

October 9, 2020

Sent Via Email

Mr. Eliseo Alexander Diaz Santana
Los Pinos Apartments LLC
1328 Tuliptree Road
Santa Rosa, CA95403
Email: alexdiazme@icloud.com

Subject: Second Minor Amendment to the Endangered Species Act Biological Assessment for the Los Pinos Apartments Project dated August 2019

Dear Mr. Santana,

The purpose of the second amendment is to update the mitigation that has been proposed to offset impacts to wetlands, CTS and plants as presented in the *Endangered Species Act Biological Assessment for the Los Pinos Apartments Project dated August 2019 (ESA BA)*. The option proposed in the ESA BA to offset impacts to California tiger salamander and three listed plants is the purchase of Mitigation Bank Credits at a USFWS and CDFW approved mitigation bank.

A second option proposed, which is the focus of this amendment, is to provide “*Permittee Responsible*” mitigation by using property near the project site that can satisfy the USFWS and CDFW mitigation requirements. The proposed Permittee Responsible mitigation site will include a portion of the Windmill Conservation Site located at 4515, Santa Rosa Avenue, Sonoma County, California. This site is considered occupied habitat for CTS. Wetlands have been established and preserved that currently support populations of Sonoma sunshine, Burke’s goldfields and Sebastopol meadowfoam, and the site contains preserved wetlands. The Huffman-Broadway Group, Inc. HBG will prepare a Mitigation and Monitoring Plan for the Windmill Conservation Site (MMP) that will be submitted to the USFWS and CDFW for review and approval.

The following is an amendment to the proposed mitigation provided in Section 4.6-Conservation Measures, Subsection C.

- A. Mitigation for approximately 2.13 acres of impacts to CTS habitat will be provided consistent with requirements of the Santa Rosa Plain Conservation Strategy and the ~~2007~~ **2020** Programmatic Biological Opinion. The CTS mitigation will total 2.13 acres. **Option 1:** CTS mitigation will be provided at an off-site location and will consist of purchase of mitigation credits from an approved mitigation bank consistent with requirements of the ~~2007~~ **2020** Programmatic Biological Opinion and the Santa Rosa Plain Conservation Strategy. **Purchase of The** CTS mitigation **credits** will be implemented prior to initiation of site preparation for the project.

Option 2: A minimum of 2.13 acres of suitable CTS habitat will be preserved and managed, in perpetuity, at an off-site location referred to as the Windmill Conservation Site. Prior to initiation of site preparation for the project, a MMP will be prepared and submitted to the USFWS and CDFW for approval.

- C. Effects on suitable habitat for listed plant species resulting from implementation of the applicant's site plan would consist of 0.30 acres of direct effects. Option 1: The applicant will compensate for the impacts to suitable habitat for Sonoma sunshine, Burke's goldfields and Sebastopol meadowfoam with conservation of an additional 0.45 acres (0.30 acres of occupied or established habitat and conservation of an additional 0.15 acres of established habitat). Overall compensation to mitigate for direct effects to suitable habitat for the three federally-listed species resulting from implementation of the applicant's site plan will be accomplished through the purchase of 0.45 mitigation credits at an agency-approved conservation bank. Purchase of the plant mitigation credits will be implemented prior to initiation of site preparation for the project.

Option 2: A minimum of 0.15 acres of established Sonoma sunshine habitat, 0.15 acres of established Burke's goldfields habitat and 0.15 acres of established Sebastopol meadowfoam habitat, for a total of 0.45 acres, will be preserved and managed, in perpetuity, at an off-site location referred to as the Windmill Conservation Site. Prior to initiation of site preparation for the project, a MMP will be prepared and submitted to the USFWS and CDFW for approval.

If you have any questions, please feel free to contact me at 415.385.4106, rperrera@hbggroup.com.

Sincerely,

Robert F. Perrera

Digitally signed by
Robert F. Perrera
Date: 2020.10.09
12:03:26 -07'00'

Robert F. Perrera
Senior Wetlands Regulatory Scientist

Cc:

Ms. Jean Kapolchok, Kapolchok and Associates
Mr. Joseph Dorger

