarpos albus</i> var. <i>laevigatus</i> Common snowberry	Native	FACU		Riparian
Cupressaceae	<i>Hesperocyparis sargentii</i> Sargent Cypress	Native	NL		Riparian
Cyperaceae	<i>Carex senta</i> Rough sedge	Native	OBL		Riparian
	<i>Cyperus eragrostis</i> Tall flatsedge	Native	FACW		Riparian, Seeps
	<i>Eleocharis macrostachya</i> Common spikerush	Native			Seeps
Datisaceae	<i>Datisca glomerata</i> Durango root	Native	FACW		Riparian
Dipsacaceae	<i>Dipsacus fullonum</i> Wild teasel	Introduced	FACW	Moderate	Seeps
Equisetaceae	<i>Equisetum telmateia</i> Giant horsetail	Native	FACW		Riparian, Seeps

Table 1. . List of vascular plant species identified within the survey area (June-September 2019) *continued*.

Family	Scientific Name Common Name	Origin	Wetland	Invasive	Community
Ericaceae	<i>Arctostaphylos</i> sp.				
	Manzanita, unidentified	Native	NL		Chaparral
Euphorbiaceae	<i>Croton setiger</i>				
	Turkey-mullein	Native	NL		Grassland
Fabaceae	<i>Acmispon americanus</i>				
	American bird's foot trefoil	Native	UPL		Grassland
	<i>Genista monspessulana</i>				
	French broom	Introduced	NL	High	Riparian
	<i>Hoita macrostachya</i>				
	California hemp	Native	OBL		Riparian
	<i>Lupinus albifrons</i>				
	Silver bush lupine	Native	NL		Grassland
	<i>Lupinus</i> sp.				
	Lupine, unidentified	Native	NL		Chaparral, Grassland
	<i>Medicago polymorpha</i>				
	Bur clover	Introduced	FACU	Limited	Grassland
	<i>Melilotus albus</i>				
	White sweetclover	Introduced	NL		Riparian
	<i>Melilotus indicus</i>				
Fagaceae	Annual yellow sweetclover	Introduced	FACU		Seeps
	<i>Trifolium variegatum</i>				
	Variegated clover	Native	FACU		Seeps
	<i>Trifolium</i> sp.				
	Clover, unidentified	Native			Mixed oak forest, Grassland
	<i>Vicia sativa</i>				
Fagaceae	Spring vetch	Introduced	FACU		Grassland
	<i>Quercus agrifolia</i>				
Fagaceae	Coast Live oak	Native	NL		Riparian, mixed oak forest

Table 1. . List of vascular plant species identified within the survey area (June-September 2019) *continued*.

Family	Scientific Name Common Name	Origin	Wetland	Invasive	Community
	<i>Quercus berberidifolia</i> Scrub oak	Native	NL		Mixed oak forest Chaparral,
	<i>Quercus douglasii</i> Blue oak	Native	NL		Mixed oak forest
	<i>Quercus lobata</i> Valley oak	Native	FACU		Woodland
	<i>Juncus balticus</i> Baltic rush	Native	FACW		Seeps
	<i>Juncus phaeocephalus</i> Brown-headed rush	Native	FACW		West seep
	<i>Juncus</i> sp. Rushes, unidentified	Native			Riparian
	<i>Mentha</i> sp. Mint, unidentified	Introduced	FACW		Riparian
	<i>Stachys bullata</i> California hedge nettle	Native	NL		Riparian
	<i>Trichostema lanceolatum</i> Vinegarweed	Native	FACU		Grassland
	<i>Umbellularia californica</i> California bay	Native	FAC		Riparian
	<i>Lythrum hyssopifolia</i> Hyssop loosestrife	Introduced	OBL	Moderate	Seeps
	<i>Clarkia purpurea</i> Purple clarkia	Native	NL		Grassland
	<i>Epilobium canum</i> California fuchsia	Native	NL		Grassland
	<i>Erythranthe guttata</i> Yellow monkeyflower	Native	OBL		Seeps
	<i>Pinus radiata</i> Monterey pine	Naturalized	NL		Riparian

Table 1. . List of vascular plant species identified within the survey area (June-September 2019) *continued*.

Family	Scientific Name Common Name	Origin	Wetland	Invasive	Community
	<i>Pinus sabiniana</i> Foothill pine	Native	NL		Mixed oak forest
	<i>Veronica anagallis-aquatica</i> Blue water-speedwell	Introduced	OBL		Seeps
Plantaginaceae	<i>Platanus racemose</i> Western sycamore	Native	FAC		Riparian
Poaceae	<i>Avena barbata</i> Slender wild oats <i>Avena fatua</i> Wild oat <i>Bromus diandrus</i> Ripgut brome <i>Bromus madritensis</i> ssp. <i>rubens</i> Red brome <i>Cynodon dactylon</i> Bermuda grass <i>Festuca microstachys</i> Small fescue <i>Festuca myuros</i> Rattail six weeks grass <i>Gastridium phleoides</i> Nit grass <i>Lamarckia aurea</i> Goldentop grass <i>Melica californica</i> California melic grass <i>Polypogon monspeliensis</i> Rabbitsfoot grass	Introduced Introduced Introduced Introduced Introduced Introduced Native Introduced Introduced Introduced Introduced Native Introduced	NL NL NL UPL FACU NL NL FACU FACU NL NL FACW	Moderate Moderate Moderate High Moderate Moderate Moderate Moderate Moderate Moderate Moderate Limited	Grassland Grassland Grassland Grassland Grassland Grassland Grassland Grassland Grassland Grassland Grassland Mixed oak forest Seeps

Table 1. List of vascular plant species identified within the survey area (June-September 2019) *continued*.

Family	Scientific Name Common Name	Origin	Wetland	Invasive	Community
Polemoniaceae	<i>Navarretia atractyloides</i>				
	Holly leaf navarretia	Native	NL		Grassland
Polygonaceae	<i>Eriogonum nudum</i>				
	Naked buckwheat	Native	NL		Grassland
	<i>Rumex conglomeratus</i>				
	Clustered dock	Introduced	FACW		Seeps
	<i>Rumex pulcher</i>				
Rhamnaceae	Fiddle dock	Introduced	FAC		Grassland
	<i>Ceanothus oliganthus</i> var. <i>sorediatus</i>				
	Jim brush	Native	NL		Chaparral, Riparian, Mixed oak forest
	<i>Frangula californica</i>				
	Coffeeberry	Native	NL		Woodland
Rosaceae	<i>Rhamnus ilicifolia</i>				
	Hollyleaf redberry	Native	NL		Chaparral
	<i>Adenostoma fasciculatum</i>				
	Chamise	Native	NL		Chaparral
	<i>Heteromeles arbutifolia</i>				
Rubiaceae	Toyon	Native	NL		Mixed oak forest, Riparian
	<i>Rosa californica</i>				
	California wild rose	Native	FAC		Riparian
	<i>Rubus armeniacus</i>				
	Himalayan blackberry	Introduced	FAC	High	Riparian
Salicaceae	<i>Rubus ursinus</i>				
	California blackberry	Native	FAC		Riparian
	<i>Galium porrigens</i>				
	Climbing bedstraw	Native	NL		Mixed oak forest, Riparian
	<i>Populus fremontii</i>				
Salicaceae	Fremont cottonwood	Native	NL		Riparian
	<i>Salix lasiandra</i>				
	Pacific willow	Native	FACW		Seeps, Riparian

Table 1. . List of vascular plant species identified within the survey area (June-September 2019) *continued*.

Family	Scientific Name		Origin	Wetland	Invasive	Community
	Common Name					
	<i>Salix lasiolepis</i>					
	Arroyo willow		Native	FACW		Riparian
	<i>Typha latifolia</i>					
Typhaceae	Common cattail		Native	OBL		Seeps
	<i>Urtica dioica</i> ssp. <i>holosericea</i>					
Utricaceae	Giant creek nettle		Native	FAC		Seeps
	<i>Verbena lasiostachys</i>					
Verbenaceae	Western vervain		Native	FAC		Grassland

Table 2. List of wildlife species observed within the Survey Area (June-September 2019).

Scientific Name	Common Name	Status	Community
Invertebrates			
<i>Bombus</i> sp.	Bumble bee	unknown	Seep
Coccinellidae (Family)	Ladybird beetle		Grassland
<i>Vespula</i> sp.	Yellowjacket		Seep
<i>Papilio rutulus</i>	Western tiger swallowtail		Seep
<i>Junonia coenia</i>	Common buckeye		Grassland
<i>Adelpha californica</i>	California sister		Riparian
<i>Icaricia acmon</i>	Acmon blue butterfly		grassland
Fishes			
Cypriniformes (Order)	Fishes (unidentified)		Creek
Reptiles			
<i>Cnemidophorus tigris</i>	Western whiptail lizard		Oak woodland, Grassland, Riparian
Birds			
<i>Accipiter</i> sp.	Unknown Accipiter	WL	Oak woodland
<i>Aphelocoma californica</i>	Western scrub jay		Oak woodland, Riparian
<i>Baeolophus inornatus</i>	Oak titmouse	BCC	Oak woodland
<i>Buteo jamaicensis</i>	Red-tailed hawk		Grassland, Oak woodland
<i>Calypte anna</i>	Anna's hummingbird		Chaparral
<i>Callipepla californica</i>	California quail		Oak woodland
<i>Cathartes aura</i>	Turkey vulture		Grassland, Oak woodland
<i>Colaptes auratus</i>	Northern flicker		Riparian
<i>Corvus brachyrhynchos</i>	American crow		Oak woodland, Riparian
<i>Cyanocitta stelleri</i>	Stellar's jay		Riparian
<i>Haemorhous mexicanus</i>	House finch		Oak woodland
<i>Junco hyemalis</i>	Dark-eye junco		Oak woodland, Riparian
<i>Melanerpes formicivorus</i>	Acorn woodpecker		Oak woodland
<i>Mimus polyglottos</i>	Northern mockingbird		Oak woodland
<i>Picoides nuttallii</i>	Nuttall's woodpecker	BCC	Riparian
<i>Pipilo crissalis</i>	California towhee		Oak woodland
<i>Pipilo maculatus</i>	Spotted towhee		Riparian
<i>Psaltiriparus minimus</i>	Bushtit		Oak woodland, Riparian
<i>Sialia mexicana</i>	Western bluebird		Oak woodland, Grassland
<i>Sayornis nigricans</i>	Black phoebe		Riparian
<i>Sayornis saya</i>	Say's phoebe		Grassland
<i>Spinus psaltria</i>	Lesser goldfinch		Riparian
<i>Troglodytes aedon</i>	House wren		Chaparral
<i>Spizella passerina</i>	Chipping sparrow		Chaparral
<i>Thryomanes bewickii</i>	Bewick's wren		Riparian
<i>Zenaidura macroura</i>	Mourning dove		Oak woodland
Mammals			
<i>Lepus californicus</i>	Black-tailed jackrabbit		Oak woodland, Grassland
<i>Odocoileus hemionus</i> sp.	Mule deer		Grassland/Oak woodland
<i>Otospermophilus beecheyi</i>	California ground squirrel		Grassland
<i>Thomomys bottae</i>	Botta's pocket gopher		Grassland
<i>Sciurus griseus</i>	Gray squirrel		Oak woodland
<i>Neotoma</i> sp.	Woodrat, Unidentified	possible SSC	Riparian, Oak woodland
<i>Canis latrans</i>	Coyote		Oak woodland

ATTACHMENT D

SPECIAL-STATUS SPECIES EVALUATION TABLES

Table 1. Regionally-occurring special status plant species investigated for occurrence in the project vicinity.

Scientific name Common name	Status Fed/State /CNPS	Blooming Period	Elevation Range (m)	Habitat	Habitat Suitability / Potential for Occurrence
<i>Abronia maritima</i> Red sand-verbena	--/--/4.2	Feb.-Nov.	0-100	Coastal dunes.	Suitable habitat not present: coastal species that occurs in sandy soils and coastal dune scrub habitat. /None
<i>Agrostis hooveri</i> Hoover's bent grass	--/--/1B.2	Apr.-Jul.	6-610	Dry sandy soils; closed-cone coniferous forest, chaparral, cismontane woodland, valley and foothill grassland.	Suitable habitat not present: suitable sandy soils not present, perennial species not observed on site./None
<i>Amsinckia douglasiana</i> Douglas' fiddleneck	--/--/4.2	Mar.-May	0-1950	Dry Monterey shale soils and unstable shaly sedimentary slopes.	Suitable habitat present: suitable soil conditions not present, annual species not observed during summer surveys./None
<i>Arctostaphylos cruzensis</i> Arroyo de la Cruz manzanita	--/--/1B.2	Dec.-Mar.	60-310	Broadleaf upland forest, coastal bluff scrub, closed-cone coniferous forest, chaparral, coastal scrub, valley and foothill grassland, sandy soils.	Suitable habitat not present: species occurs in sandy soils along the coast and coastal exposures. /None
<i>Arctostaphylos luciana</i> Santa Lucia manzanita	--/--/1B.2	Dec.-Mar.	350-850	Chaparral, cismontane woodland, shale soils.	Suitable habitat present: potentially suitable shale derived soils are present. Surveys conducted outside of manzanita flowering period. /Moderate
<i>Arctostaphylos morroensis</i> Morro manzanita	FT/--/1B.2	Dec.-Mar.	5-205	Chaparral (maritime), cismontane woodland, coastal dunes (pre-Flandrian), coastal scrub, Baywood fine sand.	Suitable habitat not present: species occurs in sandy soils in coastal areas, site outside of known range of species./None
<i>Arctostaphylos obispoensis</i> Bishop manzanita	--/--/4.3	Feb.-Jun.	150-1005	Closed-cone coniferous forest, chaparral, cismontane woodland; serpentine, rocky soils.	Suitable habitat not present: suitable serpentine soils not present, surveys outside of manzanita flowering period. /None
<i>Arctostaphylos osoensis</i> Oso manzanita	--/--/1B.2	Feb.-Mar.	95-500	Chaparral, cismontane woodland; dacite porphyry buttes.	Suitable habitat not present: suitable dacite soils not present, site outside of known range of species./None

Table 1. Regionally-occurring special status plant species investigated for occurrence in the project vicinity (continued).

Scientific name Common name	Status Fed/State /CNPS	Blooming Period	Elevation Range (m)	Habitat	Habitat Suitability / Potential for Occurrence
<i>Arctostaphylos pechoensis</i> Pecho manzanita	--/--/1B.2	Nov.-Mar.	125-850	Closed-cone coniferous forest, chaparral, coastal scrub; siliceous shale soils.	Suitable habitat not present: potentially suitable shale derived soils are present but site is outside of known range of species. /None
<i>Arctostaphylos pilosula</i> Santa Margarita manzanita	--/--/1B.3	Dec.-May	75-1100	Broadleafed upland forest, closed-cone coniferous forest, chaparral, cismontane woodland; sometimes sandstone.	Suitable habitat present: potentially suitable shale derived soils are present. Surveys outside of manzanita flowering period. /Moderate
<i>Arctostaphylos tomentosa</i> ssp. <i>daciticola</i> Dacite manzanita	--/--/1B.2	Mar.-May	100-300	Chaparral, cismontane woodland; dacite porphyry buttes.	Suitable habitat not present: Suitable dacite soils not present, surveys outside of known range of species. /None
<i>Arenaria paludicola</i> Marsh sandwort	FE/SE/1B.2	May-Aug.	3-170	Marshes, wet meadows, and swamps (freshwater or brackish); sandy, openings.	Suitable habitat not present: Marsh/swamp habitat not present, occurs at lower elevations than site. /None
<i>Aspidotis carlotta-halliae</i> Carlotta Hall's lace fern	--/--/4.2	Jan.-Dec.	100-1400	Chaparral, cismontane woodland; usually serpentine soils.	Suitable habitat not present: Suitable serpentine soils not present, not observed during summer surveys. /None
<i>Astragalus didymocarpus</i> var. <i>milesianus</i> Miles' milk-vetch	--/--/1B.2	Mar.-Jun.	20-90	Coastal scrub and grassy areas near coast. clay soils.	Suitable habitat not present: Coastal species that occurs in clay soils and coastal scrub habitat. /None
<i>Astragalus macrodon</i> Salinas milk-vetch	--/--/4.3	Apr.-Jul.	250-950	Chaparral (openings), cismontane woodland, valley and foothill grassland; sandstone, shale, or serpentine soils.	Suitable habitat present: Potentially suitable soils present, perennial herb not observed during summer surveys. /Low
<i>Astragalus nuttallii</i> var. <i>nuttallii</i> Ocean bluff milk-vetch	--/--/4.2	Jan.-Nov.	3-120	Coastal bluff scrub, coastal dunes, sandy areas.	Suitable habitat not present: coastal species, occurs in sandy soils in coastal areas, site outside of known range of species. /None

Table 1. Regionally-occurring special status plant species investigated for occurrence in the project vicinity (continued).

<i>Scientific name</i> Common name	Status Fed/State /CNPS	Blooming Period	Elevation Range (m)	Habitat	Habitat Suitability / Potential for Occurrence
<i>Atriplex coulteri</i> Coulter's saltbush	--/--/1B.2	Mar.-Oct.	3-460	Coastal bluff scrub, coastal dunes, coastal scrub, valley and foothill grassland; alkaline or clay soils.	Suitable habitat not present: coastal species, soil and habitat combinations not present, site outside of known range of species./None
<i>Bryoria pseudocapillaris</i> False gray horsehair lichen	--/--/3.2	--	0-90	Coastal dunes (SLO Co.), North Coast coniferous forest (immediate coast); usually on conifers.	Suitable conditions not present: coastal species, occurs in sites with moderated temperature and high humidity from frequent fog. /None
<i>Bryoria spirallifera</i> Twisted horsehair lichen	--/--/1B.1	--	0-30	North Coast coniferous forest (immediate coast); usually on conifers.	Suitable conditions not present: coastal species, occurs in sites with frequent fog, and ocean-influenced climate. /None
<i>Calandrinia breweri</i> Brewer's calandrinia	--/--/4.2	Mar.-Jun.	10-1220	Chaparral, coastal scrub, coastal sage scrub, sandy to loamy soil in disturbed areas such as recently burned sites.	Suitable habitat present: potentially suitable soils and chaparral habitat present, annual species not observed during summer survey. /Low
<i>Calochortus clavatus</i> var. <i>clavatus</i> Club-haired mariposa lily	--/--/4.3	May-Jun.	75-1300	Chaparral, cismontane woodland, coastal scrub, valley and foothill grassland; usually serpentine, clay, rocky soils.	Suitable habitat present: marginally suitable soils present, bulbous perennial species not observed during summer survey. /Low
<i>Calochortus obispoensis</i> San Luis mariposa lily	--/--/1B.2	May-Jul	50-730	Chaparral, cismontane woodland, coastal scrub, valley and foothill grassland; dry, serpentine soils.	Suitable habitat present: suitable marginally suitable soils present, bulbous perennial species not observed during summer survey. /Low
<i>Calochortus simulans</i> La Panza mariposa lily	--/--/1B3	Apr-Jun	325-1150	Chaparral, coastal scrub, valley and foothill grassland; sandy, often granitic soils.	Suitable habitat not present: suitable soils not present, bulbous perennial species not observed during summer survey. /None

Table 1. Regionally-occurring special status plant species investigated for occurrence in the project vicinity (continued).

<i>Scientific name</i> Common name	Status Fed/State /CNPS	Blooming Period	Elevation Range (m)	Habitat	Habitat Suitability / Potential for Occurrence
<i>Calycadenia villosa</i> Dwarf calycadenia	--/--/1B.1	May-Oct	240-1350	Dry, rocky hills, ridges, grassland, openings in foothill woodland; rocky, fine soils.	Suitable habitat not present: suitable soils not present, annual species not observed during summer survey. /None
<i>Calystegia subacaulis</i> ssp. <i>episcopalis</i> Cambria morning-glory	--/--/4.2	Apr.-Jun.	30-500	Dry, open scrub, chaparral, cismontane woodland, coastal prairie, valley and foothill grassland; usually clay soils.	Suitable habitat present: potentially suitable clay soils and chaparral/grassland present, perennial rhizomatous species not observed during summer survey. / Low
<i>Comissoniopsis hardhamiae</i> Hardham's evening-primrose	--/--/1B.2	Mar-May	140-945	Chaparral, cismontane woodland; sandy, decomposed carbonate soils, disturbed or burned areas	Suitable habitat not present: Suitable sandy, carbonate soils not present, annual species not observed during summer survey./None
<i>Carex obispoensis</i> San Luis Obispo sedge	--/--/1B.2	Apr-Jun	10-820	Springs, streamsidess in chaparral, generally on serpentine, also closed-cone coniferous forest, coastal prairie, coastal scrub, valley and foothill grassland; sometimes gabbro; often on clay soils	Suitable habitat present: potentially suitable soil and habitat conditions present, rhizomatous perennial grasslike herb not observed during summer survey./Low
<i>Castilleja densiflora</i> var. <i>obispoensis</i> San Luis Obispo owl's-clover	--/--/1B.2	Mar-May	10-430	Meadows and seeps, valley and foothill grassland; sometimes serpentine.	Suitable habitat present: suitable soil and habitat conditions present, annual species not observed during summer survey./Low
<i>Caulanthus lemmonii</i> Lemmon's jewelflower	--/--/1B.2	Feb-May	80-1580	Pinyon and juniper woodland, valley and foothill grassland, dry exposed slopes.	Suitable habitat not present: potentially suitable soil and habitat conditions not present, annual species not observed during summer survey./Low
<i>Ceanothus cuneatus</i> var. <i>fascicularis</i> Lompoc ceanothus	--/--/4.2	Feb-Apr	5-400	Sandy substrates in coastal chaparral.	Suitable habitat not present: coastal species, occurs in sandy soils in coastal areas, site outside of known range of species./None

Table 1. Regionally-occurring special status plant species investigated for occurrence in the project vicinity (continued).

<i>Scientific name</i> Common name	Status Fed/State /CNPS	Blooming Period	Elevation Range (m)	Habitat	Habitat Suitability / Potential for Occurrence
<i>Ceanothus thyrsiflorus</i> var. <i>obispoensis</i> San Luis Obispo ceanothus	--/--/1B.1	Jun	140-225	Chaparral, cismontane woodland; dacite soils.	Suitable habitat not present: Suitable dacite soils not present, survey site outside of known range of species./None
<i>Centromadia parryi</i> ssp. <i>congdonii</i> Congdon's tarplant	--/--/1B.1	May-Oct.	0-230	Valley and foothill grassland (alkaline).	Suitable habitat not present: Suitable alkaline soils not present, occurs at lower elevations than site./None not observed on site./None
<i>Cercocarpus betuloides</i> var. <i>blanchene</i> Island mountain-mahogany	--/--/4.3	Feb.-May.	30-600	Closed-cone coniferous forest, chaparral.	Suitable habitat present: potentially suitable soil and habitat conditions present, Island mountain mahogany shrubs were not observed during on site./None
<i>Chenopodium littoreum</i> Coastal goosefoot	--/--/1B.2	Apr.-Aug.	10-30	Coastal dunes.	Suitable habitat not present: coastal species, occurs in sandy soils in coastal areas. /None
<i>Chlorogalum pomeridianum</i> var. <i>minus</i> Dwarf soaproot	--/--/1B.2	May-Aug.	305-1000	Chaparral habitats with serpentine outcrops.	Suitable habitat not present: suitable serpentine soils not present, bulbous perennial species not observed during summer surveys. /None
<i>Chloropyron maritimum</i> ssp. <i>maritimum</i> Salt marsh bird's-beak	FE/SE/1B.2	May-Oct.	0-30	Coastal dunes, marshes and swamps (coastal salt)	Suitable habitat not present: coastal species, suitable soil and habitat conditions not present. /None
<i>Chorizanthe breweri</i> Brewer's spineflower	--/--/1B.3	Apr.-Aug.	45-800	Closed-cone coniferous forest, chaparral, cismontane woodland, coastal scrub; serpentine, rocky or gravelly soils.	Suitable habitat not present: suitable soil and habitat conditions not present, annual species not observed during summer surveys. /None

Table 1. Regionally-occurring special status plant species investigated for occurrence in the project vicinity (continued).

<i>Scientific name</i> Common name	Status Fed/State /CNPS	Blooming Period	Elevation Range (m)	Habitat	Habitat Suitability / Potential for Occurrence
<i>Chorizanthe douglasii</i> Douglas' spineflower	--/--/4.3	Apr.-Jul.	55-1600	Chaparral, cismontane woodland, coastal scrub, lower montane coniferous forest, valley and foothill grassland; sandy or gravelly soils.	Suitable habitat not present: suitable soil and habitat conditions not present, annual species not observed during summer surveys. /None
<i>Chorizanthe leptotheca</i> Peninsular spineflower	--/--/4.2	May-Aug.	300-1900	Chaparral, coastal scrub, lower montane coniferous forest; alluvial fan, granitic, sand or gravel	Suitable habitat not present: suitable soil and habitat conditions not present, annual species not observed during summer surveys. /None
<i>Chorizanthe palmeri</i> Palmer's spineflower	--/--/4.2	Apr.-Aug.	55-945	Chaparral, cismontane woodland, valley and foothill grassland; rocky, serpentine soils	Suitable habitat not present: suitable serpentine soils not present, annual species not observed during summer surveys. /None
<i>Chorizanthe rectispina</i> Straight-awned spineflower	--/--/1B.3	Apr.-Jul.	85-1035	Dry, chaparral, cismontane woodland, coastal scrub, sandy or gravelly soils.	Suitable habitat not present: suitable soil and habitat conditions not present, annual species not observed during summer survey. /None
<i>Chorizanthe ventricosa</i> Potbellied spineflower	--/--/4.3	May-Sep.	65-1235	Cismontane woodland, valley and foothill grassland; serpentine soils.	Suitable habitat not present: suitable serpentine soils not present, annual species not observed during summer surveys. /None
<i>Cirsium fontinale</i> var. <i>obispoense</i> San Luis Obispo fountain thistle	FE/SE/1B.2	Apr.-Oct.	35-385	Serpentine seeps and drainages in chaparral, cismontane woodland, coastal scrub, valley and foothill grassland;	Suitable habitat not present: suitable serpentine soils not present, perennial species not observed during summer surveys. /None
<i>Cirsium occidentale</i> var. <i>lucianum</i> Cuesta Ridge thistle	--/--/1B.2	Apr.-Jun.	500-750	Chaparral, woodland or forest openings, often on serpentine, often steep rocky slopes and disturbed roadsides.	Suitable habitat not present: suitable serpentine soils not present, perennial species not observed during summer surveys. /None

Table 1. Regionally-occurring special status plant species investigated for occurrence in the project vicinity (continued).

<i>Scientific name</i> Common name	Status Fed/State /CNPS	Blooming Period	Elevation Range (m)	Habitat	Habitat Suitability / Potential for Occurrence
<i>Cirsium righthophilum</i> Surf thistle	--/ST/1B.2	Apr.-Jun.	3-60	Coastal bluff scrub, coastal dunes	Suitable habitat not present: coastal species, suitable soil and habitat conditions not present. /None
<i>Cirsium scariosum</i> var. <i>loncholepis</i> La Graciosa thistle	FE/ST/1B.1	May-Aug.	4-220	Cismontane woodland, coastal dunes, coastal scrub, marshes and swamps (brackish), valley and foothill grassland; mesic, sandy soils.	Suitable habitat not present: coastal species, suitable soil and habitat conditions not present. /None
<i>Cladonia firma</i> Popcorn lichen	--/--/2B.1	--	30-75	Coastal dunes (stabilized), coastal scrub; on soil, detritus, and/or moss	Suitable habitat not present: coastal species, suitable habitat conditions not present. /None
<i>Clarkia exilis</i> Slender clarkia	--/--/4.3	Apr.-May	120-1000	Cismontane woodland	Suitable habitat present: site is outside known range of species, one 1969 collection by Hoover from Creston, annotated as possible <i>C. tembloriensis</i> , annual species not observed on site./Low-Unlikely
<i>Clarkia speciosa</i> ssp. <i>immaculate</i> Pismo clarkia	FE/SR/1B.1	May-Jul.	25-185	Chaparral (margins, openings), cismontane woodland, valley and foothill grassland; sandy soils	Suitable habitat not present: Suitable sandy soils not present: site is outside known range, species not observed on site./None
<i>Clinopodium mimuloides</i> Monkey-flower savory	--/--/4.2	Jun.-Oc.t	305-1800	Chaparral, North Coast coniferous forest; streambanks, mesic conditions.	Suitable habitat present: potentially suitable soil and habitat conditions present, perennial species not observed during summer surveys. /Low
<i>Deinandra paniculata</i> Paniculate tarplant	--/--/4.2	Apr-Nov.	25-940	Coastal scrub, valley and foothill grassland, vernal pools; usually vernaly mesic, sandy soils.	Suitable habitat not present: suitable soil and habitat conditions not present. Annual species not observed during summer surveys. /None

Table 1. Regionally-occurring special status plant species investigated for occurrence in the project vicinity (continued).

<i>Scientific name</i> Common name	Status Fed/State /CNPS	Blooming Period	Elevation Range (m)	Habitat	Habitat Suitability / Potential for Occurrence
<i>Delphinium gypsophilum</i> ssp. <i>parviflorum</i> Small-flowered gypsum-loving larkspur	--/--/4.2, 3.2	(Mar)Apr- Jun	190-1150	Cismontane woodland, valley and foothill grassland; rocky clay, sometimes serpentine soils.	Suitable habitat present: potentially suitable soil and habitat conditions present, annual species not observed during summer surveys. /Low
<i>Delphinium parryi</i> ssp. <i>blochmaniae</i> Dune larkspur	--/--/1B.2	Apr-Jun	0-200	Chaparral (maritime), coastal dunes; sandy or rocky soils.	Suitable habitat not present: coastal species, suitable soil and habitat conditions not present. /None
<i>Delphinium parryi</i> ssp. <i>eastwoodiae</i> Eastwood's larkspur	--/--/1B.2	(Feb)Mar- Mar	75-500	Chaparral (openings), valley and foothill grassland; serpentine soils in coastal areas.	Suitable habitat not present: coastal species, suitable serpentine soil and habitat conditions not present. /None
<i>Delphinium umbraculorum</i> Umbrella larkspur	--/--/1B.3	Apr-Jun	400-1600	Moist oak forest, mesic conditions.	Suitable habitat not present: suitable soil and habitat conditions present, perennial species not observed during summer surveys. /None
<i>Dithyrea maritima</i> Beach spectaclepod	--/ST/1B.1	Mar-May	3-50	Coastal dunes, coastal scrub (sandy soils).	Suitable sandy soils not present: coastal species, suitable soil and habitat conditions not present. /None
<i>Dudleya abramsii</i> ssp. <i>bettinae</i> Betty's dudleya	--/--/1B.2	May-Jul	20-180	Chaparral, coastal scrub, valley and foothill grassland; serpentine, barren rocky exposures.	Suitable habitat not present: suitable soil and habitat conditions not present, perennial species not observed during summer surveys. /None
<i>Dudleya abramsii</i> ssp. <i>murina</i> Mouse-gray dudleya	--/--/1B.3	May-Jun	90-525	Chaparral, cismontane woodland, valley and foothill grassland; serpentine outcrops.	Suitable habitat not present: suitable soil and habitat conditions not present, perennial species not observed during summer surveys. /None

Table 1. Regionally-occurring special status plant species investigated for occurrence in the project vicinity (continued).

<i>Scientific name</i> Common name	Status Fed/State /CNPS	Blooming Period	Elevation Range (m)	Habitat	Habitat Suitability / Potential for Occurrence
<i>Dudleya blochmaniae</i> ssp. <i>blochmaniae</i> Blochman's dudleya	--/--/1B.1	Apr-Jun	5-450	Coastal bluff scrub, chaparral, coastal scrub, valley and foothill grassland; rocky, often clay or serpentine outcrops.	Suitable habitat not present: Serpentine outcrops and serpentine-derived clay soils are not present, perennial species not observed on site during summer surveys./None
<i>Eleocharis parvula</i> Small spikerush	--/--/4.3	Apr.-Sep.	1-3020	Coastal areas; marshes and swamps, brackish conditions, wet soils.	Suitable habitat not present coastal species, suitable soil and habitat conditions not present. /None
<i>Eriastrum luteum</i> Yellow-flowered eriastrum	--/--/1B.2	May-Jun	290-1000	Broadleafed upland forest, chaparral, cismontane woodland; granite-derived sandy or gravelly soils.	Suitable habitat not present: granitic soils are not present, annual species not observed on site during summer surveys./None
<i>Erigeron blochmaniae</i> Blochman's leafy daisy	--/--/1B.2	Jun-Aug	3-45	Coastal areas: coastal dunes, coastal scrub on sandy soils.	Suitable habitat not present: coastal species, suitable sandy soils not present. /None
<i>Eriodictyon altissimum</i> Indian Knob mountainbalm	FE/SE/1B.1	Mar-Jun	80-270	Chaparral (maritime), cismontane woodland, coastal scrub; sandstone derived soils.	Suitable habitat not present: suitable soil and habitat conditions not present, site is outside known range. /None
<i>Eriogonum elegans</i> Elegant wild buckwheat	--/--/4.3	May-Nov.	55-890	Valley grassland, foothill woodland, sandy/gravelly soils.	Suitable habitat not present: suitable sandy/gravelly soils not present, site is outside known range./None
<i>Eryngium aristulatum</i> var. <i>hooveri</i> Hoover's button-celery	--/--/1B.1	(Jun.)Jul. (Aug.)	3-45	Vernal pools.	Suitable habitat not present: no vernal pools on site./None
<i>Erysimum suffrutescens</i> Suffrutescent wallflower	--/--/4.2	Jan.-Jul. (Aug.)	0-150	Coastal bluff scrub, chaparral (maritime), coastal dunes, coastal scrub.	Suitable habitat not present: Coastal species, suitable soil and habitat conditions not present, site is outside known range, species not observed on site./None

Table 1. Regionally-occurring special status plant species investigated for occurrence in the project vicinity (continued).

<i>Scientific name</i> Common name	Status Fed/State /CNPS	Blooming Period	Elevation Range (m)	Habitat	Habitat Suitability / Potential for Occurrence
<i>Extriplex joaquinana</i> San Joaquin spearscale	--/--/1B.2	Apr-Oct	1-835	Chenopod scrub, meadows and seeps, playas, valley and foothill grassland; alkaline soils.	Suitable habitat not present: suitable alkaline soils not present, species not observed on site./None
<i>Fritillaria agrestis</i> Stinkbells	--/--/4.2	Mar-Jun	10-1555	Chaparral, cismontane woodland, pinyon and juniper woodland, valley and foothill grassland; clay, often serpentine soils.	Suitable habitat present: potentially suitable soil and habitat conditions present, bulbous perennial species not observed during summer surveys. /Low
<i>Fritillaria ojaiensis</i> Ojai fritillary	--/--/1B.2	Feb.-May	225-998	Broadleaf upland forest (mesic), chaparral, cismontane woodland, lower montane coniferous forest; rocky soils and river basins.	Suitable habitat present: potentially suitable soil and habitat conditions present, bulbous perennial species not observed during summer surveys. /Low
<i>Fritillaria viridea</i> San Benito fritillary	--/--/1B.2	Mar.-May	200-1525	Chaparral, cismontane woodland; serpentine slopes; sometimes streambanks, sometimes rocky, sometimes roadsides.	Suitable habitat not present: serpentine soils are not present in chaparral, species not observed on site./None
<i>Grindelia hirsutula</i> var. <i>maritima</i> San Francisco gumpplant	--/--/3.2	Jun.-Sep.	15-400	Coastal bluff scrub, coastal scrub, valley and foothill grassland; sandy or serpentine soils.	Suitable habitat not present: coastal species, suitable soil and habitat conditions not present, site is outside known range. /None
<i>Horkelia cuneata</i> var. <i>puberula</i> Mesa horkelia	--/--/1B.1	Feb.- Jul.(Sep.)	70-810	Chaparral (maritime), cismontane woodland, coastal scrub; sandy or gravelly soils	Suitable habitat not present: suitable soils are not present, perennial species not observed on site during summer surveys. /None
<i>Horkelia cuneata</i> var. <i>sericea</i> Kellogg's horkelia	--/--/1B.1	Apr.-Sep.	10-200	Closed-cone coniferous forest, chaparral (maritime), coastal dunes, coastal scrub; sandy or gravelly, openings	Suitable habitat not present: suitable community and soils are not present, species not observed on site during summer surveys. /None

Table 1. Regionally-occurring special status plant species investigated for occurrence in the project vicinity (continued).

<i>Scientific name</i> Common name	Status Fed/State /CNPS	Blooming Period	Elevation Range (m)	Habitat	Habitat Suitability / Potential for Occurrence
<i>Horkelia yadonii</i> Santa Lucia horkelia	--/--/4.2	Apr.-Jul.	1420-1440	Meadows in chaparral and foothill and riparian woodland; granitic, sandy substrates.	Suitable habitat not present: suitable granitic soils not present, species not observed on site during summer surveys /None
<i>Juncus acutus</i> ssp. <i>leopoldii</i> Southwestern spiny rush	--/--/4.2	May-Jun.	0-400	Seeps, meadows, salt-marsh, dunes in coastal strand, wetland-riparian, vernal pools, ephemeral drainages, and streams.	Suitable habitat not present: coastal species, suitable coastal marshes, alkaline seeps and mesic dune habitats not present. /None
<i>Juncus luciensis</i> Santa Lucia dwarf rush	--/--/1B.2	Apr.-Jul.	300-2040	Chaparral, Great Basin scrub, lower montane coniferous forest, meadows and seeps, vernal pools.	Suitable habitat present: potentially suitable soil and habitat conditions present, annual grass-like species not observed during summer surveys. /Low
<i>Lasthenia californica</i> ssp. <i>macrantha</i> Perennial goldfields	--/--/1B.2	Jan.-Nov.	5-520	Coastal bluff scrub, coastal dunes, coastal scrub; in saline marshes and swamps, playas, and vernal pools.	Suitable habitat not present: occurs along immediate coast, no saline marsh habitat on site. /None
<i>Lasthenia glabrata</i> ssp. <i>coulteri</i> Coulter's goldfields	--/--/1B.1	Feb.-Jun.	1-1220	Saline places, marshes and swamps (coastal salt), playas, vernal pools.	Suitable habitat not present: coastal distribution, suitable conditions and habitat not present. /None
<i>Layia heterotricha</i> Pale-yellow layia	--/--/1B.1	Mar.-Jun.	300-1210	Open areas in valley grassland, foothill woodland, pinyon- juniper woodland, wetland-riparian; alkaline or clay soils.	Suitable habitat not present: eastern SLO County distribution, annual species not observed on site during summer surveys. /None
<i>Layia jonesii</i> Jones' layia	--/--/1B.2	Mar.-May.	5-400	Chaparral, valley and foothill grassland, clay soils or serpentine outcrops/soils.	Suitable habitat not present: Serpentine outcrops and serpentine-derived clay soils are not present, annual species not observed on site during summer surveys. /None

Table 1. Regionally-occurring special status plant species investigated for occurrence in the project vicinity (continued).

<i>Scientific name</i> Common name	Status Fed/State /CNPS	Blooming Period	Elevation Range (m)	Habitat	Habitat Suitability / Potential for Occurrence
<i>Lomatium parvifolium</i> Small-leaved lomatium	--/--/4.2	Jan.-Jun.	20-700	Closed-cone coniferous forest, chaparral, coastal scrub, riparian woodland; serpentine outcrops.	Suitable habitat not present: Serpentine outcrops and soils are not present, perennial species not observed on site during summer surveys. /None
<i>Lupinus ludovicianus</i> San Luis Obispo County lupine	--/--/1B.2	Apr.-Jul.	50-525	Open, grassy areas in chaparral, cismontane woodland; limestone, sandstone or sandy soils.	Suitable habitat not present: suitable soils are not present, perennial species not observed on site during summer surveys. /None
<i>Malacothamnus jonesii</i> Jones' bush-mallow	--/--/4.3	Apr.-Jul.	160-1075	Open chaparral, cismontane woodland.	Suitable habitat present: potentially suitable soil and habitat conditions present, perennial species was not observed on site during appropriately timed surveys. /Low
<i>Malacothamnus palmeri</i> var. <i>involutus</i> Carmel Valley bush-mallow	--/--/1B.2	Apr.-Oct.	30-1100	Chaparral, cismontane woodland, coastal scrub.	Suitable habitat present: potentially suitable soil and habitat conditions present, perennial species was not observed on site appropriately timed surveys. /Low
<i>Malacothamnus palmeri</i> var. <i>palmeri</i> Santa Lucia bush-mallow	--/--/1B.2	May-Jul.	60-360	Chaparral, cismontane woodland, coastal scrub, (rocky).	Suitable habitat present: potentially suitable soil and habitat conditions present, perennial species was not observed on site during appropriately timed surveys. /Low
<i>Monardella palmeri</i> Palmer's monardella	--/--/1B.2	Jun.-Aug.	200-800	Chaparral, cismontane woodland; serpentine soils	Suitable habitat not present: Serpentine-derived soils are not present, perennial species not observed on site during appropriately timed surveys. /None

Table 1. Regionally-occurring special status plant species investigated for occurrence in the project vicinity (continued).

Scientific name Common name	Status Fed/State /CNPS	Blooming Period	Elevation Range (m)	Habitat	Habitat Suitability / Potential for Occurrence
<i>Monardella sinuata</i> ssp. <i>sinuata</i> Southern curly-leaved monardella	--/--/1B.2	Apr.-Sep.	0-300	Chaparral, cismontane woodland, coastal dunes, coastal scrub (openings), and oak woodland; sandy soils.	Suitable habitat not present: Coastal species occurs at lower elevations than site, sandy soils not present. /None
<i>Monardella undulata</i> ssp. <i>undulata</i> San Luis Obispo monardella	--/--/1B.2	May-Sep.	10-200	Stabilized coastal dunes, coastal scrub; sandy soils.	Suitable habitat not present: Coastal species occurs at lower elevations than site, sandy soils not present. /None
<i>Navarretia fossalis</i> Spreading navarretia	FT/--/1B.1	Apr.-Jun.	30-655	Chenopod scrub, marshes and swamps (assorted shallow freshwater), playas, vernal pools.	Suitable habitat not present: suitable vernal wetlands not present, annual species was not observed on site during summer surveys. /None
<i>Navarretia nigelliformis</i> ssp. <i>radicans</i> Shining navarretia	--/--/1B.2	(Mar.)Apr.- Jul.	65-1000	Cismontane woodland, valley and foothill grassland, vernal pools; sometimes clay soils.	Suitable habitat not present: suitable vernal wetlands not present, annual species was not observed on site during summer surveys. /None
<i>Nemacaulis denudata</i> var. <i>denudata</i> Coast woolly-heads	--/--/1B.2	Apr.-Sep.	0-100	Coastal dunes, beaches.	Suitable habitat not present: Coastal species occurs at lower elevations than site. /None
<i>Nemacladus secundiflorus</i> var. <i>Large-flowered nemacladus</i>	--/--/1B.2	Apr.-Jun.	200-2000	Chaparral, valley and foothill grassland; dry, gravelly slopes and openings.	Suitable habitat not present: no suitable gravelly substrate on site, annual not observed during summer surveys. /None
<i>Perideridia pringlei</i> Adobe yampah	--/--/4.3	Apr.-Jul.	300-1800	Grassy slopes, serpentine outcrops in chaparral, cismontane woodland, coastal scrub, and pinyon and juniper woodland; serpentine and clay soils	Suitable habitat not present: suitable serpentine soils are not present, species not observed during summer surveys. /None
<i>Piperia michaelii</i> Michael's rein orchid	--/--/4.2	Apr-Aug	3-915	Coastal bluff scrub, closed-cone coniferous forest, chaparral, cismontane woodland, coastal scrub, lower montane coniferous forest	Suitable habitat present: potentially suitable soil and habitat conditions present, perennial species not observed on site during appropriately-timed surveys /Low

Table 1. Regionally-occurring special status plant species investigated for occurrence in the project vicinity (continued).

<i>Scientific name</i> Common name	Status Fed/State /CNPS	Blooming Period	Elevation Range (m)	Habitat	Habitat Suitability / Potential for Occurrence
<i>Plagiobothrys uncinatus</i> Hooked popcorn flower	--/--/1B.2	Apr-May	300-760	Chaparral (sandy soils), cismontane woodland, valley and foothill grassland, canyon sides, and rock/sandstone outcrops.	Suitable habitat present: potentially suitable soil and habitat conditions present, annual species not observed on site during summer survey /Low
<i>Poa diabolica</i> Diablo Canyon blue grass	--/--/1B.2	Mar-Apr	120-400	Closed-cone coniferous forest, chaparral (mesic), cismontane woodland, coastal scrub; shale; sometimes burned areas	Suitable habitat not present: site is outside known range of coastal species. /None
<i>Prunus fasciculata</i> var. <i>punctata</i> Sand almond	--/--/4.3	Mar-Apr	25-85	Coastal Communities: chaparral, foothill woodland, coastal sage scrub	Suitable habitat not present: site is outside known range of coastal ssp. /None
<i>Sanicula hoffmannii</i> Hoffmann's sanicle	--/--/4.3	Mar-May	30-300	Broadleafed upland forest, coastal bluff scrub, chaparral, cismontane woodland, coastal scrub, lower montane coniferous forest; often serpentine or clay soils.	Suitable habitat not present: Species occurs at lower elevations than site, not observed during summer survey./None
<i>Sanicula maritima</i> Adobe sanicle	--/SR/1B.1	Feb-May	30-240	Coastal, grassy, open wet meadows, ravines in chaparral, coastal prairie, meadows and seeps, valley and foothill grassland; on clay, serpentine soils.	Suitable habitat not present: Species occurs at lower elevations than site, perennial species not observed during survey./None
<i>Senecio aphanactis</i> Chaparral ragwort	--/--/2B.2	Jan-May	15-800	Chaparral, cismontane woodland, coastal scrub, alkaline flats, dry open rocky areas; alkaline soils.	Suitable habitat not present: Suitable alkaline soils not present. /None
<i>Senecio astephanus</i> San Gabriel ragwort	--/--/4.3	May-Jul	400-1500	Coastal scrub, chaparral; cismontane woodlands, drying alkaline flats.	Suitable habitat not present: suitable soil and habitat conditions not present. /None
<i>Sidalcea hickmanii</i> ssp. <i>anomala</i> Cuesta Pass checkerbloom	--/SR/1B.2	May-Jun	600-800	Closed-cone coniferous forest, chaparral with rocky, serpentine soils.	Suitable habitat not present: No serpentine-derived soils and/or coniferous forest not present. /None
<i>Streptanthus albidus</i> ssp. <i>peramoenus</i> Most beautiful jewelflower	--/--/1B.2	(Mar)Apr-Sep(Oct)	95-1000	Open chaparral, cismontane woodland, valley and foothill grassland; serpentine soils.	Suitable habitat not present: Serpentine-derived soils not present, annual species not observed during summer survey./None

Table 1. Regionally-occurring special status plant species investigated for occurrence in the project vicinity (continued).

<i>Scientific name</i> Common name	Status Fed/State /CNPS	Blooming Period	Elevation Range (m)	Habitat	Habitat Suitability / Potential for Occurrence
<i>Suaeda californica</i> California seablite	FE/--/1B.1	Jul-Oct	0-15	Marshes and swamps on margins of coastal salt marshes.	Suitable habitat not present: site is outside known range of coastal species. /None
<i>Sulcaria isidiifera</i> Splitting yarn lichen	--/--/1B.1	--	20-30	Coastal scrub (old growth); on branches of oaks and shrubs	Suitable habitat not present: site is outside known range of this coastal species/None
<i>Trifolium hydrophilum</i> Saline clover	--/--/1B.2	Apr-Jun	0-300	Marshes and swamps, valley and foothill grassland (mesic, alkaline), vernal pools: alkaline soils.	Suitable habitat not present: alkaline soils not present, occurs at lower elevations than site/None
<i>Tropidocarpum capparideum</i> Caper-fruited tropidocarpum	--/--/1B.1	Mar-Apr	1-455	Valley and foothill grassland (low alkaline hills); alkaline soils.	Suitable habitat not present: alkaline soils not present, annual species not observed during summer survey./None

Status Codes:

Federal:

FE- Federal Endangered (USFWS)
FT- Federal Threatened (USFWS)
FPT- Federal Proposed Threatened

State:

SE- State Endangered (CDFG)
ST- State Threatened (CDFG)
CSC- California Species of Special Concern (CDFG)

California Native Plant Society (CNPS) designations:

- 1A. Presumed extirpated in California and either rare or extinct elsewhere
- 1B. Rare or Endangered in California and elsewhere
- 2A. Presumed extirpated in California, but more common elsewhere
- 2B. Rare or Endangered in California, but more common elsewhere
3. Plants for which we need more information - Review list
4. Plants of limited distribution - Watch list.

California Native Plant Society threat categories:

- 1- Seriously endangered in California.
- 2- Fairly endangered in California.
- 3- Not very endangered in California.

Table 2. Regionally-occurring special status wildlife species investigated for occurrence in the project vicinity.

<i>Scientific Name</i> Common Name	Legal Status Federal/State/ CDFW	Nesting or Breeding Period	Habitat Preferences	Basis for Presence/Absence Determination
Crustaceans				
<i>Branchinecta lynchi</i> Vernal pool fairy shrimp	FT/--/--	Rainy Season ~December-April	Grassland areas; in vernal pools ranging from small, clear, sandstone rock pools to large, turbid, alkaline, grassland valley floor pools.	Suitable Habitat Absent: Vernal pools are not present on the project site. No potential for occurrence.
<i>Lindieriella occidentalis</i> California lindieriella	--/--/SA	Rainy Season ~December-April	Seasonal ponds in grasslands, sandstone depressions and alluvial flats with hardpan beneath.	Suitable Habitat Absent: Suitable habitat for this species was not observed in the survey area. No potential for occurrence.
Insects				
<i>Bombus caliginosus</i> Obscure bumble bee	--/--/SA	Unknown	Coastal areas from northern Washington to southern California. Select food plant genera include <i>Baccharis</i> , <i>Cirsium</i> , <i>Lupinus</i> , <i>Lotus</i> , <i>Grindelia</i> , <i>Phacelia</i> .	Suitable Habitat Present: <i>Baccharis</i> , <i>Lupinus</i> , and <i>Cirsium</i> are present on the site. Unidentified <i>Bombus</i> species observed during surveys in common monkeyflower seep area during surveys.
<i>Bombus crotchii</i> Crotch bumble bee	--/--/SCE	Unknown	Exclusive to coastal California east towards the Sierra-Cascade Crest and south into Mexico; less common in western Nevada. Food plant genera include <i>Antirrhinum</i> , <i>Phacelia</i> , <i>Clarkia</i> , <i>Dendromecon</i> , <i>Eschscholzia</i> , and <i>Eriogonum</i> .	Suitable Habitat Present: <i>Eriogonum</i> present on the site. Unidentified <i>Bombus</i> species observed during surveys in common monkeyflower seep area during surveys.

Table 2. Regionally-occurring special status wildlife species investigated for occurrence in the project vicinity (continued).

<i>Scientific Name</i> Common Name	Legal Status Federal/State/ CDFW	Nesting or Breeding Period	Habitat Preferences	Basis for Presence/Absence Determination
<i>Bombus occidentalis</i> Western bumble bee	--/--/SCE	Unknown	Pacific coast to the Colorado Rocky Mountains; severe population decline west of the Sierra-Cascade Crest. Open grassy areas, chaparral and shrub areas, and mountain meadows. Select food plant genera: <i>Melilotus</i> , <i>Cirsium</i> , <i>Trifolium</i> , <i>Centaurea</i> , <i>Chrysothamnus</i> , <i>Eriogonum</i> .	Suitable Habitat Present: Food plant genera present on the site. Unidentified <i>Bombus</i> species observed during surveys in common monkeyflower seep area during surveys. Project area within historic range but outside of current range. No potential for occurrence.
<i>Danaus plexippus</i> Monarch butterfly (roost sites)	--/--/SA	Spring	Occurs along the Pacific Coast from northern Mendocino to Baja California, Mexico. Milkweed is exclusive host plant. Roosts in wind protected stands of trees (eucalyptus, Monterey pine and cypress), with nectar and water sources nearby.	Suitable Habitat Absent: Suitable wind-protected tree stands for roosting habitat are not present in survey area.
<i>Polyphylla nubile</i> Atascadero June beetle	--/--/SA	~June	Sandy soils in grassland habitat and agricultural fields.	Suitable Habitat Absent: Suitable sandy soils not present on site. No potential for occurrence.
<i>Trimerotropis oculens</i> Lompoc grasshopper	--/--/SA	Unknown	Unknown habitat associations and requirements for this species. Occurrence records from Santa Barbara and San Luis Obispo Counties.	Unknown: One historical record for the Paso Robles area from 1909 (CNDDDB Occurrence No. 2). Based on single historical record in San Luis Obispo County the project site is not within normal range of species.

Table 2. Regionally-occurring special status wildlife species investigated for occurrence in the project vicinity (continued).

<i>Scientific Name</i> Common Name	Legal Status Federal/State/ CDFW	Nesting or Breeding Period	Habitat Preferences	Basis for Presence/Absence Determination
Gastropods				
<i>Helminthoglypta walkeriana</i> Morro shoulderband snail	FE/--/--	October-April	Inhabits limited range supporting coastal dune scrub, maritime chaparral, and non-native grassland habitat on sandy soils surrounding the Morro Bay Estuary.	Suitable Habitat Absent: Suitable sandy soils not present on project site. Site is outside of known range of species. No potential for occurrence.
<i>Pyrgulopsis taylori</i> San Luis Obispo pyrg	--/--/SA	Unknown	Freshwater habitats in San Luis Obispo County.	Suitable Habitat Present: Seep and riverine habitat on the site is suitable for the species. Springsnails were not observed during surveys so there is a moderate potential for occurrence. Suitable aquatic habitat areas will not be impacted by project.
<i>Tryonia imitator</i> mimic tryonia	--/--/SA	Unknown	Found in aquatic habitats including brackish salt marshes, coastal lagoons and estuaries, and wetland; tolerates a wide range of salinities.	Suitable Habitat Absent: Suitable brackish aquatic habitat for California brackishwater snail not present on project site. No potential for occurrence.
Fishes				
<i>Eucyclogobius newberryi</i> Tidewater goby	FE/--/SSC	Year round with peaks in spring and then late summer	Occurs in shallow, low current areas of coastal lagoons and streams. Prefers brackish water but tolerates a range of salinities.	Suitable Habitat Absent: Suitable brackish riverine or estuarine habitat for this species is not present in the survey area. No potential for occurrence.

Table 2. Regionally-occurring special status wildlife species investigated for occurrence in the project vicinity (continued).

<i>Scientific Name</i> Common Name	Legal Status Federal/State/ CDFW	Nesting or Breeding Period	Habitat Preferences	Basis for Presence/Absence Determination
<i>Oncorhynchus mykiss irideus</i> Steelhead (south/central California coast DPS)	FT, PCH/--/SSC	February-April	Occurs in coastal stream networks from the Pajaro River south to, but not including, the Santa Maria River. Various habitats in coastal streams including pools, runs, and riffles, depending on life stage. Shade, cover, and cool, well oxygenated water optimal but can persist in some warmer water habitats.	Suitable Habitat Present: Suitable aquatic habitat is present in reach of Tassajara Creek. The nearest documented occurrence of this species 0.2 miles east of the project site. Species was not observed during surveys. Potential for occurrence high. Suitable aquatic habitat areas will not be impacted by project.
Amphibians				
<i>Batrachoseps minor</i> Lesser slender salamander	--/--/SSC	Late fall to early spring	Inhabits a variety of wooded habitats within a limited range in the southern Santa Lucia Mountains of San Luis Obispo County. Prefers moist locations in forests under rotting logs, boards, rocks, and surface litter.	Suitable Habitat Present: Suitable habitat present in riparian and drainage swales on the site. Nearest known location 1.2 miles south of project site. Species was not observed during surveys. Potential for occurrence in disturbance area low.
<i>Rana boylei</i> Foothill yellow-legged frog	--/SCT/SSC	April-July	Found in or near perennial, rocky streams in valley-foothill woodlands and riparian habitats, mixed conifer, coastal scrub, mixed chaparral, and wet meadows. Prefers gravelly or sandy streams with sunny banks and is rarely encountered more than a few meters from permanent water.	Suitable Habitat Present: Suitable habitat present in riparian and drainage swales on the site. Potential for occurrence is considered low due to absence of recent occurrence records in site vicinity. Potential for occurrence in disturbance area low.

Table 2. Regionally-occurring special status wildlife species investigated for occurrence in the project vicinity (continued).

<i>Scientific Name</i> Common Name	Legal Status Federal/State/ CDFW	Nesting or Breeding Period	Habitat Preferences	Basis for Presence/Absence Determination
<i>Rana draytonii</i> California red-legged frog	FT/--/CSC	January-March	Lowlands and foothills in or near ponds, streams, and riparian habitats with deep, still, or slow-moving water and dense, shrubby or emergent riparian vegetation.	Suitable Habitat Present: Suitable aquatic and upland habitat is present on the property. The nearest documented occurrence of this species 0.2 miles east of the project site. Species was not observed during surveys. Potential for occasional occurrence in upland areas moderate.
<i>Spea hammondi</i> Western spadefoot toad	--/--/SSC	January-August	Various habitats; primarily in grasslands but also in open chaparral and valley and foothill woodlands. Sandy or gravelly soils necessary for burrowing. Vernal pools, seasonal wetlands, stock ponds, or slow-moving streams are required for breeding and egg laying.	Suitable Habitat Absent: Vernal pools and suitable sandy/gravelly soils are not present on project site. Nearest known location over four miles to the northeast near the Garden Farms subdivision. No potential for occurrence.
<i>Taricha torosa torosa</i> Coast range newt	--/--/SSC	December-May	Occurs beneath rocks, leaves, and vegetative litter within and near streams and other permanent water sources. Frequents terrestrial habitats such as oak woodlands and evergreen forests. Breeds in ponds, reservoirs and slow moving streams.	Suitable Habitat Present: Suitable aquatic and upland habitat is present on the property. The nearest documented occurrence of this species within 0.4 miles southwest of the project site. Species was not observed during surveys. Potential for occasional occurrence in upland areas moderate.

Table 2. Regionally-occurring special status wildlife species investigated for occurrence in the project vicinity (continued).

<i>Scientific Name</i> Common Name	Legal Status Federal/State/ CDFW	Nesting or Breeding Period	Habitat Preferences	Basis for Presence/Absence Determination
Reptiles				
<i>Anniella pulchra pulchra</i> Northern California legless lizard	--/--/SSC	May-November	Various habitats with sandy or loose/loamy soils including dune and coastal scrub, chaparral, oak woodland, and riparian habitat. High soil moisture is essential.	Suitable Habitat Absent: The project site does not provide appropriate sandy or loose/loamy soils. Nearest known location: 2.6 miles south to the northeast. Potential for occurrence in disturbance area low.
<i>Actinemys marmorata</i> Western pond turtle	--/--/SSC	April-August	Permanent or semi-permanent water bodies including ponds, streams, lakes in various habitat types. Prefers shallow pools with logs or rocks for basking.	Suitable Habitat Present: Suitable aquatic and upland habitat is present on the property. The nearest documented occurrence of this species 1.9 miles southeast of the project site. Potential for occasional occurrence in upland areas moderate.
<i>Phrynosoma blainvillii</i> Coast horned lizard	--/--/SSC	May-September	Various habitats including deserts, chaparral, and grasslands. Often found in open sandy areas with scattered low bushes and native ants for food.	Suitable Habitat Absent: The project site does not provide suitable sandy soils. Native ants are present. Nearest known location: 4.7 miles southwest of the project site in the Chorro Creek Valley. No potential for occurrence.

Table 2. Regionally-occurring special status wildlife species investigated for occurrence in the project vicinity (continued).

<i>Scientific Name</i> Common Name	Legal Status Federal/State/ CDFW	Nesting or Breeding Period	Habitat Preferences	Basis for Presence/Absence Determination
Birds				
<i>Accipiter cooperii</i> Cooper's hawk (nesting)	--/--/WL	March-August	Forages and nests in open woodlands and woodland margins, riparian forests, and in suburban and urban environments.	Suitable Habitat Present: Suitable nesting and foraging habitat is present. Species may have been observed during surveys. Potential for occurrence high.
<i>Accipiter striatus</i> Sharp-shinned hawk (nesting)	--/--/WL	April-August	Forages in openings at edges of woodlands. Breeds in ponderosa pine, black oak, riparian deciduous, mixed conifer, and Jeffrey pine habitats. Prefers, but not restricted to, riparian habitats. Nest usually located within 90 m (275 ft) of water.	Suitable Habitat Present: Suitable nesting and foraging habitat present. Species may have been observed during surveys. Potential for occurrence high.
<i>Agelaius tricolor</i> Tricolored blackbird (nesting colony)	--/--/SSC	March-August	(Nesting colony) Requires open water marsh or lake habitat with cattails, bulrushes, willows, or tall growth and foraging areas with insect prey.	Suitable Habitat Absent: Suitable lacustrine or palustrine habitat for this species is not present in the survey area. No potential for occurrence of nesting colonies.
<i>Ammodramus savannarum</i> Grasshopper sparrow (nesting)	--/--/SSC	March-August	Nests in open to dense grassland habitats with a mix of grasses, forbs, scattered shrubs and patches of bare ground. Nests in grassland habitat on rolling hills, lowland plains, in valleys, and on hillsides on lower mountain slopes. May be loosely colonial when nesting.	Suitable Habitat Absent: Grassland habitat on site marginal. Suitably-sized, open patches of grassland for nesting not present within the survey area. The species was not observed during surveys. Potential for occurrence in disturbance area low.

Table 2. Regionally-occurring special status wildlife species investigated for occurrence in the project vicinity (continued).

<i>Scientific Name</i> Common Name	Legal Status Federal/State/ CDFW	Nesting or Breeding Period	Habitat Preferences	Basis for Presence/Absence Determination
<i>Aquila chrysaetos</i> Golden eagle (nesting and wintering)	--/--/FP-WL	January-August	Open country in mountains, rolling foothills, plains, and deserts, especially in hilly or mountainous regions. Nests in large, prominent trees in woodland areas and on cliff ledges.	Suitable Habitat Absent: Suitable habitat present in project vicinity but not on project site. No known nests/nesting pairs in immediate project vicinity. Species was not observed during surveys. Potential for occasional flyover.
<i>Athene cunicularia</i> Burrowing owl (Burrowing and some wintering sites)	--/--/SSC	February-August	Open dry grasslands, farmland, or other level, open ground with short grasses or low vegetation and available small mammal burrows.	Suitable Habitat Absent: Suitable level, open habitat not present on site. Few small mammal burrows observed. Species was not observed during surveys. Potential for occurrence low.
<i>Buteo regalis</i> Ferruginous hawk (wintering)	--/--/WL	March-July	Open, semiarid to arid grasslands, savannah, sagebrush flats, desert scrub, low foothills, and fringes of pinyon juniper habitats with scattered trees or rocky outcrops. May occur along streams or in agricultural areas during migration.	Suitable Habitat Absent: No suitable nesting habitat observed on site. Species was not observed during surveys. Potential for occurrence low.
<i>Dendroica petechia brewsteri</i> Yellow warbler (nesting)	--/--/SSC	April-August	Riparian woodland and thickets with willows, cottonwoods, sycamores, and alders for nesting and foraging.	Suitable Habitat Present: Suitable habitat present on project site. Species was not observed during surveys. Potential for occurrence in riparian habitat is high.

Table 2. Regionally-occurring special status wildlife species investigated for occurrence in the project vicinity (continued).

<i>Scientific Name</i> Common Name	Legal Status Federal/State/ CDFW	Nesting or Breeding Period	Habitat Preferences	Basis for Presence/Absence Determination
<i>Elanus leucurus</i> White-tailed kite (nesting)	--/--/FP	March-August	Found in open landscapes such as grasslands, agricultural areas, valley margins with scattered oaks, and bottomlands or marshes along rivers adjacent to oak woodlands. Nests in dense tree canopy adjacent to open foraging areas.	Suitable Habitat Present: Suitable nesting and foraging habitat is present on site. Species was not observed during surveys. Potential for nesting in site vicinity moderate.
<i>Eremophila alpestris actia</i> California horned lark	--/--/WL	March-August	Open habitat without trees or bushes; grasslands, fields, and rangeland in coastal regions and the San Joaquin valley to eastern foothills.	Suitable Habitat Absent: Suitable open grassland nesting habitat not present on site. Species was not observed during surveys. Potential for occurrence low.
<i>Falco mexicanus</i> Prairie falcon (nesting)	--/--/WL	February-April	Arid, open level terrain to rolling hills; nests on cliff ledges and in large trees.	Suitable Habitat Absent: Suitable open nesting or foraging terrain not present on site. Species was not observed during surveys. Potential for occasional flyover.
<i>Gymnogyps californianus</i> California condor	FE/SE/FP	January-September	Forages in open foothills, grasslands, and oak savannahs. Roosts in rocky cliffs or in trees. Breeds in remote mountainous areas of pine forest or chaparral with cliffs and large rock outcrops.	Suitable Habitat Absent: No suitable nesting habitat observed on site. Potential for occasional flyover.
<i>Haliaeetus leucocephalus</i> Bald eagle	Delisted/SE/FP	January-August	Nests and winters in the vicinity of large water bodies such as lakes, rivers, bays, and the ocean.	Suitable Habitat Absent: Habitat for nesting and wintering not present on project site. Nests at Santa Margarita Lake. Potential for occasional flyover.

Table 2. Regionally-occurring special status wildlife species investigated for occurrence in the project vicinity (continued).

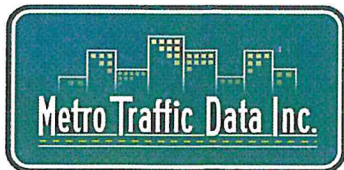
<i>Scientific Name</i> Common Name	Legal Status Federal/State/ CDFW	Nesting or Breeding Period	Habitat Preferences	Basis for Presence/Absence Determination
<i>Lanius ludovicianus</i> Loggerhead shrike (nesting)	--/--/SSC	April-July	Open fields and woodland areas with limited taller vegetation and adequate lookout posts for foraging and thick shrubs for hiding.	Suitable Habitat Present: Suitable habitat is present on project site. Species was not observed during surveys. Potential for occurrence is considered high.
<i>Progne subis</i> Purple martin	--/--/SSC	March-August	Inhabits montane and cismontane woodlands, low elevation coniferous forests, and riparian habitats. Known to nest in old woodpecker cavities, often in western sycamore trees along riparian corridors or in structures such as bridges and culverts.	Suitable Habitat Present: Suitable nesting and foraging habitat is present on project site. Species was not observed during surveys. Potential for occurrence is considered low.
Mammals				
<i>Antrozous pallidus</i> Pallid bat	--/--/SSC	October-August	Various open, dry habitat types including deserts, grasslands, shrublands, and woodlands. Roosts in rocky outcrops, crevices, caves, tree hollows, mines, old buildings, and bridges. May roost on porches and buildings at night.	Suitable Habitat Present: Suitable habitat present in the project vicinity. High potential for foraging occurrence within Study Area.
<i>Corynorhinus townsendii</i> Townsend's big-eared bat	--/--/SSC	November-May	Occurs in a wide variety of habitats but prefers mesic (wet) habitats and often roosts within 100 m of creeks. Roosts in in caves, mines, rock faces, bridges, tunnels, buildings, and other human made structures. Extremely sensitive to disturbance.	Suitable Habitat Present: Typical roosting habitat not present on the site. Species may forage through area or temporarily roost in riparian trees on site such as sycamores. No habitat for maternal roosts. Potential for occurrence moderate.

Table 2. Regionally-occurring special status wildlife species investigated for occurrence in the project vicinity (continued).

<i>Scientific Name</i> Common Name	Legal Status Federal/State/ CDFW	Nesting or Breeding Period	Habitat Preferences	Basis for Presence/Absence Determination
<i>Eumops perotis californicus</i> Western mastiff bat	--/--/SSC	March-July	Crevice dwelling species found in a variety of habitats including desert scrub, chaparral, oak woodland and ponderosa pine forests, often around significant rock features that offer suitable roosting habitat. Roosts are generally high above the ground in crevices, tunnels, also in high buildings.	Suitable Habitat Present: No suitable roosting habitat on site; may forage through project area. Potential for occurrence moderate.
<i>Neotoma macrotis luciana</i> Monterey dusky-footed woodrat	--/--/SSC	December-September	Woodland and chaparral habitats with moderate to dense understory beneath canopy.	Suitable Habitat Present: Suitable woodland and chaparral habitats present. Woodrat nests noted in riparian and seep areas but species was not determined. Potential for occurrence moderate.
<i>Nyctinomops macrotis</i> Big free-tailed bat	--/--/SSC	February-June	Usually associated with arid, high relief, rocky landscapes in desert shrub, oak woodlands, and evergreen forest habitats. Roosts primarily in the crevices of cliff rocks but may also utilize buildings, caves, and tree cavities.	No suitable roosting habitat on site; may forage through project area. Potential for occurrence considered low due to scarcity in Central California.
<i>Corynorhinus townsendii</i> Townsend's big-eared bat	--/--/SSC	November-May	Occurs in a wide variety of habitats but prefers mesic (wet) habitats and often roosts within 100 m of creeks. Roosts in in caves, mines, rock faces, bridges, tunnels, buildings, and other human made structures. Extremely sensitive to disturbance.	Suitable Habitat Present: Typical roosting habitat not present on the site. Species may forage through area or temporarily roost in riparian trees on site such as sycamores. No habitat for maternal roosts. Potential for occurrence moderate.

Table 2. Regionally-occurring special status wildlife species investigated for occurrence in the project vicinity (continued).

<i>Scientific Name</i> Common Name	Legal Status Federal/State/ CDFW	Nesting or Breeding Period	Habitat Preferences	Basis for Presence/Absence Determination
<i>Lasiurus blossevillei</i> Western red bat	--/--/SSC	May-September	Generally solitary and roost in the foliage of trees and shrubs, predominantly in edge habitats adjacent to streams and open fields.	Suitable Habitat Present: Suitable roosting and foraging habitat on project site. Potential for occurrence high.
<i>Taxidea taxus</i> American badger	--/--/SSC	February-May	Occurs in open grassland, shrub, forest habitats and uncultivated pastures. Needs friable soils in open ground with abundant food source of burrowing rodents such as California ground squirrels.	Suitable Habitat Present: Grassland habitat and soils on site suitable for badgers. Prey base present but not abundant. Species and suitable burrows for species not observed during surveys. Potential for occurrence low.
<i>Vulpes macrotis mutica</i> San Joaquin kit fox	FE/ST/SA	December-February	Occupies open, arid, upland habitats: annual grasslands, scrublands, and oak savanna. Will forage in or cross agricultural areas. Needs loose textured sandy soil and prey base.	Suitable Habitat Absent: Suitable habitat is not present on the site. The project site is outside known range of species. No potential for occurrence.
<p>General references: Unless otherwise noted all habitat and distribution data provided by California Natural Diversity Database</p> <p>Status Codes --= No status Federal: FE = Federal Endangered FT = Federal Threatened FPE Federally proposed for listing as Endangered FPT Federally proposed for listing as Threatened FPD Federally proposed for delisting FC= Federal Candidate CH= Federal Critical Habitat PCH= Proposed Federal Critical Habitat MBTA= Protected by Federal Migratory Bird Treaty Act</p> <p>State: SE= State Endangered ST= State Threatened SCE= State candidate for listing as Endangered SCT= State candidate for listing as Threatened SCD= State candidate for delisting California Department of Fish and Wildlife: SSC= California Special Concern Species FP= Fully Protected Species SA= Not formally listed but included in CDFW "Special Animal" List (CNDDB and CDFW 2019). WL= taxa that were previously designated as SSC but no longer merit that status, or which do not yet meet SSC criteria, but for which there is concern and a need for additional information to clarify status.</p>				



Metro Traffic Data Inc.
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www.metrotrafficdata.com

24 Hour Volume Report

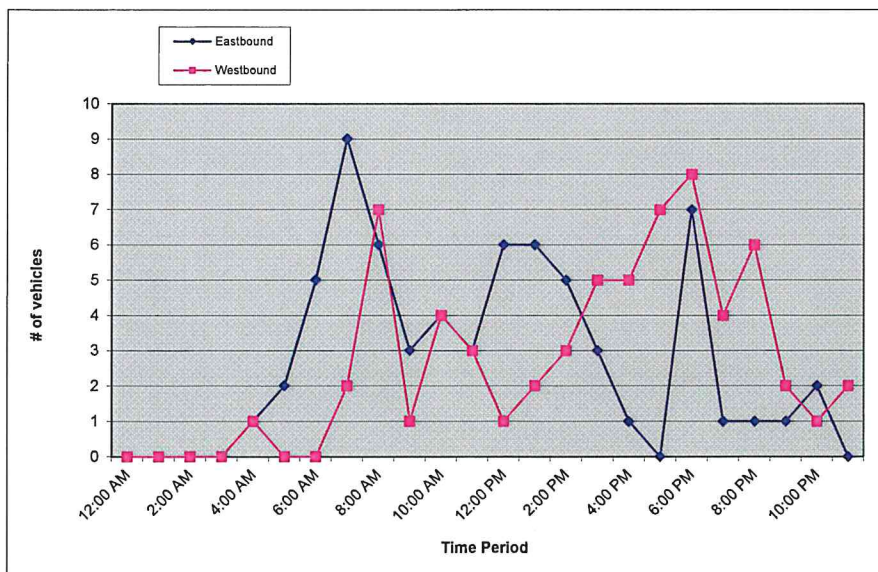
Prepared For: **Tartaglia Engineering**
7360 El Camino Real
Atascadero, CA 93422

LOCATION Tassajara Creek Rd w/o Sully Spring/Oracle Oak Way
COUNTY San Luis Obispo
COLLECTION DATE Wednesday, June 12, 2019
NUMBER OF LANES 2

LATITUDE 35.3793082
LONGITUDE -120.6637539
WEATHER Clear

	Eastbound					Westbound					Hourly
Hour	:00	:15	:30	:45	Total	:00	:15	:30	:45	Total	Totals
12:00 AM	0	0	0	0	0	0	0	0	0	0	0
1:00 AM	0	0	0	0	0	0	0	0	0	0	0
2:00 AM	0	0	0	0	0	0	0	0	0	0	0
3:00 AM	0	0	0	0	0	0	0	0	0	0	0
4:00 AM	0	1	0	0	1	0	1	0	0	1	2
5:00 AM	1	0	0	1	2	0	0	0	0	0	2
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5:00 PM	0	0	0	0	0	1	1	4	1	7	7
6:00 PM	3	0	2	2	7	3	4	1	0	8	15
7:00 PM	0	0	1	0	1	0	3	0	1	4	5
8:00 PM	0	0	0	1	1	3	2	1	0	6	7
9:00 PM	1	0	0	0	1	0	1	1	0	2	3
10:00 PM	0	0	2	0	2	0	1	0	0	1	3
11:00 PM	0	0	0	0	0	0	0	1	1	2	2
Total	50.8%				66	49.2%				64	
	130										

AM% 39.2% AM Peak 14 7:45 am to 8:45 am AM P.H.F. 0.70
PM% 60.8% PM Peak 15 6:00 pm to 7:00 pm PM P.H.F. 0.63



UPDATED 01-26-2020



First American Title

First American Title Company

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California Department of Insurance License No. 151

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Customer Reference:

070-093-018

Order Number: 4001-5693384 (MA)

Title Officer: Marie Christine Allen
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E-Mail: x_mcallen@firstam.com

PRELIMINARY REPORT

In response to the above referenced application for a policy of title insurance, this company hereby reports that it is prepared to issue, or cause to be issued, as of the date hereof, a Policy or Policies of Title Insurance describing the land and the estate or interest therein hereinafter set forth, insuring against loss which may be sustained by reason of any defect, lien or encumbrance not shown or referred to as an Exception below or not excluded from coverage pursuant to the printed Schedules, Conditions and Stipulations of said Policy forms.

The printed Exceptions and Exclusions from the coverage and Limitations on Covered Risks of said policy or policies are set forth in Exhibit A attached. *The policy to be issued may contain an arbitration clause. When the Amount of Insurance is less than that set forth in the arbitration clause, all arbitrable matters shall be arbitrated at the option of either the Company or the Insured as the exclusive remedy of the parties.* Limitations on Covered Risks applicable to the CLTA and ALTA Homeowner's Policies of Title Insurance which establish a Deductible Amount and a Maximum Dollar Limit of Liability for certain coverages are also set forth in Exhibit A. Copies of the policy forms should be read. They are available from the office which issued this report.

Please read the exceptions shown or referred to below and the exceptions and exclusions set forth in Exhibit A of this report carefully. The exceptions and exclusions are meant to provide you with notice of matters which are not covered under the terms of the title insurance policy and should be carefully considered.

It is important to note that this preliminary report is not a written representation as to the condition of title and may not list all liens, defects, and encumbrances affecting title to the land.

This report (and any supplements or amendments hereto) is issued solely for the purpose of facilitating the issuance of a policy of title insurance and no liability is assumed hereby. If it is desired that liability be assumed prior to the issuance of a policy of title insurance, a Binder or Commitment should be requested.

Dated as of January 19, 2020 at 7:30 A.M.

The form of Policy of title insurance contemplated by this report is:

ALTA/CLTA Homeowner's (EAGLE) Policy of Title Insurance (2013) and ALTA Ext Loan Policy 1056.06 (06-17-06) if the land described is an improved residential lot or condominium unit on which there is located a one-to-four family residence; or ALTA Standard Owner's Policy 2006 (WRE 06-17-06) and the ALTA Loan Policy 2006 (06-17-06) if the land described is an unimproved residential lot or condominium unit

A specific request should be made if another form or additional coverage is desired.

Title to said estate or interest at the date hereof is vested in:

Stephen A. Souza and Julie A. Souza, Trustees of the Steve and Julie Souza Family Trust dated January 19, 1999

The estate or interest in the land hereinafter described or referred to covered by this Report is:

Fee simple.

The Land referred to herein is described as follows:

(See attached Legal Description)

At the date hereof exceptions to coverage in addition to the printed Exceptions and Exclusions in said policy form would be as follows:

1. Taxes and assessments. Report to follow. Please verify before closing.
2. Water rights, claims or title to water, whether or not shown by the public records.
3. A public easement for navigation and the incidents of navigation such as boating, fishing, swimming, hunting and other recreational uses in and under the Tassajara Creek and including a public right of access to the water.
4. An easement for power lines and incidental purposes, recorded April 29, 1959 as Book 996, Page 525 of Official Records.
In Favor of: Pacific Gas and Electric Company
Affects: portions
5. An easement shown or dedicated on the map filed or recorded August 31, 1984 as Book 35, Page 68 of Parcel Maps
For: ingress, egress, public utilities and incidental purposes.

6. The terms and provisions contained in the document entitled Easement for Water Delivery System recorded June 12, 1997 as Instrument No. 1997-029861 of Official Records.
7. The terms and provisions contained in the document entitled Well and Waterline Agreement recorded June 12, 1997 as Instrument No. 1997-029863 of Official Records.
8. A deed of trust to secure an original indebtedness of \$905,000.00 recorded June 18, 2012 as Instrument No. 2012-032668 of Official Records.

Dated: June 11, 2012
Trustor: Stephen A. Souza and Julie A. Souza, Trustees of the Steve and Julie Souza Family Trust dated January 19, 1999
Trustee: Farm Credit West, FCLA
Beneficiary: Farm Credit West, FCLA

9. A deed of trust to secure an original indebtedness of \$1,000,000.00 recorded June 18, 2013 as Instrument No. 2013-034961 of Official Records.

Dated: June 10, 2013
Trustor: Stephen A. Souza and Julie A. Souza, Trustees of the Steve and Julie Souza Family Trust dated January 19, 1999
Trustee: Founders Community Bank
Beneficiary: Founders Community Bank

10. The terms and provisions contained in the document entitled Hazardous Substances Agreement recorded June 18, 2013 as Instrument No. 2013-034962 of Official Records.

INFORMATIONAL NOTES

Note: The policy to be issued may contain an arbitration clause. When the Amount of Insurance is less than the certain dollar amount set forth in any applicable arbitration clause, all arbitrable matters shall be arbitrated at the option of either the Company or the Insured as the exclusive remedy of the parties. If you desire to review the terms of the policy, including any arbitration clause that may be included, contact the office that issued this Commitment or Report to obtain a sample of the policy jacket for the policy that is to be issued in connection with your transaction.

11. This report is preparatory to the issuance of an ALTA Loan Policy. We have no knowledge of any fact which would preclude the issuance of the policy with CLTA endorsement forms 100 and 116 and if applicable, 115 and 116.2 attached, provided a valid notice of completion is recorded in the public records.

When issued, the CLTA endorsement form 116 or 116.2, if applicable will reference a(n) Agricultural known as Vacant, Santa Margarita, California.

12. According to the public records, there has been no conveyance of the land within a period of twenty-four months prior to the date of this report, except as follows:

None

The map attached, if any, may or may not be a survey of the land depicted hereon. First American expressly disclaims any liability for loss or damage which may result from reliance on this map except to the extent coverage for such loss or damage is expressly provided by the terms and provisions of the title insurance policy, if any, to which this map is attached.

LEGAL DESCRIPTION

Real property in the City of Santa Margarita, County of San Luis Obispo, State of California, described as follows:

CERTIFICATE OF COMPLIANCE 2005-016431:

BEING A PORTION OF LOT 2 OF PARCEL MAP COAL 83-178, AS RECORDED IN BOOK 35, PAGE 68 OF PARCEL MAPS, PARCEL 1, AS SHOWN IN DOCUMENT NUMBER 2000-009542 AND A PORTION OF PARCEL 2 AS SHOWN IN DOCUMENT NUMBER 2000-009543 AS RECORDED IN THE COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA, DESCRIBED MORE PARTICULARLY AS FOLLOWS:

BEGINNING AT A POINT AT THE COMMON CORNER OF SECTION 22,23,26 AND 27 OF TOWNSHIP 29 SOUTH, RANGE 12 EAST; THENCE SOUTHERLY ALONG THE WESTERLY LINE OF SAID SECTION 26 AND THE WESTERLY AND SOUTHERLY LINE OF PARCEL 1 AS SHOWN IN DOCUMENT NUMBER 2000-009542, SOUTH 01°51'24" WEST, 867.88 FEET TO A POINT; THENCE LEAVING SAID WESTERLY LINE OF SAID SECTION 26 AND CONTINUING ALONG THE SOUTHERLY LINE AS SHOWN ON THE PLAT OF DOCUMENT NUMBER 2000-009542, SOUTH 61°35'30" EAST, 4.77 FEET; THENCE CONTINUING ALONG THE SOUTHERLY LINE OF SAID DOCUMENT NUMBER 2000-009542, SOUTH 72°58'55" EAST, 110.28 FEET TO A TANGENT CURVE CONCAVE NORTHERLY HAVING A RADIUS OF 80.00 FEET, A RADIAL TO SAID POINT BEARS SOUTH 46°51'12" EAST; THENCE NORTHEASTERLY AND EASTERLY THROUGH A CENTRAL ANGLE OF 63°52'17" AN ARC DISTANCE OF 89.18 FEET; THENCE NORTH 43°08'48" EAST, 92.38 FEET; THENCE NORTH 46°14'23" EAST, 107.75 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 120.00 FEET, A RADIAL TO SAID POINT BEARS NORTH 1316'40" EAST; THENCE EASTERLY AND NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 57°02'17" AN ARC DISTANCE OF 119.46 FEET; THENCE SOUTH 72°29'30" EAST, 170.85 FEET; THENCE SOUTH 85°27'02" EAST, 349.47 FEET; THENCE NORTH 77°52'21" EAST, 261.84 FEET; THENCE SOUTH 55°52'26" EAST, 211.40 FEET; THENCE SOUTH 37°40'04" EAST, 175.53 FEET TO THE MOST SOUTHERLY CORNER OF SAID PARCEL 1 AS SHOWN IN DOCUMENT NUMBER 2000-009542; THENCE SOUTHEASTERLY ALONG THE SOUTHWESTERLY LINE OF PARCEL 2 AS SHOWN IN DOCUMENT NUMBER 2000-009543, SOUTH 61°43'53" EAST, 815.09 FEET; THENCE SOUTH 85°18'LS" EAST, 374.82 FEET; THENCE SOUTH 68°38'59" EAST, 120.57 FEET; THENCE LEAVING SAID SOUTHWESTERLY LINE OF PARCEL 2 AS SHOWN IN DOCUMENT NUMBER 2000-009543, NORTH 29°01'27" EAST, 1634.81 FEET; THENCE NORTH 10°41'59" EAST, 2387.74 FEET TO A COMMON NORTHERLY CORNER OF SAID LOT 2 AND A COMMON NORTHWESTERLY CORNER OF LOT 3 OF SAID MAP RECORDED IN BOOK 35 OF PARCEL MAPS AT PAGE 68; THENCE WESTERLY ALONG THE NORTHERLY LINE OF SAID LOT 2, NORTH 79°23'49" WEST, 1151.62 FEET; THENCE NORTH 64°51'09" WEST, 2102.17 FEET; THENCE SOUTH 68°48'16" WEST, 668.47 FEET TO THE MOST WESTERLY CORNER OF SAID LOT 2 OF SAID MAP RECORDED IN BOOK 35 OF PARCEL MAPS AT PAGE 68, SAID CORNER BEING COMMON WITH A NORTH EASTERLY CORNER OF PARCEL 1 AS RECORDED IN OF DOCUMENT NUMBER 2000-009542, SAID POINT BEING AT THE NORTHERLY TERMINUS OF A COURSE MARKED NORTH 68°48'16" EAST A DISTANCE OF 205.07 FEET; THENCE SOUTHWESTERLY ALONG SAID LINE, SOUTH 68°46'16" WEST, 205.07 FEET; THENCE CONTINUING ALONG THE LINES OF SAID PARCEL 1 NORTHERLY ALONG THE EASTERLY LINE OF SECTION 22, NORTH 01°51'24" EAST, 2236.72 FEET TO THE NORTHEAST CORNER OF GOVERNMENT LOT 3 ALSO BEING THE NORTHEAST CORNER OF SAID SECTION 22; THENCE WESTERLY ALONG THE NORTHERLY LINE OF SAID GOVERNMENT LOT 3 AND THE NORTHERLY LINE OF SAID SECTION 22, NORTH 87°56'36" WEST, 1427.25 FEET TO THE NORTHWEST CORNER OF SAID GOVERNMENT LOT 3; THENCE SOUTHERLY ALONG THE WESTERLY LINE OF SAID GOVERNMENT LOT 3, SOUTH 00°40'12" EAST, 1410.90 FEET TO THE NORTHEAST CORNER OF GOVERNMENT LOT 9, SAID POINT ALSO BEING THE SOUTHWEST CORNER OF SAID GOVERNMENT LOT 3 OF SAID SECTION 22; THENCE WESTERLY ALONG THE NORTHERLY LINE OF SAID GOVERNMENT LOT 9, NORTH 88°08'36" WEST, 1365.04 FEET TO THE NORTHWEST CORNER OF SAID GOVERNMENT LOT 9; THENCE SOUTHERLY ALONG THE WESTERLY LINE OF SAID GOVERNMENT LOT 9, SOUTH 03°10'09" EAST, 1325.09 FEET TO THE SOUTHWEST CORNER OF SAID GOVERNMENT LOT 9; THENCE EASTERLY ALONG THE SOUTHERLY LINE OF SAID GOVERNMENT LOT 9, SOUTH 88°08'36"

EAST, 1320.00 FEET TO THE NORTHWEST CORNER OF SAID GOVERNMENT LOT 1, SAID POINT ALSO BEING THE SOUTHEAST CORNER OF GOVERNMENT LOT 9 OF SAID SECTION 22; THENCE SOUTHERLY ALONG THE WESTERLY LINE OF SAID GOVERNMENT LOT 1, SOUTH $01^{\circ}51'24''$ WEST A DISTANCE OF 1320.00 FEET TO THE SOUTHWESTERLY CORNER OF SAID GOVERNMENT LOT 1; THENCE EASTERLY ALONG THE SOUTHERLY LINE OF SAID GOVERNMENT LOT 1, NORTH $88^{\circ}08'36''$ WEST, 1320.00 FEET TO THE SOUTHEAST CORNER OF SAID GOVERNMENT LOT 1 OF SAID SECTION 22; THENCE NORTHERLY ALONG SAID EASTERLY LINE OF SAID SECTION 22, NORTH $01^{\circ}51'24''$ EAST, 517.40 FEET TO THE INTERSECTION OF SAID LINE WITH THE WESTERLY LINE OF SAID LOT 1 OF THE MAP RECORDED IN 35 PARCEL MAPS 68; THENCE LEAVING SAID SECTION LINE, SOUTHEASTERLY ALONG SAID WESTERLY LINE OF LOT 1 OF SAID PARCEL MAP, SOUTH $19^{\circ}09'31''$ EAST, 1617.01 FEET; THENCE SOUTH $28^{\circ}11'13''$ EAST, 334.03 FEET; THENCE WESTERLY ALONG THE SOUTHERLY LINE OF SAID SECTION 23, THE LINE OF SAID LOT 1 AND THE LINE OF SAID PARCEL I OF DOCUMENT NUMBER 2000-009542, SOUTH $88^{\circ}53'05''$ WEST, 748.13 FEET TO THE POINT OF BEGINNING.

APN: 070-093-018

NOTICE

Section 12413.1 of the California Insurance Code, effective January 1, 1990, requires that any title insurance company, underwritten title company, or controlled escrow company handling funds in an escrow or sub-escrow capacity, wait a specified number of days after depositing funds, before recording any documents in connection with the transaction or disbursing funds. This statute allows for funds deposited by wire transfer to be disbursed the same day as deposit. In the case of cashier's checks or certified checks, funds may be disbursed the next day after deposit. In order to avoid unnecessary delays of three to seven days, or more, please use wire transfer, cashier's checks, or certified checks whenever possible.

EXHIBIT A
LIST OF PRINTED EXCEPTIONS AND EXCLUSIONS (BY POLICY TYPE)

CLTA STANDARD COVERAGE POLICY – 1990
EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses which arise by reason of:

1. (a) Any law, ordinance or governmental regulation (including but not limited to building or zoning laws, ordinances, or regulations) restricting, regulating, prohibiting or relating (i) the occupancy, use, or enjoyment of the land; (ii) the character, dimensions or location of any improvement now or hereafter erected on the land; (iii) a separation in ownership or a change in the dimensions or area of the land or any parcel of which the land is or was a part; or (iv) environmental protection, or the effect of any violation of these laws, ordinances or governmental regulations, except to the extent that a notice of the enforcement thereof or a notice of a defect, lien, or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
- (b) Any governmental police power not excluded by (a) above, except to the extent that a notice of the exercise thereof or notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
2. Rights of eminent domain unless notice of the exercise thereof has been recorded in the public records at Date of Policy, but not excluding from coverage any taking which has occurred prior to Date of Policy which would be binding on the rights of a purchaser for value without knowledge.
3. Defects, liens, encumbrances, adverse claims or other matters:
 - (a) whether or not recorded in the public records at Date of Policy, but created, suffered, assumed or agreed to by the insured claimant;
 - (b) not known to the Company, not recorded in the public records at Date of Policy, but known to the insured claimant and not disclosed in writing to the Company by the insured claimant prior to the date the insured claimant became an insured under this policy;
 - (c) resulting in no loss or damage to the insured claimant;
 - (d) attaching or created subsequent to Date of Policy; or
 - (e) resulting in loss or damage which would not have been sustained if the insured claimant had paid value for the insured mortgage or for the estate or interest insured by this policy.
4. Unenforceability of the lien of the insured mortgage because of the inability or failure of the insured at Date of Policy, or the inability or failure of any subsequent owner of the indebtedness, to comply with the applicable doing business laws of the state in which the land is situated.
5. Invalidity or unenforceability of the lien of the insured mortgage, or claim thereof, which arises out of the transaction evidenced by the insured mortgage and is based upon usury or any consumer credit protection or truth in lending law.
6. Any claim, which arises out of the transaction vesting in the insured the estate of interest insured by this policy or the transaction creating the interest of the insured lender, by reason of the operation of federal bankruptcy, state insolvency or similar creditors' rights laws.

EXCEPTIONS FROM COVERAGE - SCHEDULE B, PART I

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.
 Proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
2. Any facts, rights, interests, or claims which are not shown by the public records but which could be ascertained by an inspection of the land or which may be asserted by persons in possession thereof.
3. Easements, liens or encumbrances, or claims thereof, not shown by the public records.
4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose, and which are not shown by the public records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b) or (c) are shown by the public records.
6. Any lien or right to a lien for services, labor or material not shown by the public records.

CLTA/ALTA HOMEOWNER'S POLICY OF TITLE INSURANCE (12-02-13)
EXCLUSIONS

In addition to the Exceptions in Schedule B, You are not insured against loss, costs, attorneys' fees, and expenses resulting from:

1. Governmental police power, and the existence or violation of those portions of any law or government regulation concerning:
 - a. building;
 - b. zoning;
 - c. land use;

- d. improvements on the Land;
 - e. land division; and
 - f. environmental protection.
- This Exclusion does not limit the coverage described in Covered Risk 8.a., 14, 15, 16, 18, 19, 20, 23 or 27.
- 2. The failure of Your existing structures, or any part of them, to be constructed in accordance with applicable building codes. This Exclusion does not limit the coverage described in Covered Risk 14 or 15.
 - 3. The right to take the Land by condemning it. This Exclusion does not limit the coverage described in Covered Risk 17.
 - 4. Risks:
 - a. that are created, allowed, or agreed to by You, whether or not they are recorded in the Public Records;
 - b. that are Known to You at the Policy Date, but not to Us, unless they are recorded in the Public Records at the Policy Date;
 - c. that result in no loss to You; or
 - d. that first occur after the Policy Date - this does not limit the coverage described in Covered Risk 7, 8.e., 25, 26, 27 or 28.
 - 5. Failure to pay value for Your Title.
 - 6. Lack of a right:
 - a. to any land outside the area specifically described and referred to in paragraph 3 of Schedule A; and
 - b. in streets, alleys, or waterways that touch the Land.

This Exclusion does not limit the coverage described in Covered Risk 11 or 21.
 - 7. The transfer of the Title to You is invalid as a preferential transfer or as a fraudulent transfer or conveyance under federal bankruptcy, state insolvency, or similar creditors' rights laws.
 - 8. Contamination, explosion, fire, flooding, vibration, fracturing, earthquake, or subsidence.
 - 9. Negligence by a person or an Entity exercising a right to extract or develop minerals, water, or any other substances.

LIMITATIONS ON COVERED RISKS

Your insurance for the following Covered Risks is limited on the Owner's Coverage Statement as follows:
For Covered Risk 16, 18, 19, and 21 Your Deductible Amount and Our Maximum Dollar Limit of Liability shown in Schedule A.
The deductible amounts and maximum dollar limits shown on Schedule A are as follows:

	<u>Your Deductible Amount</u>	<u>Our Maximum Dollar Limit of Liability</u>
Covered Risk 16:	1% of Policy Amount Shown in Schedule A or \$2,500 (whichever is less)	\$10,000
Covered Risk 18:	1% of Policy Amount Shown in Schedule A or \$5,000 (whichever is less)	\$25,000
Covered Risk 19:	1% of Policy Amount Shown in Schedule A or \$5,000 (whichever is less)	\$25,000
Covered Risk 21:	1% of Policy Amount Shown in Schedule A or \$2,500 (whichever is less)	\$5,000

2006 ALTA LOAN POLICY (06-17-06) **EXCLUSIONS FROM COVERAGE**

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

- 1. (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
 - (i) the occupancy, use, or enjoyment of the Land;
 - (ii) the character, dimensions, or location of any improvement erected on the Land;
 - (iii) the subdivision of land; or
 - (iv) environmental protection;

or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.
- (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
- 2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
- 3. Defects, liens, encumbrances, adverse claims, or other matters
 - (a) created, suffered, assumed, or agreed to by the Insured Claimant;
 - (b) not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;

- (c) resulting in no loss or damage to the Insured Claimant;
 - (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 11, 13, or 14); or
 - (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Insured Mortgage.
4. Unenforceability of the lien of the Insured Mortgage because of the inability or failure of an Insured to comply with applicable doing-business laws of the state where the Land is situated.
 5. Invalidity or unenforceability in whole or in part of the lien of the Insured Mortgage that arises out of the transaction evidenced by the Insured Mortgage and is based upon usury or any consumer credit protection or truth-in-lending law.
 6. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction creating the lien of the Insured Mortgage, is
 - (a) a fraudulent conveyance or fraudulent transfer, or
 - (b) a preferential transfer for any reason not stated in Covered Risk 13(b) of this policy.
 7. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the Insured Mortgage in the Public Records. This Exclusion does not modify or limit the coverage provided under Covered Risk 11(b).

The above policy form may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage:

EXCEPTIONS FROM COVERAGE

[Except as provided in Schedule B - Part II, [t[or T]his policy does not insure against loss or damage, and the Company will not pay costs, attorneys' fees or expenses, that arise by reason of:

[PART I

[The above policy form may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage:

1. (a) Taxes or assessments that are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; (b) proceedings by a public agency that may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
2. Any facts, rights, interests, or claims that are not shown by the Public Records but that could be ascertained by an inspection of the Land or that may be asserted by persons in possession of the Land.
3. Easements, liens or encumbrances, or claims thereof, not shown by the Public Records.
4. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land and not shown by the Public Records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the Public Records.
6. Any lien or right to a lien for services, labor or material not shown by the public records.

PART II

In addition to the matters set forth in Part I of this Schedule, the Title is subject to the following matters, and the Company insures against loss or damage sustained in the event that they are not subordinate to the lien of the Insured Mortgage:]

2006 ALTA OWNER'S POLICY (06-17-06)

EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
 - (i) the occupancy, use, or enjoyment of the Land;
 - (ii) the character, dimensions, or location of any improvement erected on the Land;
 - (iii) the subdivision of land; or
 - (iv) environmental protection;

or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.

- (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters
 - (a) created, suffered, assumed, or agreed to by the Insured Claimant;
 - (b) not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;

- (c) resulting in no loss or damage to the Insured Claimant;
 - (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 9 or 10); or
 - (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Title.
4. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction vesting the Title as shown in Schedule A, is
 - (a) a fraudulent conveyance or fraudulent transfer, or
 - (b) a preferential transfer for any reason not stated in Covered Risk 9 of this policy.
 5. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the deed or other instrument of transfer in the Public Records that vests Title as shown in Schedule A.

The above policy form may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage:

EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage, and the Company will not pay costs, attorneys' fees or expenses, that arise by reason of: [The above policy form may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage:

1. (a) Taxes or assessments that are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; (b) proceedings by a public agency that may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
2. Any facts, rights, interests, or claims that are not shown by the Public Records but that could be ascertained by an inspection of the Land or that may be asserted by persons in possession of the Land.
3. Easements, liens or encumbrances, or claims thereof, not shown by the Public Records.
4. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land and not shown by the Public Records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the Public Records.
6. Any lien or right to a lien for services, labor or material not shown by the Public Records.
7. [Variable exceptions such as taxes, easements, CC&R's, etc. shown here.]

ALTA EXPANDED COVERAGE RESIDENTIAL LOAN POLICY (07-26-10)

EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
 - (i) the occupancy, use, or enjoyment of the Land;
 - (ii) the character, dimensions, or location of any improvement erected on the Land;
 - (iii) the subdivision of land; or
 - (iv) environmental protection;

or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5, 6, 13(c), 13(d), 14 or 16.

(b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 5, 6, 13(c), 13(d), 14 or 16.

2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters
 - (a) created, suffered, assumed, or agreed to by the Insured Claimant;
 - (b) not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
 - (c) resulting in no loss or damage to the Insured Claimant;
 - (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 11, 16, 17, 18, 19, 20, 21, 22, 23, 24, 27 or 28); or
 - (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Insured Mortgage.
4. Unenforceability of the lien of the Insured Mortgage because of the inability or failure of an Insured to comply with applicable doing-business laws of the state where the Land is situated.
5. Invalidity or unenforceability in whole or in part of the lien of the Insured Mortgage that arises out of the transaction evidenced by the Insured Mortgage and is based upon usury or any consumer credit protection or truth-in-lending law. This Exclusion does not modify or limit the coverage provided in Covered Risk 26.
6. Any claim of invalidity, unenforceability or lack of priority of the lien of the Insured Mortgage as to Advances or modifications made after the

Insured has Knowledge that the vestee shown in Schedule A is no longer the owner of the estate or interest covered by this policy. This Exclusion does not modify or limit the coverage provided in Covered Risk 11.

7. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching subsequent to Date of Policy. This Exclusion does not modify or limit the coverage provided in Covered Risk 11(b) or 25.
8. The failure of the residential structure, or any portion of it, to have been constructed before, on or after Date of Policy in accordance with applicable building codes. This Exclusion does not modify or limit the coverage provided in Covered Risk 5 or 6.
9. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction creating the lien of the Insured Mortgage, is
 - (a) a fraudulent conveyance or fraudulent transfer, or
 - (b) a preferential transfer for any reason not stated in Covered Risk 27(b) of this policy.
10. Contamination, explosion, fire, flooding, vibration, fracturing, earthquake, or subsidence.
11. Negligence by a person or an Entity exercising a right to extract or develop minerals, water, or any other substances.



First American Title

Privacy Information

We Are Committed to Safeguarding Customer Information

In order to better serve your needs now and in the future, we may ask you to provide us with certain information. We understand that you may be concerned about what we will do with such information - particularly any personal or financial information. We agree that you have a right to know how we will utilize the personal information you provide to us. Therefore, together with our subsidiaries we have adopted this Privacy Policy to govern the use and handling of your personal information.

Applicability

This Privacy Policy governs our use of the information that you provide to us. It does not govern the manner in which we may use information we have obtained from any other source, such as information obtained from a public record or from another person or entity. First American has also adopted broader guidelines that govern our use of personal information regardless of its source. First American calls these guidelines its Fair Information Values.

Types of Information

Depending upon which of our services you are utilizing, the types of nonpublic personal information that we may collect include:

- Information we receive from you on applications, forms and in other communications to us, whether in writing, in person, by telephone or any other means;
- Information about your transactions with us, our affiliated companies, or others; and
- Information we receive from a consumer reporting agency.

Use of Information

We request information from you for our own legitimate business purposes and not for the benefit of any nonaffiliated party. Therefore, we will not release your information to nonaffiliated parties except: (1) as necessary for us to provide the product or service you have requested of us; or (2) as permitted by law. We may, however, store such information indefinitely, including the period after which any customer relationship has ceased. Such information may be used for any internal purpose, such as quality control efforts or customer analysis. We may also provide all of the types of nonpublic personal information listed above to one or more of our affiliated companies. Such affiliated companies include financial service providers, such as title insurers, property and casualty insurers, and trust and investment advisory companies, or companies involved in real estate services, such as appraisal companies, home warranty companies and escrow companies. Furthermore, we may also provide all the information we collect, as described above, to companies that perform marketing services on our behalf, on behalf of our affiliated companies or to other financial institutions with whom we or our affiliated companies have joint marketing agreements.

Former Customers

Even if you are no longer our customer, our Privacy Policy will continue to apply to you.

Confidentiality and Security

We will use our best efforts to ensure that no unauthorized parties have access to any of your information. We restrict access to nonpublic personal information about you to those individuals and entities who need to know that information to provide products or services to you. We will use our best efforts to train and oversee our employees and agents to ensure that your information will be handled responsibly and in accordance with this Privacy Policy and First American's Fair Information Values. We currently maintain physical, electronic, and procedural safeguards that comply with federal regulations to guard your nonpublic personal information.

Information Obtained Through Our Web Site

First American Financial Corporation is sensitive to privacy issues on the Internet. We believe it is important you know how we treat the information about you we receive on the Internet.

In general, you can visit First American or its affiliates' Web sites on the World Wide Web without telling us who you are or revealing any information about yourself. Our Web servers collect the domain names, not the e-mail addresses, of visitors. This information is aggregated to measure the number of visits, average time spent on the site, pages viewed and similar information. First American uses this information to measure the use of our site and to develop ideas to improve the content of our site.

There are times, however, when we may need information from you, such as your name and email address. When information is needed, we will use our best efforts to let you know at the time of collection how we will use the personal information. Usually, the personal information we collect is used only by us to respond to your inquiry, process an order or allow you to access specific account/profile information. If you choose to share any personal information with us, we will only use it in accordance with the policies outlined above.

Business Relationships

First American Financial Corporation's site and its affiliates' sites may contain links to other Web sites. While we try to link only to sites that share our high standards and respect for privacy, we are not responsible for the content or the privacy practices employed by other sites.

Cookies

Some of First American's Web sites may make use of "cookie" technology to measure site activity and to customize information to your personal tastes. A cookie is an element of data that a Web site can send to your browser, which may then store the cookie on your hard drive.

FirstAm.com uses stored cookies. The goal of this technology is to better serve you when visiting our site, save you time when you are here and to provide you with a more meaningful and productive Web site experience.

Fair Information Values

Fairness We consider consumer expectations about their privacy in all our businesses. We only offer products and services that assure a favorable balance between consumer benefits and consumer privacy.

Public Record We believe that an open public record creates significant value for society, enhances consumer choice and creates consumer opportunity. We actively support an open public record and emphasize its importance and contribution to our economy.

Use We believe we should behave responsibly when we use information about a consumer in our business. We will obey the laws governing the collection, use and dissemination of data.

Accuracy We will take reasonable steps to help assure the accuracy of the data we collect, use and disseminate. Where possible, we will take reasonable steps to correct inaccurate information. When, as with the public record, we cannot correct inaccurate information, we will take all reasonable steps to assist consumers in identifying the source of the erroneous data so that the consumer can secure the required corrections.

Education We endeavor to educate the users of our products and services, our employees and others in our industry about the importance of consumer privacy. We will instruct our employees on our fair information values and on the responsible collection and use of data. We will encourage others in our industry to collect and use information in a responsible manner.

Security We will maintain appropriate facilities and systems to protect against unauthorized access to and corruption of the data we maintain.