

KING CITY WASTEWATER TREATMENT PLANT IMPROVEMENTS

INITIAL STUDY/MITIGATED NEGATIVE DECLARATION (CEQA Plus)

Prepared for:

CITY OF KING
Community Development Department
212 S. Vanderhurst Avenue
King City, CA 93930

Prepared by:

DOUGLAS WOOD & ASSOCIATES, INC.
1461 Higuera Street
San Luis Obispo, California 93401

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I. INTRODUCTION AND PURPOSE

This Initial Study/Mitigated Negative Declaration assesses the potential environmental impacts and suggests appropriate mitigation measures associated with the proposed construction and operation of improvements to the King City Wastewater Treatment Plant (WWTP) (to be referred to herein as the “proposed project”). The City of King (to be referred to herein as “the City”) shall act as Lead Agency for this Initial Study/Mitigated Negative Declaration and has the responsibility for determining whether or not to certify this document upon completion.

The City has prepared this Initial Study/Mitigated Negative Declaration in order to assist in their consideration as to whether to prepare a Negative Declaration, a Mitigated Negative Declaration or an Environmental Impact Report for the proposed project. This Initial Study/Mitigation Negative Declaration is also part of a CEQA Plus review. CEQA Plus requires the following:

- Compliance with Section 106 of the National Historic Preservation Act
- Compliance with Section 7 of the Federal Endangered Species Act
- Compliance with the Federal Clean Air Act
- Protection of Wetlands
- Coastal Zone Management Act (Not applicable since the site is not within a coastal zone.)
- Floodplain Management
- Wild and Scenic Rivers Act (The site is not adjacent to designated national wild components of the national wild and scenic rivers system.)
- Migratory Bird Act

As part of their decision-making process, the City is required to review and consider the potential environmental effects that could result from the proposed project. Together with the technical analyses applicable to this project and any other documents incorporated by reference, this analysis will serve as an initial environmental review for the proposed project. This review is required by the California Environmental Quality Act of 1970 (CEQA) as amended (Public Resources Code Section 21000 et. seq.) and the State CEQA Guidelines as well as Guidelines for the Implementation of CEQA adopted by the City.

Section 15070 of the State CEQA Guidelines states that “a public agency shall prepare or have prepared a proposed negative declaration or mitigated negative declaration for a project subject to CEQA when the Initial Study shows that there is no substantial evidence, in light of the whole record before the agency, that the project may not have a significant effect on the environment.”

According to the State CEQA Guidelines (Section 15073), the City as Lead Agency must provide a public review period of not less than 20 days when an Initial Study/ Mitigated Negative Declaration is proposed. This review includes State and local agencies as well as members of the public. The City circulated a draft of this Initial Study/Mitigated Negative Declaration on April 19, 2021. In response, written comments were received from two public

agencies, the Monterey Bay Air Resources District (letter dated May 27, 2021) and the State of California Department of Fish and Wildlife (letter dated June 3, 2021). Copies of these correspondence are included as attachments to this document. These letters requested additional discussions of project-related impacts and/or additional mitigation measures. The City, as Lead Agency, is obligated to respond to these letters prior to any public hearings on this project.

In an effort to adequately respond to these information requests, the City retained the firm of Althouse and Meade, Inc. to address the concerns related to impacts upon biological resources as discussed in the State Department of Fish and Wildlife correspondence. The firm of Douglas Wood & Associates, Inc. was retained to address the concerns related to impacts upon air quality as discussed in the Monterey Bay Air Resources District correspondence. Section 15073.5 of the State CEQA Guidelines states that the Lead Agency is required to recirculate an Initial Study/Negative Declaration when the document must be substantially revised after comments are received during agency/public review. Recirculation of the revised Initial Study/ Mitigated Negative Declaration is not required: 1) when revisions to discussions of project impacts do not result in new unavoidable environmental impacts or 2) when mitigation measures added in response to comments are replaced by equal or more effective mitigations. The determination as to whether this revised Initial Study/Mitigated Negative Declaration should be recirculated rests with the City as Lead Agency after their review of this revised document.

This Initial Study/Mitigated Negative Declaration begins with Section I. Introduction and Purpose, which provides an introductory discussion of the purpose and scope of the document. Section II. Summary/Mitigation Monitoring Program summarizes the potential impacts and proposed mitigation measures. This section also contains the State-mandated Mitigation Monitoring Program (pursuant to AB 3180).

Section III. Project Description provides a detailed description of the currently proposed construction and operation of improvements to the King City Wastewater Treatment Plant.

Section IV. Environmental Evaluation contains the environmental checklist required by Section 15063(d)(3) of the State CEQA Guidelines. This checklist is intended to determine the nature and extent of various environmental effects of the proposed project followed by an explanation to justify the determination. Checklist items are identified as “significant”, “unknown, potentially significant”, “potentially significant and mitigated” or “not significant”.

Section V. provides the required Mandatory Findings of Significance pursuant to CEQA Section 15065. Section VI. Environmental Determination makes the final determination as to whether an EIR, Negative Declaration or Mitigated Negative Declaration is appropriate. Section VII. Certification provides the required Lead Agency Certification Statement.

This Initial Study/Mitigated Negative Declaration provides a full and objective discussion of the potential environmental impacts of the proposed project. In preparing this document, the City decision-makers, staff and members of the public will be fully informed as to the

potential impacts and required mitigation measures associated with the proposed project. In accordance with Section 15021 of the State CEQA Guidelines, this document is intended to enable the City, as Lead Agency, to fully evaluate these environmental impacts and mitigation measures. The Lead Agency has an obligation to balance potential adverse effects of the project against a variety of public objectives, including economic, environmental and social factors, in determining whether the project is acceptable and approved for construction and operation.

Pursuant to California Public Resources Code 21082.1, the City has independently reviewed and analyzed the information contained in this Initial Study prior to its consideration and certification. The conclusions and discussions contained herein reflect their independent judgment

II. SUMMARY/MITIGATION MONITORING PROGRAM

1. Aesthetics

Impacts: The existing WWTP is located on a relatively flat alluvial plain north of King City. The current project facilities involve single-story structures for administrative and repair activities. The Salinas riverbed contains many large trees and thick ground vegetation which shields views of the WWTP from the adjacent US Highway 101. Given the relatively low visual profile of the existing treatment plant facility and the undeveloped nature of surrounding areas, the existing WWTP is barely visible from any developed areas in the vicinity of the existing facility.

None of the proposed project facilities will have a substantial adverse effect upon any scenic vistas nor will they degrade any existing scenic resources or the visual character or quality of its surroundings. The proposed project will not create any new sources of substantial light or glare which would affect day or nighttime views in the area.

Mitigation Measures: Given the lack of potentially significant aesthetic impacts, no mitigation measures are required.

2. Agriculture and Forestry Resources

Impacts: Active agriculture operations are ongoing in areas east, northeast and south of the existing WWTP. All of the proposed project improvements shall be located in a manner that does not directly impact these ongoing agricultural activities.

The proposed project will not directly impact any areas designated as prime farmland, unique farmland or farmland of statewide importance nor will they conflict with any areas zoned for agricultural use or covered by a Williamson Act contract. The proposed project will not result in any conversion of existing farmland to non-agricultural use. However, project construction could temporarily impact water supply pipelines and roadways within these adjacent agricultural operations (see "Mitigation Measures" below).

Mitigation Measures:

AG-1. All proposed wastewater transmission and disposal systems shall be located in manner that avoids damaging buried irrigation lines, wells, risers and other agricultural infrastructure.

AG-2. Early notice of any planned closures or detours on existing roadways serving existing agricultural operations shall be provided to adjacent property owners and any farm lessee/operators. These notices should be provided no less than two weeks prior to these closures or detours. Regular updates about forthcoming closures or detours shall be

provided to those impacted by these activities as well as being posted on local roadways so that adequate planning can be made for the movement of agricultural goods, equipment and personnel.

Implementation Responsibility: City of King

Monitoring Agency: City of King

Timing: During project grading or construction

3. Air Quality

Impacts: The proposed project will not conflict with or obstruct the implementation of any air quality plan, expose sensitive receptors to substantial pollution concentrations, violate any established air quality standards or result in a net increase of any criteria pollutant for which the region is in non-attainment. The proposed project will not generate significant greenhouse gas emissions or conflict with any applicable plan, policy or regulation adopted for the purpose of reducing greenhouse gas emissions.

All construction associated with the proposed WWTP improvements will occur within 11.2 acres located within the boundaries of the existing WWTP facilities. The current project proposal does not require the installation of any pipelines, pump stations, etc. As such, there is little risk of encountering naturally occurring asbestos during project construction.

However, the proposed project could create objectionable smoke, ash, dust or odors affecting other persons in the immediate area (see “Mitigation Measures” below”). The Monterey Bay Air Resources District is responsible for air monitoring, permitting, enforcement, long-range air quality planning, regulatory development, education and public information activities related to air pollution, as required by the California Clean Air Act and Amendments (HSC Section 20910 et seq. and *the Federal Clean Air Act and amendments (42 U.S.C. Section 7401 et seq.)*. *The following mitigation measures address both the California Clean Air Act and the Federal Clean Air Act.* The mitigation measures below address the mitigation measures presented in the May 27, 2021 letter from the Monterey Bay Air Resources Districts. (Reference **Attachment 1.**)

Mitigation Measures:

AQ-1. In order to mitigate construction dust and maintain compliance with Monterey Bay Air Resources District (MBARD) rules, the following best management practices shall be implemented.

- Prohibit all grading activities during periods of high wind (over 15 mph).
- Water all active construction areas at least twice daily. Frequency should be based on the type of operation, soil, and wind exposure.
- Apply chemical soil stabilizers on inactive construction areas (disturbed lands within construction projects that are unused for at least four consecutive days).

- Apply non-toxic binders to exposed areas after cut and fill operations or hydroseed the area.
- Maintain at least two feet of freeboard in haul trucks.
- Cover all trucks hauling dirt, sand, or loose materials.
- Plant vegetative groundcover in disturbed areas as soon as possible.
- Cover inactive storage piles.
- Install wheel washers or other appropriately effective track-out capture methods at the construction site for all existing trucks.
- Post a publicly visible sign which specifies the telephone number and person to contact regarding dust complaints. The person shall respond to complaints and take corrective action within 48 hours.

AQ-2. The Monterey Bay Air Resources District recommends using cleaner than required construction equipment that conforms to Air Resources Board's emission standards. Construction equipment shall, where feasible, use alternative fuels which would reduce diesel exhaust emissions. The MBARD further recommends that in the event of removal of existing trees or the generation of green waste that wood chipping is the recommended method of disposal rather than burning.

AQ-3. The City shall contact the Monterey Bay Air Resources District to determine required permit revisions needed before any construction.

AQ-4. Air District permits or registration with the CARB may be required for portable construction equipment with engines 50 hp or greater. The City of King shall contact the Monterey Bay Air Resources District about permitting requirements.

AQ-5. The Air District recommends developing a Standard Operating Procedure to mitigate a situation where unknown subsurface asbestos containing utility lines are exposed during construction work and need to be removed prior to continuing construction.

AQ-6. Air District notification is required at least 10 working days **prior to renovation or demolition activities**. If old underground piping or other asbestos containing construction materials are encountered during trenching activities, Rule 424 may also apply. Rule 424 can be found online at <https://www.arb.ca.gov/drdb/mbu/cur.htm>. Please contact Shawn Boyle, Air Quality Compliance Inspector, at (831) 718-8010, sboyle@mbard.org for more information regarding asbestos survey, notification requirements, and if subsurface transite pipe removal is going to be part of the project scope in the future.

4. Biological Resources

Impacts: Given its proximity to significant biological resources, the proposed project could result in adverse effects upon sensitive biological habitats, candidate, sensitive or special status species or may result in significant impacts to existing riparian habitats or other sensitive natural communities, federally protected wetlands, or established migratory

wildlife corridors. In response to the June 3, 2021 letter from the California Department of Fish and Wildlife (Reference **Attachment 2**), a Biological Resource Assessment (BRA) dated April 2022 for the Project provides information regarding plant and wildlife species associated with the Project. (Reference **Attachment 3**.) The BRA analyzes potential impacts to biological resources from the Project, addresses the Federal and State Endangered Species Acts and comments made in the June 3, 2021 California Department of Fish and Wildlife letter.

As a result of the BRA, the following mitigation measures are incorporated into Project.

Mitigation Measures:

BR-1 (Nesting Bird Surveys) Within one week of ground disturbance activities, if construction occurs between February 1 and September 15, nesting bird survey shall be conducted. If surveys do not locate nesting birds, construction activities may be conducted. If nesting birds are located, no construction activity shall occur within 100 feet of nests until chicks are fledged. Once construction begins, a qualified biologist will continuously monitor nests to detect behavioral changes resulting from the project. If behavioral changes occur, work causing that change shall cease and the California Department of Fish and Wildlife will be consulted for additional avoidance and minimization measures. If continuous monitoring of identified nests by a qualified wildlife biologist is not feasible, California Department of Fish and Wildlife recommends a minimum no-disturbance buffer of 250 feet around active nests of non-listed birds and a 500-foot no-disturbance buffer around active nests of non-listed raptors. These buffers are advised to remain in place until the breeding season has ended or until a qualified biologist has determined that the birds are fledged and are no longer reliant upon the nest or parental care for survival. A preconstruction survey report shall be submitted to the lead agency immediately upon completion of the survey. The report shall detail appropriate fencing or flagging of the buffer zone and make recommendations on additional monitoring requirements. A map of the project site and nest locations shall be included within the report. The biologist conducting the nesting survey shall have the authority to reduce or increase the recommended buffer depending upon site conditions.

BR-2 (Biological Monitoring) A qualified biological monitor shall be present during all earth-disturbing construction activities and draining of treatment ponds associated with construction of the project including, but not limited to, grading, excavations, tilling, draining and dredging. The biologist shall contact a morning clearance survey of the project area each day that ground disturbing activities are proposed. Special status animals (i.e., western spadefoot toad, coast range newt, northern California legless lizard, western pond turtle, coast horned lizard and Salinas pocket mouse) captured during surveys or during construction monitoring shall be relocated to the nearest suitable habitat outside of the project area. A letter report shall be submitted to the County and California Department of Fish and Wildlife within 30 days of relocation or as directed by California Department of Fish and Wildlife.

BR-3 (Tricolored Blackbird Surveys) Project activities shall be timed to avoid the typical bird breeding season of February 1 through September 15. If project activity that could disrupt

nesting must take place during that time, a qualified wildlife biologist shall conduct focused surveys for nesting tricolored blackbird to determine the presence or absence of the species or nesting colonies in the study area.

BR-4 (Tricolored Blackbird Colony Avoidance) If an active tricolor blackbird nesting colony is found during surveys, a minimum 300-foot no-disturbance buffer shall be installed and observed in accordance with California Department of Fish and Wildlife requirements until the breeding season has ended or until a qualified biologist has determined that nesting has ceased and the young have fledged and are no longer reliant upon the colony or parental care for survival. It is important to note that tricolored blackbird colonies can expand over time and for this reason, California Department of Fish and Wildlife recommends that an active colony be re-assessed to determine its extent within 10 days prior to project construction.

BR-5 (Tricolored Blackbird Take Authorization) In the event that a tricolored blackbird nesting colony is observed during surveys, consultation with the California Department of Fish and Wildlife is warranted to discuss whether the project can avoid take and if take avoidance is not feasible, to acquire all necessary permits pursuant to the California Fish and Game Code.

BR-6 (Preconstruction Surveys) Where suitable habitat is present on or in the vicinity of the project site, a qualified biologist shall conduct focused burrowing owl surveys following the California Burrowing Owl Consortium (1993) "Burrowing Owl Survey and Mitigation Guidelines" and the California Department of Fish and Game "Staff Report on Burrowing Owl Mitigation (2012)". Specifically, these documents suggest three or more surveillance surveys be conducted during daylight hours with each visit occurring at least three weeks apart during the peak breeding season of April 15th to July 15th when the burrowing owls are most detectable. In addition, the California Department of Fish and Wildlife advises that surveys include a minimum 500 foot survey radius around the project site.

BR-7 (Avoidance) No disturbance buffers, as outlined within the California Department of Fish and game (2012) document noted above, shall be implemented prior to and during any ground disturbing activities and that impacts to occupied burrows be avoided unless a qualified biologist verifies through non-invasive methods that either the birds have not begun egg laying and incubation or that juveniles from the occupied burrows and are foraging independently are capable of independent survival.

BR-8 (Burrowing Owl Eviction and Mitigation) If burrowing owls are found within these recommended buffers and avoidance is not possible, it is important that according to the California Department of Fish and Game (2012), evicting birds from burrows is not a take avoidance, minimization or mitigation method and is instead considered a potentially significant impact under the California Environmental Quality Act. If it is necessary for the project construction to proceed, California Department of Fish and Wildlife recommends that burrow exclusion be conducted by a qualified biologist and only during the non-breeding season before breeding behavior is exhibited and after the burrow is confirmed empty through non-invasive methods such as surveillance. Mitigation in the form of replacement of occupied burrows with artificial burrows at a minimum ratio of one burrow

collapsed to one artificial burrow constructed shall be implemented to mitigate the evicting of burrowing owls and the loss of burrows. Burrowing owls may attempt to colonize or recolonize an area that will be impacted. As such, the California Department of Fish and Wildlife recommends ongoing surveillance at a rate that is sufficient to detect burrowing owl if they return.

BR-9 (Focused Least Bell's Vireo Surveys) In order to reduce potential project related impacts to the least bell's vireo, a qualified wildlife biologist shall conduct surveys following the survey methodology developed by the U.S. Fish and Wildlife Service (2001) prior to project construction within the project area and a ½ mile buffer around the project area. In addition, if project activities take place during the typical breeding season (February 1st through September 15th), additional preconstruction surveys for active nests shall be conducted by a qualified biologist no more than 10 days prior to the start of project construction.

BR-10 (Least Bell's Vireo Buffers) If an active least bell's vireo nest is found during protocol or preconstruction surveys, a minimum 500 foot, no disturbance buffer shall be implemented and maintained until the breeding season has ended or until a qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest site or parental care for survival.

BR-11 (Least Bell's Vireo Nest Avoidance and Habitat Mitigation) In addition to avoiding occupied nest trees, the California Department of Fish and Wildlife recommends that impacts to known nest trees be avoided at all times of the year. Regardless of nesting status, if potential or known least bell's vireo nesting habitat is removed, the California Department of Fish and Wildlife recommends it be replaced with appropriate native tree species planted a ratio of 3:1 (replaced to removed) in an area that will be protected in perpetuity. This mitigation will offset potential impacts of the loss of potential nesting habitat.

BR-12 (Least Bell's Vireo Take Authorization) If a 500 foot no-disturbance nest buffer is not feasible, consultation with the California Department of Fish and Wildlife is warranted and acquisition of required permits may be necessary prior to project construction in order to avoid unauthorized take pursuant to the California Fish and Game Code.

BR-13 (Preconstruction Survey for the American Badger) A preconstruction survey shall be conducted on the project site in order to locate occupied american badger dens within 100 feet of the project site. The survey shall be conducted within 15 days of starting any grading, grubbing or oak tree removal. Orange construction fencing, or other easily identifiable buffer material, shall be installed under the direction of a project biologist in a manner sufficient to protect the dens from construction equipment. A buffer of 50 feet shall be used for occupied non-maternal dens. A buffer of 150 feet shall be installed if the den is determined to be a maternal pupping den. Construction activities shall not commence within the exclusion area until the badger has moved on its own accord. A preconstruction survey letter report shall be submitted to the City for review within one week after completion of the survey.

BR 14 (San Joaquin Kit Fox Surveys and Minimization) A qualified biologist shall conduct surveys to assess for presence or absence of the San Joaquin kit fox. The survey area will consist of the entire project site and surrounding 500 foot buffer. In addition, recommendations made by the United States Department of Fish and Wildlife Service for the San Joaquin kit fox shall be followed during project construction as noted below.

The following mitigation measures (BR-15 through BR-27) are taken from the U.S. Fish and Wildlife Service Standardized Recommendations for Protection of the Endangered San Joaquin Kit Fox Prior To or During Ground Disturbance (2011) and shall be implemented as specified below.

BR-15 – Project-related vehicles shall observe a daytime speed limit of 20 mph throughout the project site and all project areas except on County roads and State and Federal highways. This is particularly important at night when kit foxes are most active. Nighttime construction shall be minimized to the extent possible. However, if it does occur, the speed limit shall be reduced to 10 mph. Off-road traffic outside of designated areas shall be prohibited.

BR-16 – In order to prevent inadvertent entrapment of Kit foxes or other animals during project construction, all excavated, steep walled holes or trenches more than two feet deep shall be covered at the close of each working day by plywood or similar materials. If the trenches cannot be closed, one or more escape ramps constructed of earthen fill or wooden planks shall be installed. Before such holes or trenches are filled, they should be thoroughly inspected for trapped animals. If at any time a trapped or injured kit fox is discovered, the California Department Fish and Wildlife Service and California Department of Fish and Game shall be contacted as noted within Mitigation Measure BR- 26 below.

BR-17 – Kit foxes are attracted to den-like structures such as pipes and may enter stored pipes or become trapped or injured. All construction pipes, culverts or similar structures with a diameter of four inches or greater that are stored at a construction site for one or more overnight periods shall be thoroughly inspected for kit foxes before the pipe is subsequently buried, capped or otherwise used or moved in any way. If a kit fox is discovered inside a pipe, that section of pipe shall not be moved until the California Fish and Wildlife Service has been consulted. If necessary, and under the direct supervision of the biologist, the pipe may be moved only once in order to remove it from the path of construction activity until the kit fox has escaped.

BR-18 – All food related trash items such as wrappers, cans, bottles and food scraps shall be disposed of in securely closed containers and removed at least once a week from the construction site.

BR-19 –No firearms shall be allowed on the project site.

BR-20 – No pets, such as dogs or cats, shall be permitted on the project site in order to prevent harassment, mortality of kit foxes or destruction of dens.

BR-21 – Use of rodenticides and herbicides in the project area shall be restricted in order to prevent primary or secondary poisoning of kit foxes and the depletion of prey populations on which they depend. All uses of such compounds shall observe label and other restrictions mandated by the U.S. Environmental Protection Agency, California Department of Food and Agriculture and other State and Federal legislation as well as additional project-related restrictions deemed necessary by the California Fish and Wildlife Service. If rodent control must be conducted, zinc phosphide should be used because of a proven lower risk to the kit fox.

BR-22 – A representative shall be appointed by the project proponent who will be the contact source for any employee or contractor who might inadvertently kill or injure a kit fox or who finds a dead, injured or trapped kit fox. The representative will shall be identified during the employee education program and their name and telephone number shall be provided to the California Fish and Wildlife Service.

BR-23 – An employee education program shall be conducted for any project that has anticipated impacts to the kit fox or other endangered species. This program shall consist of a brief presentation by persons knowledgeable in kit fox biology and legislative protection to explain endangered species concerns to contractors, their employees and military and/or agency personnel involved in the project. The program shall include the following: a description of the San Joaquin kit fox and its habitat needs, a report of the occurrence of kit fox in the project area, an explanation of the status of the species and its protection under the Endangered Species Act and a list of measures being taken to reduce impacts to the species during project construction and implementation. A fact sheet conveying this information shall be prepared for distribution to the previously referenced people and anyone else who may enter the project site.

BR-24 – Upon completion of the proposed project, all areas subject to temporary ground disturbances, including storage and staging areas, temporary roads, etc. shall be re-contoured if necessary and vegetated to promote restoration of the area to pre-project conditions. An area subject to “temporary” disturbance means any area that is disturbed during construction of the proposed project, but after project completion will not be subject to further disturbance and has the potential to be re-vegetated. Appropriate methods and plant species used to revegetate such areas shall be determined on a site-specific basis in consultation with the California Department of Fish and Wildlife and revegetation experts.

BR-25 – In the case of trapped animals, escape ramps or structure should be installed immediately to allow the animal(s) to escape or the California Fish and Wildlife Service shall be contacted for map guidance.

BR-26 – During the site disturbance and/or construction phase, any contractor or employee that inadvertently kills or injures a San Joaquin kit fox or who finds any such animal either dead, injured or entrapped shall be required to report the incident immediately to the City. In the event that any observations are made of an injured or dead kit fox, the U.S. Fish and Wildlife Service and California Department of Fish and Wildlife shall be immediately notified by telephone. In addition, formal notification shall be provided in writing within three

working days of finding any such animal(s). Notification shall include the date, time, location and circumstances of the incident. Any threatened or endangered species found dead or injured shall be turned over immediately to the California Department of Fish and Wildlife for care, analysis or disposition.

BR-27 – New sightings of San Joaquin kit fox shall be reported to the California Natural Diversity Database (CNDDDB). A copy of the reporting form and a topographic map clearly marked with the location of where the kit fox was observed shall also be provided to the U.S. Fish and Wildlife Service.

Implementation Responsibility: City of King

Monitoring Agency: City of King

Timing: Prior to or during project grading or construction

5. Cultural Resources

Impacts: The existing WWTP is highly disturbed and is not expected to contain any known archaeological sites, paleontological resources or historical structures.

However, significant archaeological, paleontological or historic resources may be discovered during project grading or construction. In that event, these resources will either be excavated or protected in a manner consistent with all applicable State and local laws, and all work will be halted and the resources will be evaluated by a qualified professional (see “Mitigation Measures” below”).

Mitigation Measures: The City, in 2019, adopted an updated and detailed list of mitigation measures related to cultural resources impacts that are applicable to all development applications. These measures are summarized below.

CR-1. Prior to excavation and construction on the project site, the prime construction contractor or any subcontractor(s) shall be cautioned on the legal and/or regulatory implications of knowingly destroying historic or prehistoric cultural resources or removing artifacts such as, but not limited to, prehistoric groundstone, projectile points, shell middens, or debitage, human remains, historic materials such as, but not limited to, bottles or cans and other cultural materials from the project site.

CR-2. Prior to any demolition, excavation, or construction, the Applicant shall identify a qualified archaeologist to be on call if any cultural resources are identified, or if required by the City, when project excavation of four (4') feet or greater is needed. The City shall approve the selected archaeologist prior to issuance of any permit that includes soil disturbance. When excavation of greater than four (4') feet is anticipated, a Tribal Monitor may be required.

CR-3. Prior to any soil disturbing activities to search for surface evidence of historical or prehistoric cultural resources and if a project survey has not been conducted as part of the project application process, the archaeologist shall conduct a pedestrian survey of the project site. The archaeologist shall be authorized to perform spot check monitoring of subsurface construction for potential cultural resources and analyze and evaluate those artifacts or resources that may be uncovered. The qualified archaeologist shall also have the authority to temporarily halt excavation and construction activities in the immediate vicinity (within a 50-meter radius or approximately 164 feet) of a find if significant or potentially significant cultural resources are exposed and/or adversely affected by construction operations.

CR-4. In the event of a find, reasonable time shall be allowed for the qualified archaeologist to conduct additional subsurface testing, analysis and reporting, if warranted. During this time, excavation and construction shall not be allowed in the immediate vicinity of the find (within a 50-meter radius or approximately 164 feet or within a larger area as determined by the qualified archaeologist). However, activities may continue in other areas of the project site, if so determined by the qualified archaeologist.

CR-5. All cultural materials recovered as part of the testing or monitoring program shall be subject to scientific analysis, professional museum curation and reporting prepared according to current professional standards.

CR-6. In accordance with State CEQA Guidelines, Section 15064.5 (e)(1)(A)(B), in the event of discovery or recognition of any human remains on the project site during development, the following steps should be taken. There shall be no further excavation or disturbance of the site or any area reasonably suspected to overlie adjacent human remains until the coroner is contacted to determine that no investigation of the cause of death is required. Possible indications of burials could include a layer of shells placed over the burial. If the coroner determines the remains to be Native American, then the coroner shall contact the Native American Heritage Commission within 24 hours. The Commission shall identify the person or persons it believes to be the most likely descendent of the deceased Native American. The most likely descendent may then make recommendations to the landowner or person responsible for the excavation work, for the means of treating or disposing of, with appropriate dignity, the human remains and associated grave goods as provided in the Public Resources Code.

CR-7. The applicant or their authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity on the property in a location not subject to further disturbance.

Implementation Responsibility: City of King

Monitoring Agency: City of King

Timing: Prior to or during project grading or construction

6. Geology and Soils

Impacts: The proposed project is not expected to expose people or structures to geologic and soils hazards in areas containing the proposed project facilities. All proposed structures will be required to meet all applicable requirements contained in the City Building Code.

The proposed project facilities are not expected to expose people or structures to substantial geologic risks due to the rupture of a known earthquake fault, strong seismic ground shaking or seismic related ground failure. Given the relatively flat topography of areas containing the proposed project facilities, little in the way of landslides, substantial erosion or exposure to unstable or expansive soils are expected to occur. On-site soils are expected to be capable of supporting wastewater storage and wastewater disposal systems.

Mitigation Measures: Given the lack of potentially significant geology/soils impacts, no mitigation measures are required.

7. Greenhouse Gas Emissions

Impacts: The proposed project will not generate significant greenhouse gas emissions or conflict with any applicable plan, policy or regulation adopted for the purpose of reducing greenhouse gas emissions.

All construction associated with the proposed WWTP improvements will occur within 11.2 acres located within the boundaries of the existing WWTP facilities. Given the relatively small area required for the operation of construction equipment as well as the relatively minimal amount of required earthwork, the project-related greenhouse gas emissions are expected to be minimal.

Mitigation Measures: Given the lack of potentially significant impacts from greenhouse gas emissions, no mitigation measures are recommended.

8. Hazards and Hazardous Materials

Impacts: The King City WWTP does not currently utilize any hazardous materials in their wastewater treatment process. This natural process involves aeration, ponding and storage of wastewater without the use of any hazardous materials.

Current operations of the WWTP will not utilize or transport any hazardous materials which are capable of creating a hazard to the public or the environment nor within one quarter mile of an existing or proposed school. These operations will not impair or interfere with implementation of an adopted emergency response plan or emergency evacuation plan and will not expose people or structures to significant risk of loss, injury or death involving wildfires.

Mitigation Measures: Given the lack of potentially significant hazards/hazardous materials impacts, no mitigation measures are required.

9. Hydrology and Water Quality

Impacts: Project grading and construction may potentially impact surface stormwater quality. All design measures for stormwater pollution control shall comply with the requirements of the City Municipal Code Section 17.56.100 Stormwater Pollution Prevention. These standards protect against stormwater pollution during project grading and construction.

Given adherence to these requirements, project construction will not violate any water quality standards or waste discharge requirements, substantially deplete groundwater supplies or substantially alter existing drainage patterns or create or contribute runoff water which would exceed the capacity of existing or planned storm water discharge systems or otherwise degrade water quality. In addition, the proposed project will not place any structures within a 100-year floodplain hazard area or expose people or structures to significant loss, injury or death involving flooding. Project facilities will not be exposed to inundation due to a seiche, tsunami or mudflow.

Mitigation Measures: Given the lack of potentially significant hydrology/water quality impacts, no mitigation measures are required.

10. Land Use and Planning

Impacts: The proposed project will not physically divide an established community nor conflict with any applicable land use plan, policy or regulation of an agency with jurisdiction over the project area. The proposed project will also not conflict with any applicable habitat conservation plan or natural community conservation plan.

The proposed project may indirectly induce changes in land use as a result of the reduction or elimination of a potential constraint upon development within areas served by the proposed WWTP facilities. The proposed project will not, however, directly cause a change in any existing or future City land use or zoning designations.

Mitigation Measures: Given the lack of potentially significant land use /planning impacts, no mitigation measures are required.

11. Mineral Resources

Impacts: The proposed project is not expected to require any import of off-site soils. As such, no loss of any known mineral resources that would be of value to the region or the residents of the State is anticipated. Given this lack of the import of off-site soils, the project will also not result in the loss of availability of any locally-important mineral resource recovery site.

Mitigation Measures: Given the lack of potentially significant impacts to mineral resources, no mitigation measures are recommended.

12. Noise

Impacts: Project grading and construction is expected to generate construction noise which represents a short-term impact on ambient noise levels. The primary source of construction noise is heavy equipment including, but not limited to, trenching equipment, trucks, concrete mixers and portable generators that can reach high levels. Typically, construction-related noise levels near the construction site will be less.

Given the undeveloped nature of areas immediately adjacent to the WWTP (i.e. agricultural uses and open space), no sensitive noise receptors will be exposed to any significant change in ambient noise levels. The nearest residential uses in the area are the existing Arboleda and Mills Ranch neighborhoods located approximately three-quarters of a mile east of the WWTP.

Mitigation Measures: Given the lack of potentially significant noise impacts, no mitigation measures are required.

13. Population and Housing

Impacts: The proposed project is estimated to require the addition of no more than one or two new employees. This insignificant addition of employees will not generate a significant additional demand for housing. The proposed project will not displace any people or existing housing.

Mitigation Measures: Given the lack of potentially significant population and housing impacts, no mitigation measures are required.

14. Public Services

Impacts: The proposed project will not result in a significant addition of employees and as such will not generate any additional demand upon existing fire protection, police protection, schools, parks, other recreational facilities or other governmental services.

Mitigation Measures: Given the lack of potentially significant public services impacts, no mitigation measures are required.

15. Recreation

Impacts: The proposed project is estimated to require the addition of no more than one or two new employees. This insignificant addition of employees will not generate a significant additional demand upon existing neighborhood and regional parks or other recreational facilities. The proposed project will not require the construction or expansion of recreational facilities.

Mitigation Measures: Given the lack of potentially significant recreation impacts, no mitigation measures are required.

16. Transportation/ Circulation

Impacts: The proposed project is estimated to require the addition of no more than one to two new employees. Assuming a worst-case automobile trip generation factor of four vehicle trips per employee per day, a total of eight vehicle trips per day will be added to local roadways. As such, the proposed project is not expected to generate a significant number of additional motor vehicles or off-site vehicle trips onto local roadways. Once the proposed improvements are completed, maintenance and oversight of the WWTP operations will occur without the substantial addition of cars or trucks. Since the proposed project will not result in a significant addition of employees, no additional transportation/circulation-related impacts are anticipated.

The proposed project will not cause a substantial increase in traffic which will not exceed any level of service standards on any local roadways. The proposed project will not result in any changes in air traffic patterns or exposure to local roadway hazards. Given the lack of additional vehicle trips, the proposed project will not result in inadequate emergency access or parking capacity.

Mitigation Measures: Given the lack of potentially significant transportation/circulation impacts, no mitigation measures are required.

17. Tribal Cultural Resources

Impact: The 11.2 acres which will be the subject project construction has undergone significant prior grading of soils in order to accommodate the existing holding ponds at this location. As such, the project is not anticipated to cause a substantial adverse change in the significance of any tribal cultural resources as defined by the Public Resources Code. The City sent an AB 52 CEQA Tribal Consultation Notice on March 8, 2021. On April 26, 2021, Patti Dunton, Tribal Administrator for the Salinan Tribe responded requesting a cultural resource specialist to be on site. On April 27, 2021, the City responded with an invitation to tour the wastewater treatment plant. The City received no response. After the MND was modified in response to comments made during the first public review period, and on July 5, 2022, the City forwarded the proposed cultural resources mitigation measures to Patti Dunton. (Reference Attachment 6.)

Mitigation Measures: Reference Cultural Resource Section 5.

18. Utilities and Service Systems

Impacts: The proposed improvements to the existing WWTP are intended to increase wastewater treatment capabilities of the existing WWTP. These proposed improvements will result in the construction of a new wastewater treatment facility intended to comply

with new discharge requirements, produce unrestricted re-use quality recycled water and provide adequate treatment capacity for the next 20 years.

The proposed WWTP improvements will not require construction of new storm water drainage facilities nor have the need for additional water supplies. Solid waste from the WWTP is currently transported to the Marina Landfill facility near Salinas in Monterey County. This landfill currently has sufficient capacity to accept sludge generated by the WWTP improvements in compliance with federal, state and local regulations. However, future disposal of sludge from the WWTP may be transported to other landfills in the area that are licensed to accept these materials.

It should be noted that the existing WWTP has incorporated several design features that are intended to reduce any potential impacts of this facility upon the adjacent Salinas River habitat. These measures include monitoring wells throughout the WWTP property which can detect any changes in groundwater quality in order to insure that off-site groundwater is not degraded. The WWTP is also surrounded by a levy and setbacks in order to insure that surface water does not drain into off-site areas. The existing WWTP currently operates a wastewater spray field on the western portion of the WWTP property. Treated wastewater is currently sprayed on this area but not as far as the Salinas river habitats. This spray field will no longer be in operation once the proposed improvements to the WWTP are completed. This represents a beneficial water quality impact.

Mitigation Measures: Given the lack of potentially significant utilities and service systems impacts, no mitigation measures are required.

III. PROJECT DESCRIPTION

PROJECT BACKGROUND

The King City Wastewater Treatment Plant (WWTP) is located along the northern boundary of the City of King (City). This existing wastewater treatment facility currently serves a population of approximately 13,000 people. This WWTP was originally constructed in 1970 and has been the subject of capacity expansions in 1982, 1991, and 2010. The most recent facility plan update occurred in 2007.

In September, 2017, the City completed an updated Facility Plan which addressed several goals including but not limited to: 1) production of tertiary treated effluent meeting the Title 22 unrestricted reuse requirements; 2) provision of additional plant capacity in order to accommodate additional growth in King City; 3) maintaining the ability to keep up with changes in current permit requirements; 4) address the need to repair/rehabilitate an aging WWTP infrastructure and 5) meet the ongoing maintenance needs of the existing pond systems.

The current 2017 Feature Plan contains new project information which provides the basis for many of the discussions of the environmental impacts of the proposed expansion project as contained within this Initial Study/Mitigated Negative Declaration.

Preparation of the current Facility Plan began with the preparation of five different project alternatives. These project alternatives consider changes to and/or abandonment of the existing domestic spray fields as well as various designs for the future percolation ponds. According to the 2017 Facility Plan “all five project alternatives would provide reliable treatment capacity for not only the current but also future design flows and storage loads. In contrast, the existing pond-based treatment system will have difficulty maintaining a consistent amount of secondary effluent in the future”.

The City selected Project Alternative #1 of the five alternatives analyzed in the 2017 Facilities Plan. However, the City reserves the ability to incorporate various elements of Project Alternatives #2 through #5 in the event that circumstances change. These detailed revisions are analyzed in and therefore covered by this Initial Study/Mitigated Negative Declaration.

PROJECT DESCRIPTION

This Initial Study/Mitigated Negative Declaration identifies and analyzes the proposed construction and operation of improvements to the King City Wastewater Treatment Plant (WWTP) as shown in Project Alternative #1 as noted above. These proposed improvements will be located on ten acres, all of which are within the boundaries of the existing King City WWTP. Currently, untreated wastewater is initially directed into on-site holding ponds for treatment and ultimately onto on-site spray fields.

The proposed project design will involve the construction of a new wastewater treatment facility intended to comply with new discharge requirements, produce unrestricted re-use quality recycled water and provide adequate treatment capacity for the next 20 years. Project construction will involve: 1) the construction of new wastewater treatment facilities which will provide 1.3 million gallons per day (mgd) of secondary treatment capacity after completion of Phase I of construction with an ultimate total facility capacity of 1.7 to 2.2 mgd. Current permitted capacity of the treatment plant is 1.2 mgd. As such, Phase I represents an increase of a maximum of 1.0 mgd. of total facility capacity; 2) provision of tertiary treatment facilities which will produce recycled water for agricultural and landscape irrigation and 3) provision of effluent disposal facilities. Construction of these proposed treatment facilities will occur within approximately 11.2 acres, all of which are located within the boundaries of the existing WWTP boundaries ***The WWTP improvements therefore result in a reduced development "footprint".***

- **Secondary Treatment Facilities**

As noted above, the proposed secondary treatment facilities will be constructed in phases. Phase I will provide 1.3 million gallons of secondary treatment while completion of Phase II, that being build-out of the proposed secondary treatment facilities, will produce a total of 2.0 million gallons per day of ultimate secondary treatment capacity.

The proposed secondary treatment facilities will consist of headworks, oxidation ditches, secondary clarifiers, screw presses for biosolids dewatering and all necessary ancillary facilities. The proposed headworks will be designed to accommodate ultimate peak hour flows of 7.8 mgd after completion of Phase I of construction and will include flumes, bar screens, a grit chamber and an influent pump station with submersible pumps.

- **Tertiary Treatment Facilities**

Construction of the proposed tertiary treatment facilities will provide several beneficial uses for recycled water including agricultural irrigation, landscape irrigation, medical cannabis cultivation irrigation and industrial/process reuse. As is the case with the proposed secondary treatment components, the tertiary treatment facilities will also be constructed in phases. Phase I of construction of the proposed tertiary treatment facilities is estimated to generate a total of 665 acre-feet of reclaimed water per year while completion of Phase II, that being build-out of the proposed tertiary treatment facilities, will generate an estimated total of 1,122 acre-feet of reclaimed water per year.

In order to provide the tertiary treatment needed to produce unrestricted recycled water (per Title 22 water quality requirements), cloth media filtration and ultraviolet (UV disinfection) will be used. A new pump station near the existing spray field irrigation pump station will also be constructed. The new recycled water pump station will be sized to meet the estimated future peak hour demand flows for tertiary water. In addition, a new recycled water storage pond will be constructed which will hold yearly and peak hour event wastewater storage. The existing storage pond 4 with a current maximum volume of 15.7

million gallons, will be converted from a secondary treatment pond to a tertiary water storage pond. This conversion will require dredging the existing pond, removing the existing clay liner and adding a plastic liner. These storage facilities will accommodate 14.0 million gallons of yearly storage and a 13-hour peak hour event at build-out conditions.

- **Effluent Disposal Facilities**

During wet weather events and periods of low recycled water demand, excess effluent will require disposal. When the recycled water storage facilities are full and recycled water demand is low, secondary effluent will be pumped and disposed of either at the adjacent spray fields or in new percolation ponds. These facilities will only be utilized during the non-irrigation season.

IV. ENVIRONMENTAL EVALUATION

The environmental factors checked below would be potentially affected by the proposed project, involving at least one impact that is a "Known Significant", "Unknown Potentially Significant" or "Potentially Significant and Mitigated" impact as indicated by the Environmental Checklist:

	1. Aesthetics		10. Land Use and Planning
X	2. Agriculture and Forestry Resources		11. Mineral Resources
X	3. Air Quality		12. Noise
X	4. Biological Resources		13. Population and Housing
X	5. Cultural Resources		14. Public Services
	6. Geology and Soils		15. Recreation
	7. Greenhouse Gas Emissions		16. Transportation and Circulation
	8. Hazards and Hazardous Materials		17. Tribal Cultural Resources
	9. Hydrology and Water Quality		18. Utilities and Service Systems
			19. Mandatory Findings of Significance (Also see Section V)

The following checklist indicates the potential level of impact and based upon the following categories:

<u>Significant:</u>	Known significant environmental impacts.
<u>Unknown, Potentially Significant:</u>	Unknown potentially significant impacts, which require further review to determine significance level.
<u>Potentially Significant and Mitigable:</u>	Potentially significant impacts which can be mitigated to less than significant levels.
<u>Not Significant:</u>	Impacts which are not considered significant.

1.	AESTHETICS:	Significant	Unknown, Potentially Significant	Potentially Significant And Mitigated	Not Significant
	Would the project:				
a.	Have a substantial adverse effect on a scenic vista?				X
b.	Substantially damage scenic resources, including but not limited to, trees, rock outcroppings, and historic buildings within view of a state scenic highway?				X
c.	Substantially degrade the existing visual character or quality of the site and its surroundings?				X

d.	Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?				X
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Impacts: The existing WWTP is located on a relatively flat alluvial plain north of King City. The current facilities contain single-story structures for administrative and repair activities. The Salinas riverbed, which is located immediately west of the WWTP, contains many large trees and thick ground vegetation which shields views of the WWTP from the adjacent US Highway 101. Given the relatively low visual profile of the existing treatment plant facility and the undeveloped nature of surrounding areas, the existing WWTP is barely visible from any developed areas in the vicinity of the existing facility.

None of the proposed project facilities will have a substantial adverse effect upon any scenic vistas nor will they degrade any existing scenic resources or the visual character or quality of its surroundings. The proposed project will not create any new sources of substantial light or glare which would affect day or nighttime views in the area.

Mitigation Measures: Given the lack of potentially significant impacts to aesthetics, no additional mitigation measures are recommended.

2	AGRICULTURE AND FORESTRY RESOURCES:	Significant	Unknown, Potentially Significant	Potentially Significant And Mitigated	Not Significant
	In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:				
a.	Convert prime farmland, unique farmland, or farmland of statewide importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				X
b.	Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X
c.	Conflict with existing zoning for, or cause rezoning of forest land, (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526) or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?			X	
d.	Result in then loss of forest land or conversion of forest land to non-forest use?				X
e.	Involve other changes in the existing environment, which, due to their location or nature could result in conversion of farmland, to non-agricultural use?				X

Impacts: Active agriculture operations are ongoing in areas east, northeast and south of the existing WWTP. All of the proposed project improvements shall be located in a manner that does not directly impact these ongoing agricultural activities.

The proposed project will not directly impact any areas designated as prime farmland, unique farmland or farmland of statewide importance nor will they conflict with any areas zoned for agricultural use or covered

by a Williamson Act contract. The proposed project will not result in any conversion of existing farmland to non-agricultural use. However, project construction could temporarily impact roadways within these adjacent agricultural operations (see "Mitigation Measures" below).

Mitigation Measures:

AG-1. All proposed wastewater transmission and disposal systems shall be located in manner that avoids damaging buried irrigation lines, wells, risers and other agricultural infrastructure.

AG-2. Early notice of any planned closures or detours on existing roadways serving existing agricultural operations shall be provided to adjacent property owners and any farm lessee/operators. These notices should be provided no less than two weeks prior to these closures or detours. Regular updates about forthcoming closures or detours shall be provided to those impacted by these activities as well as being posted on local roadways so that adequate planning can be made for the movement of agricultural goods, equipment and personnel.

3.	AIR QUALITY	Significant	Unknown,, Potentially Significant	Potentially Significant And Mitigated	Not Significant
	Would the project:				
a.	Conflict with or obstruct implementation of the applicable air quality plan?				X
b.	Violate any air quality standard or contribute substantially to an existing or projected air quality violation?				X
c.	Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions, which exceed quantitative thresholds for ozone precursors)?				X
d.	Expose sensitive receptors to substantial pollution concentrations?			X	
e.	Create objectionable odors affecting a substantial number of people?				X

Impacts: The proposed project will not conflict with or obstruct the implementation of any air quality plan, expose sensitive receptors to substantial pollution concentrations, violate any established air quality standards or result in a net increase of any criteria pollutant for which the region is in non-attainment. The proposed project will not generate significant greenhouse gas emissions or conflict with any applicable plan, policy or regulation adopted for the purpose of reducing greenhouse gas emissions.

All construction associated with the proposed WWTP improvements will occur within 11.2 acres located within the boundaries of the existing WWTP facilities. The current project proposal does not require the installation of any pipelines, pump stations, etc. As such, there is little risk of encountering naturally occurring asbestos during project construction.

However, the proposed project could create objectionable smoke, ash, dust or odors affecting other persons in the immediate area (see "Mitigation Measures" below).

Mitigation Measures:

AQ-1. In order to mitigate construction dust and maintain compliance with Monterey Bay Air Resources District (MBARD) rules, the following best management practices shall be implemented.

- Prohibit all grading activities during periods of high wind (over 15 mph).
- Water all active construction areas at least twice daily. Frequency should be based on the type of operation, soil, and wind exposure.
- Apply chemical soil stabilizers on inactive construction areas (disturbed lands within construction projects that are unused for at least four consecutive days).
- Apply non-toxic binders to exposed areas after cut and fill operations or hydroseed the area.
- Maintain at least two feet of freeboard in haul trucks.
- Cover all trucks hauling dirt, sand, or loose materials.
- Plant vegetative groundcover in disturbed areas as soon as possible.
- Cover inactive storage piles.
- Install wheel washers or other appropriately effective track-out capture methods at the construction site for all existing trucks.
- Post a publicly visible sign which specifies the telephone number and person to contact regarding dust complaints. The person shall respond to complaints and take corrective action within 48 hours.

AQ-2. The Monterey Bay Air Resources District recommends using cleaner than required construction equipment that conforms to Air Resources Board's emission standards. Construction equipment shall, where feasible, use alternative fuels which would reduce diesel exhaust emissions. The MBARD further recommends that in the event of removal of existing trees or the generation of green waste that wood chipping is the recommended method of disposal rather than burning.

4.	BIOLOGICAL RESOURCES	Significant	Unknown, Potentially Significant	Potentially Significant And Mitigated	Not Significant
	Would the project:				
a.	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 the California Department of Fish and Game or U.S. Fish and Wildlife Service?			X	
b.	Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife service?				X
c.	Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				X

d.	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?				x
e.	Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?			x	
f.	Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan?			x	

Impacts: Given its proximity to significant biological resources, the proposed project could result in adverse effects upon sensitive biological habitats, candidate, sensitive or special status species. As a result, the proposed project may conflict with local policies or ordinances protecting biological resources or provisions of any approved local, regional or state habitat conservation plans.

The proposed project will occur within the existing footprint of the King City wastewater treatment plant. A total of 11.2 acres of the existing wastewater treatment plant facilities would be permanently impacted by project improvements. Temporary impacts during construction are negligible as no new off-site pipelines are proposed and equipment will be staged within the existing facility boundaries. Impacts to disturbed habitat are not considered significant except where these habitats impact other sensitive biological resources such as nesting birds or sensitive animal species. No impacts to riparian habitats, jurisdictional wetlands and/or waters of oak woodlands are anticipated.

The following discussion of biological resources is based upon the Biological Resources Assessment for the King City Wastewater Treatment Plant prepared by the firm of Althouse & Meade, Inc. dated April, 2022. The area surveyed involved the existing 217.2 acre wastewater treatment facility. This study area is comprised solely of disturbed habitat, with a variety of land uses affiliated with the wastewater treatment process including spray fields, water treatment ponds, access roads and other miscellaneous wastewater treatment facilities. Site surveys indicated 45 species of vascular plants and 28 animal species. Biological resources that could be impacted by the proposed project includes existing disturbed habitat, that being wastewater treatment ponds, nesting birds, special status amphibians and reptiles including the western spadefoot toad, coast ranges newt, Northern California legless lizard, western pond turtle and coast horned lizard. Special status birds include cooper's hawk, tricolored blackbird, golden eagle, great blue heron, burrowing owl, bank swallow and least bell's vireo. Other special status mammals include the Salinas pocket mouse, american badger, and the San Joaquin kit fox. Potential project impacts to special status species will be reduced through current management practices as well as the implementation of proposed mitigation measures (see "Mitigation Measures" below.)

It should be noted that the existing WWTP has incorporated several design features that are intended to reduce potential impacts of this facility upon the adjacent Salinas River habitat. These measures include monitoring wells throughout the WWTP property which can detect any changes in groundwater quality in order to ensure that off-site groundwater is not degraded. The WWTP is also surrounded by a levy and setbacks in order to ensure that surface water drains into off-site areas. It should also be noted that the existing spray field adjacent to the river habitat will no longer be in operation once the proposed improvements to the WWTP are completed. This represents a beneficial impact upon biological resources within the adjacent Salinas River habitats.

Botanical Resources

Special status plants with the potential to be found in the project area are not likely to occur. Portions of the project area that are marginally suited to support special status plants will not be impacted due to regular long-term disturbance of natural habitat and/or the lack of appropriate habitat. No special status plants

either in bloom or senesced were detected during on-site surveys conducted in December, 2021. As such, no further mitigation measures or botanical surveys are required.

Wildlife Resources

Nesting Birds - Impacts to or taking of nesting birds could occur if project construction is conducted during the nesting season, that being February 1st through September 15th. Mitigations are provided below which will reduce potential adverse effects of the proposed project on nesting birds (see "Mitigation Measures" below).

Western Bumblebee - Project construction as proposed within existing treatment ponds would not impact potential nesting habitat for the western bumblebee. No further mitigations are required.

Amphibians and Reptiles - Several special status amphibians have the potential to occur within the study area. These special status amphibian species include the western spadefoot toad and the coast range newt. Special status reptiles include the Northern California legless lizard, the western pond turtle and the coast horned lizard. Due to the project being restricted to the on-site treatment ponds, it is unlikely for all but the western pond turtle to be potentially impacted by project related activities. Mitigation measures are recommended to protect these special status amphibians and reptiles from project - related impacts (see "Mitigation Measures" below).

Special Status Birds - Special status birds with the potential to occur within the project area include the cooper's hawk, tricolored blackbird, golden eagle, great blue heron, burrowing owl, bank swallow and least bell's vireo. Mitigation measures are provided below which are intended to protect these special status birds from project related impacts (See "Mitigation Measures" below).

Cooper's Hawk - Suitable nesting habitat for the cooper's Hawk is limited to one tree in the study area which is located approximately 400 feet from the project site. Although no trees are present within the project area, nesting bird surveys will ensure no nesting habitat of the cooper's hawk would be impacted by the proposed project (see "Mitigation Measures" below).

Tricolored Blackbird - A limited nesting substrate around the existing on-site treatment ponds is present which could support nesting tricolored blackbirds. Mitigation measures provided below are intended to reduce impacts to the species noted above to a less than significant level (see "Mitigation Measures" below).

Golden Eagle - Suitable nesting habitat for the golden eagle is not present in the general area nor within one mile of the proposed project. As such, impacts to foraging would be negligible. As such, no further mitigation measures are required.

Great Blue Heron - Rookery habitat for the great blue heron is not present in the general area. No known nesting colonies are located within the general area of the proposed project. Potential impacts to the great blue heron would be negligible. As such, no further mitigation measures are required.

Burrowing Owl - Resurgent grassland habitat suitable for denning burrowing owl is present within the existing inactive industrial spray field within the treatment plant area. As such there is potential for project related impacts to the burrowing owl. Mitigation measures are provided to reduce these impacts to a less than significant level (see "Mitigation Measures" below).

Bank Swallow - Suitable nesting habitat for the bank swallow is not present within the project area. However, there is potential for bank swallow nesting in the riparian habitat along the Salinas River approximately 1300 feet west of the study area. Given this distance of separation, project activities will not impact this potential nesting habitat. As such, no further mitigation measures are required.

Least Bell's Vireo - Suitable habitat for the least bell's vireo is not present in the project area. There is potential for vireo nests in shrubby riparian habitat along the Salinas River approximately 1300 feet (0.2

miles) west of the proposed project. In spite of this distance of separation, the California Department of Fish and Wildlife recommends that any project within 0.5 miles of potential least bell's vireo nesting habitat be surveyed to ensure protection of this species when nesting. As a result, mitigation measures are recommended (see "Mitigation Measures" below).

Mammals

Special status mammals including the Salinas pocket mouse, American badger and San Joaquin kit fox have the potential to occur in the study area and could be impacted by project related activities

Salinas Pocket Mouse – The Salinas pocket mouse is unlikely to occur but could be present in the study area. Mitigation measures are provided which would reduce these potential impacts to the Salinas pocket mouse to a less than significant level (see "Mitigation Measures" below).

American Badger –Existing habitat conditions are suitable to support denning American badger activities within the on-site spray fields. Mitigation measures are provided which would reduce these potential impacts to the American badger to a less than significant level (see "Mitigation Measures" below).

San Joaquin Kit Fox –Occurrences of the San Joaquin kit fox have been documented in the vicinity of the project area. Habitat assessments conducted in the study area on December 7, 2021 determined that marginally suitable habitat in the existing inactive industrial spray fields on-site could support denning kit fox. Areas surrounding the project site are actively farmed and would impede kit fox movement into the study area from less developed areas to the east and south. Though not likely to occur on-site, mitigation measures are recommended to ensure that no take of the San Joaquin kit fox occurs (see "Mitigation Measures" below).

Mitigation Measures:

BR-1 (Nesting Bird Surveys) Within one week of ground disturbance activities, if construction occurs between February 1 and September 15, nesting bird survey shall be conducted. If surveys do not locate nesting birds, construction activities may be conducted. If nesting birds are located, no construction activity shall occur within 100 feet of nests until chicks are fledged. Once construction begins, a qualified biologist will continuously monitor nests to detect behavioral changes resulting from the project. If behavioral changes occur, work causing that change shall cease and the California Department of Fish and Wildlife will be consulted for additional avoidance and minimization measures. If continuous monitoring of identified nests by a qualified wildlife biologist is not feasible, California Department of Fish and Wildlife recommends a minimum no-disturbance buffer of 250 feet around active nests of non-listed birds and a 500-foot no-disturbance buffer around active nests of non-listed raptors. These buffers are advised to remain in place until the breeding season has ended or until a qualified biologist has determined that the birds are fledged and are no longer reliant upon the nest or parental care for survival. A preconstruction survey report shall be submitted to the lead agency immediately upon completion of the survey. The report shall detail appropriate fencing or flagging of the buffer zone and make recommendations on additional monitoring requirements. A map of the project site and nest locations shall be included within the report. The biologist conducting the nesting survey shall have the authority to reduce or increase the recommended buffer depending upon site conditions.

BR-2 (Biological Monitoring) A qualified biological monitor shall be present during all earth-disturbing construction activities and draining of treatment ponds associated with construction of the project including, but not limited to, grading, excavations, tilling, draining and dredging. The biologist shall contact a morning clearance survey of the project area each day that ground disturbing activities are proposed. Special status animals (i.e., western spadefoot toad, coast range newt, northern California legless lizard, western pond turtle, coast horned lizard and Salinas pocket mouse) captured during surveys or during construction monitoring shall be relocated to the nearest suitable habitat outside of the project area. A letter report shall be submitted to the County and California Department of Fish and Wildlife within 30 days of relocation or as directed by California Department of Fish and Wildlife.

BR-3 (Tricolored Blackbird Surveys) Project activities shall be timed to avoid the typical bird breeding season of February 1 through September 15. If project activity that could disrupt nesting must take place during that time, a qualified wildlife biologist shall conduct focused surveys for nesting tricolored blackbird to determine the presence or absence of the species or nesting colonies in the study area.

BR-4 (Tricolored Blackbird Colony Avoidance) If an active tricolor blackbird nesting colony is found during surveys, a minimum 300-foot no-disturbance buffer shall be installed and observed in accordance with California Department of Fish and Wildlife requirements until the breeding season has ended or until a qualified biologist has determined that nesting has ceased and the young have fledged and are no longer reliant upon the colony or parental care for survival. It is important to note that tricolored blackbird colonies can expand over time and for this reason, California Department of Fish and Wildlife recommends that an active colony be re-assessed to determine its extent within 10 days prior to project construction.

BR-5 (Tricolored Blackbird Take Authorization) In the event that a tricolored blackbird nesting colony is observed during surveys, consultation with the California Department of Fish and Wildlife is warranted to discuss whether the project can avoid take and if take avoidance is not feasible, to acquire all necessary permits pursuant to the California Fish and Game Code.

BR-6 (Preconstruction Surveys) Where suitable habitat is present on or in the vicinity of the project site, a qualified biologist shall conduct focused burrowing owl surveys following the California Burrowing Owl Consortium (1993) "Burrowing Owl Survey and Mitigation Guidelines" and the California Department of Fish and Game "Staff Report on Burrowing Owl Mitigation (2012)". Specifically, these documents suggest three or more surveillance surveys be conducted during daylight hours with each visit occurring at least three weeks apart during the peak breeding season of April 15th to July 15th when the burrowing owls are most detectable. In addition, the California Department of Fish and Wildlife advises that surveys include a minimum 500 foot survey radius around the project site.

BR-7 (Avoidance) No disturbance buffers, as outlined within the California Department of Fish and game (2012) document noted above, shall be implemented prior to and during any ground disturbing activities and that impacts to occupied burrows be avoided unless a qualified biologist verifies through non-invasive methods that either the birds have not begun egg laying and incubation or that juveniles from the occupied burrows and are foraging independently are capable of independent survival.

BR-8 (Burrowing Owl Eviction and Mitigation) If burrowing owls are found within these recommended buffers and avoidance is not possible, it is important to note that according to the California Department of Fish and Game (2012), evicting birds from burrows is not a take avoidance, minimization or mitigation method and is instead considered a potentially significant impact under the California Environmental Quality Act. If it is necessary for the project construction to proceed, California Department of Fish and Wildlife recommends that burrow exclusion be conducted by a qualified biologist and only during the non-breeding season before breeding behavior is exhibited and after the burrow is confirmed empty through non-invasive methods such as surveillance. Mitigation in the form of replacement of occupied burrows with artificial burrows at a minimum ratio of one burrow collapsed to one artificial burrow constructed shall be implemented to mitigate the evicting of burrowing owls and the loss of burrows. Burrowing owls may attempt to colonize or recolonize an area that will be impacted. As such, the California Department of Fish and Wildlife recommends ongoing surveillance at a rate that is sufficient to detect burrowing owl if they return.

BR-9 (Focused Least Bell's Vireo Surveys) In order to reduce potential project related impacts to the least bell's vireo, a qualified wildlife biologist shall conduct surveys following the survey methodology developed by the U.S. Fish and Wildlife Service (2001) prior to project construction within the project area and a ½ mile buffer around the project area. In addition, if project activities take place during the typical breeding season (February 1st through September 15th), additional preconstruction surveys for active nests shall be conducted by a qualified biologist no more than 10 days prior to the start of project construction.

BR-10 (Least Bell's Vireo Buffers) If an active least bell's vireo nest is found during protocol or preconstruction surveys, a minimum 500 foot, no disturbance buffer shall be implemented and maintained

until the breeding season has ended or until a qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest site or parental care for survival.

BR-11 (Least Bell's Vireo Nest Avoidance and Habitat Mitigation) In addition to avoiding occupied nest trees, the California Department of Fish and Wildlife recommends that impacts to known nest trees be avoided at all times of the year. Regardless of nesting status, if potential or known least bell's vireo nesting habitat is removed, the California Department of Fish and Wildlife recommends it be replaced with appropriate native tree species planted a ratio of 3:1 (replaced to removed) in an area that will be protected in perpetuity. This mitigation will offset potential impacts of the loss of potential nesting habitat.

BR-12 (Least Bell's Vireo Take Authorization) If a 500 foot no-disturbance nest buffer is not feasible, consultation with the California Department of Fish and Wildlife is warranted and acquisition of required permits may be necessary prior to project construction in order to avoid unauthorized take pursuant to the California Fish and Game Code.

BR-13 (Preconstruction Survey for the America Badger) A preconstruction survey shall be conducted on the project site in order to locate occupied american badger dens within 100 feet of the project site. The survey shall be conducted within 15 days of starting any grading, grubbing or oak tree removal. Orange construction fencing, or other easily identifiable buffer material, shall be installed under the direction of a project biologist in a manner sufficient to protect the dens from construction equipment. A buffer of 50 feet shall be used for occupied non-maternal dens. A buffer of 150 feet shall be installed if the den is determined to be a maternal pupping den. Construction activities shall not commence within the exclusion area until the badger has moved on its own accord. A preconstruction survey letter report shall be submitted to the City for review within one week after completion of the survey.

BR 14 (San Joaquin Kit Fox Surveys and Minimization) A qualified biologist shall conduct surveys to assess for presence or absence of the San Joaquin kit fox. The survey area will consist of the entire project site and surrounding 500 foot buffer. In addition, recommendations made by the United States Department of Fish and Wildlife Service for the San Joaquin kit fox shall be followed during project construction as noted below.

The following mitigation measures (BR-15 through BR-27) are taken from the U.S. Fish and Wildlife Service Standardized Recommendations for Protection of the Endangered San Joaquin Kit Fox Prior To or During Ground Disturbance (2011) and shall be implemented as specified below.

BR-15 – Project-related vehicles shall observe a daytime speed limit of 20 mph throughout the project site and all project areas except on County roads and State and Federal highways. This is particularly important at night when kit foxes are most active. Nighttime construction shall be minimized to the extent possible. However, if it does occur, the speed limit shall be reduced to 10 mph. Off-road traffic outside of designated areas shall be prohibited.

BR-16 – In order to prevent inadvertent entrapment of Kit foxes or other animals during project construction, all excavated, steep walled holes or trenches more than two feet deep shall be covered at the close of each working day by plywood or similar materials. If the trenches cannot be closed, one or more escape ramps constructed of earthen fill or wooden planks shall be installed. Before such holes or trenches are filled, they should be thoroughly inspected for trapped animals. If at any time a trapped or injured kit fox is discovered, the California Department Fish and Wildlife Service and California Department of Fish and Game shall be contacted as noted within Mitigation Measure BR- 26 below.

BR-17 – Kit foxes are attracted to den-like structures such as pipes and may enter stored pipes or become trapped or injured. All construction pipes, culverts or similar structures with a diameter of four inches or greater that are stored at a construction site for one or more overnight periods shall be thoroughly inspected for kit foxes before the pipe is subsequently buried, capped or otherwise used or moved in any way. If a kit fox is discovered inside a pipe, that section of pipe shall not be moved until the California Fish and Wildlife Service has been consulted. If necessary, and under the direct supervision of the biologist, the pipe may be moved only once in order to remove it from the path of construction activity until the kit fox has escaped.

BR-18 – All food related trash items such as wrappers, cans, bottles and food scraps shall be disposed of in securely closed containers and removed at least once a week from the construction site.

BR-19 –No firearms shall be allowed on the project site.

BR-20 – No pets, such as dogs or cats, shall be permitted on the project site in order to prevent harassment, mortality of kit foxes or destruction of dens.

BR-21 – Use of rodenticides and herbicides in the project area shall be restricted in order to prevent primary or secondary poisoning of kit foxes and the depletion of prey populations on which they depend. All uses of such compounds shall observe label and other restrictions mandated by the U.S. Environmental Protection Agency, California Department of Food and Agriculture and other State and Federal legislation as well as additional project-related restrictions deemed necessary by the California Fish and Wildlife Service. If rodent control must be conducted, zinc phosphide should be used because of a proven lower risk to the kit fox.

BR-22 – A representative shall be appointed by the project proponent who will be the contact source for any employee or contractor who might inadvertently kill or injure a kit fox or who finds a dead, injured or trapped kit fox. The representative will shall be identified during the employee education program and their name and telephone number shall be provided to the California Fish and Wildlife Service.

BR-23 – An employee education program shall be conducted for any project that has anticipated impacts to the kit fox or other endangered species. This program shall consist of a brief presentation by persons knowledgeable in kit fox biology and legislative protection to explain endangered species concerns to contractors, their employees and military and/or agency personnel involved in the project. The program shall include the following: a description of the San Joaquin kit fox and its habitat needs, a report of the occurrence of kit fox in the project area, an explanation of the status of the species and its protection under the Endangered Species Act and a list of measures being taken to reduce impacts to the species during project construction and implementation. A fact sheet conveying this information shall be prepared for distribution to the previously referenced people and anyone else who may enter the project site.

BR-24 – Upon completion of the proposed project, all areas subject to temporary ground disturbances, including storage and staging areas, temporary roads, etc. shall be re-contoured if necessary and vegetated to promote restoration of the area to pre-project conditions. An area subject to “temporary” disturbance means any area that is disturbed during construction of the proposed project, but after project completion will not be subject to further disturbance and has the potential to be re-vegetated. Appropriate methods and plant species used to revegetate such areas shall be determined on a site-specific basis in consultation with the California Department of Fish and Wildlife and revegetation experts.

BR-25 – In the case of trapped animals, escape ramps or structure should be installed immediately to allow the animal(s) to escape or the California Fish and Wildlife Service shall be contacted for map guidance.

BR-26 – During the site disturbance and/or construction phase, any contractor or employee that inadvertently kills or injures a San Joaquin kit fox or who finds any such animal either dead, injured or entrapped shall be required to report the incident immediately to the City. In the event that any observations are made of an injured or dead kit fox, the U.S. Fish and Wildlife Service and California Department of Fish and Wildlife shall be immediately notified by telephone. In addition, formal notification shall be provided in writing within three working days of finding any such animal(s). Notification shall include the date, time, location and circumstances of the incident. Any threatened or endangered species found dead or injured shall be turned over immediately to the California Department of Fish and Wildlife for care, analysis or disposition.

BR-27 – New sightings of San Joaquin kit fox shall be reported to the California Natural Diversity Database (CNDDDB). A copy of the reporting form and a topographic map clearly marked with the location of where the kit fox was observed shall also be provided to the U.S. Fish and Wildlife Service.

5. CULTURAL RESOURCES		Significant	Unknown, Potentially Significant	Potentially Significant And Mitigated	Not Significant
Would the project:					
a.	Cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines Section 15064.5?			X	
b.	Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.5?			X	
c.	Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?			X	
d.	Disturb any human remains, including those interred outside of formal cemeteries?			X	

Impacts: The existing WWTP site is highly disturbed and is not expected to contain any known archaeological sites, paleontological resources or historical structures. On June 16, 2022, the City sent a letter to the State Office of Historic Preservation requesting Section 106 clearance and stating that the project will not cause foreseeable harm to archaeological sites paleontological resources or historic resources. (Reference **Attachment 4**.) On July 11, 2022, the Department of Parks and Recreation Office of Historic Preservation responded that they do not object to the City's finding of No Historic properties affected. (Reference **Attachment 5**.)

However, significant archaeological, paleontological or historic resources may be discovered during project grading or construction. In that event, these resources will either be excavated or protected in a manner consistent with all applicable State and local laws, and all work will be halted and the resources will be evaluated by a qualified professional (see "Mitigation Measures" below).

Mitigation Measures: The City, in 2019, adopted an updated and detailed list of mitigation measures related to cultural resources impacts that are applicable to all development applications. These measures are summarized below.

CR-1. Prior to excavation and construction on the project site, the prime construction contractor or any subcontractor(s) shall be cautioned on the legal and/or regulatory implications of knowingly destroying historic or prehistoric cultural resources or removing artifacts such as, but not limited to, prehistoric groundstone, projectile points, shell middens, or debitage, human remains, historic materials such as, but not limited to, bottles or cans and other cultural materials from the project site.

CR-2. Prior to any demolition, excavation, or construction, the Applicant shall identify a qualified archaeologist to be on call if any cultural resources are identified, or if required by the City, when project excavation of four (4') feet or greater is needed. The City shall approve the selected archaeologist prior to issuance of any permit that includes soil disturbance. When excavation of greater than four (4') feet is anticipated, a Tribal Monitor may be required.

CR-3. Prior to any soil disturbing activities to search for surface evidence of historical or prehistoric cultural resources and if a project survey has not been conducted as part of the project application process, the archaeologist shall conduct a pedestrian survey of the project site. The archaeologist shall be authorized to perform spot check monitoring of subsurface construction for potential cultural resources and analyze and evaluate those artifacts or resources that may be uncovered. The qualified archaeologist shall also have the authority to temporarily halt excavation and construction activities in the immediate vicinity (within

a 50-meter radius or approximately 164 feet) of a find if significant or potentially significant cultural resources are exposed and/or adversely affected by construction operations.

CR-4. In the event of a find, reasonable time shall be allowed for the qualified archaeologist to conduct additional subsurface testing, analysis and reporting, if warranted. During this time, excavation and construction shall not be allowed in the immediate vicinity of the find (within a 50-meter radius or approximately 164 feet or within a larger area as determined by the qualified archaeologist). However, activities may continue in other areas of the project site, if so determined by the qualified archaeologist.

CR-5. All cultural materials recovered as part of the testing or monitoring program shall be subject to scientific analysis, professional museum curation and reporting prepared according to current professional standards.

CR-6. In accordance with State CEQA Guidelines, Section 15064.5 (e)(1)(A)(B), in the event of discovery or recognition of any human remains on the project site during development, the following steps should be taken. There shall be no further excavation or disturbance of the site or any area reasonably suspected to overlie adjacent human remains until the coroner is contacted to determine that no investigation of the cause of death is required. Possible indications of burials could include a layer of shells placed over the burial. If the coroner determines the remains to be Native American, then the coroner shall contact the Native American Heritage Commission within 24 hours. The Commission shall identify the person or persons it believes to be the most likely descendent of the deceased Native American. The most likely descendent may then make recommendations to the landowner or person responsible for the excavation work, for the means of treating or disposing of, with appropriate dignity, the human remains and associated grave goods as provided in the Public Resources Code.

CR-7. The applicant or their authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity on the property in a location not subject to further disturbance.

	6. GEOLOGY AND SOILS	Significant	Unknown, Potentially Significant	Potentially Significant And Mitigated	Not Significant
	Would the project:				
a.	Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				X
i)	Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist or based on other substantial evidence of a known fault?				X
ii)	Strong seismic ground shaking?				X
iii)	Seismic-related ground failure, including liquefaction?				X
iv)	Landslides?				X
b.	Result in substantial erosion or the loss of topsoil?				X
c.	Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?				X

d.	Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?				X
e.	Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?				X

Impacts: The proposed project is not expected to expose people or structures to geologic and soils hazards in areas containing the proposed project facilities. All proposed structures will be required to meet all applicable requirements contained in the City Building Code.

The proposed project facilities are not expected to expose people or structures to substantial geologic risks due to the rupture of a known earthquake fault, strong seismic ground shaking or seismic related ground failure. Given the relatively flat topography of areas containing the proposed project facilities, little in the way of landslides, substantial erosion or exposure to unstable or expansive soils are expected to occur. On-site soils are expected to be capable of supporting wastewater storage and wastewater disposal systems.

Mitigation Measures: Given the lack of potentially significant impacts due to geology and soils, no mitigation measures are recommended.

7. GREENHOUSE GAS EMISSIONS		Significant	Unknown, Potentially Significant	Potentially Significant And Mitigated	Not Significant
Would the project:					
a.	Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?				X
b.	Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing emissions of greenhouse gases?				X

Impacts: The proposed project will not generate significant greenhouse gas emissions or conflict with any applicable plan, policy or regulation adopted for the purpose of reducing greenhouse gas emissions.

All construction associated with the proposed WWTP improvements will occur within 11.2 acres located within the boundaries of the existing WWTP facilities. Given the relatively small area required for the operation of construction equipment as well as the relatively minimal amount of required earthwork, the project-related greenhouse gas emissions are expected to be minimal.

Mitigation Measures: Given the lack of potentially significant impacts from greenhouse gas emissions, no mitigation measures are recommended.

8. HAZARDS AND HAZARDOUS MATERIALS		Significant	Unknown, Potentially Significant	Potentially Significant And Mitigated	Not Significant
Would the project:					
a.	Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?				X

b.	Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?				X
c.	Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X
d.	Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would create a significant hazard to the public or the environment?				X
e.	For a project located in an airport land use plan or where such a plan has not been adopted, within two miles of a public airport or public use airport would the project result in a safety hazard for people residing or working in the project area?				X
f.	For a project within the vicinity of a private airstrip would the project result in a safety hazard for people residing or working in the project area?				X
g.	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X
h.	Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?				X

Impacts: The King City WWTP does not currently utilize any hazardous materials in their wastewater treatment process. This natural process involves aeration, ponding and storage of wastewater without the use of any hazardous materials.

Current operations of the WWTP will not utilize or transport any hazardous materials which are capable of creating a hazard to the public or the environment nor within one quarter mile of an existing or proposed school. The proposed project will not result in a safety hazard for people residing or working in the project area. These operations will not impair or interfere with implementation of an adopted emergency response plan or emergency evacuation plan and will not expose people or structures to significant risk of loss, injury or death involving wildfires. The proposed project will not result in a safety hazard for people residing or working in the project area nor will it create a safety hazard from a private airstrip for people working in the project area.

Mitigation Measures: Given the lack of potentially significant impacts related to hazards or hazardous materials, no mitigation measures are recommended.

9.	HYDROLOGY AND WATER QUALITY	Significant	Unknown, Potentially Significant	Potentially Significant And Mitigated	Not Significant
	Would the project:				
a.	Violate any water quality standards or waste discharge requirements?				X

b.	Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?				X
c.	Substantially alter the existing drainage pattern on the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on or off-site?				X
d.	Substantially alter the existing drainage pattern on the site or area, including through the alteration of the course of a stream or substantially increase the rate or amount of surface runoff in a manner, which would result in flooding on- or off-site?				X
e.	Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff or fail to meet the new CCRWQCB standards for stormwater control?				X
f.	Otherwise substantially degrade water quality?				X
g.	Place housing within a 100-year flood hazard area as mapped on a Federal flood hazard boundary or flood insurance rate map or other flood hazard delineation map?				X
h.	Place within a 100-year flood hazard area structures which would impede or redirect flood flows?				X
i.	Expose people or structures to a significant risk of loss, injury or death involving flooding including flooding as a result of the failure of a levee or dam?				X
j.	Inundation by seiche, tsunami, or mudflow?				X

Impacts: Project grading and construction may potentially impact surface stormwater quality. All design measures for stormwater pollution control shall comply with the requirements of the City Municipal Code Section 17.56.100 Stormwater Pollution Prevention. These standards protect against stormwater pollution during project grading and construction.

Given adherence to these requirements, project construction will not violate any water quality standards or waste discharge requirements, substantially deplete groundwater supplies or substantially alter existing drainage patterns or create or contribute runoff water which would exceed the capacity of existing or planned storm water discharge systems or otherwise degrade water quality. In addition, the proposed project will not place any structures within a 100-year floodplain hazard area or expose people or structures to significant loss, injury or death involving flooding. Project facilities will not be exposed to inundation due to a seiche, tsunami or mudflow.

These proposed improvements reduce or eliminate the need for the construction of new wastewater facilities or the expansion of existing facilities serving the King City area. This represents a beneficial water quality impact.

Mitigation Measures: Given the lack of potentially significant impacts related to hydrology/water quality, no mitigation measures are recommended.

	10.LAND USE AND PLANNING	Significa nt	Unknow n, Potentia lly Significa nt	Potentia lly Significa nt And Mitigate d	Not Significa nt
	Would the project:				
a.	Physically divide an established community?				X
b.	Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?				X
c.	Conflict with any applicable habitat conservation plan or natural community conservation plan?				X

Impacts: The existing WWTP is located approximately one mile north of the developed portions of King City. Active agricultural operations are ongoing in areas east and northeast of the WWTP. The Salinas River is located immediately west of the WWTP. Further west is US Highway 101. South of the WWTP is a combination of active agricultural operations, open space and the northern portion of King City. The nearest residential units in the area are the existing Arboleda and Mills Ranch neighborhoods located approximately three-quarters of a mile east of the WWTP. The King City General Plan designates the WWTP site as PQ – Public/Quasi Public. The City Zoning Code designates the WWTP site as M-1 Industrial District.

The proposed project will not physically divide an established community nor conflict with any applicable land use plan, policy or regulation of an agency with jurisdiction over the project area. The proposed project will also not conflict with any applicable habitat conservation plan or natural community conservation plan.

The proposed project may indirectly induce changes in land use as a result of the reduction or elimination of a potential constraint upon development within areas served by the proposed WWTP facilities. The proposed project will not, however, directly cause a change in any existing or future City land use or zoning designations.

Mitigation Measures: Given the lack of potentially significant land use and planning impacts, no mitigation measures are recommended.

	11. MINERAL RESOURCES	Significa nt	Unknow n, Potentia lly Significa nt	Potentia lly Significa nt And Mitigate d	Not Significa nt
	Would the project:				
a.	Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State?				X
b.	Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan.				X

Impacts: The proposed project is not expected to require any import of off-site soils. As such, no loss of any known mineral resources that would be of value to the region or the residents of the State is anticipated.

Given this lack of the import of off-site soils, the project will also not result in the loss of availability of any locally-important mineral resource recovery site.

Mitigation Measures: Given the lack of potentially significant impacts to mineral resources, no mitigation measures are recommended.

	12. NOISE	Significant	Unknown, Potentially Significant	Potentially Significant And Mitigated	Not Significant
	Would the project:				
a.	Exposure of persons to or generation of noise levels in excess of standards established in the local general plan, noise ordinance or applicable standards of other agencies?				X
b.	Exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels?				X
c.	A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?				X
d.	A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?				X
e.	For a project located within an airport land use plan or where such a plan has not been adopted within two miles of a public airport or public use airport would the project expose people residing or working in the project area to excessive noise levels?				x
f.	For a project within the vicinity of a private airstrip with the project expose people residing or working in the project area to excessive noise levels				x

Impacts: Project grading and construction is expected to generate construction noise which represents a short-term impact on ambient noise levels. The primary source of construction noise is heavy equipment including, but not limited to, trenching equipment, trucks, concrete mixers and portable generators that can reach high levels. The peak noise level for most of the heavy equipment that will be used during project construction is 70 to 95 dBA at a distance of 50 feet. At 200 feet, the peak construction noise levels range from 58 to 83 dBA. At 400 feet, the peak noise levels range from 52 to 77 dBA. These noise levels are based upon worst-case conditions. Typically, construction-related noise levels near the construction site will be less. The proposed project is not located within two miles of a public airport or public use airport. As such, the proposed project will not expose people residing or working in the project area to excessive noise levels.

Given the undeveloped nature of areas immediately adjacent to the WWTP (i.e. agricultural uses and open space), no sensitive noise receptors will be exposed to any significant change in ambient noise levels. The nearest residential uses in the area are the existing Arboleda and Mills Ranch neighborhoods located approximately three-quarters of a mile east of the WWTP.

Mitigation Measures: Given the lack of potentially significant noise impacts to adjacent areas, no mitigation measures are recommended.

13. POPULATION AND HOUSING		Significant	Unknown, Potentially Significant	Potentially Significant And Mitigated	Not Significant
Would the project:					
a.	Induce substantial growth in an area either directly (for example, by proposing new homes and businesses) or indirectly (e.g. through extension of roads or other infrastructure)?				X
b.	Displace substantial numbers of existing housing necessitating the construction of replacement housing elsewhere?				X
c.	Displace substantial numbers of people necessitating the construction of replacement housing elsewhere?				X

Impacts: The proposed project is estimated to require the addition of no more than one or two new employees. This insignificant addition of employees will not generate a significant additional demand for housing. The proposed project will not displace any people or existing housing.

Mitigation Measures: Given the lack of potentially significant impacts to population and housing, no mitigation measures are recommended.

14. PUBLIC SERVICES		Significant	Unknown, Potentially Significant	Potentially Significant And Mitigated	Not Significant
Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the following public services:					
a.	Fire protection?				X
b.	Police protection?				X
c.	Schools?				X
d.	Parks or other recreational facilities?				X
e.	Other public services?				X

Impacts: The proposed project will not result in a significant addition of employees and as such will not generate any additional demand upon existing fire protection, police protection, schools, parks, other recreational facilities or other governmental services.

Mitigation Measures: Given the lack of potentially significant impacts to public services, no mitigation measures are recommended.

15. RECREATION		Significant	Unknown, Potentially Significant	Potentially Significant And Mitigated	Not Significant
Would the project:					

a.	Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				X
b.	Include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?				X

Impacts: The proposed project is estimated to require the addition of no more than one to two new employees. This insignificant addition of employees will not generate a significant additional demand upon existing neighborhood and regional parks or other recreational facilities. The proposed project will not require the construction or expansion of recreational facilities.

Mitigation Measures: Given the lack of potentially significant impacts to recreation facilities, no mitigation measures are recommended.

16. TRANSPORTATION AND CIRCULATION		Significant	Unknown, Potentially Significant	Potentially Significant And Mitigated	Not Significant
Would the project:					
a.	Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths and mass transit?				X
b.	Conflict with an applicable congestion management program, including but not limited to, level of service standards and traffic demand measures or other standards established by the county congestion management agency for designated roads or highways?				X
c.	Result in a change in air traffic patterns including either an increase in traffic levels or a change in location that results in substantial safety risks?				X
d.	Substantially increase hazards due to a design feature (e.g. sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?				X
e.	Result in inadequate emergency access?				x
f.	Conflict with adopted policies, plans or programs regarding public transit, bicycle or pedestrian facilities or otherwise decrease the performance or safety of such facilities?				X

Impacts: The proposed project is estimated to require the addition of no more than one to two new employees. Assuming a worst-case automobile trip generation factor of four vehicle trips per employee per day, a total of eight vehicle trips per day will be added to local roadways. As such, the proposed project is

not expected to generate a significant number of additional motor vehicles or off-site vehicle trips onto local roadways. Once the proposed improvements are completed, maintenance and oversight of the WWTP operations will occur without the substantial addition of cars or trucks. Since the proposed project will not result in a significant addition of employees, no additional transportation/circulation-related impacts are anticipated.

The proposed project will not cause a substantial increase in traffic which will not exceed any level of service standards on any local roadways or air traffic patterns. Given the lack of additional vehicle trips, the proposed project will not result in inadequate emergency access.

Mitigation Measures: Given the lack of potentially significant transportation and circulation impacts, no mitigation measures are recommended.

17. TRIBAL CULTURAL RESOURCES		Significant	Unknown, Potentially Significant	Potentially Significant And Mitigated	Not Significant
Would the project cause a substantial adverse change in the significance of a tribal cultural resource as defined in public resources code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place or object with cultural value to a Californian Native American tribe, and that is:					
a.	Listed or eligible for listing in the California Register of Historical Resources, or a local register of historical resources as defined in Public Resources Code Section 5020.1 (k), or				X
b.	A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.				X

Impact: The 11.2 acres which will be the subject project construction has undergone significant prior grading of soils in order to accommodate the existing holding ponds at this location. As such, the project is not anticipated to cause a substantial adverse change in the significance of any tribal cultural resources as defined by the Public Resources Code.

Mitigation Measures: Given the lack of potentially significant impacts to tribal cultural resources, no mitigation measures are recommended.

18. UTILITIES AND SERVICE SYSTEMS		Significant	Unknown, Potentially Significant	Potentially Significant And Mitigated	Not Significant
Would the project:					

a.	Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?				X
b.	Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X
c.	Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X
d.	Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?				X
e.	Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?				X
f.	Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?				X
g.	Comply with federal, state, and local statutes and regulations related to solid waste?				X

Impacts: The proposed improvements to the existing WWTP are intended to increase wastewater treatment capabilities of the existing WWTP. These proposed improvements will result in the construction of a new wastewater treatment facility intended to comply with new discharge requirements, produce unrestricted re-use quality recycled water and provide adequate treatment capacity for the next 20 years. Project construction will involve: 1) the construction of new wastewater treatment facilities which will provide 1.3 million gallons per day (mgd) of secondary treatment capacity after completion of Phase I of construction with an ultimate total facility capacity of 1.7 to 2.2 mgd; Current permitted capacity of the treatment plant is 1.2 mgd. As such, Phase I represents an increase of 0.1 mgd (or 100,000 gallons per day) of total facility capacity and 2) provision of tertiary treatment facilities which will produce recycled water for agricultural and landscape irrigation. Phase I of construction of the proposed tertiary treatment facilities is estimated to generate a total of 665 acre-feet of reclaimed water per year while completion of Phase II, that being build-out of the proposed tertiary treatment facilities, will generate an estimated total of 1,122 acre-feet of reclaimed water per year

The proposed WWTP improvements will not require construction of new storm water drainage facilities nor have the need for additional water supplies. Solid waste from the WWTP is currently transported to the Marina Landfill facility near Salinas in Monterey County. This landfill currently has sufficient capacity to accept sludge generated by the WWTP improvements in compliance with federal, state and local regulations. However, future disposal of sludge from the WWTP may be transported to other landfills in the area that are licensed to accept these materials.

Dewatered biosolids will be hauled off-site for further treatment or direct land application in accordance with CFR 503 requirements, the State's General Order and local County ordinances. Screenings and grit from the new headworks will be hauled to a local landfill. No screenings or grit are currently produced at the existing WWTP. This will be a new waste stream that is not expected to impact off-site disposal facilities.

It should be noted that the existing WWTP has incorporated several design features that are intended to reduce any potential impacts of this facility upon the adjacent Salinas River habitat. These measures include monitoring wells throughout the WWTP property which can detect any changes in groundwater quality in order to ensure that off-site groundwater is not degraded. The WWTP is also surrounded by a levy and setbacks in order to ensure that surface water does not drain into off-site areas. The existing

WWTP currently operates a wastewater spray field on the western portion of the WWTP property. Treated wastewater is currently sprayed on this area but not as far as the Salinas river habitats. This spray field will no longer be in operation once the proposed improvements to the WWTP are completed. This represents a beneficial water quality impact.

Mitigation Measures: Given the lack of potentially significant impacts associated with utilities and service systems, no additional mitigation measures are recommended.

19. MANDATORY FINDINGS OF SIGNIFICANCE

A project may have a significant effect on the environment and thereby require a focused or full environmental impact report to be prepared for the project where any of the following conditions occur (CEQA §15065):

	Significant	Unknown Potential Significant	Potentially Significant And Mitigated	Not Significant	Impact Reviewed in Previous Document
Potential to degrade: Does the project have the potential to 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, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?			X		
Cumulative: Does the project have potential environmental effects impacts that are individually limited but cumulatively considerable? (Cumulatively considerable means that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?			X		
Substantial adverse: Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?			X		

- Mitigation measures associated the proposed King City Wastewater Treatment Plant expansion will insure that existing habitat of a fish or wildlife species is not significantly impacted, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community or substantially reduce the number or restrict the range of an endangered, rare, or threatened species.
- It is possible during grading and construction activities that unknown cultural resources may be unearthed, which may result in a significant impact.

Implementation of the mitigation measures for cultural resources will ensure that the proposed project would not eliminate important examples of the major periods of California history or prehistory.

- c. Project construction has the potential to impact existing agricultural operations in areas east, northeast and south of the King City Wastewater Treatment Plant. Implementation of proposed mitigations will ensure that the ongoing agricultural operations in these areas will not be significantly impacted by project construction.

V. MANDATORY FINDINGS OF SIGNIFICANCE

A project may have a significant effect on the environment and thereby require a focused or full environmental impact report to be prepared for the project where any of the following conditions occur (CEQA §15065):

	Significant	Unknown Potential Significant	Potential Significant And Mitigated	Not Significant	Impact Reviewed in Previous Document
Potential to degrade: Does the project have the potential to 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, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?			X		
Cumulative: Does the project have potential environmental effects impacts that are individually limited but cumulatively considerable? (Cumulatively considerable means that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?			X		
Substantial adverse: Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?			X		

- a. Mitigation measures associated the proposed King City Wastewater Treatment Plant expansion will insure that existing habitat of a fish or wildlife species is not significantly impacted, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community or substantially reduce the number or restrict the range of an endangered, rare, or threatened species.
- b. It is possible during grading and construction activities that unknown cultural resources may be unearthed, which may result in a significant impact. Implementation of the mitigation measures for cultural resources will ensure that the proposed project would not eliminate important examples of the major periods of California history or prehistory.
- c. Project construction has the potential to impact existing agricultural operations in areas east, northeast and south of the King City Wastewater Treatment Plant. Implementation of proposed mitigations will ensure that the ongoing agricultural operations in these areas will not be significantly impacted by project construction.

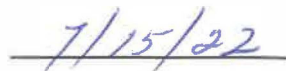
VI. ENVIRONMENTAL DETERMINATION

On the basis of the facts contained within this Initial Study:

I find that the proposed project COULD NOT have a significant effect on the environment and a NEGATIVE DECLARATION will be prepared.	☐
I find that although the project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described in this document have been added to the project. A NEGATIVE DECLARATION will be prepared.	☒
I find that the project MAY have a significant effect on the environment and an ENVIRONMENTAL IMPACT REPORT is required.	☐
I find that the project MAY have a significant environmental effect(s) that has been addressed by mitigation measures based on an earlier analysis. If at least one effect involves a potentially significant impact or a potentially significant unless mitigated, an ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that need to be addressed.	☐
I find that although the proposed project could have a significant effect on the environment, there WILL NOT be a significant effect in this case because all potentially significant effects (a) have been analyzed adequately in an earlier EIR pursuant to applicable standards or (b) have been avoided or mitigated due to the inclusion of project revisions or mitigation measures that are imposed upon the proposed project.	☐



Steven Adams
City Manager
City of King



Date

VII. CERTIFICATION

I hereby affirm to the best of my knowledge, based on available information provided to me through specialist's technical reports, public documents and original research, analysis and assessments, the statements and information contained within this environmental document are true and correct to the degree of accuracy necessary for public disclosure purposes in accordance with Public Resources Code Section 21003, 21061 and 21100.



Steven Adams
City Manager
City of King

7/15/22
Date

VIII. ATTACHMENTS

Attachment 1 of MND

May 27, 2021

Maricruz Aguilar, Assistant Planner
City of King
Community Development Department
212 S. Vanderhurst Ave.
King City, CA 93930
Email: maguilar@kingcity.com

SUBJECT: Mitigated Negative Declaration (MND) – King City Wastewater Treatment Plant Improvements

Dear Ms. Aguilar,

Thank you for providing the Monterey Bay Air Resources District (Air District) with the opportunity to comment on the Mitigated Negative Declaration for the Proposed King City Wastewater Treatment Plant Project (WWTP). The Air District has reviewed the MND and has the following comments:

General:

To assist us with providing the most thorough assessment and comments, it would be helpful to include complete project and construction details. With the information provided in the document it was unclear whether the project included construction, demolition, trenching, etc. or something entirely different. In the absence of specific project information, the following comments have been based on the information provided.

Air Quality:

The following comments are based on Section IV Environmental Evaluation: subsections 8 Hydrology/Water Quality and 10 Noise "Impacts" where it mentioned water issues and noise from: "heavy equipment including, but not limited to, trenching equipment, trucks, concrete mixers and portable generators.."

To mitigate construction dust and maintain compliance with Air District *Rule 402 (Nuisance) and CEQA Guidelines, Section 8.2*, [http://mbard.org/pdf/CEQA_full%20\(1\).pdf](http://mbard.org/pdf/CEQA_full%20(1).pdf) please implement the following Best Management Practices.

Construction Dust:

- Prohibit all grading activities during periods of high wind (over 15 mph)
- Water all active construction areas at least twice daily. Frequency should be based on the type of operation, soil, and wind exposure.
- Apply chemical soil stabilizers on inactive construction areas (disturbed lands within construction projects that are unused for at least four consecutive days)
- Apply non-toxic binders (e.g., latex acrylic copolymer) to exposed areas after cut and fill operations, or hydro-seed area.

- Maintain at least 2'0" of freeboard in haul trucks.
- Cover all trucks hauling dirt, sand, or loose materials.
- Plant vegetative ground cover in disturbed areas as soon as possible.
- Cover inactive storage piles.
- Install wheel washers or other appropriately effective track-out capture methods at the construction site for all exiting trucks.
- Post a publicly visible sign which specifies the telephone number and person to contact regarding dust complaints. This person shall respond to complaints and take corrective action within 48 hours. The phone number of the Air District shall be visible to ensure compliance with *Rule 402 (Nuisance)*.

The MND does not specify the acreage to be disturbed during the various construction activities. There is known Naturally Occurring Asbestos (NOA) along both sides of Spreckels Road where the MND describes pipeline work. In areas with NOA and depending on the acreage disturbed, additional dust mitigation measures are necessary to comply with the [State Asbestos ATCM for Construction, Grading, Quarrying, and Surface Mining Operations](#). Please coordinate with MBARD regarding disturbed acreage along Spreckels Road and the area bounded by Cemetery Road, Metz Road, and San Antonio Drive as these areas are known to have NOA.



Construction Equipment:

The Air District recommends using cleaner than required construction equipment that conforms to ARB's Tier 3 or Tier 4 emission standards. We further recommend that whenever feasible, construction equipment use alternative fuels such as compressed natural gas (CNG), propane, electricity, or biodiesel. This would have the added benefit of reducing diesel exhaust emissions.

Smoke Mitigation:

If the proposed site preparation or construction involves the removal of existing trees, green waste disposal or wood chipping is the Air District's preferred method of disposal over burning. Should any trees be disposed of via wood chipping, please make sure to contact the Air District's Engineering Division at (831) 647-9411 to discuss if a Portable Registration is necessary for the woodchipper being utilized for this project.

Odor Control:

The Air District suggests the City anticipate any potential odors caused, generated, or stirred during the project by developing a plan and process to prevent, capture and mitigate any odors with control measures and equipment.

Permits Required:

Existing Permit Updates:

The City of King WWTP is currently operating under permits with the Air District. Please contact our Engineering Division at (831) 647-9411 for required permit revisions prior to construction.

Portable Equipment:

Air District permits or registration with the California Air Resources Board (CARB) may be required for portable construction equipment with engines 50 hp or greater. Please contact the Air District's Engineering Division at (831) 647-9411 if you have questions about permitting.

Hazards and Hazardous Materials:

- The District recommends developing a Standard Operating Procedure to mitigate a situation where unknown subsurface asbestos containing utility lines are exposed during construction work and need to be removed prior to continuing construction.
- Air District notification is required at least 10 working days prior to renovation or demolition activities. If old underground piping or other asbestos containing construction materials are encountered during trenching activities, Rule 424 may also apply. Rule 424 can be found online at <https://www.arb.ca.gov/drdb/mbu/cur.htm>. Please contact Shawn Boyle, Air Quality Compliance Inspector, at (831) 718-8010, sboyle@mbard.org for more information regarding asbestos survey, notification requirements, and if subsurface transite pipe removal is going to be part of the project scope in the future.

I appreciate the opportunity to comment on the MND for the proposed King City Wastewater Treatment Plant Improvements. Please let me know if you have any questions. I can be reached at (831) 718-8027 or cduymich@mbard.org.

Best Regards,

A handwritten signature in cursive script, appearing to read "Christine Duymich".

Christine Duymich
Air Quality Planner

cc: David Frisbey, Mary Giraudo, Shawn Boyle, Cindy Searson,



June 3, 2021

Maricruz Aguilar, Assistant Planner
City of King
212 S. Vanderhurst Avenue
King City, California 93930
maquilar@kingcity.com

Subject: King City Wastewater Treatment Plant Improvements (Project)
MITIGATED NEGATIVE DECLARATION (MND)
SCH No.: 2021050084

Dear Mr. Aguilar:

The California Department of Fish and Wildlife (CDFW) received a Notice of Intent to Adopt an MND from the City of King (City) for the above-referenced Project pursuant to the California Environmental Quality Act (CEQA) and CEQA Guidelines.¹

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife. Likewise, CDFW appreciates the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under the Fish and Game Code.

CDFW ROLE

CDFW is California's **Trustee Agency** for fish and wildlife resources and holds those resources in trust by statute for all the people of the State (Fish & G. Code, §§ 711.7, subd. (a) & 1802; Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a)). CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species (*Id.*, § 1802). Similarly, for purposes of CEQA, CDFW is charged by law to provide, as available, biological expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources. CDFW is also submitting comments as a **Responsible Agency** under CEQA (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381). CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code. As

¹ CEQA is codified in the California Public Resources Code in section 21000 et seq. The "CEQA Guidelines" are found in Title 14 of the California Code of Regulations, commencing with section 15000.

Maricruz Aguilar
City of King
June 3, 2021
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proposed, for example, the Project may be subject to CDFW's lake and streambed alteration regulatory authority (Fish & G. Code, § 1600 et seq.). Likewise, to the extent implementation of the Project as proposed may result in "take" as defined by State law of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.), related authorization as provided by the Fish and Game Code will be required.

CDFW has jurisdiction over fully protected species of birds, mammals, amphibians and reptiles, and fish, pursuant to Fish and Game Code sections 3511, 4700, 5050, and 5515. Take of any fully protected species is prohibited and CDFW cannot authorize their incidental take.

Water Rights: Prior to making any change in the point of discharge, place of use, or purpose of use of treated wastewater, the City as owner of the wastewater treatment plant shall obtain approval of the State Water Resources Control Board (SWRCB) pursuant to Water Code Section 1211. The City as petitioner must provide a copy of the complete petition and request consultation with CDFW regarding the potential effects of the proposed change(s) on water quality, fish, wildlife, and other instream beneficial uses (Cal. Code Regs., tit. 23, § 794). CDFW, as Trustee Agency, is consulted by the SWRCB during the petition process to provide terms and conditions designed to protect fish and wildlife prior to appropriation of the State's water resources. Certain fish and wildlife are reliant upon aquatic ecosystems, which in turn are reliant upon adequate flows of water. CDFW therefore has a material interest in assuring that adequate water flows within streams for the protection, maintenance, and proper stewardship of those resources. CDFW provides, as available, biological expertise to review and comment on environmental documents and impacts arising from project activities.

PROJECT DESCRIPTION SUMMARY

The proposed improvements would result in the construction of a new wastewater treatment facility intended to comply with new discharge requirements, produce unrestricted re-use quality recycled water and provide adequate treatment capacity for the next 20 years. Project construction would involve: 1) the construction of wastewater treatment facilities that would provide 1.3 million gallons per day (mgd) of secondary treatment capacity after completion of Phase I of construction with an ultimate total facility capacity of 2.0 mgd. Current permitted capacity of the treatment plant is 1.2 mgd. Phase I represents an increase of 0.1 mgd (or 100,000 gallons per day) of total facility capacity; 2) provision of tertiary treatment facilities that would produce recycled water for agricultural and landscape irrigation; 3) construction of a recycled water distribution system utilizing existing and future pipelines along San Antonio Drive with one branch along Spreckles Road and the second branch leading to the northeast industrial area of the City and 4) provision of effluent disposal facilities.

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Proponent: City of King

Location: The proposed Project is located north of the City limits, on the east side of Highway 101.

Timeframe: None given.

COMMENTS AND RECOMMENDATIONS

CDFW offers the comments and recommendations below to assist the City in adequately identifying and/or mitigating the Project's significant, or potentially significant, direct and indirect impacts on fish and wildlife, i.e., biological resources. Editorial comments or other suggestions may also be included to improve the document. Based on a review of the Project description, a review of California Natural Diversity Database (CNDDDB) records, a review of aerial photographs of the Project and surrounding habitat, several special-status species could potentially be impacted by Project activities.

In particular, CDFW is concerned regarding potential impacts for the following special status wildlife species and habitats known to occupy the Project area: the State threatened and federally endangered San Joaquin kit fox (*Vulpes macrotis mutica*), the State and Federally endangered least Bell's vireo (*Vireo bellii pusillus*), the State threatened bank swallow (*Riparia riparia*) and tricolored blackbird (*Agelaius tricolor*), the California Rare Plant Rank (CRPR) 1B.2 Davidson's bush-mallow (*Malacothamnus davidsonii*), CRPR 1B.3 umbrella larkspur (*Delphinium umbraculorum*), and the State species of special concern Monterey hitch (*Lavinia exilcauda harengus*), burrowing owl (*Athene cunicularia*), American badger (*Taxidea taxus*), western pond turtle (*Emys marmorata*), and Northern California legless lizard (*Anniella pulchra*). Suitable habitat for the rare and endemic western bumble bee (*Bombus occidentalis*) also occurs in the Project vicinity. The Salinas River supports the South-Central California Coast Steelhead (*Oncorhynchus mykiss*) (SCCCS) Distinct Population Segment (DPS), which is a State species of special concern and Federally threatened. The Salinas River is designated by the Federal Endangered Species Act (ESA) as critical habitat for the SCCC DPS.

Please note that the CNDDDB is populated by and records voluntary submissions of species detections. As a result, species may be present in locations not depicted in the CNDDDB but where there is suitable habitat and features capable of supporting species. A lack of an occurrence record in the CNDDDB does not mean a species is not present. In order to adequately assess any potential Project related impacts to biological resources, surveys conducted by a qualified wildlife biologist/botanist during the appropriate survey period(s) and using the appropriate protocol survey methodology are

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warranted in order to determine whether or not any special status species are present at or near the Project area.

CDFW recommends that the following modifications and/or edits be incorporated into the MND, including proposed avoidance, minimization, and compensatory measures, prior to its adoption by the City.

Would the Project 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 United States Fish and Wildlife Service (USFWS)?

COMMENT 1: San Joaquin Kit Fox (SJKF)

Issue: SJKF occurrences have been documented within the vicinity of the Project boundary (CDFW 2021). The MND acknowledges the potential for the Project to temporarily disturb and permanently alter suitable habitat for special-status species and to directly impact individuals if present during construction activities. However, the MND does not address potential impacts to SJKF.

Specific impact: SJKF den in rights-of-way, agricultural and fallow/ruderal habitat, dry stream channels, and canal levees, etc., and populations can fluctuate over time. SJKF are also capable of occupying urban environments (Cypher and Frost 1999). SJKF may be attracted to Project areas due to the type and level of ground-disturbing activities and the loose, friable soils resulting from intensive ground disturbance. SJKF will forage in fallow and agricultural fields and utilize streams and canals as dispersal corridors. As a result, there is potential for SJKF to occupy all suitable habitat within the Project boundary and surrounding area. Without appropriate avoidance and minimization measures for SJKF, potential significant impacts associated with construction include habitat loss, den collapse, inadvertent entrapment, reduced reproductive success, reduction in health and vigor of young, and direct mortality of individuals.

Evidence impact is potentially significant: Habitat loss resulting from land conversion to agricultural, urban, and industrial development is the primary threat to SJKF, and the Project area in Monterey County supports areas of high and medium suitability SJKF habitat (Cypher et al. 2013). The Project area is currently urban area surrounded by grassland that can provide suitable habitat in an area that is otherwise under intensive agriculture.

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Recommended Mitigation Measure 1: SJKF Habitat Assessment

For all Project-specific components including construction and land conversion, CDFW recommends that a qualified biologist conduct a habitat assessment in advance of Project implementation, to determine if the Project area or its immediate vicinity contains suitable habitat for SJKF.

Recommended Mitigation Measure 2: SJKF Surveys and Minimization

CDFW recommends assessing presence or absence of SJKF by having qualified biologists conduct surveys of Project areas and a 500-foot buffer of Project areas to detect SJKF and their sign. CDFW also recommends following the recommendations by USFWS (2011) during Project implementation.

Recommended Mitigation Measure 3: SJKF Take Authorization

SJKF activity or detection warrants consultation with CDFW to discuss how to avoid take or, if avoidance is not feasible, to acquire an Incidental Take Permit (ITP) prior to any ground disturbing activities, pursuant to Fish and Game Code section 2081 subdivision (b).

COMMENT 2: Least Bell's Vireo (LBVI)

Issue: LBVI occurrences have been documented south of the Project boundary in the vicinity of San Lucas, and suitable riparian habitat for nesting occurs in the Project vicinity (CDFW 2021). The MND acknowledges the potential for the Project to temporarily disturb and permanently alter suitable habitat for special-status species and to directly impact individuals if present during construction activities. However, the MND does not address potential impacts to LBVI.

Specific impact: Without appropriate avoidance and minimization measures, potential significant impacts associated with subsequent activities may include nest abandonment, reduced reproductive success, and reduced health and vigor of eggs and/or young.

Evidence impact is potentially significant: The reduction of LBVI numbers and distribution is associated with widespread loss of riparian habitats and brood parasitism by the brown-headed cowbird (*Molothrus ater*) (USFWS 1994). A reduction in discharge could affect the sustainability of the riparian woodland and aquatic habitats within the Salinas River by reducing the amount of water available to native plant species within the riparian woodland. This may subsequently lead to a reduction in the native plant species composition of the riparian woodland, and

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allow adjacent nonnative plant species to invade and colonize the habitat, reducing the quality of habitat for and presence of sensitive species such as the LBVI.

The MND is not clear whether the Project will involve tree removal or other disturbance to nests. CDFW considers removal of known nest trees and habitat, even outside of the nesting season, a potentially significant impact under CEQA, and, in the case of LBVI, it could also result in take under CESA. In addition, depending on the timing of construction, Project activities including noise, vibration, odors, visual disturbance, and movement of workers or equipment could affect nesting individuals and have the potential to result in nest abandonment or reduced nesting success, significantly impacting local nesting LBVI.

Recommended Mitigation Measure 4: Focused LBVI Surveys

To reduce potential Project-related impacts to LBVI, CDFW recommends that a qualified wildlife biologist conduct surveys following the survey methodology developed by USFWS (2001) prior to Project initiation, within the Project area and a ½-mile buffer around the Project area. In addition, if Project activities will take place during the typical breeding season (February 1 through September 15), CDFW recommends that additional preconstruction surveys for active nests be conducted by a qualified biologist no more than 10 days prior to the start of construction.

Recommended Mitigation Measure 5: LBVI Buffers

If an active LBVI nest is found during protocol or preconstruction surveys, CDFW recommends implementing a maintaining a minimum 500-foot no-disturbance buffer until the breeding season has ended or until a qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest site or parental care for survival.

Recommended Mitigation Measure 6: LBVI Nest Avoidance and Habitat Mitigation

In addition to avoiding occupied nest trees, CDFW recommends that impacts to known nest trees be avoided at all times of year. Regardless of nesting status, if potential or known LBVI nesting habitat is removed, CDFW recommends it be replaced with appropriate native tree species, planted at a ratio of 3:1 (replaced to removed), in an area that will be protected in perpetuity. This mitigation will offset potential impacts of the loss of potential nesting habitat.

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Recommended Mitigation Measure 7: LBVI Take Authorization

If a 500-foot no-disturbance nest buffer is not feasible, consultation with CDFW is warranted and acquisition of an ITP for LBVI may be necessary prior to project implementation, to avoid unauthorized take, pursuant to Fish and Game Code section 2081 subdivision (b).

COMMENT 3: Bank Swallow (BASW)

Issue: BASW occurrences have been documented in the Project vicinity (CDFW 2021). The MND acknowledges the potential for the Project to temporarily disturb and permanently alter suitable habitat for special-status species and to directly impact individuals if present during construction activities. However, the MND does not address potential impacts to BASW.

Specific impact: Without appropriate avoidance and minimization measures, potential significant impacts associated with subsequent activities may include nest abandonment, reduced reproductive success, and reduced health and vigor of eggs and/or young.

Evidence impact is potentially significant: In the summer BASW are restricted to riparian, lacustrine, and coastal areas with vertical banks, bluffs, and cliffs with fine-textured or sandy soils, into which it digs nesting holes. The range in California has been significantly reduced since 1900 (CDFW 1989). While breeding colonies used to be common in California, now only about 110 to 120 colonies remain within the state. The majority of breeding population in California occurs along banks of the Sacramento and Feather rivers. Other colonies persist along the central coast from Monterey to San Mateo counties (Remsen 1978, CDFW 1999).

Channelization and stabilization of banks of nesting rivers, and other destruction and disturbance of nesting areas, are major factors causing the marked decline in numbers in recent decades. The CDFW is concerned that, depending on the timing of construction, Project activities including noise, vibration, odors, visual disturbance, and movement of workers or equipment could affect nesting individuals and have the potential to result in nest abandonment or reduced nesting success, significantly impacting local nesting BASW.

Recommended Mitigation Measure 8: Focused BASW Surveys

To reduce potential Project-related impacts to BASW, CDFW recommends that a qualified wildlife biologist conduct focused surveys for BASW following standard survey methodology developed by the Bank Swallow Technical Advisory Committee (2017) prior to Project initiation, within the Project area and a 500-foot buffer around

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the Project area. In addition, if Project activities will take place during the typical avian breeding season (February 1 through September 15), CDFW recommends that additional preconstruction surveys for active nests be conducted by a qualified biologist no more than 10 days prior to the start of construction.

Recommended Mitigation Measure 9: BASW Buffers

If an active BASW nest, or nest colony, is found during protocol or preconstruction surveys, CDFW recommends implementing and maintaining a minimum 500-foot no-disturbance buffer until the breeding season has ended or until a qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest site or parental care for survival.

Recommended Mitigation Measure 10: BASW Take Authorization

If a 500-foot no-disturbance nest buffer is not feasible, consultation with CDFW is warranted and acquisition of an ITP for BASW may be necessary prior to project implementation, to avoid unauthorized take, pursuant to Fish and Game Code section 2081 subdivision (b).

COMMENT 4: Tricolored Blackbird (TRBL)

Issue: TRBL are known to occur in the Project vicinity (CDFW 2021, UC Davis 2020). Review of aerial imagery indicates that the Project area includes flood-irrigated agricultural land, which is an increasingly important nesting habitat type for TRBL (Meese et al. 2017).

Specific impact: Without appropriate avoidance and minimization measures for TRBL, potential significant impacts associated subsequent development include nesting habitat loss, nest and/or colony abandonment, reduced reproductive success, and reduced health and vigor of eggs and/or young.

Evidence impact would be significant: Flood-irrigated agricultural land providing potential nesting habitat for TRBL is present within the Project vicinity. TRBL aggregate and nest colonially, forming colonies of up to 100,000 nests (Meese et al. 2014), and approximately 86% of the global population is found in the San Joaquin Valley (Kelsey 2008, Weintraub et al. 2016). In addition, TRBL have been forming larger colonies that contain progressively larger proportions of the species' total population (Kelsey 2008). In 2008, for example, 55% of the species' global population nested in only two colonies, which were located in silage fields (Kelsey 2008). Nesting can occur synchronously, with all eggs laid within one week (Orians 1961). For these reasons, depending on timing, disturbance to nesting colonies can

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cause nest entire colony site abandonment and loss of all unfledged nests, significantly impacting TRBL populations (Meese et al. 2014).

Recommended Mitigation Measure 11: TRBL Surveys

CDFW recommends that Project activities be timed to avoid the typical bird-breeding season of February 1 through September 15. If Project activity that could disrupt nesting must take place during that time, CDFW recommends that a qualified wildlife biologist conduct surveys for nesting TRBL no more than 10 days prior to the start of implementation to evaluate presence or absence of TRBL nesting colonies in proximity to Project activities and to evaluate potential Project-related impacts.

Recommended Mitigation Measure 12: TRBL Colony Avoidance

If an active TRBL nesting colony is found during surveys, CDFW recommends implementation of a minimum 300-foot no-disturbance buffer, in accordance with CDFW's (2015) "*Staff Guidance Regarding Avoidance of Impacts to Tricolored Blackbird Breeding Colonies on Agricultural Fields in 2015*", until the breeding season has ended or until a qualified biologist has determined that nesting has ceased and the young have fledged and are no longer reliant upon the colony or parental care for survival. It is important to note that TRBL colonies can expand over time and for this reason, CDFW recommends that an active colony be reassessed to determine its extent within 10 days prior to Project initiation.

Recommended Mitigation Measure 13: TRBL Take Authorization

In the event that a TRBL nesting colony is detected during surveys, consultation with CDFW is warranted to discuss whether the Project can avoid take and, if take avoidance is not feasible, to acquire an ITP pursuant to Fish and Game Code section 2081 subdivision (b), prior to any Project activities.

COMMENT 5: Western Bumble Bee (WBB)

Issue: WBB occurrence has been documented within the vicinity of the Project area (CDFW 2021). Formerly found throughout of much of California, the abundance of Western bumble bee is now greatly reduced. Suitable WBB habitat includes areas of grasslands and meadows with abundant floral resources that contain requisite habitat elements, such as small mammal burrows. WBB may also be found in natural areas within urban environments (Williams et al. 2014, Hatfield et al. 2015). WBB primarily nest underground in abandoned small mammal burrows but may also be able to nest aboveground such as in log cavities (Hobbs 1968, Macfarlane et al. 1994). Overwintering sites utilized by WBB may include areas with soft, friable soil, leaf litter, or other debris (Goulson 2010, Williams et al. 2014).

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Therefore, ground disturbance and vegetation removal associated with Project implementation has the potential to significantly impact local WBB populations.

Specific impact: Without appropriate avoidance and minimization measures for WBB, potentially significant impacts associated with ground- and vegetation-disturbing activities associated with construction of the Project include loss of foraging plants, changes in foraging behavior, burrow collapse, nest abandonment, reduced nest success, reduced health and vigor of eggs, young and/or queens, in addition to direct mortality (Xerces 2018).

Evidence impact is potentially significant: WBB populations, formerly common, have declined sharply since the late 1990s from central California to southern British Columbia. Factors affecting WBB ability to survive and reproduce include agricultural intensification, habitat loss and degradation, pesticide use, pathogens from managed pollinators, competition with non-native bees, genetic factors, and climate change (Goulson 2010, Williams et al. 2009, Hatfield et al. 2012).

Recommended Mitigation Measure 14: WBB Avoidance

CDFW recommends that all small mammal burrows and areas with leaf litter or debris be surveyed for the species during the optimal flight period from early April to early November and during peak blooming period of preferred plant species prior to Project implementation (Thorp 1983). Avoidance of detected WBB queens or workers is encouraged to allow WBBs to leave the Project site of their own volition. Avoidance and protection of a detected WBB nest prior to or during Project implementation is encouraged with delineation and observance of a 50-foot no-disturbance buffer.

COMMENT 6: Special-Status Plants

Issue: The MND does not address whether special-status plant species have potential to occur within the Project area. Special-status plant species meeting the definition of rare or endangered under CEQA section 15380 are known to occur within the Project and surrounding area. Davidson's bush-mallow and umbrella larkspur have been documented within the Project vicinity.

Specific impact: Without appropriate avoidance and minimization measures for special-status plants, potential significant impacts associated with subsequent construction include loss of habitat, loss or reduction of productivity, and direct mortality.

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Evidence impact would be significant: Davidson's bush-mallow, umbrella larkspur, and many other special-status plant species are threatened by grazing and agriculture, maintenance activities, erosion, and urban development (CNPS 2021).

Recommended Mitigation Measure 15: Special-Status Plant Surveys

CDFW recommends that individual Project sites be surveyed for special-status plants by a qualified botanist following the "Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities" (CDFG 2018). This protocol, which is intended to maximize detectability, includes the identification of reference populations to facilitate the likelihood of field investigations occurring during the appropriate floristic period.

Recommended Mitigation Measure 16: Special-Status Plant Avoidance

CDFW recommends that special-status plant species be avoided whenever possible by delineating and observing a no-disturbance buffer of at least 50 feet from the outer edge of the plant population(s) or specific habitat type(s) required by special-status plant species. If buffers cannot be maintained, then consultation with CDFW may be warranted to determine appropriate minimization and mitigation measures for impacts to special-status plant species.

Recommended Mitigation Measure 17: Listed Plant Species Take Authorization

If a State-listed plant species is identified during botanical surveys, consultation with CDFW is warranted to determine if the Project can avoid take. If take cannot be avoided, take authorization is warranted. Take authorization would occur through issuance of an ITP, pursuant to Fish and Game Code section 2081 subdivision (b).

COMMENT 7: Burrowing Owl (BUOW)

Issue: BUOW inhabit open grassland containing small mammal burrows, a requisite habitat feature used by BUOW for nesting and cover. BUOW may also occur in some agricultural areas, ruderal grassy fields, vacant lots and pastures if the vegetation structure is suitable and there are useable burrows and foraging habitat in the area (Gervais et al. 2008). BASW occurrences have been documented in the Project vicinity, and habitat both within and bordering the Project site supports suitable habitat for BUOW (CDFW 2021).

Specific impact: Potentially significant impacts to nesting and non-nesting BUOW can occur as a result of ground-impacting activity, such as grading and flooding within active and fallow agricultural areas, and as a result of noise, vibration, and

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other disturbance caused by equipment and crews. Potential impacts associated with Project activities and land conversion include habitat loss, burrow collapse, inadvertent entrapment, nest abandonment, reduced reproductive success, reduction in health and vigor of eggs and/or young, and direct mortality of individuals.

Evidence impact is potentially significant: BUOW rely on burrow habitat year-round for their survival and reproduction. The Project and surrounding area contain remnant undeveloped land but is otherwise intensively managed for agriculture; therefore, subsequent ground-disturbing activities associated with subsequent constructions have the potential to significantly impact local BUOW populations. In addition, and as described in CDFW's "*Staff Report on Burrowing Owl Mitigation*" (CDFG 2012), excluding and/or evicting BUOW from their burrows is considered a potentially significant impact under CEQA.

Recommended Mitigation Measure 18: BUOW Habitat Assessment

CDFW recommends that a qualified biologist conduct a habitat assessment in advance of implementation of Project activities, to determine if the Project area or its vicinity contains suitable habitat for BUOW.

Recommended Mitigation Measure 19: BUOW Surveys

Where suitable habitat is present on or in the vicinity of the Project area, CDFW recommends assessing presence or absence of BUOW by having a qualified biologist conduct surveys following the California Burrowing Owl Consortium (1993) "*Burrowing Owl Survey Protocol and Mitigation Guidelines*" and the CDFG (2012) "*Staff Report on Burrowing Owl Mitigation*". Specifically, these documents suggest three or more surveillance surveys conducted during daylight, with each visit occurring at least three weeks apart during the peak breeding season of April 15 to July 15, when BUOW are most detectable. In addition, CDFW advises that surveys include a minimum 500-foot survey radius around the Project area.

Recommended Mitigation Measure 20: BUOW Avoidance

CDFW recommends that no-disturbance buffers, as outlined by CDFG (2012), be implemented prior to and during any ground-disturbing activities, and specifically that impacts to occupied burrows be avoided in accordance with the following table unless a qualified biologist approved by CDFW verifies through non-invasive methods that either: 1) the birds have not begun egg laying and incubation; or 2) that juveniles from the occupied burrows are foraging independently and are capable of independent survival.

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Location	Time of Year	Level of Disturbance		
		Low	Med	High
Nesting sites	April 1-Aug 15	200 m*	500 m	500 m
Nesting sites	Aug 16-Oct 15	200 m	200 m	500 m
Nesting sites	Oct 16-Mar 31	50 m	100 m	500 m

* meters (m)

Recommended Mitigation Measure 21: BUOW Eviction and Mitigation

If BUOW are found within these recommended buffers and avoidance is not possible, it is important to note that according to CDFG (2012), evicting birds from burrows is not a take avoidance, minimization, or mitigation method and is instead considered a potentially significant impact under CEQA. If it is necessary for Project implementation, CDFW recommends that burrow exclusion be conducted by qualified biologists and only during the non-breeding season, before breeding behavior is exhibited and after the burrow is confirmed empty through non-invasive methods, such as surveillance. CDFW then recommends mitigation in the form of replacement of occupied burrows with artificial burrows at a minimum ratio of one burrow collapsed to one artificial burrow constructed (1:1) to mitigate for evicting BUOW and the loss of burrows. BUOW may attempt to colonize or re-colonize an area that will be impacted; thus, CDFW recommends ongoing surveillance at a rate that is sufficient to detect BUOW if they return.

COMMENT 8: Other State Species of Special Concern

Issue: American badger and Northern California legless lizard are known to inhabit grassland areas with friable soils (Williams 1986, Thomson et al. 2016). These species have been documented to occur in the vicinity of the Project, which supports requisite habitat elements for these species (CDFW 2021).

Specific impact: Without appropriate avoidance and minimization measures for these species, potentially significant impacts associated with ground disturbance include habitat loss, nest/den/burrow abandonment, which may result in reduced health or vigor of eggs and/or young, and direct mortality.

Evidence impact is potentially significant: Habitat loss threatens all of the species mentioned above (Williams 1986, Thomson et al. 2016). Habitat within and adjacent to the Project represents some of the only remaining undeveloped land in the vicinity, which is otherwise intensively managed for agriculture. As a result, ground-and vegetation-disturbing activities associated with development of the Project have the potential to significantly impact local populations of these species.

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Recommended Mitigation Measure 22: Habitat Assessment

CDFW recommends that a qualified biologist conduct a habitat assessment in advance of project implementation, to determine if project areas or their immediate vicinity contain suitable habitat for the species mentioned above.

Recommended Mitigation Measure 23: Surveys

If suitable habitat is present, CDFW recommends that a qualified biologist conduct focused surveys for applicable species and their requisite habitat features to evaluate potential impacts resulting from ground and vegetation disturbance.

Recommended Mitigation Measure 24: Avoidance

Avoidance whenever possible is encouraged via delineation and observance of a 50-foot no-disturbance buffer around dens of mammals like the American badger as well as the entrances of burrows that can provide refuge for small mammals, reptiles, and amphibians.

Editorial Comments and/or Suggestions

Project Description: The MND states that the Project includes the construction of new wastewater treatment facilities, effluent disposal facilities, and recycled water distribution system utilizing existing and future pipelines along San Antonio Drive, Spreckles Road, and the northeast industrial area of the City. However, the Project description lacks details such as location maps of the individual Project components. CDFW recommends that the MND describe in greater detail the proposed Project in order to be able to evaluate and provide adequate feedback regarding potential biological impacts.

Biological Impact Analysis and Proposed Mitigation Measures: The MND acknowledges the potential for impacts to sensitive biological resources and states, "The Salinas River and its surrounding riparian habitat are located immediately west of the existing WWTP. The adjacent areas contain the dense, highly vegetated riparian habitat that could support candidate, sensitive or special status plant and/or animal species. Given its proximity to these significant biological resources, the proposed Project could result in adverse effects upon sensitive biological habitats, candidate, sensitive or special status species or may result in significant impacts to existing riparian habitats or other sensitive natural communities, federally protected wetlands, or established migratory wildlife corridors." A biological impact analysis was not included in the MND.

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Mitigation Measure BR-1(MMBR-1) of the MND states that a Biological Resources Assessment shall be prepared by a qualified local field biologist to assess potential impacts to biological resources and identify any potentially significant impacts that cannot be reduced to a less-than-significant level. Mitigation Measure BR-2 (MMBR-2) states that prior to any construction activities, the City shall secure all required state and/or federal permits relative to the proximity of the WWTP to the Salinas River and its adjacent habitats.

Mitigation includes measures that avoid, minimize, reduce or eliminate, restore, and/or compensate for impacts (CEQA Guidelines § 15370). MMBR-1 and MMBR-2 do not meet the CEQA definition of mitigation in that the preparation of a subsequent Biological Resources Assessment and potential acquisition of state and/or federal permits are not, in and of themselves, adequate mitigation for impacts to biological resources. CDFW recommends that the City recirculate the MND with an analysis of impacts to biological resources prepared by a qualified biologist, and provide appropriate mitigation measures that avoid, minimize and mitigate for potential biological impacts. CDFW recommends that the biological analysis incorporate the biological surveys and recommendations listed above.

Water Rights: The MND did not provide information on whether the Project will result in decreased discharge of treated wastewater into the adjacent Salinas River. CDFW recommends that the MND clarify whether or not the Project will result in diversions of treated wastewater from the Salinas River, and include a detailed description of the water rights and water entitlements for points of diversion and places of use that pertain to the Project.

CDFW recommends that the MND address whether the City will be filing a change petition or a new application regarding diversion of treated wastewater. As stated previously, CDFW, as Trustee Agency, is consulted by the SWRCB during the water rights process to provide terms and conditions designed to protect fish and wildlife prior to appropriation of the State's water resources. Given the potential for impacts to sensitive species and their habitats, it is advised that required consultation with CDFW occur well in advance of the SWRCB water right application process.

Salinas River Riparian Impacts: A reduction in discharge into the Salinas River of treated wastewater may affect the aquatic and riparian habitat and associated species of the river by reducing the amount of surface flow in the active stream channel at the discharge location and downstream, as well as reducing the amount of subsurface flow from percolation.

Watershed and habitat protection are vital to the management of California's diverse fish, wildlife, and plant resources. The riparian zone of the Salinas River in the vicinity of the City's wastewater treatment plant supports mature riparian woodland habitat and

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may potentially support several sensitive species listed as threatened or endangered under CESA and the ESA, as well as several State species of special concern. This includes least Bell's vireo, San Joaquin kit fox, bank swallow, tricolored blackbird, western pond turtle, Monterey hitch, and the SCCCS steelhead DPS.

CDFW is concerned that the proposed Project may result in direct and cumulative adverse impacts to these fish and wildlife and other public trust resources supported by the Salinas River and its associated riparian habitats, and that any proposed reduction in discharge will affect the sustainability of the riparian woodland and aquatic habitats within the stream. CDFW recommends that the MND be amended and recirculated with a hydrologic study or other information that identifies and analyzes the impacts of surface and subsurface water reduction on the riparian woodland and aquatic habitats associated with the Salinas River and the species supported by these habitats, and includes appropriate measures to avoid, minimize, and mitigate potential biological impacts due to surface flow reduction.

Lake and Streambed Alteration: Project activities that have the potential to substantially change the bed, bank, and channel of streams and associated wetlands may be subject to CDFW's regulatory authority pursuant Fish and Game Code section 1600 et seq. Fish and Game Code section 1602 requires an entity to notify CDFW prior to commencing any activity that may (a) substantially divert or obstruct the natural flow of any river, stream, or lake; (b) substantially change or use any material from the bed, bank, or channel of any river, stream, or lake (including the removal of riparian vegetation); (c) deposit debris, waste or other materials that could pass into any river, stream, or lake. "Any river, stream, or lake" includes those that are ephemeral or intermittent as well as those that are perennial. CDFW is required to comply with CEQA in the issuance of a Lake or Streambed Alteration (LSA) Agreement; therefore, if the CEQA document approved for the Project does not adequately describe the Project and its impacts, a subsequent CEQA analysis may be necessary for LSA Agreement issuance. Additional information on notification requirements is available through the Central Region LSA Program at (559) 243-4593 or R4LSA@wildlife.ca.gov and the CDFW website: <https://wildlife.ca.gov/Conservation/LSA>.

Nesting birds: CDFW has jurisdiction over actions with potential to result in the disturbance or destruction of active nest sites or the unauthorized take of birds. Fish and Game Code sections that protect birds, their eggs and nests include sections 3503 (regarding unlawful take, possession or needless destruction of the nest or eggs of any bird), 3503.5 (regarding the take, possession or destruction of any birds-of-prey or their nests or eggs), and 3513 (regarding unlawful take of any migratory nongame bird).

CDFW encourages that Project implementation occur during the bird non-nesting season; however, if Project activities must occur during the breeding season (February through mid-September), the Project applicant is responsible for ensuring that

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implementation of the Project does not result in violation of the Migratory Bird Treaty Act or relevant Fish and Game Code sections as referenced above.

To evaluate Project-related impacts to nesting birds, CDFW recommends that a qualified wildlife biologist conduct pre-activity surveys for active nests no more than 10 days prior to the start of ground disturbance to maximize the probability that nests that could potentially be impacted by the Project are detected. CDFW also recommends that surveys cover a sufficient area around the work site to identify nests and determine their status. A sufficient area means any area potentially affected by the Project. In addition to direct impacts (i.e., nest destruction), noise, vibration, and movement of workers or equipment could also affect nests. Prior to initiation of construction activities, CDFW recommends that a qualified biologist conduct a survey to establish a behavioral baseline of all identified nests. Once construction begins, CDFW recommends that a qualified biologist continuously monitor nests to detect behavioral changes resulting from the Project. If behavioral changes occur, CDFW recommends that the work causing that change cease and that CDFW be consulted for additional avoidance and minimization measures.

If continuous monitoring of identified nests by a qualified wildlife biologist is not feasible, CDFW recommends a minimum no-disturbance buffer of 250 feet around active nests of non-listed bird species and a 500-foot no-disturbance buffer around active nests of non-listed raptors. These buffers are advised to remain in place until the breeding season has ended or until a qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest or parental care for survival. Variance from these no-disturbance buffers is possible when there is compelling biological or ecological reason to do so, such as when the construction area would be concealed from a nest site by topography. CDFW recommends that a qualified wildlife biologist advise and support any variance from these buffers.

Endangered Species Act Consultation: CDFW recommends consultation with the USFWS prior to Project ground disturbance, due to potential impacts to Federal listed species. Take under the ESA is more stringently defined than under CESA; take under ESA may also include significant habitat modification or degradation that could result in death or injury to a listed species, by interfering with essential behavioral patterns such as breeding, foraging, or nesting. Similarly, for potential effects to steelhead and its critical habitat, CDFW recommends consultation with the National Marine Fisheries Service (NMFS). Consultation with the USFWS and NMFS in order to comply with ESA is advised well in advance of Project implementation.

ENVIRONMENTAL DATA

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database that may be used to make

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subsequent or supplemental environmental determinations (Pub. Resources Code, § 21003, subd. (e)). Accordingly, please report any special-status species and natural communities detected during Project surveys to the California Natural Diversity Database (CNDDDB). The CNDDDB field survey form can be obtained at the following link: <https://www.wildlife.ca.gov/Data/CNDDDB/Submitting-Data>. The completed form can be mailed electronically to CNDDDB at the following email address: CNDDDB@wildlife.ca.gov. The types of information reported to CNDDDB can be found at the following link: <https://www.wildlife.ca.gov/Data/CNDDDB/Plants-and-Animals>.

FILING FEES

The Project, as proposed, would have an impact on fish and/or wildlife, and assessment of filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the fee is required in order for the underlying project approval to be operative, vested, and final (Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089).

CONCLUSION

CDFW appreciates the opportunity to comment on the MND to assist the City in identifying and mitigating Project impacts on biological resources. If you have questions regarding this letter, please contact Annette Tenneboe, Senior Environmental Scientist (Specialist), at the address on this letterhead, at (559) 243-4014 extension 231, or by email at Annette.Tenneboe@wildlife.ca.gov.

Sincerely,

DocuSigned by:

FA83F08FE08945A...
Julie A. Vance
Regional Manager

Attachment

cc: Office of Planning and Research, State Clearinghouse, Sacramento

ec: Annette Tenneboe, California Department of Fish and Wildlife

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western bumble bee (*Bombus occidentalis occidentalis*) as Endangered under the California Endangered Species Act. October 2018.

Attachment 1

**CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE
RECOMMENDED MITIGATION MONITORING AND REPORTING PROGRAM
(MMRP)**

PROJECT: King City Wastewater Treatment Plant Improvements

STATE CLEARINGHOUSE No.: 2021050084

RECOMMENDED MITIGATION MEASURES	STATUS/DATE/INITIALS
<i>Before Project Activity</i>	
Recommended Mitigation Measure 1: SJKF Habitat Assessment	
Recommended Mitigation Measure 2: SJKF Surveys and Minimization	
Recommended Mitigation Measure 3: SJKF Take Authorization	
Recommended Mitigation Measure 4: Focused LBVI Surveys	
Recommended Mitigation Measure 5: LVBI Buffers	
Recommended Mitigation Measure 6: LBVI Nest Avoidance and Habitat Mitigation	
Recommended Mitigation Measure 7: LVBI Take Authorization	
Recommended Mitigation Measure 8: Focused BASW Surveys	
Recommended Mitigation Measure 9: BASW Buffers	
Recommended Mitigation Measure 10: BASW Take Authorization	
Recommended Mitigation Measure 11: TRBL Surveys	
Recommended Mitigation Measure 12: TRBL Colony Avoidance	
Recommended Mitigation Measure 13: TRBL Take Authorization	
Recommended Mitigation Measure 14: WBB Avoidance	
Recommended Mitigation Measure 15: Special-Status Plant Surveys	
Recommended Mitigation Measure 16: Special-Status Plant Avoidance	

RECOMMENDED MITIGATION MEASURES	STATUS/DATE/INITIALS
Recommended Mitigation Measure 17: Listed Plant Species Take Authorization	
Recommended Mitigation Measure 18: BUOW Habitat Assessment	
Recommended Mitigation Measure 19: BUOW Surveys	
Recommended Mitigation Measure 20: BUOW Avoidance	
Recommended Mitigation Measure 21: BUOW Eviction and Mitigation	
Recommended Mitigation Measure 22: Habitat Assessment – American badger, California legless lizard	
Recommended Mitigation Measure 23: Surveys – American badger, California legless lizard	
Recommended Mitigation Measure 24: Avoidance – American badger, California legless lizard	
<i>During Project Activity</i>	
Recommended Mitigation Measure 2 SJKF Surveys and Minimization	
Recommended Mitigation Measure 5: LVBI Buffers	
Recommended Mitigation Measure 6: LBVI Nest Avoidance and Habitat Mitigation	
Recommended Mitigation Measure 9: BASW Buffers	
Recommended Mitigation Measure 12: TRBL Colony Avoidance	
Recommended Mitigation Measure 14: WBB Avoidance	
Recommended Mitigation Measure 16: Special-Status Plant Avoidance	
Recommended Mitigation Measure 20: BUOW Avoidance	
Recommended Mitigation Measure 24: Avoidance – American badger, California legless lizard	

Biological Resource Assessment
for
King City Wastewater Treatment Plant

SCH No. 20210250084
APNs 245-111-010, -007, -014, -008,
-032, -045, -031, -050, -044, -035
King City, California



Prepared for

Douglas Wood and Associates
1461 Higuera Street, Ste A
San Luis Obispo, CA 93401
dwaer@aol.com

by

ALTHOUSE AND MEADE, INC.
BIOLOGICAL AND ENVIRONMENTAL SERVICES
1602 Spring Street
Paso Robles, CA 93446
(805) 237-9626

April 2022

Reporting Biologist:

Daniel E. Meade, Ph.D.
Principal Scientist
Althouse and Meade, Inc.
1602 Spring Street
Paso Robles, CA 93446
(805) 237-9626
Dan@althouseandmeade.com

Kristen Andersen
Biologist III | Project Manager
Althouse and Meade, Inc.
1602 Spring Street
Paso Robles, CA 93446
(805) 237-9626
Kristena@alt-me.com

I certify that this Biological Resource Assessment was prepared according to professional standards and that the statements furnished in the report and associated maps are true and correct to the best of my knowledge and belief.



Signature

4/8/2022

Date



Signature

4/8/2022

Date

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- Appendix B. Special Status Plants Reported from the Region
- Appendix C. Special Status Animals Reported from the Region

Cover Page: California tule (*Schoenoplectus californicus*) on edge of water treatment pond, view east. December 7, 2021.

SYNOPSIS

- This report describes the study of biological resources at a 217.2-acre site (Study Area) in King City, California. The Study Area includes Assessor's Parcel Number (APN) 245-111-010, -007, -014, -008, -032, -045, -031, -050, -044, and -035.
- The proposed project (Project) entails construction and operation of improvements to the existing King City Wastewater Treatment Plant. All planned work will occur within the existing facility footprint.
- The Study Area is comprised solely of disturbed habitat, with different land uses affiliated with the water treatment process, including spray fields, water treatment ponds, access roads, and miscellaneous facility components.
- Botanical surveys identified 45 species of vascular plants in the Study Area. There are three special status plants with low potential to occur in the Study Area. No special status plants were observed in the Study Area during the December 2021 survey. The Project would be in developed areas that lack suitable habitat for special status plants.
- Wildlife surveys detected 28 animal species in the Study Area. There are 16 special status animals with some potential to occur in the Study Area. No special status animals were observed in the Study Area during the December 2021 survey.
- Biological resources that could be impacted by the Project include existing disturbed habitat (particularly conversion of water treatment ponds), nesting birds, special status amphibians and reptiles (western spadefoot toad, coast range newt, northern California legless lizard, western pond turtle, and coast horned lizard), special status birds (Cooper's hawk, tricolored blackbird, golden eagle, great blue heron, burrowing owl, bank swallow, and least Bell's vireo), and special status mammals (Salinas pocket mouse, American Badger, and San Joaquin kit fox). Project impacts will be discountable to many special status species with potential to occur in the vicinity due to current management practices and habitat conditions. Mitigation recommendations are provided to reduce potential direct and indirect impacts to sensitive biological resources mentioned above.

1 INTRODUCTION

1.1 Purpose

This report provides information regarding plant and wildlife species associated with the King City Wastewater Treatment Plant (WWTP), a 217.2-acre site (Study Area) on a 467.5-acre property (Property) in King City, California. Results include a habitat assessment, botanical and wildlife inventory, a discussion of special status species that have potential to occur within the Study Area, and an analysis of potential impacts to biological resources from the proposed facility improvements (Project). Content of this report addresses comments and recommendations made by the California Department of Fish and Wildlife (CDFW) regarding the Mitigated Negative Declaration (MND; SCH No. 2021050084; CDFW 2021d) for this Project. Additional mitigation recommendations for proposed impacts to biological resources are also provided.

1.2 Project Location

The Study Area is in western King City limits, east of the Salinas River and State Highway 101, west of San Antonio Drive, and is accessible from Cemetery Road. The Study Area is in Assessor's Parcel Numbers (APNs) 245-111-010, -007, -014, -008, -032, -045, -031, -050, -044, and -035. Location coordinates are 36.21934°N, 121.5346°W (WGS 84) in the Thompson Canyon United States Geological Survey (USGS) 7.5-minute topographic quadrangle (Figure 1). The Study Area is governed by zoning regulations and policies associated with the incorporated city land use designation, in the South County Area of the Monterey County Planning Area.

1.3 Local and Regional Context

King City (City) is in south Salinas Valley, 51 miles south of the City of Salinas in southern Monterey County. Highway 101, a major north-south route roughly outlines the City's southern and western boundaries. The region is largely agriculture fields and row crops; however, over the years the City has maintained a rural community character (City 1998). The area surrounding the site is mostly open with agriculture to the north, south, and east. The eastern limits of the Salinas River corridor outline the site's western edge. Elevations onsite and within the vicinity are relatively flat at approximately 278 and 288 feet above mean sea level (Figure 2).

1.4 Project Description

Preparation of the proposed Project plan began with the preparation of five different Project alternatives (Alternatives 1 through 5). Alternative 1 was selected by the City; however, the City reserves the ability to incorporate various elements of Alternatives 2 through 5 (Appendix A). Each alternative proposes conversions to existing facility land uses and no changes are proposed for the Industrial Spray Field area (see Section 3.3 below for a description of habitat and existing land uses).

The proposed improvements will result in the construction of a new wastewater treatment facility intended to comply with new discharge requirements, produce unrestricted re-use quality recycled water and provide adequate treatment capacity for the next 20 years. Approximately 11.2 acres of the existing facility will be converted as part of facility improvements. Project construction and major components of the Project (Alternative 1) will include the following:

1. Construction of new wastewater treatment facilities which will provide 1.3 million gallons per day (mgd) of secondary treatment capacity after completion of Phase I, with an ultimate total facility capacity of 2.0 mgd. Current permitted capacity of the treatment plant is 1.2 mgd. As such, Phase I represents an increase of 0.1 mgd (or 100,000 gallons per day) of total facility capacity;
2. Provision of tertiary treatment facilities which will produce recycled water for agricultural and landscape irrigation;
3. Provision of effluent disposal facilities.

Secondary treatment facilities will be constructed in phases. Phase I will provide 1.3 million gallons of secondary treatment while completion of Phase II, that being build-out of the proposed secondary treatment facilities, will produce a total of 2.0 million gallons per day of ultimate secondary treatment capacity. Secondary treatment facilities will consist of headworks, oxidation ditches, secondary clarifiers, screw presses for biosolids dewatering and all necessary ancillary facilities. The proposed headworks will be designed to accommodate ultimate peak hour flows of 7.8 mgd after completion of Phase I of construction and will include flumes, bar screens, a grit chamber and an influent pump station with submersible pumps.

Tertiary treatment facilities will provide several beneficial uses for recycled water including agricultural irrigation, landscape irrigation, medical cannabis cultivation irrigation and industrial/process reuse, and will also be constructed in phases. Phase I of construction of the proposed tertiary treatment facilities is estimated to generate a total of 665 acre-feet of reclaimed water per year while completion of Phase II, that being build-out of the proposed tertiary treatment facilities, will generate an estimated total of 1,122 acre-feet of reclaimed water per year.

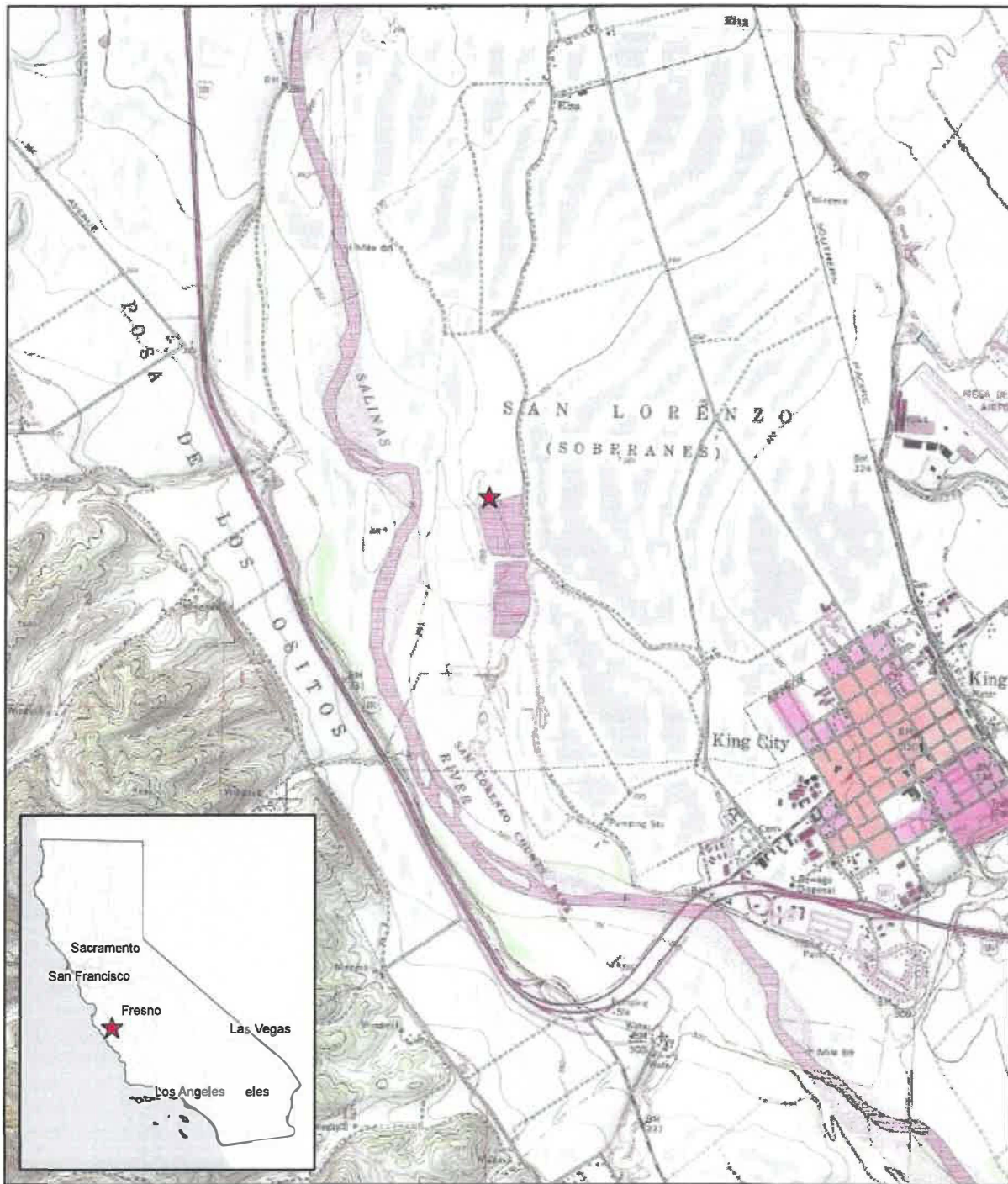
To provide the tertiary treatment needed to produce unrestricted recycled water (per Title 22 water quality requirements), cloth media filtration and ultraviolet (UV disinfection) will be used. A new pump station near the existing spray field irrigation pump station will also be constructed. The new recycled water pump station will be sized to meet the estimated future peak hour demand flows for tertiary water. In addition, a new recycled water storage pond will be constructed which will hold yearly and peak hour event wastewater storage. The existing storage pond, Pond 4 (Appendix A), with a current maximum volume of 15.7 million gallons, will be converted from a secondary treatment pond to a tertiary water storage pond. This conversion will require dredging the existing pond, removing the existing clay liner and adding a plastic liner. These storage facilities will accommodate 14.0 million gallons of yearly storage and a 13-hour peak hour event at build-out conditions.

A Site Plan is provided in Appendix A, for reference. Contact information for the project applicant/project engineer, environmental consultant, biological consultant, and lead agency are provided in Table 1.

TABLE 1. RESPONSIBLE PARTIES

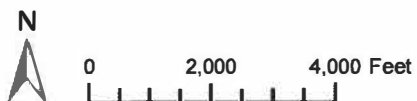
Applicant/Project Engineer	Environmental Consultant
King City WWTP c/o Octavio Hurtado, Applicant/City Engineer 212 South Vanderhurst Ave King City, CA 93930 (831) 385-3281 ohurtado@kingcity.com	Douglas Wood and Associates c/o Doug Wood 1461 Higuera St # A San Luis Obispo, CA 93401 (805) 544-1680 dwaer@aol.com
Biological Consultant	Lead Agency
Althouse and Meade, Inc. c/o Dan Meade, Principal Scientist 1602 Spring Street Paso Robles, CA 93446 (805) 237-9626 dan@alt-me.com	City of King, Depart. of Planning c/o Doreen Liberto, AICP, MDR Community Development Director 212 South Vanderhurst Ave King City, CA 93930 (831) 385-3281 dliberto@kingcity.com

Figure 1. United States Geological Survey Topographic Map



Legend

★ Project Location



King City Wastewater Treatment Plant
Map Center: 121.15346°W 36.21934°N
King City, Monterey County

USGS Quadrangle: Thompson Canyon

Figure 2. Aerial Photograph



Legend

Study Area (217.2 acres) WWTP Property (467.5 acres)



0 1,000 2,000 Feet

King City Wastewater Treatment Plant
Map Center: 121.15805°W 36.22861°N
King City, Monterey County

Imagery Source: USDA NAIP, 05/21/2020



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Map Updated:
December 20, 2021 10:30 AM by JBB

1.5 Sensitivity Criteria / Regulatory Framework

Standards for environmental protection and restoration, in the form of laws and regulations, are created within three different organizational levels of government: Federal, State, and Local. Entities exist within each level to create and enforce regulations that help ensure protection of specific and pertinent regional issues threatening ecosystems and environments. The following regulations are applicable to the proposed Project.

1.5.1 Federal Law and Regulations

Clean Water Act. The Clean Water Act (CWA) establishes the basic structure for regulating discharges of pollutants into the waters of the United States and regulating quality standards for surface waters. The purpose of the CWA is to restore and maintain the chemical, physical, and biological integrity of all waters of the U.S. Permitting is required for filling waters of the U.S. (including wetlands). Permits may be issued on an individual basis or may be covered under approved nationwide permits.

Section 404 of the CWA authorizes the United States Army Corps of Engineers (USACE) to regulate activities that discharge dredged or fill material to wetlands and other waters of the United States. The term “waters of the United States” encompasses resources described by the Environmental Protection Agency (EPA) and the Corps regulations, 40 Code of Federal Regulations (CFR) § 120.2(1) and 33 CFR § 328.3(a). The geographic limits of relevant federal jurisdiction for non-tidal waters of the U.S. are defined at 33 CFR § 328.4(c).

EPA defines wetlands as areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas (EPA regulations at 40 CFR § 120.2(3); USACE regulations at 33 CFR § 328.3(b)). Wetlands are considered “special aquatic sites” under the USACE definition. Special aquatic sites are afforded protection under the CWA (Sections 401 and 404).

The USACE asserts jurisdiction over wetlands that exhibit hydrology, hydric soil, and hydrophytic vegetation (three parameters) by the standard set forth in the Arid West Regional Supplement. These areas must also exhibit a significant nexus to a Traditional Navigable Water (TNW). For non-wetland water features, USACE jurisdiction is limited to the Ordinary High Water Mark (OHWM).

Navigable Waters Protection Rule (rescinded August 30, 2021). On June 9, 2021, the EPA and the Department of the Army (Army) announced their intent to revise the definition of “waters of the United States (WOTUS)” put in place under the Navigable Waters Protection Rule (NWPR) on April 21, 2020 (85 FR 22250; EPA 2021b). Water regulations set forth in 2015 (2015 Rule) were repealed in 2020 as part of the NWPR. The NWPR defined categories of jurisdictional non-wetland waters based on stream classifications and specifically excluded ephemeral streams as jurisdictional tributaries (USACE 2020). When determining jurisdictional status of wetlands, the scope of *adjacency* was reduced to wetlands with only certain surface water connections to other jurisdictional waters under the NWPR. This excluded wetlands formed by artificial berms, for instance, which were considered adjacent under the pre-2015 regulatory regime and the 2015 Rule regardless of the presence or absence of a hydrologic surface connection (85 FR 22250).

Current Implementation of Waters of the United States (September 2021). The EPA and USACE (the agencies) are “in receipt of the U.S. District Court for the District of Arizona’s August 30, 2021, order vacating and remanding the Navigable Waters Protection Rule in the case of *Pascua Yaqui Tribe v. U.S. Environmental Protection Agency* (EPA 2021c).” The agencies are interpreting WOTUS consistent with the pre-2015 regulatory regime until further notice (40 CFR 230.3(s)). The following definitions are provided for the term waters of the U.S. (EPA 2021c):

1. All waters which are currently used, or were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide;
2. All interstate waters including interstate wetlands;
3. All other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds, the use, degradation or destruction of which could affect interstate or foreign commerce including any such waters:
 - a. Which are or could be used by interstate or foreign travelers for recreational or other purposes; or
 - b. From which fish or shellfish are or could be taken and sold in interstate or foreign commerce; or
 - c. Which are used or could be used for industrial purposes by industries in interstate commerce;
4. All impoundments of waters otherwise defined as waters of the United States under this definition;
5. Tributaries of waters identified in paragraphs (s)(1) through (4) of this section;
6. The territorial sea;
7. Wetlands adjacent to waters (other than waters that are themselves wetlands) identified in paragraphs (s)(1) through (6) of this section; waste treatment systems, including treatment ponds or lagoons designed to meet the requirements of CWA (other than cooling ponds as defined in 40 CFR 423.11(m) which also meet the criteria of this definition) are not waters of the United States.

Waters of the United States do not include prior converted cropland. Notwithstanding the determination of an area’s status as prior converted cropland by any other federal agency, for the purposes of the Clean Water Act, the final authority regarding Clean Water Act jurisdiction remains with EPA (EPA 2021c).

Endangered Species Act. The federal Endangered Species Act (FESA) provides the legal framework for the listing and protection of species (and their habitats) identified as being endangered or threatened with extinction. “Critical Habitat” is a term within the FESA designed to guide actions by federal agencies and is defined as “an area occupied by a species listed as threatened or endangered within which are found physical or geographical features essential to the conservation of the species, or an area not currently occupied by the species which is itself essential to the conservation of the species.” Actions that jeopardize endangered or threatened species and/or critical habitat are considered a ‘take’ under the FESA. “Take” under federal

definition means to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct.

Projects that would result in “take” of any federally listed threatened or endangered species, or critical habitats, are required to obtain permits from the USFWS through either Section 7 (interagency consultation with a federal nexus) or Section 10 (Habitat Conservation Plan) of FESA, depending on the involvement by the federal government in permitting and/or funding of the project. Through Section 10, it is required to prepare a Habitat Conservation Plan (HCP) to be approved by the United States Fish and Wildlife Service (USFWS), which results in the issuance of an Incidental Take Permit (ITP). Through Section 7, which can only occur when a separate federal nexus in a project exists (prompting interagency consultation), a consultation by the various federal agencies involved can take place to determine appropriate actions to mitigate negative effects on endangered and threatened species and their habitat.

Migratory Bird Treaty Act. All migratory, non-game bird species that are native to the U.S. or its territories are protected under the federal Migratory Bird Treaty Act (MBTA) of 1918 (50 C.F.R. Section 10.13), as amended under the Migratory Bird Treaty Reform Act of 2004. The MBTA makes it illegal to purposefully take (pursue, hunt, shoot, wound, kill, trap, capture, or collect) any migratory bird, or the parts, nests, or eggs of such a bird, except under the terms of a valid Federal permit. Migratory non-game native bird species are protected by international treaty under the federal MBTA.

1.5.2 State Law and Regulations

California Endangered Species Act. The California Endangered Species Act (CESA), similar to FESA, contains a process for listing of species and regulating potential impacts to listed species. State threatened and endangered species include both plants and wildlife, but do not include invertebrates. The designation “rare species” applies only to California native plants. State threatened and endangered plant species are regulated largely under the Native Plant Preservation Act in conjunction with the CESA. State threatened and endangered animal species are legally protected against “take.” The CESA authorizes the California Department of Fish and Wildlife (CDFW) to enter into a memorandum of agreement for take of listed species to issue an incidental take permit for a state-listed threatened and endangered species only if specific criteria are met. Section 2080 of the CESA prohibits the take of species listed as threatened or endangered pursuant to the Act. Section 2081 allows CDFW to authorize take prohibited under Section 2080 provided that: 1) the taking is incidental to an otherwise lawful activity; 2) the taking will be minimized and fully mitigated; 3) the applicant ensures adequate funding for minimization and mitigation; and 4) the authorization will not jeopardize the continued existence of the listed species.

California Environmental Quality Act (CEQA). CEQA defines a “project” as any action undertaken from public or private entity that requires discretionary governmental review (a non-ministerial permittable action). All “projects” are required to undergo some level of environmental review pursuant to CEQA, unless an exemption applies. CEQA’s environmental review process includes an assessment of existing resources, broken up by categories (i.e., air quality, aesthetics, etc.), a catalog of potential impacts to those resources caused by the proposed project, and a quantifiable result determining the level of significance an impact would generate. The goal of environmental review under CEQA is to avoid or

mitigate impacts that would lead to a “significant effect” on a given resource; section 15382 of the CEQA Guidelines defines a “significant effect” as

a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance. An economic or social change by itself shall not be considered a significant effect on the environment, but may be considered in determining whether the physical change is significant.

Public agencies are required to implement CEQA and exercise jurisdiction to determine when applicable activities are or are not subject to CEQA. A public agency with the most prominent nexus and jurisdiction to a project is called the lead agency. The lead agencies determine the scope of what is considered an impact and what constitutes a “significant effect”. “Biological resources” is one of the varying categories considered during environmental review through CEQA. A lead agency can require a biological assessment to be prepared to report on existing biological resources and recommended mitigation measures that will reduce or lessen potential negative impacts to those biological resources. The questions listed in CEQA’s Appendix G: Biological Resources section, which are used to guide assessment of impacts to biological resources are as follows:

- *Does the project 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 the California Department of Fish and Game or U.S. Fish and Wildlife Service?*
- *Does the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?*
- *Does the project have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?*
- *Does the project 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?*
- *Does the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?*
- *Does the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?*

The lead agency has the final determination over whether a project is or is not permissible, based upon the environmental review, completed requirements and environmental documentation, and their judgement that the project will not have a significant effect on the environment, or that all significant effects have been mitigated for.

California Fish and Game Code (CFGF). The California Fish and Game Code (CFGF) is one of the 29 legal codes that form the general statutory law of California. A myriad of statutes regarding fish and game are specified in the CFGF; the following codes are specifically relevant to the proposed Project:

California Native Plant Protection Act. Sections 1900-1913 of the California Fish and Game Code contain the regulations of the Native Plant Protection Act of 1977. The intent of this act is to help conserve and protect rare and endangered plants in the state. The act allowed the CFGF to designate plants as rare or endangered.

Lake or Streambed Alteration Agreement. Section 1602 of the CFGC requires any person, state, or local governmental agency to provide advance written notification to CDFW prior to initiating any activity that would: 1) divert or obstruct the natural flow of, or substantially change or remove material from the bed, channel, or bank of any river, stream, or lake; or 2) result in the disposal or deposition of debris, waste, or other material into any river, stream, or lake. The state definition of “lakes, rivers, and streams” includes all rivers or streams that flow at least periodically or permanently through a well-defined bed or channel with banks that support fish or other aquatic life, and watercourses with surface or subsurface flows that support or have supported riparian vegetation.

Nesting Birds. Sections 3503, 3503.5 and 3513 of CFGC states that it is “unlawful to take, possess, or needlessly destroy the nest or eggs of any bird, except as otherwise provided by this code or any regulation made pursuant thereto,” and “unlawful to take, possess, or destroy any birds of prey or to take, possess, or destroy the nest or eggs of any such bird” unless authorized.

Regional Water Quality Control Board. The Regional Water Quality Control Board (RWQCB) regulates impacts to water quality in federal waters of the U.S. under Section 401 of the Clean Water Act, but they also regulate any isolated waters that are impacted under the state Porter Cologne Act utilizing a Waste Discharge Requirement. Pursuant to Section 401 of the Clean Water Act, discharge of fill material into waters of the State not subject to the jurisdiction of the USACE may require authorization pursuant to the Porter Cologne Act through application for waste discharge requirements or through waiver of waste discharge requirements.

1.5.3 County of Monterey

Protection of biological resources is emphasized by the County of Monterey through their Conservation and Open Space Element (COSE) as part of the County General Plan, with the specific goal to conserve listed species, critical habitat, habitat and species protected in area plans; avoid, minimize and mitigate significant impacts to biological resources (County 2010). Relevant policies are extracted from the Biological (Natural) Resources in Section 5 of the COSE found in Chapter 5, Section 6 of the County of Monterey General Plan (County 2010):

- OS-5.1 The extent and acreages of critical habitat shall be inventoried to the extent feasible and mapped in GIS. Conservation of listed species shall be promoted.
- OS-5.2 The extent and acreages of the potentially suitable habitat for listed species shall be inventoried to the extent feasible and mapped in GIS. Conservation of species shall be promoted as provided in the Area Plans.
- OS-5.3 Development shall be carefully planned to provide for the conservation and maintenance of critical habitat.
- OS-5.6 Native and native compatible species, especially drought resistant species, shall be utilized in fulfilling landscaping requirements.
- OS-5.12 The California Department of Fish and Game shall be consulted and appropriate measures shall be taken to protect Areas of Special Biological Significance (ASBS).
- OS-5.16 A biological study shall be required for any development project requiring a discretionary permit and having the potential to 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, or substantially reduce the number or restrict the range of an endangered, rare, or threatened species. An ordinance establishing minimum standards for a biological study and biological surveys shall be enacted. A biological study shall include a field reconnaissance performed at the appropriate time of year. Based on the results of the biological study, biological surveys may be necessary to identify, describe, and delineate the habitats or species that are potentially impacted. Feasible measures to reduce significant impacts to a less than significant level shall be adopted as conditions of approval.

- OS-5.17 The County shall prepare, adopt, and implement a program that allows projects to mitigate the loss of critical habitat.

- OS-5.19 The County shall, in concert with the U.S. Fish and Wildlife Service, California Department of Fish and Game, cities in the Salinas Valley, and stakeholders develop a conservation strategy for the Salinas Valley to provide for the preservation of adequate habitat to sustain the San Joaquin kit fox population. The general focus area of the plan shall be the Salinas Valley south of the community of Chualar. The conservation strategy, at a minimum, shall be adopted by Monterey County and shall be applied to all discretionary approvals (and their associated CEQA documents) with potential to affect the San Joaquin kit fox within the conservation strategy area. The County shall complete the conservation strategy within four (4) years of General Plan adoption. The conservation strategy funding program shall be developed and shall consider a Monterey County General Plan Conservation/Open Space Element October 26, 2010 Page C/OS-12 mitigation fee program for which development projects will be assessed a fee based on a proportional basis of impact to the San Joaquin kit fox as one of the options. The conservation strategy shall be developed and implemented in coordination with the appropriate state or federal agency and may provide mechanisms to mitigate impacts of an individual project through one or more of the following means: identifying an agency-approved mitigation bank or other compensation site (on- or off-site); and/or preserving habitat; monitoring the compensation site; and funding the management of the compensation site. Until the adoption of the conservation strategy, habitat loss due to discretionary projects shall be mitigated on a project-by-project basis.

- OS-5.22 In order to preserve riparian habitat, conserve the value of streams and rivers as wildlife corridors and reduce sediment and other water quality impacts of new development, the county shall develop and adopt a Stream Setback Ordinance. The ordinance shall establish minimum standards for the avoidance and setbacks for new development relative to streams. The ordinance shall identify standardized inventory methodologies and mapping requirements. A stream classification system shall be identified to distinguish between different stream types (based on hydrology, vegetation, and slope, etc.) and thus allow application of standard setbacks to different stream types. The ordinance shall identify specific setbacks relative to the following rivers and creeks so they can be implemented in the Area Plans: Salinas, Carmel River, Arroyo Seco, Pajaro River, Nacimiento, San Antonio, Gabilan Creek, and Toro Creek. The ordinance may identify specific setbacks for other creeks or may apply generic setbacks based on the stream classification developed for the ordinance. The ordinance shall delineate appropriate uses within the setback area that shall not cause removal of riparian habitat,

compromise identified riparian wildlife corridors, or compromise water quality of the relevant stream while also taking into consideration uses that serve health and safety purposes. The Stream Setback Ordinance shall apply to all discretionary development, County public projects, and to conversion of lands uncultivated for the previous 30 years, on normal soil slopes over 15% or on highly erodible soils on slopes over 10%. The stream setback ordinance shall be adopted within three (3) years of adoption of the General Plan.

- OS-5.24 The County shall require discretionary projects to retain movement corridors of adequate size and habitat quality to allow for continued wildlife use based on the needs of the species occupying the habitat. The County shall require that expansion of its roadways and public infrastructure projects provide movement Monterey County General Plan Conservation/Open Space Element October 26, 2010 Page C/OS-14 opportunities for terrestrial wildlife and ensure that existing stream channels and riparian corridors continue to provide for wildlife movement and access.
- OS-5.25 Occupied nests of statutorily protected migratory birds and raptors shall not be disturbed during the breeding season (generally February 1 to September 15). The county shall A. Consult, or require the developer to consult, with a qualified biologist prior to any site preparation or construction work in order to: (1) determine whether work is proposed during nesting season for migratory birds or raptors, (2) determine whether site vegetation is suitable to nesting migratory birds or raptors, (3) identify any regulatory requirements for setbacks or other avoidance measures for migratory birds and raptors which could nest on the site, and (4) establish project-specific requirements for setbacks, lock-out periods, or other methods of avoidance of disruption of nesting birds. B. Require the development to follow the recommendations of the biologist. This measure may be implemented in one of two ways: (1) preconstruction surveys may be conducted to identify active nests and, if found, adequate buffers shall be provided to avoid active nest disruption until after the young have fledged; or (2) vegetation removal may be conducted during the non-breeding season (generally September 16 to January 31); however, removal of vegetation along waterways shall require approval of all appropriate local, state, and federal agencies. This policy shall not apply in the case of an emergency fire event requiring tree removal. This policy shall apply for tree removal that addresses fire safety planning, since removal can be scheduled to reduce impacts to migratory birds and raptors.

1.6 Special Status Species and Sensitive Habitat Regulations

For purposes of this Biological Resource Assessment, special status species are those plants and animals listed, proposed for listing, or candidates for listing as threatened or endangered by the USFWS under the FESA; those listed or proposed for listing as rare, threatened, or endangered by the CDFW under the CESA; animals designated as “Species of Special Concern,” “Fully Protected,” or “Watch List” by the CDFW; and plants with a California Rare Plant Rank (CRPR) of 1, 2, 3, or 4. In the following sections, further details are provided to highlight the different guidelines and qualifications that are used to help identify special status species in this report. In Sections 3.5 and 3.6, the various qualifications are listed in the special status species tables (Table 3 and Table 5) for each species with potential to occur in the project area.

1.6.1 California Natural Diversity Database (CNDDDB)

"Special Plants" and "Special Animals" are broad terms used to refer to all the plant and animal taxa inventoried by the CNDDDB, regardless of their legal or protection status (CDFW 2021b, CDFW 2021c). The Special Plants list includes vascular plants, high priority bryophytes (mosses, liverworts, and hornworts), and lichens. The Special Animals list is also referred to by the California Department of Fish and Wildlife (CDFW) as the list of "species at risk" or "special status species."

According to the CNDDDB, Special Plants and Animals lists include: taxa that are officially listed or proposed for listing by California or the Federal Government as Endangered, Threatened, or Rare; taxa which meet the criteria for listing, as described in Section 15380 of CEQA Guidelines; taxa deemed biologically rare, restricted in range, declining in abundance, or otherwise vulnerable; population(s) in California that may be marginal to the taxon's entire range but are threatened with extirpation in California; and/or taxa closely associated with a habitat that is declining in California at a significant rate. Separately, the Special Plants List includes taxa listed in the California Native Plant Society's Inventory of Rare and Endangered Plants of California, as well as taxa determined to be Sensitive Species by the Bureau of Land Management, U.S. Fish and Wildlife Service, or U.S. Forest Service. The Special Animals List distinctively includes taxa considered by the CDFW to be a Species of Special Concern (SSC) and taxa designated as a special status, sensitive, or declining species by other state or federal agencies.

1.6.2 Federal and State Endangered Species Listings

The Federal and California Endangered Species Acts are the regulatory documents that govern the listing and protection of species, and their habitats, identified as being endangered or threatened with extinction. Possible listing status under both Federal and California ESA includes Endangered and Threatened (FE, FT, CE, or CT). Species in the process of being listed are given the status of either Proposed Federally Endangered/Threatened, or Candidate for California Endangered/Threatened (PE, PT, CCE, or CCT). The CESA has one additional status: Rare (CR).

1.6.3 Global and State Ranks

Global and State Ranks reflect an assessment of the condition of the species or habitats across its entire range. Basic ranks assign a numerical value from 1 to 5, respectively for species with highest risk to most secure. Other ranking variations include rank ranges, rank qualifiers, and infraspecific taxon ranks. All Heritage Programs, such as the CNDDDB use the same ranking methodology, originally developed by The Nature Conservancy and now maintained and recently revised by NatureServe. Procedurally, state programs such as the CNDDDB develop the State ranks. The Global ranks are determined collaboratively among the Heritage Programs for the states/provinces containing the species. Rank definitions, where G represents Global and S represents State, are as follows:

- **G1/S1:** Critically imperiled globally/in state because of extreme rarity (5 or fewer populations)
- **G2/S2:** Imperiled globally/in state because of rarity (6 to 20 populations)
- **G3/S3:** Vulnerable; rare and local throughout range or in a special habitat or narrowly endemic (on the order of 21 to 100 populations)

- **G4/S4:** Apparently secure globally/in state; uncommon but not rare (of no immediate conservation concern)
- **G5/S5:** Secure; common, widespread, and abundant
- **G#G#/S#S#:** Rank range - numerical range indicating uncertainty in the status of a species, (e.g., G2G3 more certain than G3, but less certain than G2)
- **G/S#?:** Inexact numeric rank
- **Q:** Questionable taxonomy - Taxonomic distinctiveness of this entity is questionable
- **T#:** Intraspecific taxa (subspecies or varieties) – indicating an intraspecific taxon that has a lower numerical ranking (rarer) than the given global rank of species

1.6.4 California Rare Plant Ranks

Plant species are considered rare when their distribution is confined to localized areas, their habitat is threatened, they are declining in abundance, or they are threatened in a portion of their range. The California Rare Plant Rank (CRPR) categories range from species with a low threat (4) to species that are presumed extinct (1A). All but a few species are endemic to California. All of them are judged to be vulnerable under present circumstances, or to have a high potential for becoming vulnerable. Threat ranks are assigned as decimal values to a CRPR to further define the level of threat to a given species. The rare plant ranks and threat levels are defined below.

- **1A:** Plants presumed extirpated in California and either rare or extinct elsewhere
- **1B:** Plants rare, threatened, or endangered in California and elsewhere
- **2A:** Plants presumed extirpated in California, but common elsewhere
- **2B:** Plants rare, threatened, or endangered in California, but more common elsewhere
- **4:** Plants of limited distribution - a watch list
- **0.1:** Seriously threatened in California (over 80% of occurrences threatened/high degree and immediacy of threat)
- **0.2:** Moderately threatened in California (20-80% occurrences threatened/moderate degree and immediacy of threat)
- **0.3:** Not very threatened in California (less than 20% of occurrences threatened/low degree and immediacy of threat or no current threats known)

1.6.5 California Department of Fish and Wildlife Animal Rank

The California Department of Fish and Wildlife (CDFW) assigns one of three ranks to Special Animals: Watch List (WL), Species of Special Concern (SSC), or Fully Protected (FP). Unranked species are referred to by the term Special Animal (SA).

Animals listed as Watch List (WL) are taxa that were previously designated as SSC, but no longer merit that status, or taxa that which do not yet meet SSC criteria, but for which there is concern and a need for additional information to clarify status.

Animals listed as California Species of Special Concern (SSC) may or may not be listed under California or federal Endangered Species Acts. They are considered rare or declining in abundance in California. The Special Concern designation is intended to provide the CDFW biologists, land planners, and managers with lists of species that require special consideration during the planning process to avert continued population declines and potential costly listing under federal and state endangered species laws. For many species of birds, the primary emphasis is on the breeding population in California. For some species that do not breed in California but winter here, emphasis is on wintering range. The SSC designation thus may include a comment regarding the specific protection provided such as nesting or wintering.

Animals listed as Fully Protected (FP) are those species considered by CDFW as rare or faced with possible extinction. Most, but not all, have subsequently been listed under the CESA or FESA. Fully Protected species may not be taken or possessed at any time and no provision of the California Fish and Game code authorizes the issuance of permits or licenses to take any Fully Protected species.

1.6.6 Sensitive Habitats

Sensitive Natural Community is a state-wide designation given by CDFW to specific vegetation associations of ecological importance. Sensitive Natural Communities rarity and ranking involves the knowledge of range and distribution of a given type of vegetation, and the proportion of occurrences that are of good ecological integrity (CDFW 2019a). Evaluation is conducted at both the Global (G) and State (S) levels, resulting in a rank ranging from 1 for very rare and threatened to 5 for demonstrably secure. Natural Communities with ranks of S1-S3 are considered Sensitive Natural Communities in California and may need to be addressed in the environmental review processes of CEQA and its equivalents.

2 METHODS

2.1 Literature and Data Review

Althouse and Meade conducted a data search from the CNDDDB and the California Native Plant Society (CNPS) On-line Inventory of Rare and Endangered Plants of California on November 16, 2021 (CDFW 2021a, CNPS 2021). Other database searches included herbarium specimen records for locality data within King City, as maintained by eBird (eBird 2021), and the Consortium of California Herbaria (CCH 2021). The search area included the Thompson Canyon USGS 7.5-minute quadrangle and the eight surrounding quadrangles: Bear Canyon, Cosio Knob, Espinosa Canyon, Greenfield, Paraiso Springs, Pinalito Canyon, Reliz Canyon, and San Lucas. Data was compiled for sensitive plant and wildlife species and reviewed according to each species potential to occur at the Study Area. Special status species lists produced by database and literature searches were cross-referenced with the described habitat types in the Study Area. The complete list of species and determinations is provided in Appendix B and Appendix C.

2.2 Sensitive Species Evaluation

Special status species lists produced by database and literature searches were cross-referenced and analyzed according to the described habitat types in the Study Area to identify all potential special status species that could occur in or near the Study Area. After review of the literature, and completing site visits, the following criteria were used to determine the potential for special-status species to occur within the Study Area:

- **Present:** The species was observed in the Study Area during field surveys.
- **High Potential:** Highly suitable habitat and CNDDDB or CNPS occurrence records indicate the species is likely to occur in the Study Area or the immediate vicinity. Individuals may not have been observed during field surveys; however, the species likely occurs in or immediately adjacent to the Study Area and (for wildlife) could move into the Study Area in the future.
- **Moderate Potential:** Moderately suitable habitat is present in the Study Area and CNDDDB occurrences or surveys have recorded the species in the vicinity of the Study Area. Individuals were not observed during field surveys, but the species could be present, at least seasonally or as a transient.
- **Low Potential:** Marginally suitable habitat is present in the Study Area, and there are no occurrence records or other historical (i.e., 50 years or older) records in the vicinity of the Study Area. Individuals were not observed during surveys and are not expected to be present.
- **No Potential:** Suitable habitat for the species is not present in the Study Area, and/or the species is not known to occur in the region.

Each special status species that could occur in or near the Study Area is individually discussed in Sections 3.5.1 and 3.6.1.

2.3 Soils

A soil report was created by importing the Study Area as an Area of Interest (AOI) into the Natural Resources Conservation Service (NRCS) Soil Survey Geographic Database (SSURGO) via their online portal. The resulting soil report was reviewed, and a map was created using the U.S. Department of Agriculture (USDA) NRCS Soil Survey GIS data (USDA 2021b). Soils data is summarized in Section 3.2.

2.4 Surveys

On December 7, 2021, Althouse and Meade Biologist and Botanist Kristen Andersen conducted a pedestrian survey to assess existing conditions of the current facility, inventory plant and wildlife species, describe habitat types, and to collect photographic documentation of the Study Area. Each habitat type was field inspected and described by species composition, as interpreted in Section 3.3. All plant and animal species observed in the field were identified and documented in Sections 3.5.2 and 3.6.2. Transects were meandering with an emphasis on locating habitat appropriate for special status plants and animals. Observations on site were utilized to map boundaries of different vegetation types, describe general conditions and dominant species, compile species lists, and evaluate potential habitat for special status species. Biological resource site surveys occurred on December 7, 2022, by A&M Biologist Kristen Andersen. Conditions were partly cloudy with calm winds and temperature ranging from 58-65°F.

2.4.1 Botanical

Identification of botanical resources include field observations and laboratory analysis of collected material (Table 4). Botanical surveys followed protocol guidelines for an early season survey (USFWS 2000, CDFW 2018, and CNPS 2001). Botanical surveys were conducted during the fall season following early season rainfall that induced plant germination. All species identifiable during this time of year were recorded. Each habitat type occurring in the Study Area was inspected, described, and catalogued (Section 3.3). Habitats within the Study Area and surrounding areas were assessed for potential to support special status plant species known from the region (Table 3). Botanical nomenclature used in this document follows Jepson eFlora (Jepson Flora Project 2021).

2.4.2 Wildlife

Identification of wildlife resources were made by direct observations or by visual signs of animal presence such as burrows/dens, vocalization, tracks, and/or scat. Wildlife observations were recorded during Study Area field surveys (Table 6). Birds were identified by sight, using 10-power binoculars, or by vocalizations. Reptiles and amphibians were identified by sight, often using binoculars, and by hand-captures; traps were not used. Mammals recorded in the Study Area were identified by sight, burrow/dens, scat, and tracks. Wildlife surveys were conducted during the fall season and focused on defining habitats within the Study Area that could support special status animal species known from the region (Table 3). Wildlife nomenclature for birds is in accordance with the American Ornithological Society Checklist (Chesser et al. 2019) and Revised Checklist of North American Mammals North of Mexico (Bradley et al. 2014).

2.5 Maps

Biological resource data were mapped in the field onsite by staff biologist operating a Samsung Galaxy tablet equipped with Garmin GPS receivers and a third-party mapping application. Biological resource constraints were mapped in the field onsite. Maps were created using aerial photo interpretation, field notation, and spatial data imported to Esri ArcGIS, a Geographic Information System (GIS) software program. Soil data was overlaid on a 2021 National Agriculture Imagery Program (NAIP) aerial of Monterey County (USDA 2021b).

3 RESULTS

3.1 Existing Conditions

The Study Area is within the Property boundary of the existing King City WWTP facility (originally established in 1970) and consists entirely of disturbed habitat (Photo 1). Land use within the disturbed habitat varies depending on which phase of water treatment the land is currently facilitating, and includes conditioning and polishing ponds, spray fields, access roads, and associated facility structures. Existing ponds comprise approximately 48.6 acres of the Study Area. These ponds are actively treating domestic water in phases of conditioning and polishing. Water inputs to the site near the southeast corner of the Study Area and is processed and then discharged through the existing spray fields in the northwest portion of the Study Area.

Spray fields comprise the majority of land use within the Study Area (approximately 130.1 acres), where the northern spray field is actively being used as the final stage in domestic water treatment, occupying approximately 57.5 acres of the site. Industrial spray fields occupy approximately 72.6 acres in the southwest portion of the Study Area. This portion of the site is currently inactive and has demonstrated a subtle conversion to weedy, annual grassland habitat over time. Though land use dedicated to industrial spray fields has been inactive, this habitat shows clear signs of disturbance through semi-recent disking and still has intact piping for spraying/irrigation use, should the industrial demand for water treatment increase within the City.

Existing dirt roads encompass the Study Area, allowing access to the individual water treatment land uses, with the main entrance near the southeast corner of the site. Access roads are unvegetated and are frequently used by small and large vehicles, including tractors used for disking the spray fields. Dirt perimeter roads occupy approximately 21.5 acres of the site. Two trailer-sized facilities are located near the entrance and several patches of land within the Study Area are lined with solar panels to provide onsite energy for operations (approximately 16.9 acres). Landscaped ornamental plants comprise the vegetation along the eastern perimeter road.



Photo 1. View of spray fields in southern portion of the Study Area, facing west. December 7, 2021.

3.2 Soils

Five soil map units are represented within the Study Area: Mocho silt loam, 0-2 percent slopes, Metz complex, Metz fine sandy loam, Cropley silty clay 0-2 percent slopes, and Corducci and Typic Xerofluvents 0-5 percent slopes (USDA 2021a, Figure 3).

Mocho silt loam, 0-2 percent slopes (MnA) are within the northern limits of the Study Area within existing spray fields and ponds. The typical soil profile is silt loam, 0 to 60 inches. Mocho silt loam is well drained with a low runoff class. This soil class formed from alluvial fans derived from sedimentary rocks and is classified as prime farmland if irrigated (USDA 2021a).

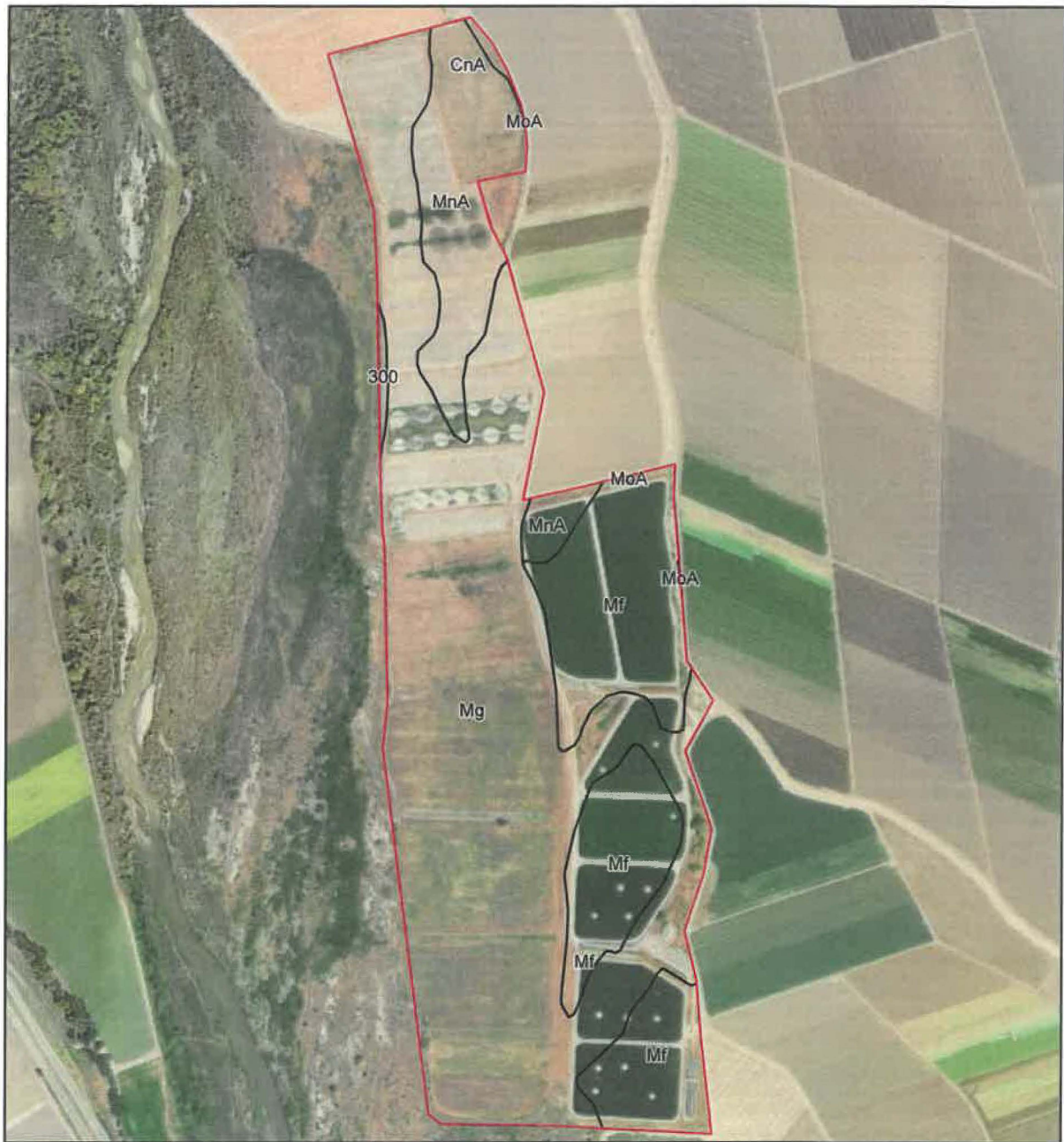
Metz complex (Mg) are represented in the Study Area, accounting for nearly 48 percent. The typical soil profile is fine sandy loam/loamy sand (0 to 12 inches) over Stratified sand to very fine sandy loam (12 to 99 inches). This soil class is considered somewhat excessively drained with a medium runoff class. This soil class formed from sandy alluvium in floodplains derived from sedimentary rock and is classified as farmland of statewide importance (USDA 2021a).

Metz fine sandy loam (Mf) is located within the existing ponds. The typical soil profile is fine sandy loam (0 to 12 inches) over stratified sand to very fine sandy loam (12 to 99 inches). This soil class is generally located on 0- to 2 percent slopes that are somewhat excessively drained and has a low runoff class. This soil complex is made up of approximately 85 percent Metz and similar soils, with the remaining 15 percent minor components. This soil class formed from sandy alluvium floodplains derived from sedimentary rock and is prime farmland if irrigated (USDA 2021a).

Cropley silty clay 0-2 percent slopes (CnA) are located within the spray fields and is less than 1 percent within the Study Area. The typical soil profile is silty clay, 0 to 69 inches. Cropley silty clay is well drained with a high runoff class. This soil class formed from silty and clayey alluvium floodplains derived from sedimentary rock and is prime farmland if irrigated (USDA 2021a).

Corducci and Typic Xerofluvents 0-5 percent slopes (300) are located within the spray fields and is less than 1 percent within the Study Area. The typical soil profile is fine sand (0 to 35 inches) over sand (35 to 45 inches). This soil class is considered somewhat excessively drained with a very low runoff class. This soil class formed from mixed alluvium along stream terraces, alluvial fans, floodplains and is derived from igneous and sedimentary rock and is not prime farmland (USDA 2021a).

Figure 3. USDA Soil Survey



Soil Type	Study Area
300: Corducci and Typic Xerofluvents, 0-5% slopes	<1%
CnA: Cropley silty clay, 0-2% slopes	<1%
Mf: Metz fine sandy loam	23%
Mg: Metz complex	66%
MnA: Mocho silt loam, 0-2% slopes	11%
MoA: Mocho silty clay loam	<1%

Legend

-  Study Area (217.2 acres)
-  Soil Survey



0 500 1,000 Feet

King City Wastewater Treatment Plant
Map Center: 121.15537°W 36.22319°N
King City, Monterey County

Data Source: USDA NRCS Soil Survey
Imagery Source: USDA NAIP, 05/21/2020

3.3 Habitat Types

Table 2 lists the various land uses that currently exist within the Study Area (Figure 4). Disturbed habitat comprises the entire Study Area and is further defined by WWTP operational land uses.

TABLE 2. LAND USES WITHIN DISTURBED HABITAT

Land Use Type	Approximate Area (Acres)
Domestic Spray Fields	57.5
Industrial Spray Fields	72.6
Treatment Ponds	48.6
Roads	21.5
Miscellaneous Facilities	16.9
TOTAL	217.2

3.3.1 Disturbed Habitat

Within disturbed habitat in the Study Area, different operational land uses offer varying degrees of micro-habitats with differing vegetation, or lack thereof. Domestic spray fields are predominantly open mud flats used to release treated water back into the water table through passive filtration. Water is sprayed rotationally across this portion of the site to allow for infiltration, and surface water ponds temporarily as a result (Photo 2 and Photo 3). Spray fields are regularly disked to allow for soil aeration and to aid in water infiltration (Photo 4 and Photo 5). Residential and migratory shorebirds were observed foraging in the mud for insects. In contrast, the inactive industrial spray fields have largely revegetated and are dominant with non-native annual grasses, such as ripgut brome (*Bromus diandrus*) and red brome (*Bromus rubens*), and weedy forbs including Russian thistle (*Salsola tragus*), yellow starthistle (*Centaurea solstitialis*), curly dock (*Rumex crispus*), and wild mustard (*Hirschfeldia incana*) (Photo 6 through Photo 8). Associate native forbs observed in the industrial spray fields included telegraph weed (*Heterotheca grandiflora*), lessingia (*Lessingia* sp.), tarplant (*Deinandra* sp.), and fiddleneck (*Amsinckia* sp.). Sandy loam soils were observed in open bare patches within this historically disturbed grassland portion of the site, where small mammal burrows were noted semi-frequently. One red gum (*Eucalyptus camaldulensis*) tree is present within the industrial spray field and a large, inactive raptor nest was observed within the tree and mapped (Photo 9). Though not located directly in the Study Area, Photo 10 depicts riparian habitat surrounding the Salinas River within the Property boundary, to the west of the site. Photo 11 shows the manmade berm that acts as the western boundary of the Study Area and separates the spray fields from the Salinas River floodplain.

Existing treatment ponds provide aquatic habitat to numerous waterfowl and other residential and migratory bird species. Flycatchers, including Say's phoebe (*Sayornis saya*) and black phoebe (*Sayornis nigricans*), were observed foraging on an abundant insect prey population at onsite ponds. No fish or amphibians were observed during December 2021 surveys but could be present in the ponds. And though ponds are a functioning part of the water treatment plant, wetland vegetation persists along the periphery of the ponds at low densities and included cattails (*Typha* sp.), California tule (*Schoenoplectus californicus*), umbrella sedge (*Cyperus eragrostis*),

and willow dock (*Rumex salicifolius*), providing marginal wetland habitat and refugia for potential aquatic resources (Photo 12 and Photo 13).

Access roads and areas around existing structures are mostly unvegetated and have a relatively high level of human disturbance from daily operations on the site (Photo 14 and Photo 15). Solar panels, power poles, and buildings provide roosting structures used by many bird species, including birds of prey. Bats may utilize some onsite structures as occasional roosting sites.



Photo 2. Domestic spray field ponded water and mud flats, view west. December 7, 2021.



Photo 3. Domestic spray field between sprays, view east. December 7, 2021.



Photo 4. Disking of domestic spray fields, view south. December 7, 2021.



Photo 5. Disking of domestic spray field, view southeast. December 7, 2021.



Photo 6. Industrial spray field with disked rows, view southwest. December 7, 2021.



Photo 7. Industrial spray field with spray component line and regrowth of annual grasses, view west. December 7, 2021.



Photo 8. Portion of recently disked industrial spray field, view east. December 7, 2021.



Photo 9. Raptor nest observed in red gum tree in industrial spray fields. December 7, 2021.



Photo 10. Riparian habitat along Salinas River, west of Study Area boundary, view west. December 7, 2021.



Photo 11. Photo from top of berm that borders western boundary of Study Area between developed habitat and Salinas River, view north. December 7, 2021.



Photo 12. Active treatment pond with wetland vegetation in foreground, view east. December 7, 2021.



Photo 13. Active treatment pond, view north. December 7, 2021.



Photo 14. Solar panels along perimeter roads as part of WWTP facilities, view southwest. December 7, 2021.



Photo 15. Associated WWTP facilities including office, storage container, and parking, view east. December 7, 2021.

Figure 4. Biological Resources



Legend



King City Wastewater Treatment Plant
Map Center: 121.15572°W 36.22316°N
King City, Monterey County

Imagery Source: USDA NAIP, 05/21/2020

3.4 Potential Wetlands and Jurisdictional Waters

Potentially jurisdictional wetlands and waters are not present in the Study Area. Manmade water treatment ponds are present on the site as part of water treatment operations, but do not provide wetland function nor connectivity to other aquatic resources. The Salinas River and any potential wetlands affiliated with this riverine system are partially on the WWTP Property but are over 1,000 feet west of the proposed Project area.

3.5 Botanical Resources

Research on special status plant occurrences conducted within the designated search area (see Methods) determined 43 special status plant species are known to occur in the region (Appendix B, CDFW 2021b, CNPS 2021). Figure 5 and Figure 7 depict the current GIS data for special status plants mapped near the Study Area by the CNDDDB.

3.5.1 Special Status Plant Species

Based on an analysis of known ecological requirements for the special status plant species reported from the region, and the habitat conditions that were observed in the Study Area, it was determined that three special status plant species have low potential to occur within the Study Area: Douglas' spineflower, elegant wild buckwheat, and pale-yellow layia. Two additional species, umbrella larkspur and Davidson's bush mallow, have no potential to occur but are further discussed to address CDFW comments (CDFW 2021d). Each species is discussed below and summarized in Table 3. The Project would be constructed within existing pond areas, therefore no special status plants would be impacted.

1. **Douglas' Spineflower** (*Chorizanthe douglasii*) is a CRPR 4.3 species endemic to San Benito, Monterey and San Luis Obispo Counties. It is known to occur on sandy or gravelly soils in chaparral, cismontane woodland, coastal scrub, and lower montane coniferous forests habitats between 55- and 1600-meters elevation. It is an annual herb that typically blooms between April and July. The closest known record is approximately 1.7 miles east of the Study Area in 1944 (CCH #SD43530). The sandy loam soils in the Study Area are marginally suitable for this species; however, appropriate habitat is not present and the developed land uses of the site reduce the potential for this species to occur. Douglas' spineflower was not detected during December 2021 surveys and is not present within the proposed Project footprint.
2. **Elegant Wild Buckwheat** (*Eriogonum elegans*) is a CRPR 4.3 species endemic to the central coast of California. It is known to occur on sandy or gravelly soil in cismontane woodlands, grasslands; and washes between 200- and 1,525-meters elevation. It is an annual herb that typically blooms between May and November. The closest known record is approximately 0.6 miles south of the Study Area in 1931 (CCH SBBG179105). Roadside habitat along the western edge of the Study Area could support this species, however if present, it is likely that forensic specimens would have been detected during off-season surveys. Elegant wild buckwheat could also occur in wash habitat along the Salinas River, but has very low potential to occur in the Study Area due to disturbed conditions, and has no potential to occur within the Project footprint. Elegant wild buckwheat was not detected in the Study Area during December 2021 surveys.

3. **Pale-yellow Layia** (*Layia heterotricha*) is a CRPR 1B. 1 species endemic to central California. It is known to occur on alkaline or clay soils in cismontane woodland, chaparral, and grassland habitat between 300- and 1,705-meters elevation. It is an annual herb that typically blooms between March and May. The closest known record is approximately 2.0 miles northeast of the Study Area in 1962 (CCH #PGM H-5428). This occurrence was observed in farmland habitat with similarly disturbed conditions. All occurrences in the vicinity of the site are historic, and with only marginally suitable habitat and soils present in the Study Area, this species has low potential to occur. Pale-yellow layia was not detected in the Study Area during December 2021 surveys and is not likely to be present. This species does not occur within the Project area.

Two special status plants, umbrella larkspur and Davidson's bush mallow, have no potential to occur in the Study Area due to lack of suitable habitat but warrant further discussion due to proximity of known occurrences and CDFW concern for their potential presence in the Study Area.

4. **Umbrella Larkspur** (*Delphinium umbraculorum*) is a CRPR 1B.3 species endemic to Kern, Monterey, San Luis Obispo, Santa Barbara, and Ventura Counties. It is known to occur in chaparral, cismontane, and moist oak forest habitats between 400- and 1,600-meters elevation. It is a perennial herb that typically blooms between April and June. Two closest known records are approximately 2.3 miles west and south of the Study Area in 1962 (CNDDB #24, 67). Suitable oak forest or chaparral habitat is not present in the Study Area and this species has no potential to occur on the site. Umbrella larkspur was not detected during off-season surveys conducted in December 2021 and is not likely to occur in the developed habitat where Project activities are proposed.
5. **Davidson's Bush Mallow** (*Malacothamnus davidsonii*) is a CRPR 1B.2 species that occurs from San Mateo County south to Los Angeles County and is endemic to California. It is known to occur in sandy wash, chaparral, coastal scrub, cismontane woodland, and riparian woodland habitats between 185- and 1,140-meters elevation. It is a perennial deciduous shrub that typically blooms between June and January. The closest known record is approximately 3.4 miles south of the Study Area in 1962 within chaparral habitat (CNDDB #37). An updated record was reported near the same location in 1997 (CCH PGM H-4648) and this species is likely present at this location. Sandy wash habitat occurs within the Salinas River, west of the Study Area boundary. Suitable habitat is not present in the Study Area, and though there is a relatively close occurrence, this species has no potential occur on the site. Davidson's bush mallow was not observed in the Study Area during the December 2021 survey and would have been detected due to its perennial shrub habit and overlapping bloom period, if present.

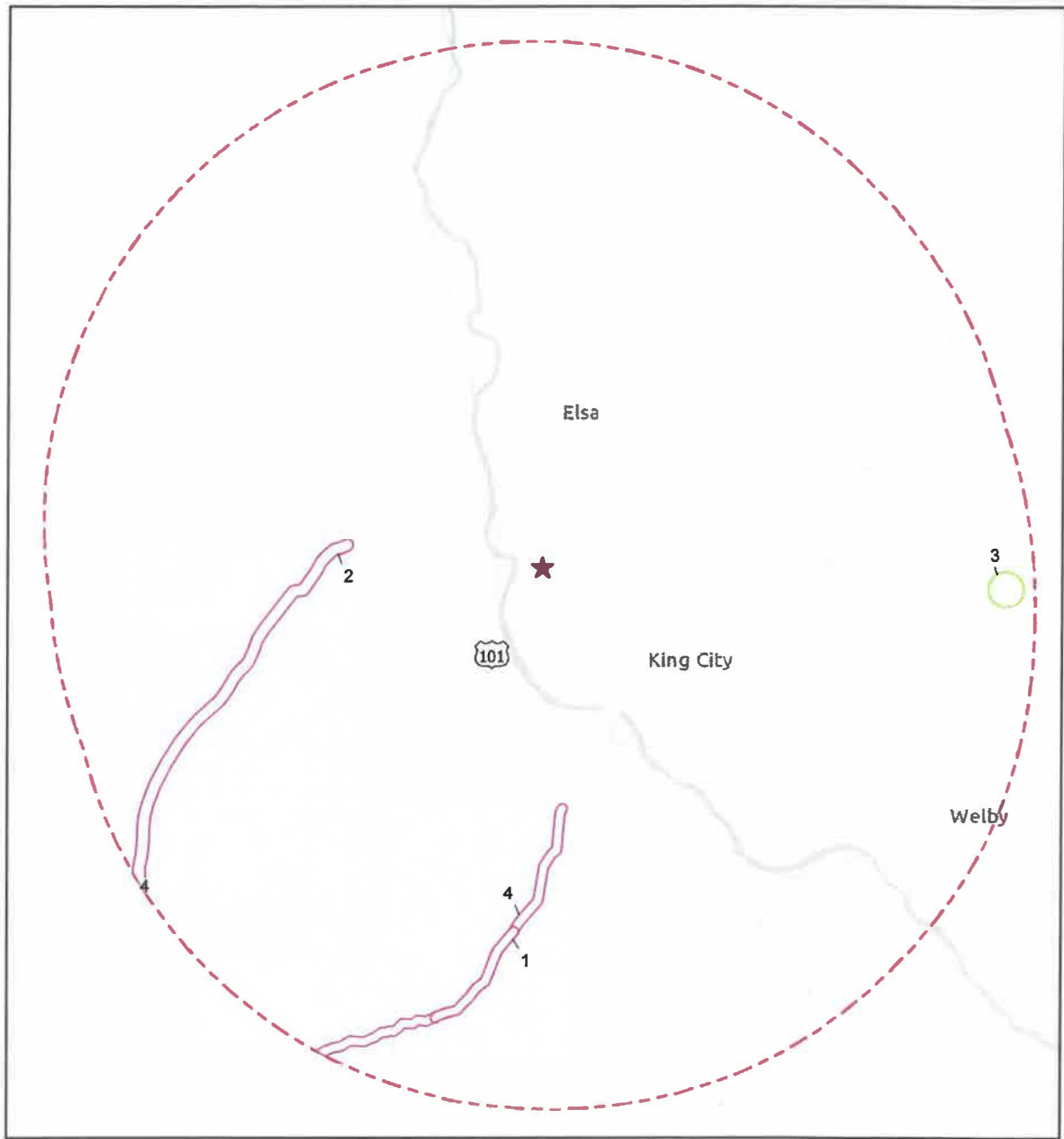
TABLE 3. SPECIAL STATUS PLANT LIST

Scientific Name	Common Name	Federal/State Status Global/State Rank CA Rare Plant Rank	Blooming Period	Habitat Preference	Potential to Occur
1. <i>Chorizanthe douglasii</i>	Douglas' Spineflower	-/- G4/S4 4. 3	Apr-Jul	Cismontane woodland, lower montane coniferous forest, chaparral, coastal scrub, valley and foothill grassland; in sand or gravel.	Low. Suitable soils are present though limited, and the site is heavily disturbed. Nearest occurrence is historic (from 1944) 1.7 mi east of the Study Area (CCH #SD43530).
2. <i>Delphinium umbraculorum</i>	Umbrella Larkspur	-/- G3/S3 1B.3	Apr-Jun	Moist oak forest	No Potential. Appropriate oak forest habitat is not present and historic farming of the area is not suited for this species. Nearest occurrence is 2.1 mi east of the Study Area in 1962 (CNDDDB #24).
3. <i>Eriogonum elegans</i>	Elegant Wild Buckwheat	-/- G4G5/S4S5 4. 3	May-Nov	Uncommon. Cismontane woodland, valley and foothill grassland. Usually in sandy or gravelly substrates; often in washes, sometimes roadsides.	Low. Marginal habitat is present in Industrial Spray Fields. Nearest occurrence is historic (from 1931), 0.6 mi south of the Study Area (CCH SBBG179105).

Scientific Name	Common Name	Federal/State Status Global/State Rank CA Rare Plant Rank	Blooming Period	Habitat Preference	Potential to Occur
4. <i>Layia heterotricha</i>	Pale-Yellow Layia	-/- G2/S2 1B. 1	Mar-Jun	Open clayey or sandy soil, sometimes +- alkaline	Low. Suitable soils are present in the Study Area; however, the site has been historically disturbed. Nearest occurrence is 2 mi northeast in similar farmland habitat (CCH #PGM H-5428) from 1962.
5. <i>Malacothamnus davidsonii</i>	Davidson's Bush Mallow	-/- G2/S2 1B.2	Jun-Jan	Sandy washes in coastal scrub, riparian woodland, chaparral	No Potential. Appropriate habitat is not present in the Study Area and site is heavily disturbed. Conspicuous bush mallow shrubs were not observed at the time of survey.

See section 1.6 for status and rank definitions

Figure 5. California Natural Diversity Database Plant Records



Label	Common Name
1	Davidson's bush-mallow
2	Pale-yellow layia
3	Recurved larkspur
4	Umbrella larkspur

Legend
★ Project Location
--- 5-Mile Radius



King City Wastewater Treatment Plant
Map Center: 121.15677°W 36.22368°N
King City, Monterey County

CNDDDB GIS Data Last Updated: November 2021

3.5.2 Botanical Survey Results

Botanical surveys conducted on December 7, 2021 identified 45 species, subspecies, and varieties of vascular plant taxa in the Study Area (Table 4). The list includes 21 species native to California and 24 introduced (naturalized or planted) species. Native plant species account for approximately 47 percent of the Study Area flora; introduced species account for approximately 53 percent.

TABLE 4. VASCULAR PLANT LIST

Scientific Name	Common Name	Special Status	Origin
Trees - 4 Species			
<i>Eucalyptus camaldulensis</i>	Red gum	None	Introduced
<i>Morus</i> sp.	Mulberry	None	Introduced
<i>Populus fremontii</i>	Cottonwood	None	Native
<i>Quercus agrifolia</i>	Coast live oak	None	Native
<i>Salix</i> sp.	Willow	None	Native
Shrubs - 3 Species			
<i>Baccharis pilularis</i>	Coyote brush	None	Native
<i>Baccharis salicifolia</i> subsp. <i>salicifolia</i>	Mule fat	None	Native
<i>Phoradendron leucarpum</i> subsp. <i>macrophyllum</i>	Big leaf mistletoe	None	Native
Forbs - 31 Species			
<i>Amaranthus albus</i>	Tumbleweed amaranth	None	Introduced
<i>Amsinckia</i> sp.	Fiddleneck	None	Native
<i>Atriplex semibaccata</i>	Australian saltbush	None	Introduced
<i>Centaurea melitensis</i>	Tocolote	None	Introduced
<i>Centaurea solstitialis</i>	Yellow star thistle	None	Introduced
<i>Chenopodium album</i>	Lamb's-quarters	None	Introduced
<i>Croton californicus</i>	California croton	None	Native
<i>Cyperus eragrostis</i>	Umbrella sedge	None	Native
<i>Deinandra</i> sp.	Tarplant	None	Native
<i>Epilobium ciliatum</i>	Willow herb	None	Native
<i>Erigeron bonariensis</i>	Asthma weed	None	Introduced
<i>Erodium cicutarium</i>	Redstem filaree	None	Introduced
<i>Erigeron canadensis</i>	Common horseweed	None	Native

Scientific Name	Common Name	Special Status	Origin
<i>Euphorbia serpens</i>	Matted sandmat	None	Native
<i>Gnaphalium palustre</i>	Lowland cudweed	None	Native
<i>Heliotropium curassavicum</i> var. <i>oculatum</i>	Seaside heliotrope	None	Native
<i>Heterotheca grandiflora</i>	Telegraph weed	None	Native
<i>Hirschfeldia incana</i>	Wild mustard	None	Introduced
<i>Lepidium latifolium</i>	Perennial pepperweed	None	Introduced
<i>Lessingia</i> sp. ¹	Lessingia	None	Native
<i>Malva parviflora</i>	Cheeseweed	None	Introduced
<i>Marrubium vulgare</i>	Horehound	None	Introduced
<i>Plantago lanceolata</i>	English plantain	None	Introduced
<i>Pseudognaphalium californicum</i>	California everlasting	None	Native
<i>Rumex crispus</i>	Curly dock	None	Introduced
<i>Rumex salicifolius</i>	Willow dock	None	Native
<i>Salsola tragus</i>	Russian thistle	None	Introduced
<i>Schoenoplectus californicus</i>	California tule	None	Native
<i>Stephanomeria virgata</i>	Twiggy wreath plant	None	Native
<i>Typha</i> sp.	Cattail	None	Introduced
<i>Xanthium spinosum</i>	Spiny cocklebur	None	Introduced
Graminoids - 7 Species			
<i>Bromus diandrus</i>	Ripgut brome	None	Introduced
<i>Bromus madritensis</i> subsp. <i>rubens</i>	Red top brome	None	Introduced
<i>Distichlis spicata</i>	Saltgrass	None	Native
<i>Festuca myuros</i>	Rattail sixweeks grass	None	Introduced
<i>Hordeum marinum</i> subsp. <i>gussoneanum</i>	Barley	None	Introduced
<i>Hordeum murinum</i>	Foxtail barley	None	Introduced

¹ *Lessingia* sp. observed during the December 2021 site survey was partially in bloom, but nearly senesced and not completely identifiable due to lack of all phenological parts necessary to key to species. The rare species, *L. tenuis* or spring lessingia, has a bloom period of May through July, and would not be in bloom in December. Additionally, habitat where observed is not suitable for *L. tenuis*. Therefore, Special Status was determined to be None.

Scientific Name	Common Name	Special Status	Origin
<i>Polypogon monspeliensis</i>	Annual beardgrass	None	Introduced

See Section 1. 6 for status and rank definitions.

3.6 Wildlife Resources

Research on special status animal occurrences conducted within the designated search area (see Methods) determined 28 special status animal species are known to occur in the region (Appendix C, CDFW 2021c). Figure 6 and Figure 7 depict the current GIS data for special status species mapped near the Study Area by the CNDDDB and USFWS Critical Habitat.

3.6.1 Special Status Animal Species

Based on an analysis of known ecological requirements for the special-status wildlife species reported or known from the region (Appendix C), and the habitat conditions that were observed in the Study Area, it was determined that 16 special status animal species have some potential to occur within the Study Area. Potential for special status bird species to occur is defined by nesting and inflight/foraging potential, and include Cooper's hawk, tricolored blackbird, golden eagle, great blue heron, burrowing owl, bank swallow, and least Bell's vireo. Other special status animals with potential to occur include those with low potential (northern California legless lizard, western bumble bee, Salinas pocket mouse, coast horned lizard, western spadefoot, coast range newt, and San Joaquin kit fox) and moderate potential (western pond turtle and American badger). The Study Area is within known critical habitat for two special status species, vernal pool fairy shrimp and steelhead – South/Central California Coast DPS, and a third species, Monterey hitch, is known to occur along the Salinas River. These three species have no potential to occur, and a rationale for this determination is provided in the following discussion. Each species is discussed in detail below and summarized in Table 5.

1. **Cooper's Hawk** (*Accipiter cooperii*) is a CDFW Watch List species (for nesting occurrences only) that occurs regularly in California during the winter months and during spring and fall migration (CDFW 2018a). It is generally regarded as a regular but uncommon nesting species in San Luis Obispo and Santa Barbara Counties (Hall et al. 1992; Lehman 2020), and several observations are reported on eBird within Monterey County (eBird 2021). Cooper's hawks frequent oak and riparian woodland habitats, and increasingly urban areas, where they prey primarily upon small birds (Curtis et al. 2006). The closest reported occurrence of nesting Cooper's hawk is located approximately 15 miles south of the Study Area in 1999 in a coast live oak (*Quercus agrifolia*) tree within oak woodland habitat (CNDDDB #68). Nesting habitat is not present in the Study Area, aside from one red gum tree which currently hosts a potential red-tailed hawk (*Buteo jamaicensis*) nest. Several more recent occurrences have been reported on eBird, with the closest record approximately 0.4 miles northeast of the site (Hoff 2007). Cooper's hawks are likely more abundant in the area than records show in the CNDDDB and have high potential to be seen either in flight or foraging on small birds within the Study Area. Woodland habitat in the vicinity could support nesting Cooper's hawks, but due to minimal nesting habitat directly in the Study Area, they have low potential to nest on the site. Cooper's hawks were not detected during the December 2021 survey.

2. **Tricolored Blackbird** (*Agelaius tricolor*) is a California Species of Special Concern (nesting colonies) and listed as Threatened under the California Endangered Species Act. Tricolored blackbird occurs predominately in the Central Valley of California and in smaller disjunctive nesting colonies southwest of the Cascade Sierra axis and at higher elevations only in northwestern California (Shuford and Gardali 2008). Within its restricted range, the tricolored blackbird will migrate during the breeding season, moving north after the first nesting efforts, and in winter moving to lower elevations (Shuford and Gardali 2008). The breeding season is generally from April to July, but in the Central Valley there has been active breeding reported in October and November (CDFW 2014). Historically, the tricolored blackbird nested in emergent wetlands, marshes and swamps making their nests in tall, dense cattails, tules, tall herbs, thickets of willows and blackberries. The species also requires foraging space with an abundance of insect prey that can sustain the nesting colony (Weintraub et al. 2016). In a recent study, it was found that the tricolored blackbird had a higher breeding success nesting in non-native invasive vegetation like the Himalayan blackberry (*Rubus discolor*) over the native cattail (*Typha* spp.) (Cook and Toft 2005). The closest reported occurrence of a tricolored blackbird nesting colony is approximately 8.4 miles southeast of the Study Area in 1997 (CNDDDB #993). Several observations of this species in flight are documented on eBird with the nearest occurrence approximately 1.8 miles east of the Study Area (Rinkert 2021), where a large flock was observed in flight. Due to very limited reed substrate, it is unlikely for tricolored blackbirds to nest onsite. Tricolored blackbirds were not observed in the Study Area during the December 2021 survey.
3. **Northern California Legless Lizard** (*Anniella pulchra*) is a California Species of Special Concern that occurs from Contra Costa to Santa Barbara County. It has a Global Rank of G3 and a State Rank of S3, both of which indicate that this species is considered Vulnerable. This species includes the subspecies formerly treated as *A. pulchra nigra* and *A. pulchra pulchra* which was shown to be an invalid designation (Pearse and Pogson 2000). Northern California legless lizard inhabits friable soils in a variety of habitats from coastal dunes to oak woodlands and chaparral. Adapted to subterranean life, the legless lizard thrives near native coastal shrubs that produce an abundance of leaf litter and have strong roots systems (Kuhn et al. 2005). Areas of exotic vegetation and open grassland do not provide suitable habitat for the legless lizard since these plant communities support smaller populations of insect prey and offer little protection from higher ground temperatures and soil desiccation (Slobodchikoff and Doyen 1977; Jennings and Hayes 1994). The closest reported occurrence of the northern California legless lizard is located approximately 1.9 miles southeast from Study Area in 2018 (CNDDDB #362), where one adult was observed within a drainage of Pine Canyon. Loose loamy soils occur in the inactive Industrial Spray Fields land use area; however, is not the typical habitat for legless lizards. There is potential for this species to inhabit the riparian habitat that occupies the Salinas River banks, where suitable soils are present and leaf litter is abundant. Due to the proximity of suitable conditions, there is low potential for legless lizards to occur in the Study Area, but they are not likely to be present near the treatment ponds where proposed Project activities will occur. Northern California legless lizard was not detected during the December 2021 survey. NOTE: Breeding period: Early Spring – July (some populations observed to breed biennially).
4. **Golden Eagle** (*Aquila chrysaetos*) is designated a Fully Protected species by the CDFW and is federally protected by the Bald and Golden Eagle Protection Act. The species range extends throughout much of North America and in California is found in broadleaved upland and

montane coniferous forests, cismontane, pinon and juniper woodlands, coastal prairie, great basin scrub and great basin, valley and foothill grassland habitat types (CDFW 2018a). Most golden eagles in California are residents year-round, but in the winter months this population will be augmented with individuals from other nearby western states. The breeding season in California is generally from late January through August. The golden eagle prefers open habitat and in California it extensively utilizes grazed grasslands and open shrublands for preying on its main food source of hares or rabbits and marmots or ground squirrels (Hunt 1995; Watson 2010). Studies have shown that both the golden eagle's reproduction rate and success declines with a decrease in prey abundance. Golden eagle's will even refrain from egg laying when prey numbers are low (Driscoll 2010). In California, the golden eagle nests almost exclusively in trees (82% trees in central California) but in montane regions it also has a preference for cliffs and will avoid nesting in densely forested habitat (Hunt 1995; Pagel et al. 2010). The golden eagle is highly sensitive to anthropogenic presences and will avoid nesting near urban areas (Pagel et al. 2010). Golden eagles will even abandon nests when human activity and development increases in their territory (Driscoll 2010). The closest reported occurrence of nesting golden eagles is located approximately 10.3 miles west of the Study Area in 2008 (CNDDDB #132) on a cliff above Vaqueros Creek. More recent occurrences are reported on eBird, with the nearest observation of one adult in flight approximately 0.9 mi south over San Lorenzo County Park (Roberson 2021). Due to the high presence of human activity and lack of nesting substrate, golden eagles have no potential to nest on the site but could be seen in flight or occasionally hunting in the open spray field areas. The raptor nest found within the Study Area was too small for this species. Golden eagle was not observed during the December 2021 survey.

5. **Great Blue Heron** (*Ardea herodias*) is a CDFW Special Animal and a colonial nesting waterbird whose nesting colonies are tracked by the CNDDDB. Adaptable and widespread, the great blue heron is found in a wide variety of habitats. When feeding, it is usually seen in slow-moving or calm salt, fresh, or brackish water. Great blue herons inhabit brackish and freshwater marshes, estuaries, swamps, riparian forests, and wetlands. They nest colonially in tall trees, cliffsides, and sequestered spots on marshes. Rookery sites are typically in proximity to foraging areas such as marshes, lake margins, tide-flats, rivers and streams, and wet meadows. Great blue herons hunt predominantly by day though they may also be active at night. The closest reported occurrence of a great blue heron rookery is approximately 11.4 miles east of the Study Area in 2008 (CNDDDB #87). Several occurrences of great blue heron have been reported on eBird, with the nearest occurrence directly overhead the Study Area in 2002 (Yough 2002). There is no suitable rookery habitat present in the Study Area but it is highly likely that this species could be seen in flight or utilizing onsite treatment ponds. Great blue heron was not observed during the December 2021 survey.
6. **Burrowing Owl** (*Athene cunicularia*) is a California Species of Special Concern. It is a small, rare owl that occupies abandoned mammal holes in the ground, most notably those of the California ground squirrel (*Otospermophilus beecheyi*). In California, the burrowing owl is a year-round resident in the Carrizo Plain, Central Valley, Imperial Valley, and the San Francisco Bay region. In the winter months, burrowing owl individuals from other western populations will augment the year-round Californian populations (Shuford and Gardali 2008). The breeding season is generally from March through August. Suitable habitat types for the burrowing owl are dry, open annual or perennial grasslands and deserts with an abundance of burrows (CDFW 2014; CDFW 2018a). More specifically, the owl is found in coastal prairie,

coastal scrub, great basin, Mojavean and Sonoran Desert scrub and great basin, valley and foothill grassland habitats (CDFW, 2018). The burrowing owl commonly nests in abandoned holes in the ground, most notably those of the California Ground squirrel, but the owl is also known to inhabit badger and fox dens and man-made holes, such as pipes and culverts. Rarely it has been known to dig its own burrow in softer soil types (Coulombe 1971; Gervais et al. 2008). Burrows with high horizontal visibility and low vegetation coverage are preferred but burrows with dense vegetation with high perch sites will be used (Green and Anthony 1989). *Orthoptera* are the main food source for the owl but it will also consume other insects, as well as amphibians, carrion, small mammals, reptiles and birds (York et al. 2002; Gervais et al. 2008; CDFW 2014). The closest reported occurrence of the burrowing owl is approximately 2.0 miles east from the Study Area in 2002 (CNDDDB #436) where burrowing owl was observed denning in soil mounds within a corporation yard. Though more likely to occur in the interior, the inactive Industrial Spray Field could provide suitable denning habitat for burrowing owl, but due to high activity in the area, potential to den and/or hunt on site is low. Burrowing owl was not detected during the December 2021 survey.

7. **Western Bumble Bee** (*Bombus occidentalis*) is neither federally nor state listed; however, it is a designated Sensitive species under the United States Forest Service (USFS), and it has a Global Rank of G2G3 (imperiled and vulnerable) and a State Rank of S1 (critically imperiled). According to NatureServe (2014), the overall global rank of the species has to be G4 because one or two of the subspecies appears to be secure based on substantial information from 2009 and more recently. However, WBB is clearly not secure in most of its range. The conservation status of the two subspecies appears to be very different, and each is now (as of 2014) ranked and document separately. Though once widespread, disease is stipulated to be the cause of the precipitous decline in this species from southern British Columbia to central California. Rangewide, example food plants of WBB include genera *Ceanothus*, *Centaurea*, *Chrysothamnus*, *Cirsium*, *Geranium*, *Grindellia*, *Lupinus*, *Melilotus*, *Monardella*, *Rubus*, *Solidago*, and *Trifolium* (Williams et al. 2014). The nearest occurrences of WBB are approximately 10 miles northwest and southeast of the Study Area in 1967 and 1935, respectively (CNDDDB #293, 277). Due to limited host plants and overall decline of the species, WBB has very low potential to occur in the Study Area and would be restricted to use of the Industrial Spray Fields. Western bumble bee was not detected, nor were any bumble bee species observed, during the December 2021 survey.
8. **Western Pond Turtle** (*Emys marmorata* [*Actinemys marmorata*]) has a Global Rank of G3G4 and a State Rank of S3. It is a California Species of Special Concern that has a widespread distribution in north and south California west of the Sierra-Cascade crest (Jennings and Hayes 1994; CDFW 2014). The western pond turtle requires permanent to semi-permanent and slack or slow-moving water type habitat, including ponds, rivers, streams, reservoirs and wetlands found in grasslands, open forests and woodlands. It has also been observed in abandoned gravel pits, sewage treatment lagoons, irrigation ditches and stock ponds (Pilliod et al. 2013; CDFW 2014; CDFW 2018a). Suitable water habitat will have plenty of basking and cover sites such as logs, reeds, rocks and muddy banks. The western pond turtle also requires suitable upland habitat for nests, migration, overwintering and aestivation (Pilliod et al. 2013; CDFW 2014; CDFW 2018a). Nests are laid on dry and unshaded south-facing slopes that are < 25° and of high clay or silt fraction (Jennings and Hayes 1994). Females lay eggs from April to August, depending on the latitude, and will travel as far as 400 meters from the water to find a suitable nesting spot (Jennings and Hayes 1994; Reese and Welsh 1997). Hatchling turtles leave the

nest the following spring and spend their time in shallow highly vegetated waters (Jennings and Hayes 1994). The western pond turtle is omnivorous and has a diet that consists mostly of aquatic invertebrates, vegetation, small fish and duck carrion (Jennings and Hayes 1994; CDFW 2014). The biggest threat to the western pond turtle is the destruction of wetland habitat, but its population size is also affected by the American bullfrog (*Lithobates catesbeianus*) which will prey on hatchlings and can even eliminate recruitment in some populations (USFWS 1992; Overtree and Collings 1997). The closest reported occurrence of western pond turtle is located approximately 1.3 miles southeast from the Study Area in the Salinas River (CNDDDB #1054). The active water treatment ponds could attract pond turtles and they have a moderate potential to occur in the Study Area. Western pond turtle was not detected during the December 2021 survey but could be present.

9. **Salinas Pocket Mouse** (*Perognathus inornatus psammophilus*) is a rare pocket mouse listed as a California Species of Special Concern (CDFW 2018). It has a Global Rank of G4T2 (rounded status T2 – Imperiled) and a State Rank of S1 (Critically Imperiled). The Salinas pocket mouse is one of three subspecies located from the Sacramento Valley, south to the San Joaquin and contiguous valleys (including Salinas Valley). Like other species of pocket mice, the Salinas pocket mouse is nocturnal and spends the day in a burrow with a plugged entrance. During periods of low temperatures, these mice will enter a period of torpor, emerging occasionally from their burrow if its cache needs to be replenished. The Salinas pocket mouse forages on the seeds of grasses and forbs as well as seasonal vegetation. The closest reported occurrence of the Salinas pocket mouse is located over 14 miles northwest from the Study Area in 1936 (CNDDDB #7). Documented occurrences of this species are rare and historic, suggesting that either the species has been extirpated from the area or that more research is required to determine presence in the County. Though suitable habitat is present in the Industrial Spray Fields portion of the Study Area, it is unlikely that Salinas pocket mouse are present, and they have very low potential to occur. Salinas pocket mouse or its sign was not detected during the December 2021 survey.
10. **Coast Horned Lizard (or Blainville's Horned Lizard)** (*Phrynosoma blainvillii*) is a California Species of Special Concern. The coast horned lizard is distributed from northern Baja California through Northern California occurring in open areas of valley foothill hardwood, conifer, riparian, pine-cypress, juniper and annual grassland habitats (Laudenslayer 2007). The horned lizard needs friable sandy soil with rocks and logs essential for burrows and reproduction (Laudenslayer 2007, Gerson 2011). Appropriate habitat for the horned lizard must include an abundance of the native harvester ant (*Pogonomyrmex* and *Messor*). The non-native Argentine ant (*Linepithema humile*) is detrimental to horned lizard food resources as it is out competing the native harvester ant, and the lizard will not eat the Argentine ant (Gerson 2011). Very little data exists on the habitat requirement for reproduction of the coast horned lizard; however, it has been reported that in southern California the egg laying season is from late May through June (CDFW 2014). The closest reported occurrence of the coast horned lizard is located approximately 10.3 miles west of the Study Area in 2008 (CNDDDB #681), where horned lizard was observed along Vaqueros Creek, adjacent to oak woodland habitat. Wash habitat with sandy soils is present along the Salinas River and coast horned lizard could be present, but is less likely to disperse into the Study Area and has low potential to occur. Coast horned lizard was not observed during the December 2021 survey.

11. **Bank Swallow** (*Riparia riparia*) is a state-listed threatened species with a Global Rank of G5 (Secure) and a State Rank of S2 (Imperiled). It typically nests in colonies, excavating tunnels into vertical sandbanks along rivers, streams, lakes, and ocean coasts. This species forages over any habitat, especially near water. The closest reported observation of bank swallow colonies is located approximately 1.4 miles south of the Study Area observed in 1993 (CNDDDB #93), along the Salinas River. More recent occurrences of bank swallow sightings are documented on eBird, with the nearest observation approximately 1.4 miles northeast of the Study Area along Metz Road (Rinkert 2014). Nesting habitat is not present in the Study Area but breeding colonies of bank swallow are documented in the area and there is moderate potential for this species to be seen foraging or in flight within the Study Area. Bank swallows were not observed during the December 2021 survey.
12. **Western Spadefoot Toad** (*Spea hammondi*) is a California Species of Special Concern and has a Global Rank of G3 (Vulnerable) and a State Rank of S3 (Vulnerable). The species is endemic to California and northern Baja California, Mexico. Western spadefoot toad is primarily an inland species, occurring in grassland habitats with friable soils and seasonal rain pools (CNDDDB 2017). Spadefoot toads remain underground for most of the year, emerging to breed in seasonal wetland pools during the rainy season and if enough rain occurs, they can be found above ground from October through April. Typical breeding season is from December to March. Development of the larvae from egg to metamorphosis can be very quick (3-11 weeks), depending upon water temperature and food resources. Recruitment will most often fail if breeding ponds are habited by predators such as bullfrogs (*Lithobates catesbeiana*) and crayfishes (CDFW 2014, Jennings and Hayes 1994). The closest reported occurrence of western spadefoot toad is located approximately 9.6 miles north of the Study Area in 1943 (CNDDDB #840), however due to suitable conditions within and surrounding the Salinas River, this species is likely to occur more closely to the site. Western spadefoot toad was not detected during the December 2021 survey but could be present in low numbers as suitable upland habitat and soils are present in the Industrial Spray Field that could be used by burrowing spadefoot during estivation.
13. **Coast Range Newt** (*Taricha torosa*) has a Global Rank of G4 and a State Rank of S4, meaning this species is considered Apparently Secure on a global and state scale according to NatureServe (2018). It is also a California Species of Special Concern that has a disjunctive range along the coastline of California from Mendocino County to San Diego County. Coast range newts spend most of the year in terrestrial habitats but move to slow-moving streams, lakes and reservoirs to breed in the wet winter months (CNDDDB 2017, Gamradt 1997, Jennings and Hayes 1994). Suitable habitat types for the coast range newt are coastal drainages of oak forest, mixed chaparral, annual grassland, valley-foothill hardwood, coastal scrub and mixed conifer (CDFW 2014). Within its preferred habitat, the coast range newt uses mammal burrows, fallen logs and rocks for shelter on land and in the water, females lay eggs within dense vegetation and larvae seek shelter under fallen debris, rocks and undercut banks (CDFW 2014). The movement of coast range newts has not been studied in depth, but it is thought that it can migrate long distances, sometimes over one kilometer, to breeding sites (Jennings and Hayes 1994). The closest reported occurrence of this species is located approximately 10.3 miles east of the Study Area in 2008 along a riparian corridor (CNDDDB #57). Suitable stream habitat is not directly present in the Study Area, but due to the proximity of the Salinas River there is low potential that coast range newt could utilize the site. Coast range newt was not detected during the December 2021 survey.

- 14. American Badger** (*Taxidea taxus*) is a California Species of Special Concern with a widespread range across the state (Brehme et. al. 2015, CDFW 2014). It is a permanent but uncommon resident in all parts of California, except for forested regions of the far northwestern corner, and is more abundant in dry, open areas of most shrub and forest habitats (CDFW 2021c). The American badger requires friable soil in order to dig burrows for cover and breeding. The main food source for the species is fossorial rodents, mainly ground squirrels and pocket gophers (CDFW 2014). The breeding season for badgers is in summer and early fall, and females give birth to litters usually in March and April (CDFW 2014). The closest reported occurrence of the American badger is located approximately 1.6 miles east of the Study Area (CNDDDB #300), with no observation date. Suitable soils are present for denning badger in the Industrial Spray Fields and there is moderate potential for this species to occur on the site. Fragmented habitat and relatively high human activity in the area reduce potential for this species to more frequently occur. American badger or its sign was not detected during the December 2021 survey.
- 15. Least Bell's Vireo** (*Vireo bellii pusillus*) is one of four subspecies of Bell's vireo (*Vireo bellii*) and is both state and federally listed as endangered. Least Bell's vireo winters in Baja California, Mexico and migrates to California during the breeding season (generally March to September), where it is found in scattered populations from Central to Southern California. They are a small, olive colored bird whose habitat consists of low, dense riparian growth near dry and intermittent streams (USFWS 1994). Preferred nesting habitat is on low branches of willows (*Salix* spp.), mule fat (*Baccharis salicifolia*), and mesquite bushes (*Prosopis* spp.) where insects can be found for feeding (Brown 1993). Range wide decline has occurred due to habitat loss, and brood parasitism by brown-headed cowbirds (*Molothrus ater*) throughout range of California (CNDDDB 2017). The closest reported occurrence of the least Bell's vireo is historic and is located over 10 miles southeast of the Study Area in 1919 (CNDDDB #512). Records of least Bell's vireo on eBird are over 30 miles southeast. Due to the lack of riparian habitat in the Study Area and no recent occurrences, there is no potential for this species to nest on site but could potentially nest in the riparian habitat along the Salinas River. Few isolated mule fat shrubs were noted within the Industrial Spray Fields; however, not enough to create the suitably dense, shrubby nesting habitat preferred by this species. Due to the lack of suitable nesting habitat on the site, there is very low potential for least Bell's vireo to occur in the Study Area. Least Bell's vireo was not observed in the Study Area during the December 2021 survey but could nest within 0.5 mile of the Project.
- 16. San Joaquin Kit Fox** (*Vulpes macrotis mutica*; SJKF) is federally listed as endangered and state listed as threatened. The SJKF is one of two subspecies of the kit fox, *Vulpes macrotis*, which is the smallest canid species in North America. It is endemic to the San Joaquin Valley and a few adjacent valleys in the central region of California (Cypher et al. 2013). The SJKF is primarily nocturnal and typically occurs in annual grassland or mixed shrub/grassland habitats throughout low, rolling hills and in valleys. They need loose sandy soils in order to dig their burrows and a prey population of black-tailed jackrabbits, rodents, desert cottontails, insects, some birds, reptiles and vegetation (CDFW 2014, CNDDDB 2017). The most suitable habitat for SJKF has low precipitation, sparse vegetation coverage with high densities of kangaroo rats (*Dipodomys* spp.). For the SJKF to succeed in an area it needs large expanses of non-fragmented suitable habitat. This type of habitat is decreasing rapidly by conversion into agricultural land or degraded by urban development (Cypher et al. 2013). Female SJKF began preparing natal dens in September and October and then breeding occurs from December

through February. Pups are born from January to March and family groups typically split up the following October (Meaney et al. 2006). The closest reported occurrence of the SJKF is located approximately 2.2 miles from the Study Area in 1986 (CNDDB #940), with no known details of the occurrence. Several other observations east and north of the site are from 1975 and these populations are likely extirpated. The most recent occurrence is located approximately 9.4 miles southeast in 2002 (CNDDB #50). Agricultural land use in the area is heavily active, and though kit fox are known to occupy croplands, soils are heavily impacted through regular disking and planting and potential burrows or mounds were not observed in adjacent farmlands during the December 2021 site visit. Resurgent grassland with friable soils in the Industrial Spray Fields could support denning SJKF, but access to this portion of the site is not within direct connectivity to any other suitable habitat aside from the Salinas River corridor (for which kit fox do not typically utilize). Due to the lack of recent occurrences in the area, it is very unlikely for SJKF to utilize the site for denning or hunting, but measures should be observed to ensure protection of this federally and state listed species. SJKF or its sign was not detected during the December 2021 survey.

The following three special status species, which are listed under the FESA, CESA, and/or are SSC by the state of California, are not likely to occur in the Study Area but are known to occur in the region and therefore warrant further discussion: vernal pool fairy shrimp, Monterey hitch, and steelhead (South/Central California Coast DPS). Each species is discussed below and summarized in Table 5.

17. Vernal Pool Fairy Shrimp (*Branchinecta lynchi*) is a small freshwater crustacean that is federally listed as threatened and occurs in the Central Valley of California from Shasta County to Tulare County and the central and southern Coast Ranges from northern Solano County to Ventura County, California (USFWS 2003). This shrimp is found in grasslands in cool, clear-water sandstone-depression, grassed swale, earth slump and basalt-flow depression pools with a higher occurrence in Redding, Corning and Red Bluff soils (Helm 1998; CDFW 2018a). Preferred pool depth by the shrimp ranges from 2-122 cm. Individuals hatch from cysts during cold-weather winter storms and require water temperatures of 50°F or lower to hatch (Helm 1998; Eriksen and Belk 1999). The time to maturity and reproduction is temperature dependent, varying between 18 days and 147 days, with a mean of 39.7 days. Immature and adult shrimp are known to die off when water temperatures rise to approximately 75°F (Helm 1998). The species is typically associated with smaller and shallower vernal pools (typically about 6 inches deep) that have relatively short periods of inundation (Helm 1998) and relatively low to moderate total dissolved solids (TDS) and alkalinity. The Study Area is within the 5-mile radius of vernal pool fairy shrimp habitat, however no CNDDB occurrences are reported within the 9-quad search area. Existing treatment ponds are not seasonal and have greater depth and higher temperatures than preferred fairy shrimp vernal pool habitat. Due to the lack of suitable habitat, active operation of the facility, and no occurrences in the vicinity of the Project, vernal pool fairy shrimp have no potential to occur on the site.

18. Monterey Hitch (*Lavinia exilicauda harengus*) is a California Species of Special Concern, which is widely distributed in the Pajaro River and Salinas River systems, both tributary to Monterey Bay. When the sandbar forms at its mouth in early summer, the Salinas River lagoon can substantially convert to fresh water with a lens of salt water near the bottom. Monterey hitch apparently tolerate such brackish conditions, as indicated by the fact that they have been captured in the lagoon from water with salt concentrations as high as nine parts per thousand

(ppt; Habitat Restoration Group 1992). Hitch are deep-bodied cyprinids with a terminal, slightly upturned mouth that can grow to over 350 mm standard length. Young fish are silver and have a dark, triangular blotch on the caudal peduncle. As fish age, they become duller in color, with the dorsal area turning brownish yellow (Moyle 2002). The hitch prefers the lower, sandy to muddy, slow-moving stretches of rivers or the quiet pools of creeks, generally in fairly warm water. According to Murphy (1948) it appears to require gravel-bottomed streams for successful spawning. It feeds, in large part at least, on fine microscopic organisms (plankton), as shown by the rather numerous gill rakers, the long intestine and the grinding type of pharyngeal teeth. Monterey hitch exist in a rapidly changing environment where flows are often tenuous and intermittent as the result of intensive agricultural land use, an arid climate, and increasing human demand for water. This is compounded by the fact that the majority of Monterey hitch habitat occurs on private lands, where there is little formal protection for aquatic organisms. Nearest occurrence of Monterey hitch is approximately 0.2 miles west of the Study Area along the Salinas River in 2018 (CNDDB #1). Monterey hitch could be present in the Salinas River but have no potential to occur in the Study Area due to the lack of riverine habitat directly on the site.

- 19. Steelhead - South/Central California Coast DPS (*Oncorhynchus mykiss irideus*)** is the anadromous form of rainbow trout. Adults spawn in freshwater, while juveniles remain in freshwater before migrating to the ocean to grow and become sexually mature prior to returning as adults to spawn in freshwater. Steelhead in the South/Central California Coast Distinct Population Segment (SCCDDPS) include naturally spawned *O. mykiss* occurring downstream from natural and manmade barriers from the Pajaro River, south to but not including the Santa Maria River. A Distinct Population Segment (DPS) is a group of steelhead that is genetically distinct from other California steelhead populations. Steelhead are known to occur in coastal streams and rivers in San Luis Obispo County, including but not limited to Arroyo Grande Creek, Pismo Creek, San Luis Obispo Creek, Chorro Creek, San Simeon Creek, and other coastal streams. Steelhead are known to occur in the Salinas River and its tributaries from Monterey south to the vicinity of Santa Margarita. The Salinas River and coastal streams in Monterey County are critical habitat for migrating steelhead. Steelhead generally require cool, fast-flowing streams with rock and cobble substrate for spawning and rearing. Though the Property is in designated steelhead critical habitat, no portion of the Study Area is within riverine habitat. Project activities will occur within the existing plant footprint, over 1,200 feet from the Salinas River. Project activities would not impact steelhead directly or indirectly with adherence to the current King City WWTP Stormwater Pollution and Prevention Plan (SWPPP) measures in place during construction and operation.

TABLE 5. SPECIAL STATUS ANIMAL LIST

Scientific Name	Common Name	Federal/State Status Global/State Rank CDFW Status	Habitat Preference	Potential to Occur
1. <i>Accipiter cooperii</i>	Cooper's Hawk	-/- G5/S4 WL	Oak woodland, riparian, open fields. Nests in dense trees, esp. coast live oak.	Low (nesting). Suitable nesting habitat is located west of the site along the Salinas River, with one tree directly in the Study Area. High (in flight/foraging). Potential nesting habitat is located just off-site, and several occurrences have been reported in the vicinity. High prey-base of small birds is present.
2. <i>Agelaius tricolor</i>	Tricolored Blackbird	-/CT G2G3/S1S2 SSC	Requires open water, protected nesting substrate, & foraging area with insect prey near nesting colony.	Low (nesting). Reed and nesting substrate is not sufficiently present, with only a few small patches of tule and cattails occurring in the Study Area. High (in flight/foraging). Numerous occurrences of large flocks have been reported in the vicinity and insect prey-base is present in the Study Area.
3. <i>Anniella pulchra</i>	Northern California Legless Lizard	-/- G3/S3 SSC	Sandy or loose loamy soils under coastal scrub or oak trees. Soil moisture essential.	Low . Loose litter and loamy soils are present though appropriate habitat is not directly within the Study Area. Nearest occurrence is 2.0 mi south in drainage along Jolon Road (CNDDB #362) in 2018.
4. <i>Aquila chrysaetos</i>	Golden Eagle	-/- G5/S3 FP	Nests in large, prominent trees in valley and foothill woodland. Requires adjacent food source.	No Potential (nesting). Suitable nesting substrate is not present in the Study Area. Low (in flight/foraging). Not prominent in the area. Nearest occurrence is over 10 west (CNDDB #132 in 2008) and limited open space is present. Several eBird occurrences near King City.

Scientific Name	Common Name	Federal/State Status Global/State Rank CDFW Status	Habitat Preference	Potential to Occur
5. <i>Ardea herodias</i>	Great Blue Heron	-/- G5/S4 SA	Rookeries located in tall trees near foraging areas.	No Potential (nesting). Suitable rookery habitat is not present in the Study Area. High (in flight/foraging). Onsite water detention ponds likely attract great blue herons, and an observation was made within the Study Area in 2002 (Yough 2002). Numerous occurrences documented in the area on eBird.
6. <i>Athene cunicularia</i>	Burrowing Owl	-/- G4/S3 SSC	Burrows in squirrel holes in open habitats with low vegetation.	Low (nesting/burrowing). Covering grassland is present in the Industrial Spray Fields, which could provide suitable denning habitat for burrowing owls. Nearest occurrence is 2.0 mi east (CNDDDB #436) in 2002, where soil mounds were observed in corporation yard. Low (in flight/foraging). Nearest occurrence is 2.0 mi east (CNDDDB #436) in 2002, where soil mounds were observed in corporation yard. Nearest occurrence on eBird is incomplete and more species common in the interior.
7. <i>Bombus occidentalis</i>	Western Bumble Bee	-/CCE G2G3/S1 SA	Wide variety of natural, agricultural, urban, and rural habitats. Flower-rich meadows of forests and subalpine zones.	Low Nearest occurrences are historic, and site is void of most host plant species. Very low potential to occur in the Industrial Spray Fields land use area based on the presence of noted small mammal burrows in the field.
8. <i>Branchinecta lynchi</i> *	Vernal Pool Fairy Shrimp	FT/- G3/S3 SA	Clear water sandstone depression pools, grassed swale, earth slump, or basalt flow depression pools.	No Potential . Vernal pool habitat is not present in the Study Area. Study Area is within 5-mi radius of critical habitat for VPFS.

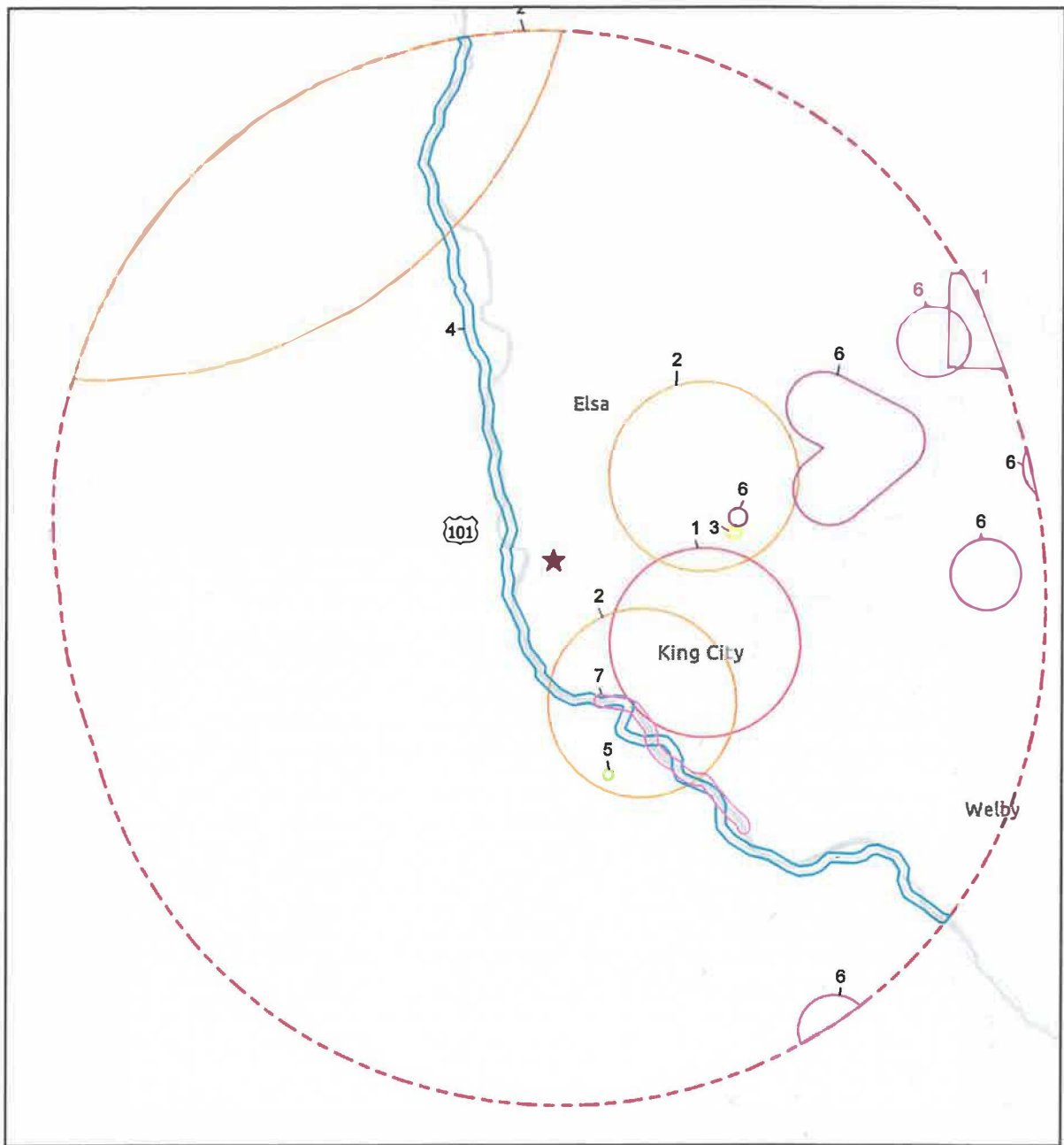
Scientific Name	Common Name	Federal/State Status Global/State Rank CDFW Status	Habitat Preference	Potential to Occur
9. <i>Emys marmorata</i>	Western Pond Turtle	-/- G3G4/S3 SSC	Permanent or semi-permanent streams, ponds, lakes.	Moderate. Retention ponds on site could attract pond turtles and Salinas River adjacency could provide connectivity during normal rain years. Nearest occurrence is 1.3 mi southeast along Salinas River in King City (CNDDB #1054).
10. <i>Lavinia exilicauda harengus</i>	Monterey Hitch	-/- G4T2T4/S2S4 SSC	Rivers	No Potential. Riverine habitat is not present in the Study Area. Nearest documented occurrence mapped nonspecifically along the 110-mile-long Salinas River (CNDDB #1) in 2018.
11. <i>Oncorhynchus mykiss irideus pop. 9</i>	Steelhead - South-Central California Coast Dps	FT/- G5T2Q/S2 SA	Federal listing refers to runs in coastal basins from the Pajaro River south to, but not including, the Santa Maria River.	No Potential. Not documented in this portion of the Salinas River by the CNDDB. Property is within known critical habitat for this species, but no riverine habitat in the Study Area. New project operations would not indirectly impact steelhead trout.
12. <i>Perognathus inornatus psammophilus</i>	Salinas Pocket Mouse	-/- G4T2?/S1 SSC	Annual grassland and desert shrub in Salinas Valley, with friable soils	Low. Disturbed habitat with marginally suitable grassy conditions is present within the inactive industrial spray fields. Nearest occurrence is over 14 northwest and historic, from 1936 (CNDDB #7). No potential within the Project footprint.
13. <i>Phrynosoma blainvillii</i>	Coast Horned Lizard	-/- G3G4/S3S4 SSC	Frequents a wide variety of habitats, most common in lowlands along sandy washes with scattered low bushes.	Low. Dry, sandy washes are seasonally present along the Salinas River, adjacent to the Study Area, however nearest occurrence is >10 mi west in 2008 (CNDDB #681).

Scientific Name	Common Name	Federal/State Status Global/State Rank CDFW Status	Habitat Preference	Potential to Occur
14. <i>Riparia riparia</i>	Bank Swallow	-/CT G5/S2 SA	Nests colonially in riparian and other lowland habitats west of the desert. Requires vertical banks or cliffs with sandy soils (to dig cavities) near streams, lakes, or the ocean.	No Potential (nesting). Suitable nesting substrate is not present in the Study Area. Moderate (in flight/foraging). Breeding colonies are known to occur in the area and species could be seen in the Study Area. Nearest occurrence is 1.3 mi southeast (CNDDDB #93) in 1991, at known breeding colony. More recent occurrences at same locations on eBird.
15. <i>Spea hammondi</i>	Western Spadefoot	-/ G3/S3 SSC	Grassland and woodland habitats with vernal pools for breeding. Most of year spent underground.	Low . Suitable upland conditions for underground estivation are present and the Salinas River could support breeding spadefoots when water ponds. Retention ponds may also provide breeding habitat, but no records of breeding in the vicinity are known to date. Nearest occurrence is historic and 9.7 mi north (CNDDDB #840 in 1943).
16. <i>Taricha torosa</i>	Coast Range Newt	-/ G4/S4 SSC	Lives in terrestrial habitats & will migrate over 1 km to breed in ponds, reservoirs & slow moving streams.	Low . Retention ponds could attract this species as suitable breeding habitat, though nearest occurrence is >10 west and no records are documented along the Salinas River.
17. <i>Taxidea taxus</i>	American Badger	-/ G5/S3 SSC	Needs friable soils in open ground with abundant food source such as California ground squirrels.	Moderate . Known to occur in the area and suitable soils are present. Potential denning habitat is limited on the site to the Industrial Spray Fields.

Scientific Name	Common Name	Federal/State Status Global/State Rank CDFW Status	Habitat Preference	Potential to Occur
18. <i>Vireo bellii pusillus</i>	Least Bell's Vireo	FE/CE G5T2/S2 SA	Riparian habitat, near water or dry streambed, <2000 ft. Nests in willows, mesquite, Baccharis.	No Potential (nesting). Riparian habitat with suitable nesting substrate is not present in the Study Area. Low (in flight/foraging). Riparian habitat adjacent to the Study Area could support nesting least Bell's vireos and a moderate insect prey-base is present on the site. Nearest occurrence is historic and >10 southeast (CNDDDB #512 in 1919). Nearest eBird record is in Bradley, >30 southeast.
19. <i>Vulpes macrotis mutica</i>	San Joaquin Kit Fox	FE/CT G4T2/S2 SA	Annual grasslands or grassy open stages with scattered shrubby vegetation. Needs loose textured sandy soil and prey base.	Low . Limited recovering grassland habitat is present in the Industrial Spray Fields, but the mapped historical range for kit fox shows no observations in the immediate area beyond 1990 (CDFW 2020).

*Not listed in the CNDDDB for the search area, but species is a possibility for the location.
See section 1.6 for status and rank definitions.

Figure 6. California Natural Diversity Database Animal Records



Label Common Name

- 1 American badger
- 2 Bank swallow
- 3 Burrowing owl
- 4 Monterey hitch
- 5 Northern California legless lizard
- 6 San Joaquin kit fox
- 7 Western pond turtle

Legend

- ★ Project Location
- 5-Mile Radius



0 1 2 Miles

King City Wastewater Treatment Plant
Map Center: 121.15853°W 36.22188°N
King City, Monterey County

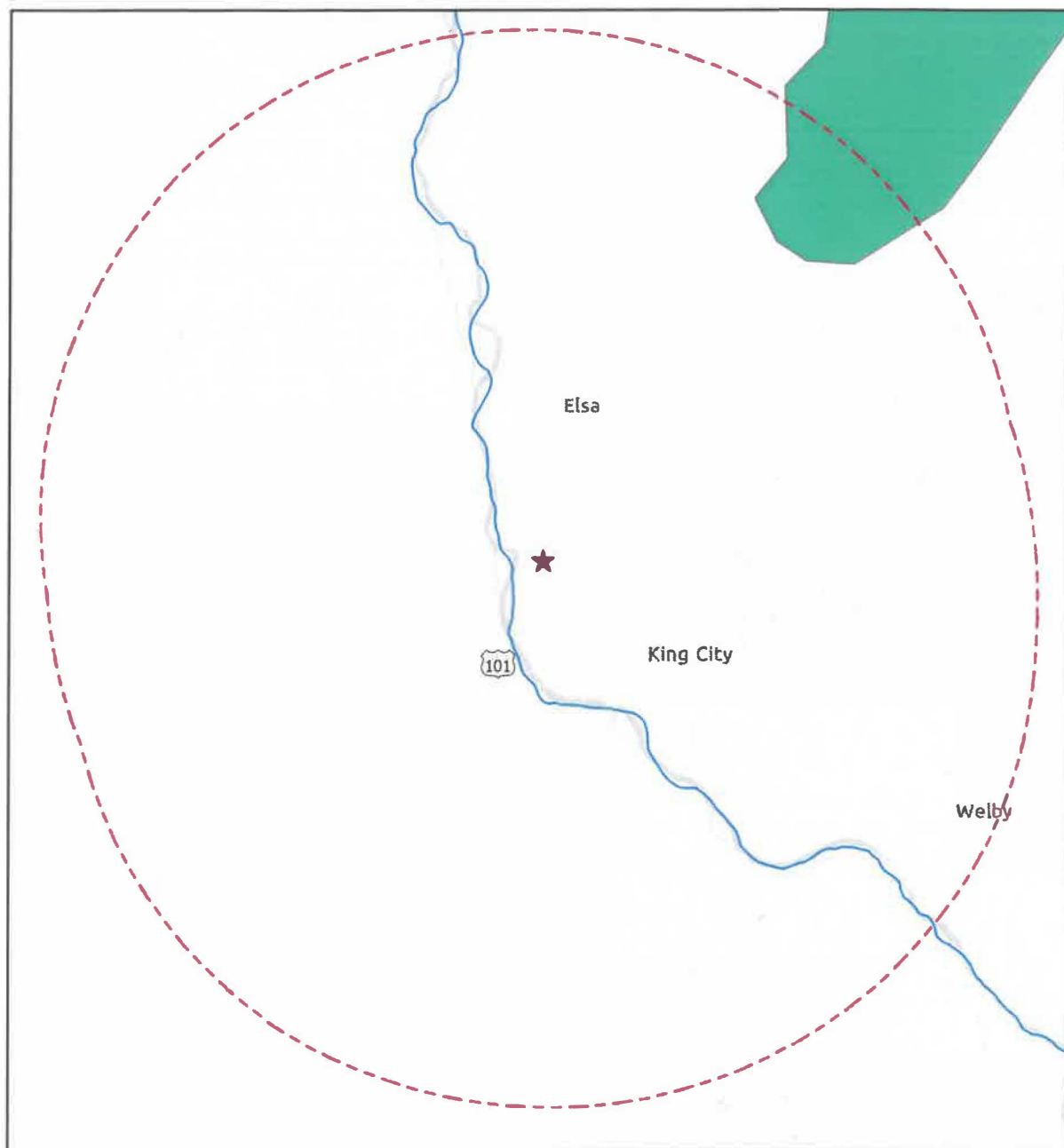
CNDDDB GIS Data Last Updated: November 2021



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Map Updated:
November 17, 2021 10:40 AM by JBB

Figure 7. National Marine Fisheries Service and United States Fish and Wildlife Service Critical Habitat



Legend



Project Location



5-Mile Radius

NMFS Critical Habitat



Steelhead trout

USFWS Critical Habitat



Vernal pool fairy shrimp



0 1 2 Miles

King City Wastewater Treatment Plant
Map Center: 121.15563°W 36.22137°N
King City, Monterey County

NMFS/USFWS Critical Habitat Data Last Updated: April 2021



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BIOLOGICAL AND ENVIRONMENTAL SERVICES

Map Updated:
November 17, 2021 10:39 AM by JBB

3.6.2 Wildlife Survey Results

A total of 28 wildlife taxa were observed within the Study Area during the December 2021 survey: 23 birds and five mammals. Table 6 provides a list of the wildlife observed in the Study Area. Numerous small mammal burrows were identified throughout the Study Area, likely affiliated with unidentified mouse species (Family Muridae). California ground squirrel (*Otospermophilus beecheyi*) burrows were limited across the site. One coyote (*Canis latrans*) was observed hunting along the western boundary of the Study Area, near the Salinas River, and other large mammal tracks were detected in muddy soils including wild boar (*Sus scrofa*) and mule deer (*Odocoileus hemionus*). One raptor nest was observed and mapped outside the nesting season in the singular red gum tree within the Industrial Spray Field and was guarded by one adult red-tailed hawk within the tree. Ponds associated with the existing treatment facility were utilized by waterfowl, including mallards (*Anas platyrhynchos*), western grebes (*Aechmophorus occidentalis*), American coots (*Fulica americana*), and buffleheads (*Bucephala albeola*). Shorebirds and other migratory bird species, including western sandpiper (*Calidris mauri*) and killdeer (*Charadrius vociferous*), were abundantly foraging within the muddy flats where open spray fields operated as part of the final water treatment process.

TABLE 6. WILDLIFE LIST

Scientific Name	Common Name	Special Status	Habitat Type
Birds – 23 Species			
<i>Aechmophorus occidentalis</i>	Western Grebe	None	Aquatic habitats
<i>Anas platyrhynchos</i>	Mallard	None	Lakes, ponds, streams
<i>Apelocoma californica</i>	California Scrub-jay	None	Oak, riparian woodlands
<i>Bucephala albeola</i>	Bufflehead	None	Ponds, lakes
<i>Buteo jamaicensis</i>	Red-tailed Hawk	None	Open, semi-open country
<i>Calidris mauri</i>	Western Sandpiper	None	Shorelines, flats, agricultural fields, sewage treatment ponds, saltmarshes, and freshwater marshes
<i>Charadrius vociferous</i>	Killdeer	None	Mud flats, stream banks, grazed fields
<i>Circus cyaneus</i>	Northern Harrier	None	Nest on ground in tall reeds or grasses
<i>Colaptes auratus</i>	Northern Flicker	None	Woodlands
<i>Corvus brachyrhynchos</i>	American Crow	None	Many habitats, esp. urban
<i>Euphagus cyanocephalus</i>	Brewer's Blackbird	None	Open habitats
<i>Falco sparverius</i>	American Kestrel	None	Open, semi-open country
<i>Fulica americana</i>	American Coot	None	Aquatic habitats

Scientific Name	Common Name	Special Status	Habitat Type
<i>Haemorhous mexicanus</i>	House Finch	None	Riparian, grasslands, chaparral, woodlands, urban
<i>Larus californicus</i>	California Gull	None	Beach, urban areas
<i>Melospiza melodia</i>	Song Sparrow	None	Oak, riparian woodland
<i>Passerculus sandwichensis</i>	Savannah Sparrow	None	Open habitats, marshes, grasslands
<i>Sayornis nigricans</i>	Black Phoebe	None	Near water in natural and urban settings
<i>Sayornis saya</i>	Say's Phoebe	None	Open country, grassland
<i>Sturnella neglecta</i>	Western Meadowlark	None	Open habitats, grasslands
<i>Sturnus vulgaris</i>	European Starling	None	Agricultural, livestock areas
<i>Zenaida macroura</i>	Mourning Dove	None	Open and semi-open habitats
<i>Zonotrichia leucophrys</i>	White-crowned Sparrow	None	Oak, riparian woodlands, open or shrubby habitats, meadows, forest edges
Mammals – 5 Species			
<i>Canis latrans</i>	Coyote	None	Open woodlands, brushy areas, wide ranging.
<i>Odocoileus hemionus</i>	Mule Deer	None	Many habitats
<i>Otospermophilus beecheyi</i>	California Ground Squirrel	0	Grasslands
<i>Sus scrofa</i>	Wild Boar	None	Variety of habitats with water source and dense vegetation for cover
<i>Sylvilagus audubonii</i>	Desert Cottontail	None	Brushy habitats

See Section 1. 6 for status and rank definitions.

3.6.3 Habitat Connectivity and Wildlife Movement

Wildlife corridors and habitat connectivity are important for the movement of wildlife between different populations and habitats. Wildlife movement corridors are defined as areas that connect suitable wildlife habitat areas in a region otherwise fragmented by rugged terrain, changes in vegetation, or human disturbance. Natural features such as canyon drainages, ridgelines, or areas with vegetation cover provide corridors for wildlife travel. Wildlife movement corridors are important because they provide access to mates, food, and water; allow the dispersal of individuals away from high population density areas; and facilitate the exchange of genetic traits between populations (Beier and Loe 1992). Wildlife movement corridors are considered sensitive by resource and conservation agencies.

The western edge of the Study Area is separated from the Salinas River by a vegetated berm approximately 6 to 10 feet high. The Salinas River flows northbound through three counties with a length of approximately 175 miles. This river system provides food, aquatic resources, refugia,

and suitable breeding habitat to a wide variety of wildlife species. As evidenced by coyote, wild boar, mule deer, desert cottontail (*Sylvilagus audubonii*), and California ground squirrel activity, it is reasonable to assume that terrestrial wildlife occurs locally in and around the Study Area and for use of the Salinas River. The Salinas River is the most significant regional corridor associated with the Study Area and provides a major thoroughfare for unobstructed terrestrial wildlife movement.

4 ENVIRONMENTAL IMPACT ANALYSIS AND MITIGATION

Disturbed habitat with associated WWTP land uses comprise the entire 217.2-acre Study Area. As proposed, the Project would affect various biological resources, including impacts to disturbed habitat, nesting birds, special status amphibians and reptiles, potentially nesting special status birds (tricolored black bird, burrowing owl, and least Bell's vireo), in flight and/or foraging special status birds, and special status mammals including Salinas pocket mouse, American badger, and San Joaquin kit fox. This section provides mitigation recommendations (**BIO**) designed to reduce impacts to biological resources onsite, as summarized by Table 7.

TABLE 7. IMPACTS AND MITIGATION SUMMARY

Biological Resource	Potential Impact from Project	Effect of Proposed Activity	Recommended Mitigation Measures
Disturbed Habitat	Conversion of existing disturbed habitat.	Negligible	None See impacts to nesting birds and special status species below (BIO-1 through BIO- 27)
Oak Trees	No Impact	No Impact	None
Special Status Plants	None detected, no potential to occur in Project area.	No Impact	None
Nesting Birds	Minimal loss of potential habitat for ground-nesters. Potential indirect impacts to special status birds nesting within specified distances.	Mitigable	BIO-1 See impacts to special status birds below (BIO-3 through BIO- 12)
Special Status Amphibians and Reptiles	Loss of potential aquatic habitat during pond conversion.	Mitigable	BIO-2
Special Status Birds (foraging): Cooper's Hawk Golden Eagle Great Blue Heron Bank Swallow	Indirect impacts to foraging birds during Project activities.	Negligible	None
Tricolored Blackbird	Loss of potential nesting substrate in treatment ponds.	Mitigable	BIO-3 through BIO-5
Burrowing Owl	Indirect impacts to potentially denning BUOW.	Mitigable	BIO-6 through BIO- 8

Biological Resource	Potential Impact from Project	Effect of Proposed Activity	Recommended Mitigation Measures
Least Bell's Vireo	Indirect impacts to nesting LBVI within 0.5 mile of Project activities.	Mitigable	BIO-9 through BIO- 12
Salinas Pocket Mouse	Minimal loss of potential habitat.	Mitigable	BIO-2
American Badger	Indirect impacts if dens are within 150 feet of Project activities.	Mitigable	BIO-13
San Joaquin Kit Fox	Indirect impacts if dens are within 500 feet of Project activities.	Mitigable	BIO-14 through BIO-27

4.1 Habitats

The proposed Project would occur within the existing project footprint and would therefore impact disturbed habitat through conversion of existing water treatment ponds. A total of 11.2 acres of the existing facility would be permanently impacted by site improvements to facilitate additional growth in King City (Figure 8). Temporary impacts are negligible as no new pipelines are proposed and staged equipment will be within the existing facility boundaries. Impacts to disturbed habitat are not considered significant except where these habitat impacts affect other sensitive biological resources such as nesting birds or sensitive animals (see following Section 4.3).

4.1.1 Riparian Habitat and Jurisdictional Wetlands/Waters

No impacts are proposed to riparian habitat or potentially jurisdictional wetlands and/or waters.

4.1.2 Oak Trees

No impacts to oak trees are proposed by the Project. Coast live oak trees are present within riparian habitat along the Salinas River. Oak tree limbs that may impede over the existing fence line along the western boundary of the Study Area will not be impacted by the Project.

Figure 8. Proposed Impacts to Biological Resources



Legend

- | | |
|---|--|
| Study Area (217.2 acres) | Current WWTP Land Use Within Developed Habitat |
| Proposed Impact Area (11.2 acres) | Dirt Perimeter Roads |
| ● Raptor Nest | Domestic Spray Field (Active) |
| Habitats | Existing Treatment Ponds (Active) |
| Disturbed (217.2 acres) | Industrial Spray Field (Inactive) |
| | WWTP Misc. Facilities |



0 500 1,000 Feet

King City Wastewater Treatment Plant
Map Center: 121.15572°W 36.22316°N
King City, Monterey County

Imagery Source: USDA NAIP, 05/21/2020



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Map Updated:
March 18, 2022 03:53 PM by SRH

4.2 Botanical Resources

Special status plants with potential to occur in the Study Area are not likely to occur within the existing facility or proposed Project area. Portions of the site that are marginally suited to support special status plants will not be impacted as part of the Project. Appropriately timed botanical surveys were not conducted as part of this assessment, however no special status plants, in bloom or senesced, were detected during December 2021 surveys. Due to regular long-term disturbance of natural habitat and lack of appropriate habitat in the Project area, the Project would not affect special status plants. No further mitigation measures or botanical surveys are recommended.

4.3 Wildlife Resources

4.3.1 Nesting Birds

Impacts to or take of nesting birds could occur if Project activities are conducted during the nesting season (February 1 through September 15; County COSE nesting season). To reduce potential adverse effects of the proposed Project on nesting birds, the following mitigation measure is recommended.

BIO – 1 Nesting Bird Surveys. Within one week of ground disturbance activities, if work occurs between February 1 and September 15, nesting bird surveys shall be conducted. If surveys do not locate nesting birds, construction activities may be conducted. If nesting birds are located, no construction activities shall occur within 100 feet of nests until chicks are fledged. Once construction begins, a qualified biologist will continuously monitor nests to detect behavioral changes resulting from the Project. If behavioral changes occur, work causing that change shall cease and CDFW will be consulted for additional avoidance and minimization measures. If continuous monitoring of identified nests by a qualified wildlife biologist is not feasible, CDFW recommends a minimum no-disturbance buffer of 250 feet around active nests of non-listed bird species and a 500-foot no-disturbance buffer around active nests of non-listed raptors. These buffers are advised to remain in place until the breeding season has ended or until a qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest or parental care for survival. A preconstruction survey report shall be submitted to the lead agency immediately upon completion of the survey. The report shall detail appropriate fencing or flagging of the buffer zone and make recommendations on additional monitoring requirements. A map of the Project site and nest locations shall be included with the report. The Project biologist conducting the nesting survey shall have the authority to reduce or increase the recommended buffer depending upon site conditions.

4.3.2 Invertebrates

4.3.2.1 Western Bumble Bee (WBB)

Project activities are proposed within existing treatment pond land use areas and would not impact potential nesting habitat for WBB. No further mitigation is recommended.

4.3.3 *Amphibians and Reptiles*

Special status amphibians western spadefoot toad and coast range newt, and special status reptiles northern California legless lizard, western pond turtle, and coast horned lizard, each have some potential to occur in the Study Area based on the habitat assessment conducted on December 7, 2021. However, due to the Project area being restricted to the treatment pond, it is unlikely for all but western pond turtle to be directly impacted by Project-related activities. The following mitigation measure is recommended to protect special status amphibians and reptiles from Project-related impacts.

BIO – 2 Biological Monitoring. A qualified biological monitor shall be present during all earth disturbing construction activities and draining of treatment ponds associated with developing the Project, including but not limited to grading, excavations, tilling, draining, and dredging. The biologist shall conduct a morning clearance survey of the Project area each day that ground disturbing activities are proposed. Special status animals (i.e., western spadefoot toad, coast range newt, northern California legless lizard, western pond turtle, coast horned lizard, Salinas pocket mouse) captured during surveys or during construction monitoring shall be relocated to the nearest suitable habitat outside of the Project area. A letter report shall be submitted to the County and CDFW within 30 days of relocation, or as directed by CDFW.

4.3.4 *Special Status Birds*

Special status birds with potential to occur in the Study Area include Cooper's hawk, tricolored blackbird, golden eagle, great blue heron, burrowing owl, bank swallow, and least Bell's vireo. The following sections provide recommended mitigation measures for each bird species, where applicable.

4.3.4.1 Cooper's Hawk (COHA)

Suitable nesting habitat is limited to one tree in the Study Area approximately 400 feet from the Project area, and no trees are present in the Project area. Nesting bird surveys (BIO-1) will ensure no nesting COHA are impacted by the Project. Impacts to foraging COHA would be negligible and no additional mitigation measures are necessary.

4.3.4.2 Tricolored Blackbird (TRBL)

Very limited nesting substrate is present around the water treatment ponds which could support nesting tricolored blackbirds. The following mitigation measures are provided to reduce impacts to tricolored blackbirds to less than significant.

BIO – 3 TRBL Surveys. Project activities shall be timed to avoid the typical bird-breeding season of February 1 through September 15. If Project activity that could disrupt nesting must take place during that time, a qualified wildlife biologist shall conduct focused surveys for nesting TRBL to determine presence or absence of TRBL nesting colonies within the Study Area.

BIO – 4 TRBL Colony Avoidance. If an active TRBL nesting colony is found during surveys, a minimum 300-foot no-disturbance buffer shall be installed and observed, in

accordance with CDFW's (2015) "Staff Guidance Regarding Avoidance of Impacts to Tricolored Blackbird Breeding Colonies on Agricultural Fields in 2015", until the breeding season has ended or until a qualified biologist has determined that nesting has ceased and the young have fledged and are no longer reliant upon the colony or parental care for survival. It is important to note that TRBL colonies can expand over time and for this reason, CDFW recommends that an active colony be reassessed to determine its extent within 10 days prior to Project initiation.

BIO – 5 TRBL Take Authorization. In the event that a TRBL nesting colony is detected during surveys, consultation with CDFW is warranted to discuss whether the Project can avoid take and, if take avoidance is not feasible, to acquire an ITP pursuant to Fish and Game Code section 2081 subdivision (b), prior to any Project activities.

4.3.4.3 Golden Eagle (GOEA)

Suitable nesting habitat is not present in the Study Area or within one mile of the Project. Impacts to foraging eagles would be negligible and no further mitigation measures are recommended.

4.3.4.4 Great Blue Heron (GBHE)

Rookery habitat is not present in the Study Area and no known nesting colonies are within the vicinity of the Project. Impacts to foraging GBHE would be negligible and no further mitigation measures are recommended.

4.3.4.5 Burrowing Owl (BUOW)

Resurgent grassland habitat suitable for denning BUOW is present within the inactive Industrial Spray Fields and there is potential for Project-related activities to impact BUOW. The following mitigation measures are provided to reduce impacts to BUOW to less than significant.

BIO – 6 Preconstruction Surveys. Where suitable habitat is present on or in the vicinity of the Project area, a qualified biologist shall conduct focused BUOW surveys following the California Burrowing Owl Consortium (1993) "Burrowing Owl Survey Protocol and Mitigation Guidelines" and the California Department of Fish and Game (CDFG; 2012) "Staff Report on Burrowing Owl Mitigation". Specifically, these documents suggest three or more surveillance surveys conducted during daylight, with each visit occurring at least three weeks apart during the peak breeding season of April 15 to July 15, when BUOW are most detectable. In addition, CDFW advises that surveys include a minimum 500-foot survey radius around the Project area.

BIO – 7 Avoidance. No-disturbance buffers, as outlined by CDFG (2012), shall be implemented prior to and during any ground-disturbing activities, and specifically that impacts to occupied burrows be avoided in accordance with the following table unless a qualified biologist verifies through non-invasive methods that either: 1) the birds have not begun egg laying and incubation; or 2) that juveniles from the occupied burrows are foraging independently and are capable of independent survival. The following

table defines appropriate buffer size according to the level of Project disturbance and time of year:

Location	Time of Year	Level of Disturbance		
		Low	Med	High
Nesting sites	April 1-Aug 15	200 m*	500 m	500 m
Nesting sites	Aug 16-Oct 15	200 m	200 m	500 m
Nesting sites	Oct 16-Mar 31	50 m	100 m	500 m

* meters (m)

BIO – 8 BUOW Eviction and Mitigation. If BUOW are found within these recommended buffers and avoidance is not possible, it is important to note that according to CDFG (2012), evicting birds from burrows is not a take avoidance, minimization, or mitigation method and is instead considered a potentially significant impact under CEQA. If it is necessary for Project implementation, CDFW recommends that burrow exclusion be conducted by qualified biologists and only during the non-breeding season, before breeding behavior is exhibited and after the burrow is confirmed empty through non-invasive methods, such as surveillance. Mitigation in the form of replacement of occupied burrows with artificial burrows at a minimum ratio of one burrow collapsed to one artificial burrow constructed (1:1) shall be implemented to mitigate for evicting BUOW and the loss of burrows. BUOW may attempt to colonize or re-colonize an area that will be impacted; thus, CDFW recommends ongoing surveillance at a rate that is sufficient to detect BUOW if they return.

4.3.4.6 Bank Swallow (BASW)

Suitable nesting habitat is not present in the Project area for BASW. There is potential for BASW to nest in riparian habitat along the Salinas River, along the west boundary of the Study Area, however facility improvements will occur over 1,300 feet (0.2 miles) east of any potential nesting habitat. Project activities would not impact nesting BASW, and no further mitigation measures are recommended.

4.3.4.7 Least Bell's Vireo (LBVI)

Suitable nesting habitat is not present in the Project area for LBVI. There is potential for LBVI to nest in shrubby riparian habitat along the Salinas River, along the west boundary of the Study Area, however facility improvements will occur over 1,300 feet (0.2 miles) east of any potential nesting habitat. CDFW recommends that any Project within 0.5 mile of potential LBVI nesting habitat be surveyed to ensure protection of LBVI when nesting. The following mitigation measures are recommended.

BIO – 9 Focused LBVI Surveys. To reduce potential Project-related impacts to LBVI, a qualified wildlife biologist shall conduct surveys following the survey methodology developed by USFWS (2001) prior to Project initiation, within the Project area and a ½-mile buffer around the Project area. In addition, if Project activities will take place during the typical breeding season (February 1 through September 15), additional

preconstruction surveys for active nests shall be conducted by a qualified biologist no more than 10 days prior to the start of construction.

BIO – 10 LBVI Buffers. If an active LBVI nest is found during protocol or preconstruction surveys, a minimum 500-foot no-disturbance buffer shall be implemented and maintained until the breeding season has ended or until a qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest site or parental care for survival.

BIO – 11 LBVI Nest Avoidance and Habitat Mitigation. In addition to avoiding occupied nest trees, CDFW recommends that impacts to known nest trees be avoided at all times of year. Regardless of nesting status, if potential or known LBVI nesting habitat is removed, CDFW recommends it be replaced with appropriate native tree species, planted at a ratio of 3:1 (replaced to removed), in an area that will be protected in perpetuity. This mitigation will offset potential impacts of the loss of potential nesting habitat.

BIO – 12 LBVI Take Authorization. If a 500-foot no-disturbance nest buffer is not feasible, consultation with CDFW is warranted and acquisition of an ITP for LBVI may be necessary prior to project implementation, to avoid unauthorized take, pursuant to Fish and Game Code section 2081 subdivision (b).

4.3.5 Mammals

Special status mammals, including Salinas pocket mouse, American badger, and San Joaquin kit fox, each have some potential to occur in the Study Area and could be impacted by Project-related activities. The following sections provide mitigation measures suitable for each species to reduce impacts to less than significant.

4.3.5.1 Salinas Pocket Mouse

Salinas pocket mouse are unlikely to occur but could be present in the Study Area. Implementation of BIO-2 would reduce impacts to Salinas pocket mouse to less than significant through pre-activity surveys, biological monitoring, and relocation.

4.3.5.2 American Badger

Habitat conditions are suitable to support denning badger in the Industrial Spray Fields. The following mitigation measure is recommended to reduce impacts to American badger.

BIO – 13 Preconstruction Survey. A preconstruction survey shall be conducted on the Property to locate occupied American badger dens within 100 feet of Project areas. The survey shall be conducted within 15 days of starting any grading, grubbing, or oak tree removal. Orange construction fencing, or other easily identifiable buffer material, shall be installed under the direction of a project biologist in a manner sufficient to protect the dens from construction equipment. A buffer of 50 feet shall be used for occupied non-maternal dens. A buffer of 150 feet shall be installed if the den is determined to be a maternal pupping den. Construction activities shall not commence within the exclusion area until the badger has moved of its own accord. A preconstruction survey

letter report shall be submitted to the lead agency for review within one week after completion of the survey.

4.3.5.3 San Joaquin Kit Fox (SJKF)

SJKF occurrences have been documented in the vicinity of the Study Area. A habitat assessment was conducted of the site on December 7, 2021 which determined that marginally suitable habitat in the inactive Industrial Spray Fields could support denning kit fox, should the spray fields remain inactive (i.e., not be irrigated or sprayed; see habitat discussion in Section 3.3.1). Surrounding land use is actively farmed and would impede kit fox movement into the Study Area from less developed areas to the east and south. Though not likely to occur on the site, the following mitigation is recommended to ensure no take of San Joaquin kit fox.

BIO – 14 SJKF Surveys and Minimization. A qualified biologist will conduct surveys to assess for presence or absence of SJKF. The survey area will consist of the entire Project area and surrounding 500-foot buffer. In addition, recommendations made by the USFWS (2011) for SJKF shall be followed during Project implementation (see below).

The following mitigation measures (BIO-15 through BIO-27) are extracted from the USFWS Standardized Recommendations for Protection of the Endangered San Joaquin Kit Fox Prior To or During Ground Disturbance (2011), and shall be implemented as specified to protect SJKF:

BIO – 15 Project-related vehicles should observe a daytime speed limit of 20-mph throughout the site in all project areas, except on county roads and State and Federal highways; this is particularly important at night when kit foxes are most active. Night-time construction should be minimized to the extent possible. However if it does occur, then the speed limit should be reduced to 10-mph. Off-road traffic outside of designated project areas should be prohibited.

BIO – 16 To prevent inadvertent entrapment of kit foxes or other animals during the construction phase of a project, all excavated, steep-walled holes or trenches more than 2-feet deep should be covered at the close of each working day by plywood or similar materials. If the trenches cannot be closed, one or more escape ramps constructed of earthen-fill or wooden planks shall be installed. Before such holes or trenches are filled, they should be thoroughly inspected for trapped animals. If at any time a trapped or injured kit fox is discovered, the Service and CDFG shall be contacted as noted under Measure 26 (BIO-26) referenced below.

BIO – 17 Kit foxes are attracted to den-like structures such as pipes and may enter stored pipes and become trapped or injured. All construction pipes, culverts, or similar structures with a diameter of 4-inches or greater that are stored at a construction site for one or more overnight periods should be thoroughly inspected for kit foxes before the pipe is subsequently buried, capped, or otherwise used or moved in any way. If a kit fox is discovered inside a pipe, that section of pipe should not be moved until the Service has been consulted. If necessary, and under the direct supervision of the biologist, the pipe

may be moved only once to remove it from the path of construction activity, until the fox has escaped.

- BIO – 18** All food-related trash items such as wrappers, cans, bottles, and food scraps should be disposed of in securely closed containers and removed at least once a week from a construction or project site.
- BIO – 19** No firearms shall be allowed on the project site.
- BIO – 20** No pets, such as dogs or cats, should be permitted on the project site to prevent harassment, mortality of kit foxes, or destruction of dens.
- BIO – 21** Use of rodenticides and herbicides in project areas should be restricted. This is necessary to prevent primary or secondary poisoning of kit foxes and the depletion of prey populations on which they depend. All uses of such compounds should observe label and other restrictions mandated by the U.S. Environmental Protection Agency, California Department of Food and Agriculture, and other State and Federal legislation, as well as additional project-related restrictions deemed necessary by the Service. If rodent control must be conducted, zinc phosphide should be used because of a proven lower risk to kit fox.
- BIO – 22** A representative shall be appointed by the project proponent who will be the contact source for any employee or contractor who might inadvertently kill or injure a kit fox or who finds a dead, injured or entrapped kit fox. The representative will be identified during the employee education program and their name and telephone number shall be provided to the Service.
- BIO – 23** An employee education program should be conducted for any project that has anticipated impacts to kit fox or other endangered species. The program should consist of a brief presentation by persons knowledgeable in kit fox biology and legislative protection to explain endangered species concerns to contractors, their employees, and military and/or agency personnel involved in the project. The program should include the following: A description of the San Joaquin kit fox and its habitat needs; a report of the occurrence of kit fox in the project area; an explanation of the status of the species and its protection under the Endangered Species Act; and a list of measures being taken to reduce impacts to the species during project construction and implementation. A fact sheet conveying this information should be prepared for distribution to the previously referenced people and anyone else who may enter the project site.
- BIO – 24** Upon completion of the project, all areas subject to temporary ground disturbances, including storage and staging areas, temporary roads, pipeline corridors, etc. should be re-contoured if necessary, and revegetated to promote restoration of the area to preproject conditions. An area subject to "temporary" disturbance means any area that is disturbed during the project, but after project completion will not be subject to further disturbance and has the potential to be revegetated. Appropriate methods and plant

species used to revegetate such areas should be determined on a site-specific basis in consultation with the Service, CDFW, and revegetation experts.

BIO – 25 In the case of trapped animals, escape ramps or structures should be installed immediately to allow the animal(s) to escape, or the Service should be contacted for guidance.

BIO – 26 During the site-disturbance and/or construction phase, any contractor or employee that inadvertently kills or injures a San Joaquin kit fox or who finds any such animal either dead, injured, or entrapped shall be required to report the incident immediately to the applicant and City. In the event that any observations are made of injured or dead kit fox, the applicant shall immediately notify the USFWS and CDFW by telephone. In addition, formal notification shall be provided in writing within three working days of the finding of any such animal(s). Notification shall include the date, time, location and circumstances of the incident. Any threatened or endangered species found dead or injured shall be turned over immediately to CDFW for care, analysis, or disposition.

BIO – 27 New sightings of kit fox shall be reported to the California Natural Diversity Database (CNDDB). A copy of the reporting form and a topographic map clearly marked with the location of where the kit fox was observed should also be provided to the Service at the address below.

4.3.6 *Habitat Connectivity and Wildlife Movement*

This Project does not propose impacts that would impede or block wildlife from utilizing this site for movement; therefore, no mitigation measures are recommended.

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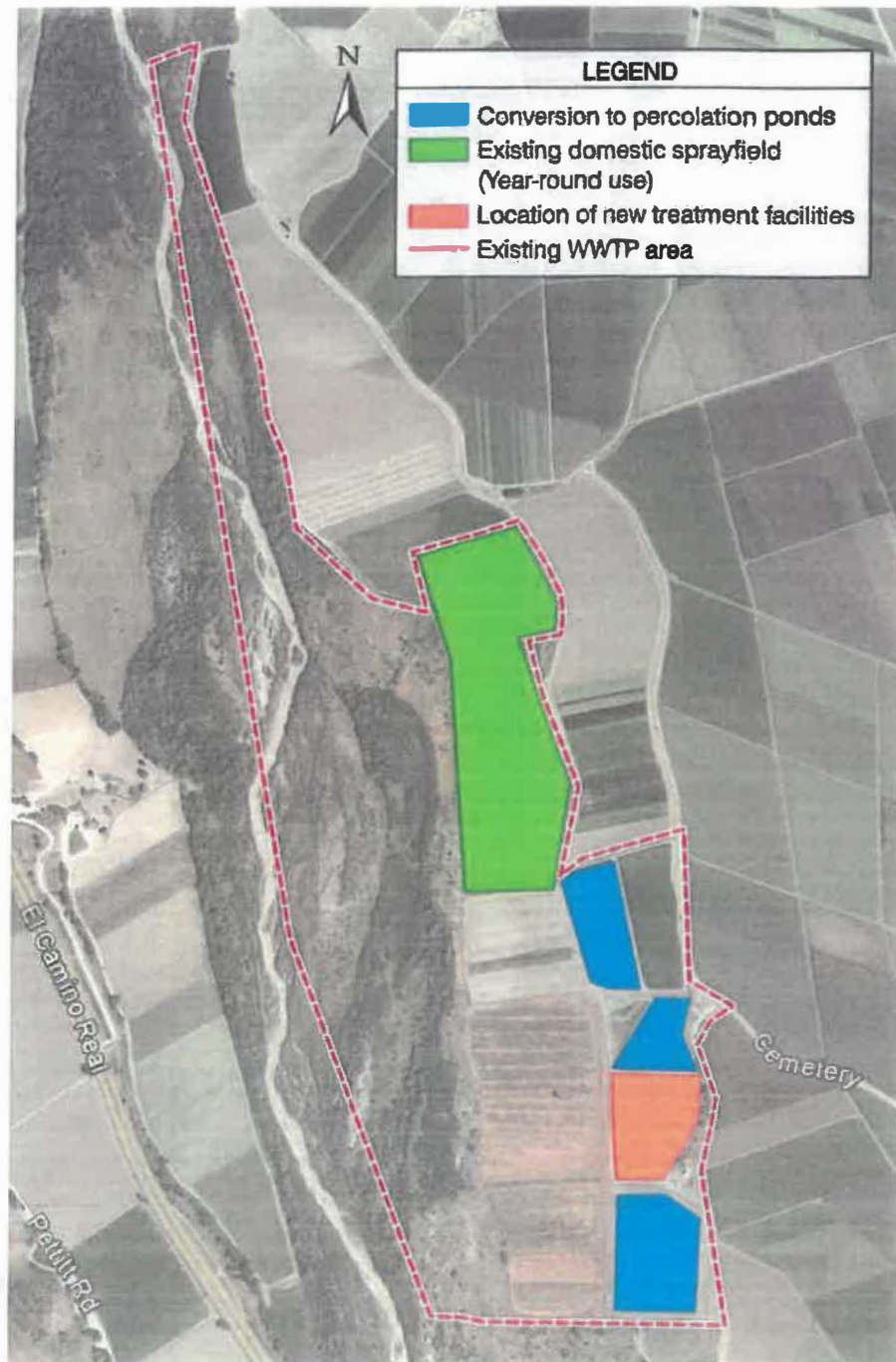
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6 APPENDICES

- **Appendix A. Site Plan and Alternatives**
- **Appendix B. Special Status Plants Reported from the Region**
- **Appendix C. Special Status Animals Reported from the Region**

APPENDIX A. SITE PLAN AND ALTERNATIVES



ALTERNATIVE NO. 1

FIGURE 4.2

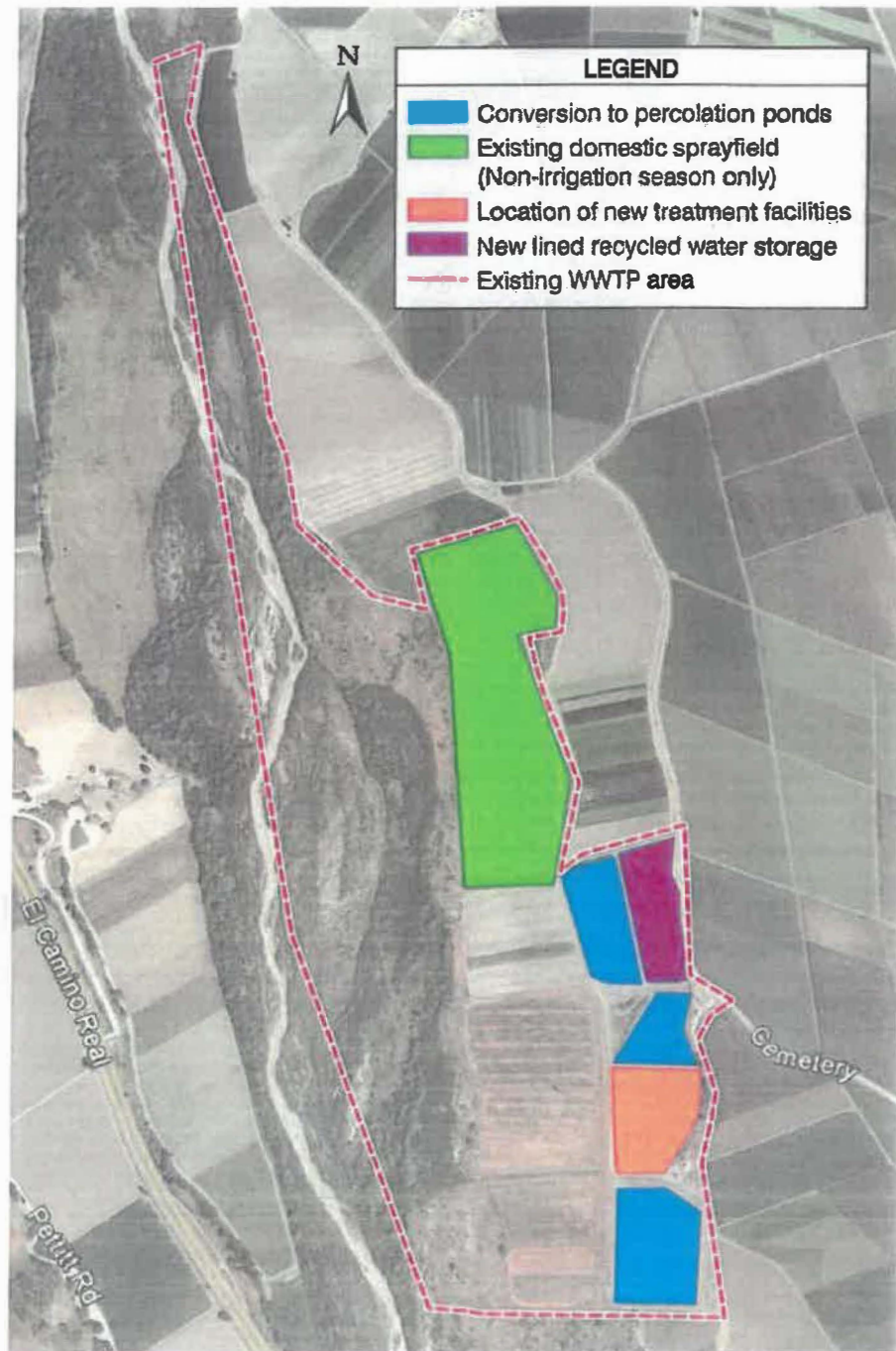
CITY OF KING CITY
WASTEWATER TREATMENT FACILITIES PLAN



ALTERNATIVE NO. 2

FIGURE 4.3

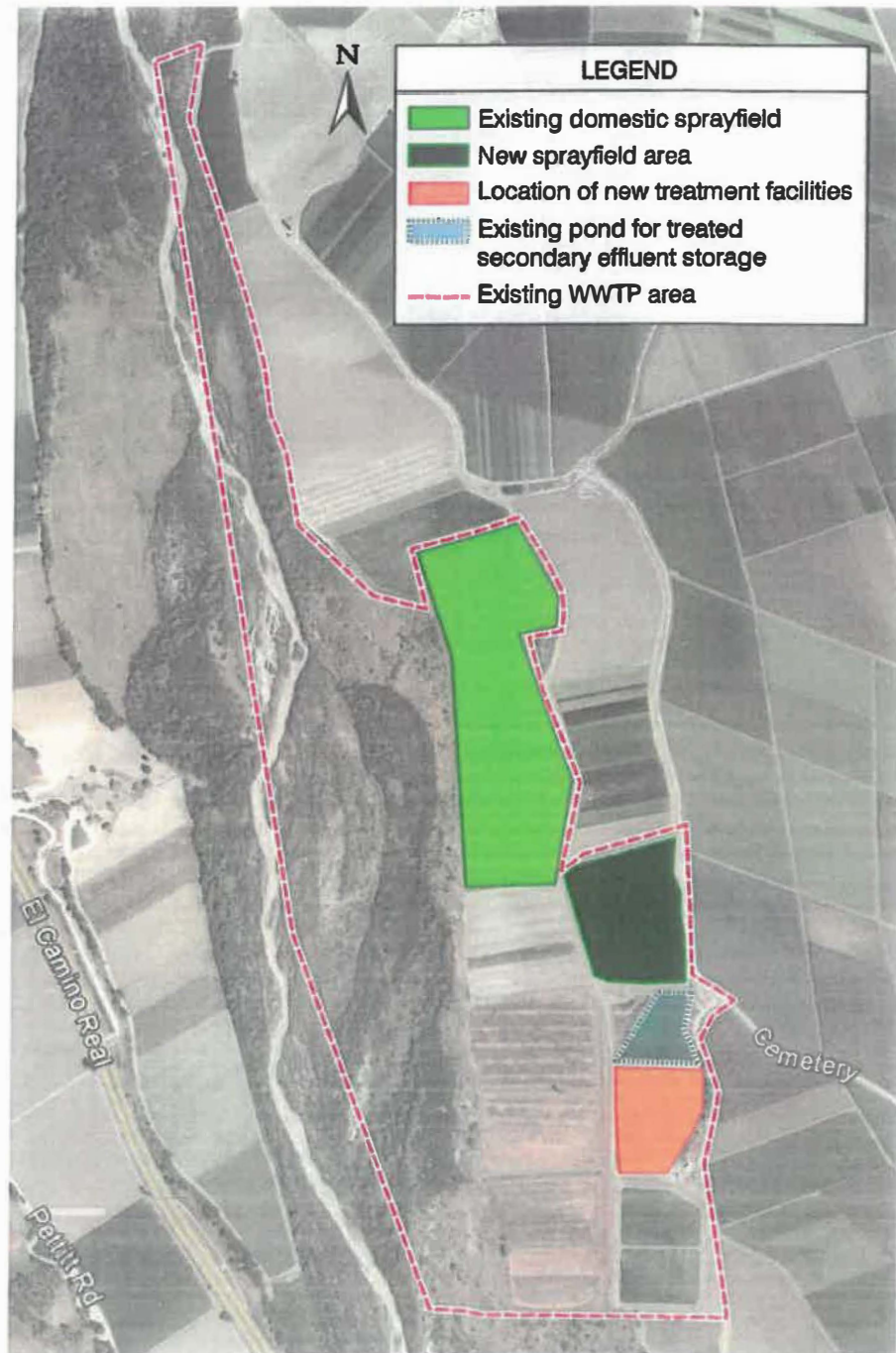
THE CITY OF KING CITY
WASTEWATER TREATMENT FACILITIES PLAN



ALTERNATIVE NO. 3

FIGURE 4.4

THE CITY OF KING CITY
WASTEWATER TREATMENT FACILITIES PLAN



ALTERNATIVE NO. 4

FIGURE 4.5

THE CITY OF KING CITY
WASTEWATER TREATMENT FACILITIES PLAN



ALTERNATIVE NO. 5

FIGURE 4.6

THE CITY OF KING CITY
WASTEWATER TREATMENT FACILITIES PLAN

APPENDIX B. SPECIAL STATUS PLANTS REPORTED FROM THE REGION

	Scientific Name	Common Name	Federal/State Status Global/State Rank CA Rare Plant Rank	Blooming Period	Habitat Preference	Potential to Occur
1.	<i>Acanthomintha obovata</i> subsp. <i>cordata</i>	Heart-Leaved Thorn-Mint	-/ G4T3/S3 4.2	Apr-Jul	Grassy slopes, oak woodland, chaparral, vertic clay	No Potential. Suitable soils are not present in the Study Area.
2.	<i>Acanthomintha obovata</i> subsp. <i>obovata</i>	San Benito Thorn-Mint	-/ G4T3T4/S3S4 4.2	Apr-Jul	Grassy slopes, oak woodland, chaparral, vertic clay, occasionally serpentine	No Potential. Suitable soils are not present in the Study Area. Nearest occurrence is over 11 mi south (CCH #SBBG 111081) in 1995.
3.	<i>Amsinckia douglasiana</i>	Douglas' Fiddleneck	-/ G4/S4 4.2	Mar-May	Valley and foothill grassland. Dry habitats with unstable shaly sedimentary slopes. 150-1600 m.	No Potential. Sloping habitat is not present and all occurrences in the vicinity are historic.
4.	<i>Aristocapsa insignis</i>	Indian Valley Spineflower	-/ G1/S1 1B.2	May-Sep	Sandy soil in grassland communities, and in pine-oak or juniper woodlands	No Potential. Site conditions are heavily disturbed and nearest occurrence is over 12 miles south (CNDDDB #4).
5.	<i>Astragalus macrodon</i>	Salinas Milk-Vetch	-/ G4/S4 4.3	Apr-Jul	Eroded pale shales or sandstone, serpentine alluvium	No Potential. Suitable soils are not present in the Study Area.
6.	<i>Calandrinia breweri</i>	Brewer's Calandrinia	-/ G4/S4 4.2	Mar-Jun	Chaparral, coastal scrub. Disturbed sites, burns. Sandy to loamy soil. <1200 m.	No Potential. Appropriate habitat is not present in the Study Area.

	Scientific Name	Common Name	Federal/State Status Global/State Rank CA Rare Plant Rank	Blooming Period	Habitat Preference	Potential to Occur
7.	<i>Calycadenia villosa</i>	Dwarf Calycadenia	-/- G3/S3 1B.1	May-Oct	Dry, rocky hills, ridges, grassland, openings in foothill woodland	No Potential. Appropriate habitat is not present in the Study Area.
8.	<i>Camissoniopsis hardhamiae</i>	Hardham's Evening- Primrose	-/- G2/S2 1B.2	Mar-May	Sandy soil, limestone, disturbed oak woodland	No Potential. Appropriate habitat is not present in the Study Area.
9.	<i>Caulanthus lemmonii</i>	Lemmon's Jewelflower	-/- G3/S3 1B.2	Feb-May	Grassland, chaparral, scrub	No Potential. Appropriate habitat is not present in the Study Area and site is heavily disturbed. Nearest occurrences are over >10 mi north/northwest, however similar conditions occur in the Study Area.
10.	<i>Chlorogalum purpureum</i> var. <i>purpureum</i>	Santa Lucia Purple Amole	FT/- G2T2/S2 1B.1	Apr-Jun	Often in grassy areas with blue oaks in foothill woodland. Gravelly clay soils.	No Potential. Suitable soils are not present in the Study Area.
11.	<i>Chorizanthe douglasii</i>	Douglas' Spineflower	-/- G4/S4 4.3	Apr-Jul	Cismontane woodland, lower montane coniferous forest, chaparral, coastal scrub, valley and foothill grassland; in sand or gravel.	Low. Suitable soils are present though limited, and the site is heavily disturbed. Nearest occurrence is historic (from 1944) 1.7 mi east of the Study Area (CCH #SD43530).

Scientific Name	Common Name	Federal/State Status Global/State Rank CA Rare Plant Rank	Blooming Period	Habitat Preference	Potential to Occur
12. <i>Chorizanthe pungens</i> <i>var. pungens</i>	Monterey Spineflower	FT/- G2T2/S2 1B.2	Apr-Aug	Sand; dunes, coastal	No Potential. Appropriate habitat is not present in the Study Area. Nearest occurrence is historic (from 1920) and over
13. <i>Chorizanthe robusta</i> <i>var. robusta</i>	Robust Spineflower	FE/- G2T1/S1 1B.1	Apr-Sep	Sand or gravel; dunes openings, coastal	No Potential. Appropriate coastal habitat is not present in the Study Area and no occurrences in the vicinity.
14. <i>Clarkia jolonensis</i>	Jolon Clarkia	-/- G2/S2 1B.2	Apr-Jun	Dry woodland	No Potential. Appropriate woodland habitat is not present in the Study Area.
15. <i>Clarkia lewisii</i>	Lewis' Clarkia	-/- G4/S4 4.3	May-Jul	Coastal scrub, woodland, chaparral	No Potential. Appropriate habitat is not present in the Study Area. Nearest occurrence is historic and over 9 mi south (CCH UC114022).
16. <i>Clinopodium mimuloides</i>	Monkey-Flower Savory	-/- G3/S3 4.2	Jun-Oct	Moist places, streambanks, chaparral, woodland	No Potential. Appropriate habitat is not present in the Study Area and no occurrences in the vicinity.
17. <i>Collinsia antonina</i>	San Antonio Collinsia	-/- G2/S2 1B.2	Mar-May	Margins of oak scrub on white shale scree	No Potential. Open scrub habitat with shale scree substrate is not present in the Study Area.

Scientific Name	Common Name	Federal/State Status Global/State Rank CA Rare Plant Rank	Blooming Period	Habitat Preference	Potential to Occur
18. <i>Collinsia multicolor</i>	San Francisco Collinsia	-/- G2/S2 1B.2	Feb-May	Moist, +- shady scrub, forest	No Potential. Mesic conditions with shaded canopy are not present in the Study Area.
19. <i>Convolvulus simulans</i>	Small-Flowered Morning-Glory	-/- G4/S4 4.2	Mar-Jul	Clay substrates, occasionally serpentine, annual grassland, coastal-sage scrub, chaparral	No Potential. Suitable soils are not present in the Study Area.
20. <i>Cryptantha rattanii</i>	Rattan's Cryptantha	-/- G4/S4 4.3	Apr-Jul	Rocky, gravelly slopes, grassland, coastal scrub, chaparral, foothill woodland	No Potential. Rocky slope habitat is not present in the Study Area.
21. <i>Delphinium recurvatum</i>	Recurved Larkspur	-/- G2?/S2? 1B.2	Mar-Jun	Poorly drained, fine, alkaline soils in grassland, <i>Atriplex</i> scrub	No Potential. Suitable soils are not present in the Study Area. Nearest occurrence is 4.9 mi east of the Study Area (CNDDDB #66).
22. <i>Delphinium umbraculorum</i>	Umbrella Larkspur	-/- G3/S3 1B.3	Apr-Jun	Moist oak forest	No Potential. Appropriate oak forest habitat is not present and historic farming of the area is not suited for this species. Nearest occurrence is 2.1 mi east of the Study Area in 1962 (CNDDDB #24).
23. <i>Eriastrum luteum</i>	Yellow-Flowered Eriastrum	-/- G2/S2 1B.2	May-Jun	Bare sandy decomposed granite slopes in cismontane woodland, chaparral, forest	No Potential. Suitable soils are not present in the Study Area and the site is heavily disturbed.

	Scientific Name	Common Name	Federal/State Status Global/State Rank CA Rare Plant Rank	Blooming Period	Habitat Preference	Potential to Occur
24.	<i>Eriogonum butterworthianum</i>	Butterworth's Buckwheat	-/CR G2/S2 1B.3	Jun-Jul	Sandstone, chaparral	No Potential. Appropriate habitat is not present in the Study Area.
25.	<i>Eriogonum elegans</i>	Elegant Wild Buckwheat	-/- G4G5/S4S5 4.3	May-Nov	Uncommon. Cismontane woodland, valley and foothill grassland. Usually in sandy or gravelly substrates; often in washes, sometimes roadsides.	Low. Marginal habitat is present in Industrial Spray Fields. Nearest occurrence is historic (from 1931), 0.6 mi south of the Study Area (CCH SBBG179105).
26.	<i>Eriogonum heermannii</i> var. <i>occidentale</i>	Western Heermann's Buckwheat	-/- G5T2/S2 1B.2	Jul-Oct	Gravel bars, steep, clay slopes, often serpentine	No Potential. Appropriate soils and sloping habitat are not present in the Study Area.
27.	<i>Fritillaria agrestis</i>	Stinkbells	-/- G3/S3 4.2	Mar-Jun	Clay, often vertic, occasionally serpentine	No Potential. Suitable soils are not present are not present and there are no known occurrences in the vicinity.
28.	<i>Galium andrewsii</i> subsp. <i>gatense</i>	Phlox-Leaf Serpentine Bedstraw	-/- G5T3/S3 4.2	Apr-Jul	Dry, rocky places in serpentine soil, chaparral or open oak/pine woodland	No Potential. Appropriate habitat with serpentine soils is not present in the Study Area.
29.	<i>Galium californicum</i> subsp. <i>luciense</i>	Cone Peak Bedstraw	-/- G5T3/S3 1B.3	Mar-Sep	Pine, oak forests	No Potential. Forest habitat is not present in the Study Area.

Scientific Name	Common Name	Federal/State Status Global/State Rank CA Rare Plant Rank	Blooming Period	Habitat Preference	Potential to Occur
30. <i>Horkelia yadonii</i>	Santa Lucia Horkelia	-/- G3/S3 4.2	Apr-Jul	Sandy meadow edges, seasonal streambeds in chaparral or foothill-pine woodland	No Potential. Appropriate habitat is not present in the Study Area. Nearest occurrence is 9 mi southwest of the site (CCH #SBBG165897) in 1996.
31. <i>Juncus luciensis</i>	Santa Lucia Dwarf Rush	-/- G3/S3 1B.2	Apr-Jul	Wet, sandy soils of seeps, meadows, vernal pools, streams, roadsides	No Potential. Study Area is outside the known range for this species. Nearest occurrence is 12 mi south from 1956 (CNDDDB #35).
32. <i>Lasthenia leptalea</i>	Salinas Valley Goldfields	-/- G3/S3 4.3	Feb-Apr	Openings in woodland	No Potential. Appropriate woodland habitat is not present in the Study Area and the site has been historically disturbed.
33. <i>Layia heterotricha</i>	Pale-Yellow Layia	-/- G2/S2 1B.1	Mar-Jun	Open clayey or sandy soil, sometimes +- alkaline	Low. Suitable soils are present in the Study Area; however, the site has been historically disturbed. Nearest occurrence is 2 mi northeast in similar farmland habitat (CCH #PGM H- 5428) from 1962.
34. <i>Lessingia tenuis</i>	Spring Lessingia	-/- G4/S4 4.3	May-Jul	Openings in chaparral, woodland	No Potential. Appropriate habitat is not present in the Study Area.

Scientific Name	Common Name	Federal/State Status Global/State Rank CA Rare Plant Rank	Blooming Period	Habitat Preference	Potential to Occur
35. <i>Malacothamnus aboriginum</i>	Indian Valley Bush-Mallow	-/- G3/S3 1B.2	Apr-Oct	Open rocky slopes	No Potential. Appropriate rocky slope habitat is not present in the Study Area and site is heavily disturbed.
36. <i>Malacothamnus davidsonii</i>	Davidson's Bush-Mallow	-/- G2/S2 1B.2	Jun-Jan	Sandy washes in coastal scrub, riparian woodland, chaparral	No Potential. Appropriate habitat is not present in the Study Area and site is heavily disturbed. Conspicuous bush mallow shrubs were not observed at the time of survey.
37. <i>Malacothamnus palmeri</i> var. <i>involutus</i>	Carmel Valley Bush-Mallow	-/- G3T2Q/S2 1B.2	Apr-Oct	Valleys, chaparral	No Potential. Appropriate habitat is not present in the Study Area and site is heavily disturbed.
38. <i>Malacothamnus palmeri</i> var. <i>palmeri</i>	Santa Lucia Bush-Mallow	-/- G3T2Q/S2 1B.2	May-Jul	Interior valleys foothills	No Potential. Appropriate habitat is not present in the Study Area and site is heavily disturbed.
39. <i>Navarretia nigelliformis</i> subsp. <i>radians</i>	Shining Navarretia	-/- G4T2/S2 1B.2	Mar-Jul	Grassland and cismontane woodland. Often on clay and alkaline sites, sometimes vernal pools. 65-1,000 m.	No Potential. Suitable soils are not present in the Study Area and species is not common for Monterey County. Nearest occurrence is over 14 mi south (CNDDB #25) in 1994.

Scientific Name	Common Name	Federal/State Status Global/State Rank CA Rare Plant Rank	Blooming Period	Habitat Preference	Potential to Occur
40. <i>Pentachaeta exilis</i> subsp. <i>aeolica</i>	San Benito Pentachaeta	-/- G5T2/S2 1B.2	Mar-May	Grassland, woodland	No Potential. Appropriate habitat is not present in the Study Area and site is heavily disturbed. Nearest occurrence is over 11 mi southwest (CCH #SBBG 122051).
41. <i>Plagiobothrys uncinatus</i>	Hooked Popcornflower	-/- G2/S2 1B.2	Apr-May	Chaparral, canyon sides, rocky outcrops, +- fire follower	No Potential. Appropriate rocky canyon habitat is not present in the Study Area.
42. <i>Senecio astephanus</i>	San Gabriel Ragwort	-/- G3/S3 4.3	May-Jul	Steep rocky slopes in chaparral/coastal-sage scrub and oak woodland	No Potential. Appropriate rocky sloping habitat is not present in the Study Area.
43. <i>Sidalcea hickmanii</i> subsp. <i>hickmanii</i>	Hickman's Checkerbloom	-/- G3T2/S2 1B.3	May-Jul	Chaparral	No Potential. Appropriate chaparral habitat is not present in the study Area.

State/Rank Abbreviations:

FE: Federally Endangered
 FT: Federally Threatened
 PE: Proposed Federally Endangered
 PT: Proposed Federally Threatened
 CE: California Endangered
 CR: California Rare
 CT: California Threatened
 CCE: Candidate for California Endangered
 CCT: Candidate for California Threatened

California Rare Plant Ranks:

CRPR 1A: Plants presumed extirpated in California and either rare or extinct elsewhere
 CRPR 1B: Plants rare, threatened, or endangered in California and elsewhere
 CRPR 2A: Plants presumed extirpated in California, but common elsewhere
 CRPR 2B: Plants rare, threatened, or endangered in California, but more common elsewhere
 CRPR 4: Plants of limited distribution - a watch list
 0.1 - Seriously threatened in California (over 80% of occurrences threatened / high degree and immediacy of threat)
 0.2 - Moderately threatened in California (20-80% occurrences threatened / moderate degree and immediacy of threat)
 0.3 - Not very threatened in California (less than 20% of occurrences threatened / low degree and immediacy of threat or no current threats known)

Global/State Ranks:

G1/S1 – Critically Imperiled

G2/S2 – Imperiled

G3/S3 – Vulnerable G4/S4 – Apparently Secure

G5/S5 – Secure

Q – Element is very rare but there are taxonomic questions associated with it.

Range rank – (e.g., S2S3 means rank is somewhere between S2 and S3)

? – (e.g., S2? Means rank is more certain than S2S3 but less certain than S2)

APPENDIX C. SPECIAL STATUS ANIMALS REPORTED FROM THE REGION

Scientific Name	Common Name	Federal/State Status Global/State Rank CDFW Status	Habitat Preference	Potential to Occur
1. <i>Accipiter cooperii</i>	Cooper's Hawk	-/ G5/S4 WL	Oak woodland, riparian, open fields. Nests in dense trees, esp. coast live oak.	No Potential (nesting). Suitable nesting habitat is located west of the site along the Salinas River, though no nesting habitat directly in the Study Area. High (in flight/foraging). Potential nesting habitat is located just off-site, and several occurrences have been reported in the vicinity. High prey-base of small birds is present.
2. <i>Agelaius tricolor</i>	Tricolored Blackbird	-/CT G2G3/S1S2 SSC	Requires open water, protected nesting substrate, & foraging area with insect prey near nesting colony.	Low (nesting). Reed and nesting substrate is not sufficiently present, with only a few small patches of tule and cattails occurring in the Study Area. High (in flight/foraging). Numerous occurrences of large flocks have been reported in the vicinity and insect prey-base is present in the Study Area.
3. <i>Anaxyrus californicus</i>	Arroyo Toad	FE/- G2G3/S2S3 SSC	Rivers with sandy banks, willows, cottonwoods, and sycamores. Prefers loose gravelly soils in drier portions of their range.	No Potential. Riverine and suitable wash habitat is not present in the Study Area and nearest occurrence is over 15.8 mi south (CNDDDB #58) in 1998.
4. <i>Anniella pulchra</i>	Northern California Legless Lizard	-/ G3/S3 SSC	Sandy or loose loamy soils under coastal scrub or oak trees. Soil moisture essential.	Low . Loose litter and loamy soils are present though appropriate habitat is not directly within the Study Area. Nearest occurrence is 2.0 mi south in drainage along Jolon Road (CNDDDB #362) in 2018.

Scientific Name	Common Name	Federal/State Status Global/State Rank CDFW Status	Habitat Preference	Potential to Occur
5. <i>Antrozous pallidus</i>	Pallid Bat	-/- G5/S3 SSC	Rock crevices, caves, tree hollows, mines, old buildings, and bridges.	No Potential. Disturbed quality of the site is not appropriate for this species and roosting habitat is minimal to none.
6. <i>Aquila chrysaetos</i>	Golden Eagle	-/- G5/S3 FP	Nests in large, prominent trees in valley and foothill woodland. Requires adjacent food source.	No Potential (nesting). Suitable nesting substrate is not present in the Study Area. Low (in flight/foraging). Not prominent in the area. Nearest occurrence is over 10 west (CNDDDB #132 in 2008) and limited open space is present. Several eBird occurrences near King City.
7. <i>Ardea herodias</i>	Great Blue Heron	-/- G5/S4 SA	Rookeries located in tall trees near foraging areas.	No Potential (nesting). Suitable rookery habitat is not present in the Study Area. High (in flight/foraging). Onsite water detention ponds likely attract great blue herons, and an observation was made within the Study Area in 2002 (Yough 2002). Numerous occurrences documented in the area on eBird.

Scientific Name	Common Name	Federal/State Status Global/State Rank CDFW Status	Habitat Preference	Potential to Occur
8. <i>Athene cunicularia</i>	Burrowing Owl	-/- G4/S3 SSC	Burrows in squirrel holes in open habitats with low vegetation.	Low (nesting/burrowing). Covering grassland is present in the Industrial Spray Fields, which could provide suitable denning habitat for burrowing owls. Nearest occurrence is 2.0 mi east (CNDDDB #436) in 2002, where soil mounds were observed in corporation yard. Low (in flight/foraging). Nearest occurrence is 2.0 mi east (CNDDDB #436) in 2002, where soil mounds were observed in corporation yard. Nearest occurrence on eBird is incomplete and more species common in the interior.
9. <i>Bombus occidentalis</i>	Western Bumble Bee	-/CCE G2G3/S1 SA	Wide variety of natural, agricultural, urban, and rural habitats. Flower-rich meadows of forests and subalpine zones.	Low Nearest occurrences are historic, and site is void of most host plant species. Very low potential to occur in the Industrial Spray Fields land use area based on the presence of noted small mammal burrows in the field.
10. <i>Branchinecta lynchi</i> *	Vernal Pool Fairy Shrimp	FT/- G3/S3 SA	Clear water sandstone depression pools, grassed swale, earth slump, or basalt flow depression pools.	No Potential. Vernal pool habitat is not present in the Study Area. Study Area is within 5-mi radius of critical habitat for VPFS.
11. <i>Corynorhinus townsendii</i>	Townsend's Big-Eared Bat	-/- G3G4/S2 SSC	Roosts in caves, abandoned buildings, tunnels. Roosting sites limiting. Sensitive to human disturbance.	No Potential. Site heavily disturbed and potential roosting sites are minimal to none.

Scientific Name	Common Name	Federal/State Status Global/State Rank CDFW Status	Habitat Preference	Potential to Occur
12. <i>Emys marmorata</i>	Western Pond Turtle	-/- G3G4/S3 SSC	Permanent or semi-permanent streams, ponds, lakes.	Moderate. Retention ponds on site could attract pond turtles and Salinas River adjacency could provide connectivity during normal rain years. Nearest occurrence is 1.3 mi southeast along Salinas River in King City (CNDDDB #1054).
13. <i>Lavinia exilicauda harengus</i>	Monterey Hitch (Pajaro/Salinas Hitch)	-/- G4T2T4/S2S4 SSC	Rivers	No Potential. Riverine habitat is not present in the Study Area. Nearest documented occurrence mapped nonspecifically along the 110-mile-long Salinas River (CNDDDB #1) in 2018.
14. <i>Lavinia symmetricus subditus</i>	Monterey Roach	-/- G4T2T3/S2S3 SSC	Tributaries to Monterey Bay, specifically the Salinas, Pajaro, & San Lorenzo drainages.	No Potential. Riverine habitat is not present in the Study Area. Not known to occur in the vicinity according to CNDDDB records. Nearest is over 14 mi southwest in 2016 (CNDDDB #4), found in shallow San Antonio River.
15. <i>Masticophis flagellum ruddocki</i>	San Joaquin Coachwhip	-/- G5T2T3/S2? SSC	Open, dry, treeless areas, including grasslands and saltbush scrub; takes refuge in burrows and under shaded vegetation	No Potential. Appropriate dry open grassland habitat is not present in the Study Area. Nearest occurrence is 6.6 mi east (CNDDDB #48) in 1987. More common in the interior.
16. <i>Neotoma macrotis luciana</i>	Monterey Dusky-Footed Woodrat	-/- G5T3/S3 SSC	Variety of habitats with moderate to dense understory vegetation	No Potential. Appropriate woodland or other dense woody habitat is not present in the Study Area and not known to occur in the vicinity.

Scientific Name	Common Name	Federal/State Status Global/State Rank CDFW Status	Habitat Preference	Potential to Occur
17. <i>Oncorhynchus mykiss irideus pop.</i> 9	Steelhead - South-Central California Coast Dps	FT/- G5T2Q/S2 SA	Federal listing refers to runs in coastal basins from the Pajaro River south to, but not including, the Santa Maria River.	No Potential. Not documented in this portion of the Salinas River by the CNDDDB. Property is within known critical habitat for this species, but no riverine habitat in the Study Area. New project operations would not indirectly impact steelhead trout.
18. <i>Optioservus canus</i>	Pinnacles Optioservus Riffle Beetle	-/- G1/S1 SA	Found on rocks and in gravel of riffles in cool, swift, clear streams.	No Potential. Stream habitat is not present in the Study Area. Nearest occurrence is over 10 mi northwest (CNDDDB #9) in Arroyo Seco River. No date affiliated with record.
19. <i>Perognathus inornatus psammophilus</i>	Salinas Pocket Mouse	-/- G4T2?/S1 SSC	Annual grassland and desert shrub in Salinas Valley, with friable soils	Low. Disturbed habitat with marginally suitable grassy conditions is present within the inactive industrial spray fields. Nearest occurrence is over 14 northwest and historic, from 1936 (CNDDDB #7). No potential within the Project footprint.
20. <i>Phrynosoma blainvillii</i>	Coast Horned Lizard	-/- G3G4/S3S4 SSC	Frequents a wide variety of habitats, most common in lowlands along sandy washes with scattered low bushes.	Low. Dry, sandy washes are seasonally present along the Salinas River, adjacent to the Study Area, however nearest occurrence is >10 mi west in 2008 (CNDDDB #681).
21. <i>Rana boylei</i>	Foothill Yellow-Legged Frog	-/CCT G3/S3 SSC	Partly shaded, shallow streams and riffles with rocky substrate. Min. 15 weeks for larval development.	No Potential. Appropriate stream habitat is not present in the Study Area. Nearest occurrence is 7.6 mi southwest and historic (CNDDDB #2394 in 1938).

Scientific Name	Common Name	Federal/State Status Global/State Rank CDFW Status	Habitat Preference	Potential to Occur
22. <i>Rana draytonii</i>	California Red-Legged Frog	FT/- G2G3/S2S3 SSC	Lowlands and foothills in or near sources of deep water with dense, shrubby or emergent riparian vegetation. Requires 11-20 weeks for larval development.	No Potential. No occurrences in the vicinity, and Study Area is not within known critical habitat for CRLF. Nearest occurrence >10 mi west in 2008 along Vaqueros Creek in Greenfield (CNDDDB #1002).
23. <i>Riparia riparia</i>	Bank Swallow	-/CT G5/S2 SA	Nests colonially in riparian and other lowland habitats west of the desert. Requires vertical banks or cliffs with sandy soils (to dig cavities) near streams, lakes, or the ocean.	No Potential (nesting). Suitable nesting substrate is not present in the Study Area. Moderate (in flight/foraging). Breeding colonies are known to occur in the area and species could be seen in the Study Area. Nearest occurrence is 1.3 mi southeast (CNDDDB #93) in 1991, at known breeding colony. More recent occurrences at same locations on eBird.
24. <i>Spea hammondi</i>	Western Spadefoot	-/ G3/S3 SSC	Grassland and woodland habitats with vernal pools for breeding. Most of year spent underground.	Low . Suitable upland conditions for underground estivation are present and the Salinas River could support breeding spadefoots when water ponds. Retention ponds may also provide breeding habitat, but no records of breeding in the vicinity are known to date. Nearest occurrence is historic and 9.7 mi north (CNDDDB #840 in 1943).
25. <i>Taricha torosa</i>	Coast Range Newt	-/ G4/S4 SSC	Lives in terrestrial habitats & will migrate over 1 km to breed in ponds, reservoirs & slow moving streams.	Low . Retention ponds could attract this species as suitable breeding habitat, though nearest occurrence is >10 west and no records are documented along the Salinas River.

Scientific Name	Common Name	Federal/State Status Global/State Rank CDFW Status	Habitat Preference	Potential to Occur
26. <i>Taxidea taxus</i>	American Badger	-/- G5/S3 SSC	Needs friable soils in open ground with abundant food source such as California ground squirrels.	Moderate. Known to occur in the area and suitable soils are present. Potential denning habitat is limited on the site to the Industrial Spray Fields.
27. <i>Vireo bellii pusillus</i>	Least Bell's Vireo	FE/CE G5T2/S2 SA	Riparian habitat, near water or dry streambed, <2000 ft. Nests in willows, mesquite, Baccharis.	No Potential (nesting). Riparian habitat with suitable nesting substrate is not present in the Study Area. Low (in flight/foraging). Riparian habitat adjacent to the Study Area could support nesting least Bell's vireos and a moderate insect prey-base is present on the site. Nearest occurrence is historic and >10 southeast (CNDDDB #512 in 1919). Nearest eBird record is in Bradley, >30 southeast.
28. <i>Vulpes macrotis mutica</i>	San Joaquin Kit Fox	FE/CT G4T2/S2 SA	Annual grasslands or grassy open stages with scattered shrubby vegetation. Needs loose textured sandy soil and prey base.	Low. Limited recovering grassland habitat is present in the Industrial Spray Fields, but the mapped historical range for kit fox shows no observations in the immediate area beyond 1990 (CDFW 2020).

*Species not listed in CNDDDB 9-quadrant search but is within 5-mile radius of critical habitat for the species under USFWS.

Federal and State Status Abbreviations:

FE: Federally Endangered
 FT: Federally Threatened
 PE: Proposed Federally Endangered
 PT: Proposed Federally Threatened
 CE: California Endangered
 CT: California Threatened
 CCE: Candidate for California Endangered
 CCT: Candidate for California Threatened

Global/State Ranks:

G1/S1 – Critically Imperiled
 G2/S2 – Imperiled
 G3/S3 – Vulnerable
 G4/S4 – Apparently Secure
 G5/S5 – Secure
 Q – Element is very rare but there are taxonomic questions associated with it.
 Range rank – (e.g., S2S3 means rank is somewhere between S2 and S3)
 ? – (e.g., S2? Means rank is more certain than S2S3 but less certain than S2)

CDFW Rank:

WL: Watch List
 SSC: Species of Special Concern
 FP: Fully Protected
 SA: Special Animal



June 16, 2022

Office of Historic Preservation
1725 23rd Street, Suite 100
Sacramento, California 95816

RE: WASTEWATER TREATMENT PLAN- KING CITY, CALIFORNIA (MONTEREY COUNTY)

To Whom it May Concern:

The City of King is proposing to construct a new wastewater treatment facility to comply with new discharge requirements. (Reference **Exhibit 1** for Site Location.) *The facility will be located within a reduced development footprint of the existing wastewater treatment facility.* The site has undergone prior site disturbance and grading to accommodate the existing wastewater treatment facility.

A mitigated negative declaration (MND) has been prepared and states the site is highly disturbed and is not expected to contain any known archaeological sites, paleontological resources or historical structures. The City may pursue federal funding to help upgrade the facility to meet new discharge requirements. In keeping with the intent of Section 106, no cultural resources will be adversely affected by this project and there are no known historical structures on the site. The City will include the City's standard cultural resources condition of approval/mitigation measure related to steps that need to be taken in the event cultural resources or human remains are uncovered during any future soil disturbing activities.

Based on the MND, the City has determined the project has no potential to affect identified historic properties and cultural resources and there are no further Section 106 obligations. Please notify our office at (831) 385-3281 if you have any additional questions related to the project.

Sincerely,

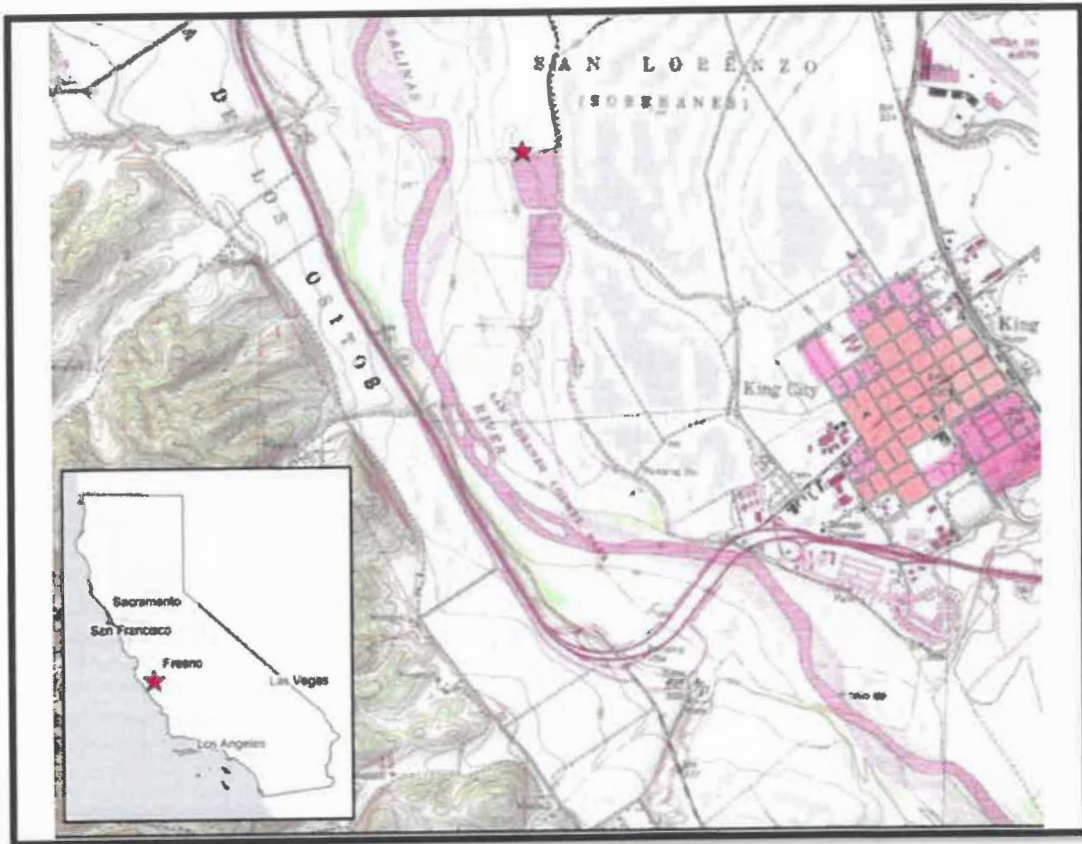
Doreen Liberto, AICP
Community Development Director

Exhibits:

Exhibit 1: Site Location

c: City Engineer
Community Development

EXHIBIT 1: SITE LOCATION



**DEPARTMENT OF PARKS AND RECREATION
OFFICE OF HISTORIC PRESERVATION**

Armando Quintero, Director

Julianne Polanco, State Historic Preservation Officer
1725 23rd Street, Suite 100, Sacramento, CA 95816-7100
Telephone: (916) 445-7000 FAX: (916) 445-7053
calshpo.ohp@parks.ca.gov www.ohp.parks.ca.gov

July 11, 2022
[VIA EMAIL]

Refer to HUD_2022_0615_001

Ms. Doreen Liberto, AICP
Community Development Director
City of King
21 South Vanderhurst Avenue
King City, CA 93930

Re: King City Waste Water Plant Reconstruction Project, King City, CA

Dear Ms. Liberto,

The California State Historic Preservation Office (SHPO) received the consultation submittal for the above referenced undertaking for review and comment pursuant to Section 106 of the National Historic Preservation Act and its implementing regulations found at 36 CFR Part 800. The regulations and advisory materials are located at www.achp.gov.

Pursuant to 36 CFR Part 800.4(d) the SHPO does not object to the City of King's finding of *No historic properties affected* for the U.S. Department of Housing and Urban Development (HUD) funded waste water treatment plant reconstruction project. The City may have additional Section 106 responsibilities under certain circumstances set for in 36 CFR Part 800. For example, in the event that historic properties are discovered during the implementation of the undertaking, the City is required to consult further pursuant to 36 CFR Part 800.13(b).

SHPO appreciates the City of King's consideration of historic properties in the project planning process. If you have questions please contact Shannon Lauchner Pries, Historian II, with the Local Government & Environmental Compliance Unit at shannon.pries@parks.ca.gov.

Note that we are only sending this letter in electronic format. Please confirm receipt of this letter. If you would like a hard copy mailed to you, respond to this email to request a hard copy be mailed.

Sincerely,

A handwritten signature in blue ink, appearing to be "J. Polanco", with a long horizontal line extending to the right.

Julianne Polanco
State Historic Preservation Officer



DATE: March 8, 2021

TO: **Salinan Tribe**
Salinan Tribe of San Luis Obispo, Monterey and San Benito
ATTN: John Burch
7070 Morro Road, Suite A
Atascadero, Ca 93422

Salinan Tribe
Salinan Tribe of San Luis Obispo, Monterey and San Benito
ATTN: Fred Segobia, MLD Lead
46451 Little Creek Court
King City, Ca 93930-9781

Xolon Salinan Tribe Council
ATTN: Karen White, Council Chair
P.O. Box 7045
Spreckels, Ca 93926

TYPE OF NOTIFICATION

☒ **CEQA Tribal Consultation List (AB 52) -- Per Public Resources Code §21080.3.1, subs. (b), (d), (e) and 21080.3.2**

☐ **General Plan (SB 18) -Per Government Code §65352.3**

☐ General Plan	☐ General Plan Element
☐ Specific Plan	☐ Specific Plan Amendment

REQUIRED INFORMATION

Project Title:

Local Government/Lead Agency: City of King **Contact Person:**

Street Address: 212 South Vanderhurst Street **City:** King City **Zip Code:** 93930

Phone No.: (831) 385-3281

Email Address: ohurtado@kingcity.com and dliberto@kingcity.com

Specific Area Subject to Proposed Action

County: Monterey

City: King City

Project Description: The proposed improvements will result in the construction of a new wastewater treatment facility intended to comply with new discharge requirements, produce unrestricted re-use quality recycled water and provide adequate treatment capacity for the next 20 years. Project construction will involve: 1) the construction of new wastewater treatment facilities which will provide 1.3 million gallons per day (mgd) of secondary treatment capacity after completion of Phase I of construction with an ultimate total facility capacity of 2.0 mgd. Current permitted capacity of the treatment plant is 1.2 mgd. As such, Phase I represents an increase of 0.1 mgd (or 100,000 gallons per day) of total facility capacity; 2) provision of tertiary treatment facilities which will produce recycled water for agricultural and landscape irrigation; 3) construction of a recycled water

PLEASE NOTE: RECIPIENTS OF THIS NOTICE HAVE THIRTY (30) DAYS FROM THE ABOVE DATE TO REQUEST A CONSULTATION.

distribution system utilizing existing and future pipelines along San Antonio Drive with one branch along Spreckles Road and the second branch leading to the northeast industrial area of the City and 4) provision of effluent disposal facilities.

Project Location: The WWTP is located north of the City limits, on the east side of Highway 101.

PLEASE NOTE: RECIPIENTS OF THIS NOTICE HAVE THIRTY (30) DAYS FROM THE ABOVE DATE TO REQUEST A CONSULTATION.

From: [Doreen Liberto-Blanck](#)
To: info@salinatribe.com
Cc: [Octavio Hurtado](#); dwaer@aol.com; [Maricruz Aguilar](#)
Subject: Re: AB52 Consultation for the New Wastewater treatment Project.
Date: Tuesday, April 27, 2021 11:49:55 AM

Good Day Patti,
Thank you for your email.

We would like to invite you to take a tour of the wastewater treatment plant site to see the proposed project site.

Please let us know available dates and times for the field visit.

All the best,
Doreen

From: info@salinatribe.com <info@salinatribe.com>
Sent: Monday, April 26, 2021 8:04 PM
To: Octavio Hurtado <ohurtado@kingcity.com>; Doreen Liberto-Blanck <dliberto@kingcity.com>
Subject: AB52 Consultation for the New Wastewater treatment Project.

Greetings King City, we are requesting AB52 consultation for this project. We have reviewed the proposed project and have many concerns. We are requesting that part of the mitigation measures for the project require that a cultural resource specialist from our tribe be on site during all ground disturbing activities for the project.

Xayatspanikan,

Patti Dunton, Tribal Administrator

Doreen Liberto-Blanck <dliberto@kingcity.com>

SB 52 Consultation: King City WWTP

To: "info@salinantribe.com" <info@salinantribe.com> Cc: Octavio Hurtado

<ohurtado@kingcity.com>, Maricruz Aguilar-Navarro

<maguilar@kingcity.com>, Doreen Liberto-Blanck dliberto@kingcity.com

Date: Tue 7/5/2022

Good Day Patti, In 2021, the City conducted an environmental review on the City's wastewater treatment plant (WWTP) upgrade. The City sent an SB 52 Notice to you. On April 26, 2021, you requested a consultation for the project. On April 27, 2021, I sent an email inviting you to a tour of the WWTP at which time we could discuss cultural resources. We did not hear from you.

Due to comments received from State Fish and Wildlife and the Monterey Bay Air Resources District, the Mitigated Negative Declaration (MND) was amended and will be recirculated. The MND includes the following discussion related to Cultural Resources:

Impacts: *The existing WWTP site is highly disturbed and is not expected to contain any known archaeological sites, paleontological resources or historical structures.*

However, significant archaeological, paleontological or historic resources may be discovered during project grading or construction. In that event, these resources will either be excavated or protected in a manner consistent with all applicable State and local laws, and all work will be halted and the resources will be evaluated by a qualified professional (see "Mitigation Measures" below).

Mitigation Measures: *The City, in 2019, adopted an updated and detailed list of mitigation measures related to cultural resources impacts that are applicable to all development applications. These measures are summarized below.*

CR-1. Prior to excavation and construction on the project site, the prime construction contractor or any subcontractor(s) shall be cautioned on the legal and/or regulatory implications of knowingly destroying historic or prehistoric cultural resources or removing artifacts such as, but not limited to, prehistoric groundstone, projectile points, shell middens, or debitage, human remains, historic materials such as, but not limited to, bottles or cans and other cultural materials from the project site.

CR-2. Prior to any demolition, excavation, or construction, the Applicant shall identify a qualified archaeologist to be on call if any cultural resources are identified, or if required by the City, when project excavation of four (4') feet or greater is needed. The City shall approve the selected archaeologist prior to issuance of any permit that includes soil disturbance. When excavation of greater than four (4') feet is anticipated, a Tribal Monitor may be required.

CR-3. Prior to any soil disturbing activities to search for surface evidence of historical or prehistoric cultural resources and if a project survey has not been conducted as part of the project application process, the archaeologist shall conduct a pedestrian survey of the project site. The archaeologist shall be authorized to perform spot check monitoring of subsurface construction for potential cultural resources and analyze and evaluate those artifacts or resources that may be uncovered. The qualified archaeologist shall also have the authority to temporarily halt excavation and construction activities in

the immediate vicinity (within a 50-meter radius or approximately 164 feet) of a find if significant or potentially significant cultural resources are exposed and/or adversely affected by construction operations.

CR-4. In the event of a find, reasonable time shall be allowed for the qualified archaeologist to conduct additional subsurface testing, analysis and reporting, if warranted. During this time, excavation and construction shall not be allowed in the immediate vicinity of the find (within a 50-meter radius or approximately 164 feet or within a larger area as determined by the qualified archaeologist). However, activities may continue in other areas of the project site, if so determined by the qualified archaeologist.

CR-5. All cultural materials recovered as part of the testing or monitoring program shall be subject to scientific analysis, professional museum curation and reporting prepared according to current professional standards.

CR-6. In accordance with State CEQA Guidelines, Section 15064.5 (e)(1)(A)(B), in the event of discovery or recognition of any human remains on the project site during development, the following steps should be taken. There shall be no further excavation or disturbance of the site or any area reasonably suspected to overlie adjacent human remains until the coroner is contacted to determine that no investigation of the cause of death is required. Possible indications of burials could include a layer of shells placed over the burial. If the coroner determines the remains to be Native American, then the coroner shall contact the Native American Heritage Commission within 24 hours. The Commission shall identify the person or persons it believes to be the most likely descendent of the deceased Native American. The most likely descendent may then make recommendations to the landowner or person responsible for the excavation work, for the means of treating or disposing of, with appropriate dignity, the human remains and associated grave goods as provided in the Public Resources Code.

CR-7. The applicant or their authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity on the property in a location not subject to further disturbance.

Please let me know if you still wish to consult on the project.

All the best,

Doreen