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March 19, 2019
Project 1175.01

Salvador Cano
c/o Rene Cano
8770 Highway 58
Santa Margarita, CA 93453

Re: Biological Resource Assessment for Cano – 8770 Carrisa Highway, San Luis Obispo County

Dear Mr. Cano:

This report provides the results of a reconnaissance level biological survey conducted on a 40.9-acre property (Property) located at 8770 Carrisa Highway (CA-58), Santa Margarita, San Luis Obispo County (Figure 1). Approximate coordinates for center of the Property are 35.368950° N, -120.069272° W (WGS 84) in the California Valley USGS 7.5' topographic quadrangle. The Property is assessor parcel number (APN) 072-301-012. This survey was conducted to provide baseline biological information and an assessment of potential special status plant and animal species that could occur on the Property or be affected by the proposed project (Project), a Cannabis Cultivation Minor Use Permit on approximately 3.8-acres of the Property.

The proposed cannabis cultivation project would consist of three acres of outdoor cannabis cultivation within hoop houses encompassed by a 6-foot wood fence, a dirt access road, and a gravel access road. Supporting development includes a well, 353 linear feet of 2-inch water line, three 2,500-gallon water tanks, a 20-foot by 30-foot ag pond, and a 100-foot squared processing and storage area. There are no plans to change other currently existing residential and nonconforming structures other than moving the existing hoop houses on the north side of the Property to the proposed location. A Site Plan is provided which shows areas of proposed development for the intended Project (refer to Attachment C).

Methods

Surveys for biological resources were conducted on January 23, March 12 and March 18, 2019 by Althouse and Meade, Inc. Principal Biologist Jason Dart and Biologist Dustin Groh. The survey method included meandering transects of the 40.9-acre Property with an emphasis on identifying plants and animals within the Project footprint and surrounding areas. Transects were also utilized to describe general conditions and dominant species, compile species lists, and evaluate potential habitat for special status species. All habitats on the Property were mapped (Attachment C, Figure 6). Photographs were taken throughout the Study Area (Attachment B). Identification of botanical resources included field observations and laboratory analysis of collected material. The botanical survey was conducted too early in the season to qualify as a full season survey (refer to Attachment

D, Table 1). Botanical nomenclature used in this document follows the Jepson Manual, Second Edition (Baldwin et al. 2012). A list of plants observed on the Property and surrounding area were compiled (Attachment E).

Wildlife documentation included observations of animal presence and other wildlife sign. Observations of wildlife were recorded throughout the Property. The survey focused on special status animals with potential to occur (refer to Attachment D, Table 2). Birds were identified by sight or by vocalizations. A list of animals observed in the Study Area and surrounding area were compiled (Attachment F).

The California Natural Diversity Database (CNDDB; January 2019 data) and the California Native Plant Society (CNPS) On-line Inventory of Rare and Endangered Plants of California were reviewed for special status species known to occur in the eight USGS 7.5-minute quadrangles surrounding the site, including: Branch Mtn, California Valley, Chimineas Ranch, La Panza, La Panza NE, La Panza Ranch, Las Yeguas Ranch, Los Machos Hills, Simmler. Additional information regarding special status species was gathered from Althouse and Meade, Inc. experience in the area, and regional Environmental Impact Reports.

Existing Conditions

The Property is an approximately 40.9-acre agriculturally zoned parcel situated on the north side of Highway 58 in the northern Carrizo Plain area. The Property fronts along the highway for approximately 840 linear feet and extends northward for approximately 2,100 linear feet, creating a long narrow rectangular parcel (Attachment C, Figure 2). Access is through a gate on the west side of the Property from a dirt easement road off of Highway 58. Residential housing and appurtenant structures are located in the southwest portion of the Property occupying approximately four acres. Incomplete grow structures for the planned project exist in the northern portion of the Property. These structures will be moved south to a location on the Property where the Project is currently proposed (Attachment C Figure 6). A potentially jurisdictional ephemeral drainage bisects the middle portion of the Property, flowing eastward. A man-made pond is situated within the drainage. The drainage and pond were dry when the Property was surveyed in January 2019 but were full of water during the March 2019 surveys. The proposed Project is outside the drainage and 50-foot drainage setback (Attachment C, Figure 6). The remainder of the Property has been in agricultural production variously for many years, often with just portions of the land tilled or grazed in any given year. The northern portion of the Property is fenced in for cattle and a horse. Fallow fields in the middle and southern portions of the Property were dominated by naturalized Mediterranean grasses with a few deciduous ornamental trees. Site photographs are provided in Attachment B.

Results

Special Status Species

The CNDDB and CNPS On-line Inventory of Rare and Endangered Plants of California list 46 special status plants and 29 special status animals known to occur in the vicinity of the Property. Five special status plants and sixteen special status animals could potentially occur on the Property based on an analysis of known ecological requirements of the species and the habitat conditions that were observed on site in January 2019 (Attachment D, Tables 1 and 2). The Project site, as a previously disturbed subset of the Property, is not expected to support special status plants and

none were observed in January 2019. Special status animals also were not detected and are not expected to be occupying the Project site. However, transient species such as kit fox, badger, burrowing owl, and reptiles are known from the vicinity and could pass through the site on occasion. Below we discuss special status plants and animals, and describe habitat, range restrictions, known occurrences, and survey results for the Property.

- A. Special Status Plants.** The Project vicinity is known to support many special status plant species in a variety of microhabitats (CNDDDB 2018; Althouse and Meade, Inc. 2010). Some special status plants can occur in fallow cropland fields, but most do not. The rare oval-leaved snapdragon and diamond-petaled California poppy were documented in dry-farmed barley fields approximately 2 miles southeast of the Property (Althouse and Meade, Inc. 2010). These species were only found in a specific gypseous clay soil type (Capay Clay) that does not occur on the Property, and therefore they are not expected to occur on the Property. Indian Valley spineflower occurs along Highway 58 approximately 3.8 miles west of the Property in sandy soils. Indian Valley spineflower is not likely to occur on the Property. Salinas milkvetch is a small perennial subshrub that occurs in grassland habitat in the vicinity of the Property. Its perennial root system is not tolerant of tilling and therefore would only have potential to occur in pockets of undisturbed grassland habitat. Salinas milkvetch is not likely to occur on the Property. Munz's tidy tips occurs in grasslands near the Property and has a low potential to occur on site. An appropriately timed survey on March 18, concurrent with confirmed blooming in the Carrizo, determined Munz's tidy tips was not present on the Property.
- B. San Joaquin Kit Fox** (*Vulpes macrotis mutica*) is listed as endangered under the Federal Endangered Species Act and threatened under the California Endangered Species Act. The Carrizo Plain National Monument population is a core population located in San Luis Obispo County. Prior to our survey, kit foxes were documented as occurring regularly in the vicinity of the Property (CNDDDB #1196, #973). Kit foxes prefer loose-textured soils but will occupy soils with high clay content where they modify burrows dug by other animals. Sites that may not provide suitable denning habitat may be suitable for feeding or providing cover. San Joaquin kit fox or their sign (dens, scat, tracks) were not detected on the Property during our January 2019 site survey. The disturbed agricultural fields maintain a low prey base on site and are not preferred by denning kit fox, however kit foxes can occur in cropland fields on occasion especially when large undisturbed grassland areas are adjacent. Kit foxes would be expected to occur on the Property on occasion as transients moving through or foraging. A kit fox habitat evaluation form was prepared for the Property by Daniel E. Meade, Ph.D. that produced a score of 81 points, consistent with 4:1 mitigation (refer to Attachment G).
- C. American Badger** (*Taxidea taxus*) is a California Species of Special Concern known from open grassland habitats throughout San Luis Obispo County and elsewhere in California. The Property is within the known range of the American badger, and numerous occurrences are reported (CNDDDB 2018). Badgers are residents of grassland areas, but also forage in croplands on occasion in areas where California ground squirrels have become established. They are highly mobile and could be present anywhere in the region where suitable prey base is found. Badgers or their sign (dens, scat, tracks) were not detected on the Property during our January 2019 site survey. Badgers could occur on the Property periodically at any time of year.

- D. Burrowing Owl** (*Athene cunicularia*) is a California Species of Special Concern that prefers open, dry annual or perennial grasslands, deserts and scrublands characterized by low-growing vegetation. Burrowing owls usually nest in abandoned burrows of ground squirrels, badgers, or other small mammals, although they may dig their own burrow in soft soil. Primarily nocturnal, the burrowing owl hunts insects, small mammals, and birds from a perch or in low flights. During daylight hours they are often seen perched conspicuously at the entrance to their burrow. Rosenberg et al. (2007) conducted a study in grassland habitats of the Carrizo Plain National Monument and found burrowing owl nests were present at an average density of one nest per 1.4 square kilometers (346 acres) of suitable nesting habitat. Nesting territories are generically defined as a 100-meter radius around an occupied nest in which the owls regularly utilize satellite burrows (Rosenberg et al. 2007). Routine cultivation of the Property has eliminated some of the ground squirrel burrows and therefore reduced potential for burrowing owl occurrence. Burrowing owls could forage on site and have a low probability of denning on site, however, burrowing owls or their sign (pellets, whitewash) were not observed on the Property during our site survey in January 2019.
- E. Small Mammals.** Two special status small mammal species, giant kangaroo rat (*Dipodomys ingens*) and Tulare grasshopper mouse (*Onychomys torridus tularensis*) are known from the region. The giant kangaroo rat is a federal and state listed endangered species that occurs in grassland habitat in the Carrizo Plain National Monument, with a range that extends northward through California Valley to just north of Highway 58 in the vicinity of Soda Lake Road. It is not known to occur in the immediate vicinity of the Property, however formal surveys have not been done in much of this area. Giant kangaroo rats create distinctive precincts of burrows with trimmed vegetation that were not observed on the Property. Giant kangaroo rat is not expected to occur in the Project footprint. Tulare grasshopper mouse is a Species of Special Concern that occurs infrequently in grasslands in the vicinity. It is not expected to occur in the Project footprint.
- F. Reptiles and Amphibians.** Five special status reptiles, San Joaquin coachwhip (*Coluber flagellum ruddocki*), California glossy snake (*Arizona elegans occidentalis*), coast horned lizard (*Phrynosoma blainvillii*), northern California legless lizard (*Anniella pulchra*), and western pond turtle (*Emys marmorata*), and one special status amphibian, western spadefoot toad (*Spea hammondi*) are known from the vicinity and could occur on the Property. None of these species were observed on the Property during our January 2019 site survey, however they are generally cryptic and occurring in low abundance making detection difficult. Legless lizards are fossorial and not likely to occur in the footprint of the Project area. The rest of these reptiles and amphibians could occur in the Project footprint on occasion as transients moving through the site during seasonally appropriate conditions.
- G. Birds.** Three special status birds, loggerhead shrike (*Lanius ludovicianus*), tricolored blackbird (*Agelaius tricolor*) and long-eared owl (*Asio otus*) have a high potential to occur on the Property. Loggerhead shrikes are common in the Carrizo Plain area and are known to nest in shrubs in the vicinity (CNDDDB 2018). Loggerhead shrikes were observed on the Property during our site visit and could be found nesting in the deciduous trees on site outside the Project footprint. Tricolored blackbirds nest in emergent reeds in pond habitats and have been documented nesting in nearby ponds (CNDDDB 2018). Nesting habitat was not found on site for tricolored blackbirds but they could be observed on the Property, particularly during their

wintering period where they regularly forage in local crop fields. Long-eared owls nest in trees, often near water, and are known to nest regularly at the Carrizo Elementary School in pine trees. Potential nesting areas are located on the Property for loggerhead shrikes and long-eared owls.

H. Fairy Shrimp. Two federally-listed species of fairy shrimp are known to occur in the northern Carrizo Plain area of San Luis Obispo County, in the vicinity of the Property. Longhorn fairy shrimp (*Branchinecta longiantenna*) is listed as endangered. The U.S. Fish and Wildlife Service has designated Critical Habitat areas for this species, the closest of which is about 5 miles southeast of the Property (refer to Figure 5). Aquatic features on the Property are not likely to support longhorn fairy shrimp. The federally listed Threatened vernal pool fairy shrimp (*Branchinecta lynchi*) is known from vernal pools 1.9 miles southeast of the Property and could potentially occur on the Property. On March 12, 2019 an unidentified species of *Branchinecta* fairy shrimp were visually observed in the man-made pond and a small puddle on the downstream side of the pond dam. It is likely these are the common versatile fairy shrimp (*Branchinecta lindahli*), but confirmation cannot be done without a more thorough evaluation by a specialist with a federal recovery permit. The common versatile fairy shrimp was documented approximately one mile downstream from the Property in the same drainage during surveys conducted for Topaz Solar Farms (Advantage Environmental Consultants, LLC 2010).

Botanical Survey Results

An early season botanical survey conducted in January and March 2019 identified only 15 species of vascular plants on the Property (Attachment E). The botanical survey effort did not include late or mid-season coverage and therefore is not considered a protocol level survey. The plant list includes 8 introduced (naturalized or planted) species and 7 native species. Special status species were not detected on the Property.

Wildlife Survey Results

Wildlife species detected in the Study Area include 1 crustacean, 6 birds and 1 mammal species (Attachment F). The open space on the Property is primarily composed of land that has been disked or is fallow cropland. Non-tilled areas occur on the Property within the drainage and around the residential portion of the Property. Within the fallow cropland and impact area portions of the Property a minimal number of ground squirrel and rodent burrows were observed. No burrows were observed that were suitable for San Joaquin kit fox or American badger. A few ground squirrel burrows were of suitable size for burrowing owl but were not occupied at the time of our surveys.

Impacts and Mitigations

The proposed Project would occupy approximately 3.8 acres of land that has historically been in periodic agricultural use. The hoop house area would be fenced with a 6-foot tall wood fence. The cannabis cultivation project would consist of various growing, harvesting, and processing activities throughout the year. A Site Plan is provided in Attachment C, for reference. The Project footprint is overlaid on a map of biological resources in Attachment C, Figure 6.

The following sections provide mitigation information and recommendations designed to reduce potential effects of the Project to a less than significant level.

Habitats

The proposed project would affect approximately 3.8 acres of fallow cropland habitat. The area would be cleared of naturalized vegetation and portions would be encircled by a fence. Approximately 3.8 acres of fallow cropland habitat would be permanently impacted for the Project.

San Joaquin kit fox

San Joaquin kit fox was not present on the Property or within the Project footprint during our January and March 2019 surveys, as evidenced by the lack of suitable dens or other sign of kit fox. The Property is within the known range of San Joaquin kit fox and is considered suitable habitat by California Department of Fish and Wildlife (CDFW) and U.S. Fish and Wildlife Service (USFWS).

The California Department of Fish and Wildlife has designated the Property area as within the four to one (4:1) mitigation area for San Joaquin kit fox. A San Joaquin Kit Fox Habitat Evaluation Form was completed and is included in Attachment G. Impacts to San Joaquin kit fox by loss of habitat would be offset by implementation of BR-1, and mitigation of construction activities would be accomplished by applying BR-2 through BR- 11.

BR-1. Prior to issuance of grading and/or construction permits, the applicant shall submit evidence to the County of Paso Robles, Department of Community Development, Planning Division that states that one or a combination of the following three San Joaquin kit fox mitigation measures has been implemented:

- a. Provide for the protection in perpetuity, through acquisition of fee or a conservation easement of **[Total number of mitigation acres required]** acres of suitable habitat in the kit fox corridor area (e.g. within the San Luis Obispo County kit fox habitat area, in the County of Paso Robles), either on-site or off-site, and provide for a non-wasting endowment to provide for management and monitoring of the property in perpetuity. Lands to be conserved shall be subject to the review and approval of the California Department of Fish and Wildlife (Department) and the County.

This mitigation alternative (a.) requires that all aspects of this program must be in place before County permit issuance or initiation of any ground disturbing activities.

- b. Deposit funds into an approved in-lieu fee program, which would provide for the protection in perpetuity of suitable habitat in the kit fox corridor area within San Luis Obispo County, and provide for a non-wasting endowment for management and monitoring of the property in perpetuity.

Mitigation alternative (b) above, can be completed by providing funds to The Nature Conservancy (TNC) pursuant to the Voluntary Fee-Based Compensatory Mitigation Program (Program). The Program was established in agreement between the Department and TNC to preserve San Joaquin kit fox habitat, and to provide a voluntary mitigation alternative to project proponents who must mitigate the impacts of projects in accordance with the California Environmental Quality Act (CEQA). The fee, payable to “The Nature Conservancy”, would total **[\$Amount of fee based on \$2500 per acre]**. This fee is calculated based on the current cost-per-unit of \$2500 per acre of mitigation, which is scheduled to be adjusted to address the increasing cost of property in San Luis Obispo County; your actual cost may increase depending on the timing of payment. This fee must be paid after the Department provides written

notification about your mitigation options but prior to County permit issuance and initiation of any ground disturbing activities.

- c. Purchase [**Total number of mitigation acres required**] credits in a CDFW-approved conservation bank, which would provide for the protection in perpetuity of suitable habitat within the kit fox corridor area and provide for a non-wasting endowment for management and monitoring of the property in perpetuity.

Mitigation alternative (c) above, can be completed by purchasing credits from the Palo Prieto Conservation Bank (see contact information below). The Palo Prieto Conservation Bank was established to preserve San Joaquin kit fox habitat, and to provide a voluntary mitigation alternative to project proponents who must mitigate the impacts of projects in accordance with the California Environmental Quality Act (CEQA). The cost for purchasing credits is payable to the owners of The Palo Prieto Conservation Bank and would total \$[**Amount of mitigation acres required (i.e. credits), times market rate sale price per acre**]. The fee is established by the conservation bank owner and may change at any time. Your actual cost may increase depending on the timing of payment. Purchase of credits must be completed prior to County permit issuance and initiation of any ground disturbing activities.

BR-2. Prior to issuance of grading and/or construction permits, the applicant shall provide evidence that they have retained a qualified biologist acceptable to the County. The retained biologist shall perform the following monitoring activities:

- a. **Prior to issuance of grading and/or construction permits and within 30 days prior to initiation of site disturbance and/or construction**, the biologist shall conduct a pre-activity (i.e. preconstruction) survey for known or potential kit fox dens and submit a letter to the County reporting the date the survey was conducted, the survey protocol, survey results, and what measures were necessary (and completed), as applicable, to address any kit fox activity within the project limits.
- b. **The qualified biologist shall conduct weekly site visits during site-disturbance activities** (i.e. grading, disking, excavation, stock piling of dirt or gravel, etc.) that proceed longer than 14 days, for the purpose of monitoring compliance with required Mitigation Measures BR-18 through BR-28. Site disturbance activities lasting up to 14 days do not require weekly monitoring by the biologist unless observations of kit fox or their dens are made on-site or the qualified biologist recommends monitoring for some other reason (see BR-19iii). When weekly monitoring is required, the biologist shall submit weekly monitoring reports to the County.
- c. Prior to or during project activities, if any observations are made of San Joaquin Kit fox, or any known or potential San Joaquin kit fox dens are discovered within the project limits, the qualified biologist shall re-assess the probability of incidental take (e.g. harm or death) to kit fox. At the time a den is discovered, the qualified biologist shall contact USFWS and the CDFW for guidance on possible additional kit fox protection measures to implement and whether or not a Federal and/or State incidental take permit is needed. If a potential den is encountered during construction, work shall stop until such time the USFWS determines it is appropriate to resume work.

If incidental take of kit fox during project activities is possible, **before project activities commence**, the applicant must consult with the USFWS. The results of this consultation may require the applicant to obtain a Federal and/or State permit for incidental take during project activities. The applicant should be aware that the presence of kit foxes or known or potential kit fox dens at the project site could result in further delays of project activities.

d. In addition, the qualified biologist shall implement the following measures:

1. Within 30 days prior to initiation of site disturbance and/or construction, fenced exclusion zones shall be established around all known and potential kit fox dens. Exclusion zone fencing shall consist of either large flagged stakes connected by rope or cord, or survey laths or wooden stakes prominently flagged with survey ribbon. Each exclusion zone shall be roughly circular in configuration with a radius of distance measured outward from the den or burrow entrances, dependent on the use and activity of the den (i.e. potential, known, active, or natal den), to be determined by the kit fox biologist.
2. All foot and vehicle traffic, as well as all construction activities, including storage of supplies and equipment, shall remain outside of exclusion zones. Exclusion zones shall be maintained until all project-related disturbances have been terminated, and then shall be removed.
3. If kit foxes or known or potential kit fox dens are found on site, daily monitoring by a qualified biologist shall be required during ground disturbing activities.

BR-3. Prior to issuance of grading and/or construction permits, the applicant shall clearly delineate the following as a note on the project plans: *“Speed signs of 25 mph (or lower) shall be posted for all construction traffic to minimize the probability of road mortality of the San Joaquin kit fox”*. Speed limit signs shall be installed on the project site within 30 days prior to initiation of site disturbance and/or construction.

BR-4. During the site disturbance and/or construction phase, grading and construction activities after dusk shall be prohibited unless coordinated through the County, during which additional kit fox mitigation measures may be required.

BR-5. Prior to issuance of grading and/or construction permit and within 30 days prior to initiation of site disturbance and/or construction, all personnel associated with the project shall attend a worker education training program, conducted by a qualified biologist, to avoid or reduce impacts on sensitive biological resources (i.e. San Joaquin kit fox). At a minimum, as the program relates to the kit fox, the training shall include the kit fox’s life history, all mitigation measures specified by the County, as well as any related biological report(s) prepared for the project. The applicant shall notify the County shortly prior to this meeting. A kit fox fact sheet shall also be developed prior to the training program, and distributed at the training program to all contractors, employers and other personnel involved with the construction of the project.

BR-6. During the site-disturbance and/or construction phase, to prevent entrapment of the San Joaquin kit fox, all excavations, steep-walled holes and trenches in excess of two feet in

depth shall be covered at the close of each working day by plywood or similar materials or provided with one or more escape ramps constructed of earth fill or wooden planks. Trenches shall also be inspected for entrapped kit fox each morning prior to onset of field activities and immediately prior to covering with plywood at the end of each working day. Before such holes or trenches are filled, they shall be thoroughly inspected for entrapped kit fox. Any kit fox so discovered shall be allowed to escape before field activities resume or removed from the trench or hole by a qualified biologist and allowed to escape unimpeded.

- BR-7.** During the site-disturbance and/or construction phase, any pipes, culverts, or similar structures with a diameter of four inches or greater, stored overnight at the project site shall be thoroughly inspected for trapped San Joaquin kit foxes before the subject pipe is subsequently buried, capped, or otherwise used or moved in any way. If during the construction phase a kit fox is discovered inside a pipe, that section of pipe will not be moved. If necessary, the pipe may be moved only once to remove it from the path of activity, until the kit fox has escaped.
- BR-8.** During the site-disturbance and/or construction phase, all food-related trash items such as wrappers, cans, bottles, and food scraps shall be disposed of only in closed containers. These containers shall be regularly removed from the site. Food items may attract San Joaquin kit foxes onto the project site, consequently exposing such animals to increased risk of injury or mortality. No deliberate feeding of wildlife shall be allowed.
- BR-9.** Prior to, during and after the site-disturbance and/or construction phase, use of pesticides or herbicides shall be in compliance with all local, State and Federal regulations. This is necessary to minimize the probability of primary or secondary poisoning of endangered species utilizing adjacent habitats, and the depletion of prey upon which San Joaquin kit foxes depend.
- BR-10.** 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 County. 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.
- BR-11.** Prior to final inspection, or occupancy, whichever comes first, should any long internal or perimeter fencing be proposed or installed, the applicant shall do the following to provide for kit fox passage:
- a. If a wire strand/pole design is used, the lowest strand shall be no closer to the ground than 12 inches.
 - b. If a more solid wire mesh or wood fence is used, 8" x 12" openings near the ground shall be provided every 100 yards
 - c. Upon fence installation, the applicant shall notify the County to verify proper installation. Any fencing constructed after issuance of a final permit shall follow the above guidelines.

American Badger

American badger was not present on the Property or within the project footprint during our January and March 2019 site surveys. American badgers are known to occur in the vicinity of the Project and could occupy the site or move through the site at any time. To reduce the potential for construction impacts to badgers to a less than significant level the following measure is recommended.

BR-12. A pre-construction survey shall be conducted within thirty days of beginning work on the site to identify if badgers are using the site. The results of the survey shall be sent to the project manager and the County of San Luis Obispo. If the pre-construction survey finds potential badger dens, they shall be inspected to determine whether they are occupied. The survey shall cover the entire property and shall examine both old and new dens. If potential badger dens are too long to completely inspect from the entrance, a fiber optic scope shall be used to examine the den to the end. Inactive dens may be excavated by hand with a shovel to prevent re-use of dens during construction. If badgers are found in dens on the property between February and July, nursing young may be present. To avoid disturbance and the possibility of direct take of adults and nursing young, and to prevent badgers from becoming trapped in burrows during construction activity, no grading shall occur within 100 feet of active badger dens between February and July. Between July 1st and February 1st all potential badger dens shall be inspected to determine if badgers are present. During the winter badgers do not truly hibernate but are inactive and asleep in their dens for several days at a time. Because they can be torpid during the winter, they are vulnerable to disturbances that may collapse their dens before they rouse and emerge. Therefore, surveys shall be conducted for badger dens throughout the year. If badger dens are found on the property during the pre-construction survey, the CDFG wildlife biologist for the area shall be contacted to review current allowable management practices.

Nesting Birds

Migratory non-game native bird species are protected by international treaty under the Federal Migratory Bird Treaty Act (MBTA) of 1918 (50 C.F.R. Section 10.13). Sections 3503, 3503.5 and 3513 of the California Fish and Game Code prohibit take (as defined therein) of all native birds and their active nests, including raptors and other migratory non-game birds (as listed under the Federal MBTA).

BR-13. Within one week of ground disturbance or tree removal/trimming activities, if work occurs between March 15 and August 15 nesting bird surveys shall be conducted. To avoid impacts to nesting birds, grading and construction activities that affect trees and grasslands shall not be conducted during the breeding season from March 1 to August 15. If construction activities must be conducted during this period, nesting bird surveys shall take place within one week of habitat disturbance. This survey shall include a 250-foot buffer around the Study Area for burrowing owls. If surveys do not locate nesting birds, construction activities may be conducted. If nesting birds are located, no construction activities shall occur within a distance specified by a qualified biologist, until chicks are fledged or nest fails. This includes nests of all common bird species (under the MBTA), as well as special status birds and raptor nests. Construction activities shall observe the

delineated buffer, determined by a qualified biologist, where buffer radius will be specified according to special status rank, intensity of construction activity or impact (i.e. high decibel levels or heavy ground disturbance) and where local, state, and federal regulations apply. 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 qualified biologist conducting the nesting survey shall have the authority to reduce or increase the recommended buffer depending upon site conditions.

Special Status Reptiles and Amphibians

Special status reptiles and amphibians could potentially be present in the Project footprint at the time of construction. To reduce potential construction impacts to special status reptiles and amphibians to a less than significant level, the following measure is recommended.

- BR-14.** A qualified biologist shall conduct a pre-construction survey immediately before any initial ground disturbances (i.e. the morning of the commencement of disturbance). If any special status reptiles and/or amphibians are found in the area of disturbance, the biologist shall move the animal(s) to an appropriate location outside the area of disturbance. The candidate site(s) for relocation shall be identified before construction and shall be selected based on the size and type of habitat present, the potential for negative interactions with resident species, and the species' range.

Jurisdictional Drainages

The California Department of Fish and Wildlife regulates activities that divert or obstruct the natural flow of, or substantially change or use any material from the bed, channel, or bar of any river, stream, or lake. CDFW has initiated a Cannabis cultivation permitting program that requires all applicants obtaining an Annual License from the California Department of Food and Agriculture to have a Lake and Streambed Alteration Agreement or written verification that one is not needed. If all Project components are set outside the 1600 jurisdiction a Self-Certification can be submitted online. More information about the CDFW Cannabis Program and permitting can be found at <https://www.wildlife.ca.gov/Conservation/Cannabis/Permitting>.

The State Water Board has also initiated a Cannabis Cultivation Program to establish principles and guidelines (requirements) for cannabis cultivation activities to protect water quality and instream flows. To implement the program, the Cannabis Cultivation General Order was adopted and provides for a permitting pathway for cultivators. The General Order provides criteria to evaluate the threat to water quality based on site conditions and waterway classification. More information about the State Water Board Cannabis Cultivation can be found at http://www.waterboards.ca.gov/water_issues/programs/cannabis.

The drainage that passes through the Property has braided channels defined as Riverine, classified as R4SBC (Riverine (R), Intermittent (4), Streambed (SB), Seasonally Flooded (C)) and Freshwater Emergent Wetland, classified as PEM1A (Palustrine (P), Emergent (EM), Persistent (1), Temporary Flooded (A)), according to the National Wetlands Inventory (NWI 2005). As an ephemeral waterway, all project components should observe a minimum 50-foot buffer from the top of bank or bank-full location. Figure 6 provides a Project footprint overlay on biological resources and indicates a minimum 50-foot setback from the waterway.

Thank you for allowing us to be of assistance with your project. If you have any questions or concerns, please call our office at (805) 237-9626.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jason Dart', with a stylized flourish extending to the right.

Jason Dart
Principal Biologist

Attachments

- Attachment A. References
- Attachment B. Photographs
- Attachment C. Figures
- Attachment D. CNDDDB/CNPS Special Status Species Lists
- Attachment E. Plant List
- Attachment F. Wildlife List
- Attachment G. San Joaquin Kit Fox Habitat Evaluation Form

Attachment A. References

- Advantage Environmental Consultants. 2010. 90-Day Protocol Survey Report for U.S. Fish and Wildlife Service Listed Vernal Pool Branchiopods. Proposed Topaz Solar Farm, State Highway 58, San Luis Obispo County, USFWS File No. 81420-2009-TA-0208.
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- California Native Plant Society (CNPS). 2001. CNPS Botanical Survey Guidelines. California Native Plant Society. December 9, 1983, revised June 2, 2001
- California Native Plant Society (CNPS). 2017. Inventory of Rare and Endangered Plants (online edition, v8-02). California Native Plant Society. Sacramento, CA. Accessed on January 23, 2018.
- Consortium of California Herbaria website. 2017. Regents of the University of California. <http://ucjeps.berkeley.edu/consortium/> Access on January 23, 2018.
- County of San Luis Obispo, Planning and Building Department. 2016. Guidelines for Biological Resource Assessments 2016 Draft. October.
- Rosenberg, DK, LA Trulio, D Catlin, D Chromczack, JA Gervais, N Ronan, and KA Haley. 2007. The ecology of the Burrowing Owl in California. Unpubl. report to Bureau of Land Management.
- United States Department of Agriculture (USDA). 2016. Aerial photomosaic of San Luis Obispo County. National Agriculture Imagery Program (NAIP).

Attachment B. Photographs



Photo 1. Proposed location in center of Property, view north. January 23, 2019



Photo 2. View west of proposed Project location. Deciduous tree in view is located outside (east of) proposed Project area. January 23, 2019.



Photo 3. View north of potentially jurisdictional drainage in center portion of Property. January 23, 2019.



Photo 4. View south of proposed Project location. Existing water tanks and residential area in background. January 23, 2019.



Photo 5. View northwest of the existing pond and waterway. March 12, 2019.

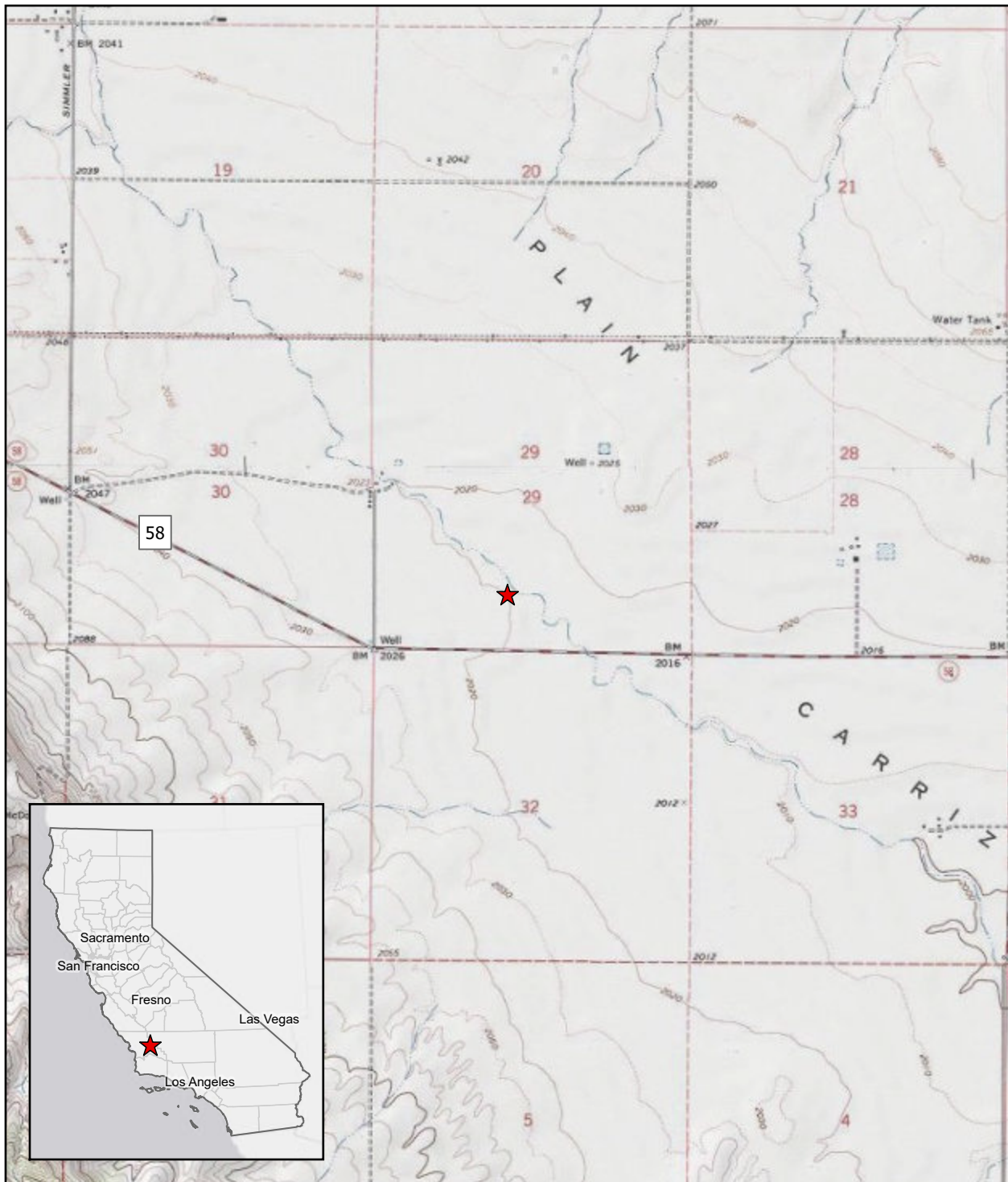


Photo 6. Fairy shrimp (*Branchinecta* sp.) observed onsite March 12, 2019.

Attachment C. Figures

- Figure 1. USGS Topographic Map
- Figure 2. Aerial Photograph
- Figure 3. CNDDDB Map – Plants
- Figure 4. CNDDDB Map – Animals
- Figure 5. USFWS Critical Habitat Map
- Figure 6. Biological Resource Map
- Site Plan

Figure 1. United States Geological Survey Topographic Map



Legend

★ Project Location



0 1,000 2,000 4,000 Feet



Cano - 8770 Hwy 58
Map Center: 120.0692°W 35.36895°N
Santa Margarita, San Luis Obispo County

USGS Quadrangle: California Valley

Figure 2. Aerial Photograph



Legend

-  Property, APN 072-301-012 (40.9 acres)  Project Footprint (3.8 acres)

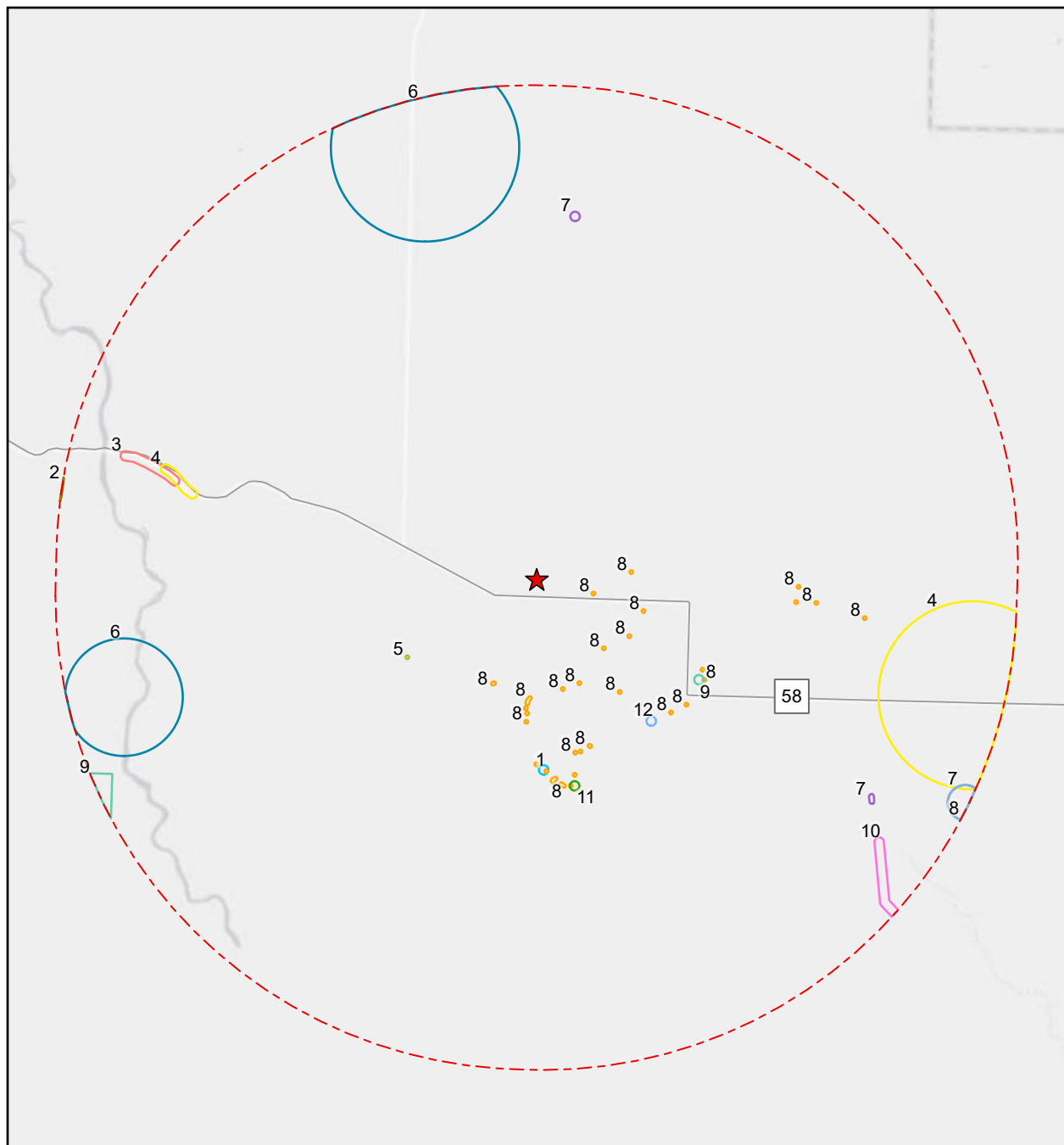


0 500 Feet

Cano - 8770 Hwy 58
Map Center: 120.06924°W 35.36923°N
Santa Margarita, San Luis Obispo County

Imagery Date: 09/28/2016

Figure 3. California Natural Diversity Database Plant Records



Label Common Name

- 1 Diamond-petaled California poppy
- 2 Dwarf calycadenia
- 3 Indian Valley spineflower
- 4 Kern mallow
- 5 La Panza mariposa-lily
- 6 Lemmon's jewelflower
- 7 Lost Hills crownscale
- 8 Munz's tidy-tips
- 9 Pale-yellow layia
- 10 Recurved larkspur
- 11 Shining navarretia
- 12 Spiny-sealed button-celery

Legend

- ★ Project Location
- 5-Mile Radius



0 0.5 1 2 Miles

Cano - 8770 Hwy 58
 Map Center: 120.06924°W 35.36923°N
 Santa Margarita, San Luis Obispo County

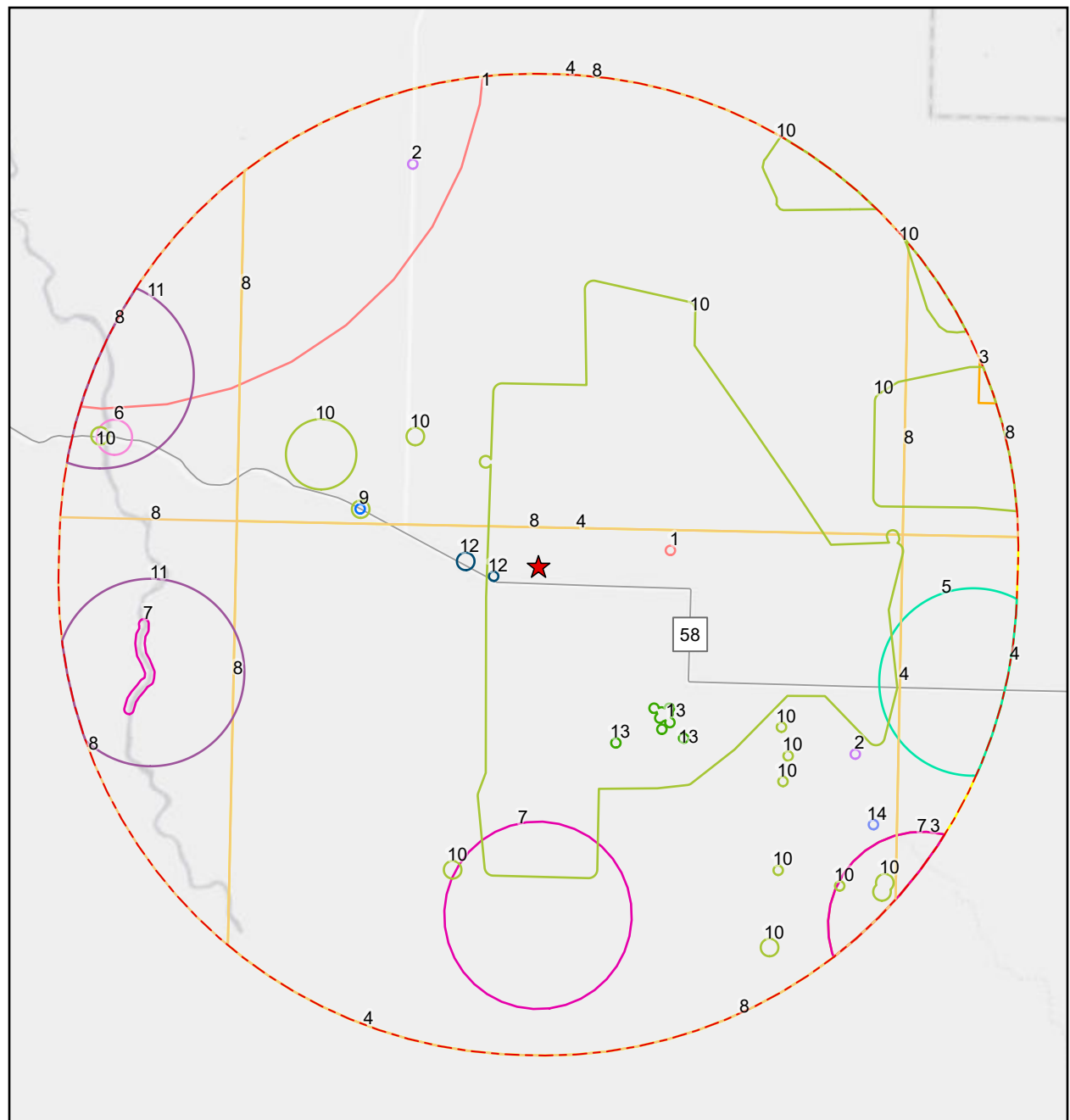
CNDDDB GIS Data Last Updated: January 2019



ALTHOUSE AND MEADE, INC.
 BIOLOGICAL AND ENVIRONMENTAL SERVICES

Map Updated:
 February 04, 2019 10:29 AM by MMP

Figure 4. California Natural Diversity Database Animal Records

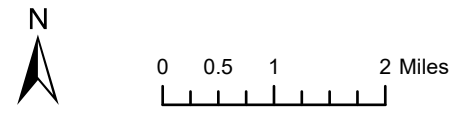


Label	Common Name
1	America badger
2	Burrowing owl
3	Giant kangaroo rat
4	Longhorn fairy shrimp
5	Nelson's antelope squirrel
6	Northern California legless lizard
7	Pallid bat
8	Prairie falcon
9	San Joaquin coachwhip
10	San Joaquin kit fox
11	Townsend's big-eared bat
12	Tricolored blackbird
13	Vernal pool fairy shrimp
14	Western spadefoot

Legend

★ Project Location

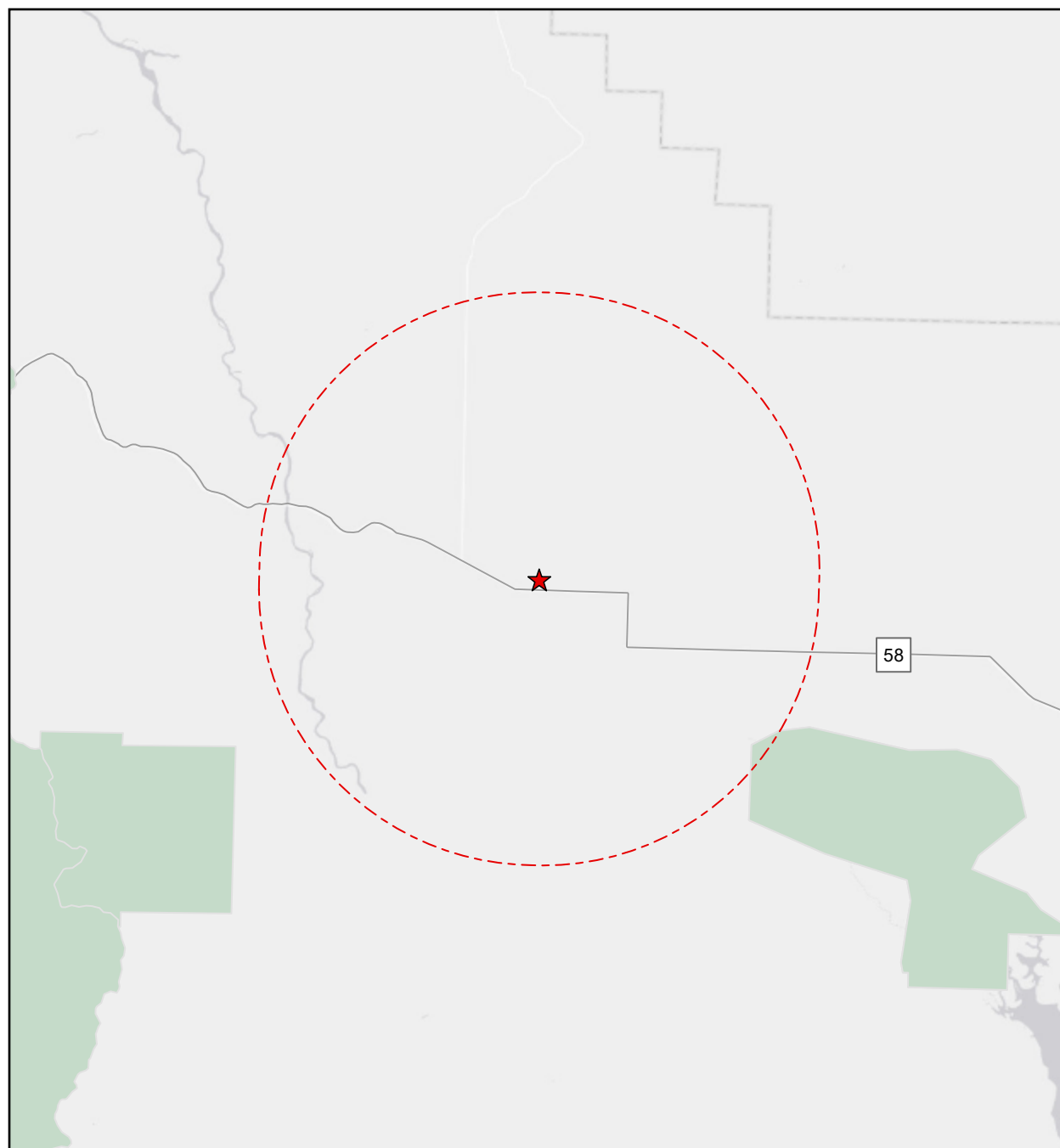
5-Mile Radius



Cano - 8770 Hwy 58
 Map Center: 120.06924°W 35.36923°N
 Santa Margarita, San Luis Obispo County

CNDDB GIS Data Last Updated: January 2019

Figure 5. United States Fish and Wildlife Service Critical Habitat



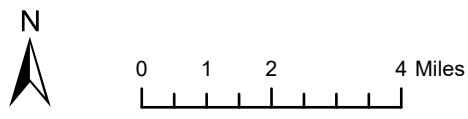
Legend

★ Project Location

5-Mile Radius

USFWS Critical Habitat

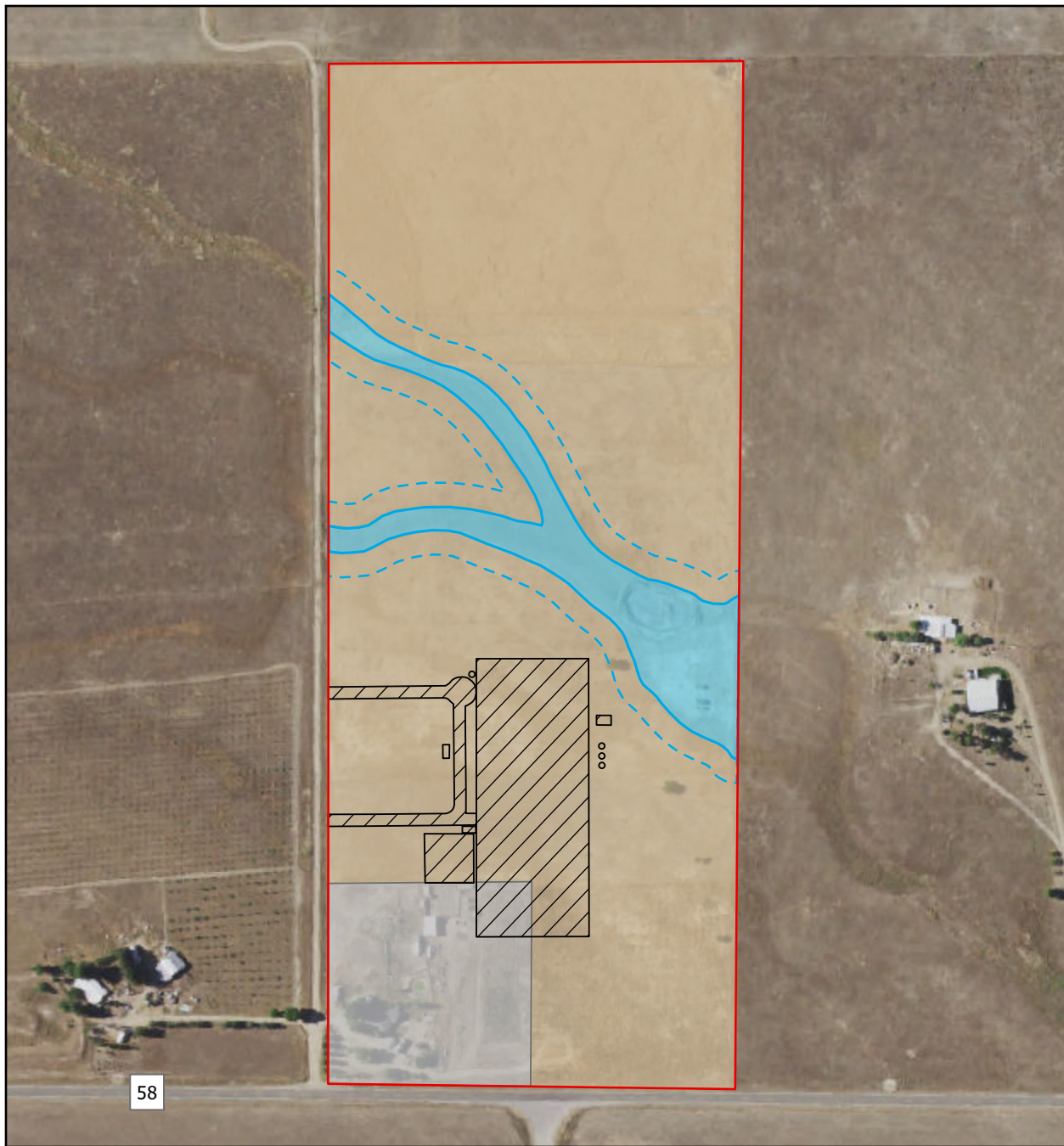
Longhorn Fairy Shrimp



Cano - 8770 Hwy 58
Map Center: 120.0692°W 35.36895°N
Santa Margarita, San Luis Obispo County


USFWS Critical Habitat Data Last Updated: December 2018


Figure 6. Biological Resources




Legend

Habitat Type

 Ephemeral Drainage
(3.2 acres)

 Ephemeral Drainage
Setback (50-Feet)

 Residential
(4.0 acres)

 Fallow Cropland
(33.7 acres)

 Property (072-301-012)

 Project Footprint



0 250 500 Feet

Cano - 8770 Hwy 58
Map Center: 120.06924°W 35.36923°N
Santa Margarita, San Luis Obispo County

Biological Survey Date: 01/18/2019

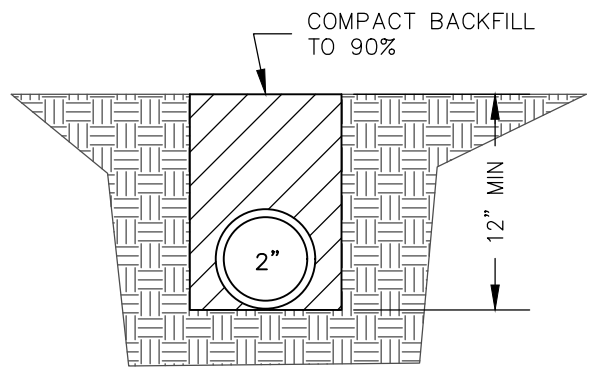
8770 CARRISA HIGHWAY
SANTA MARGARITA, CA
APN: 072-301-012

ONSITE IMPROVEMENT

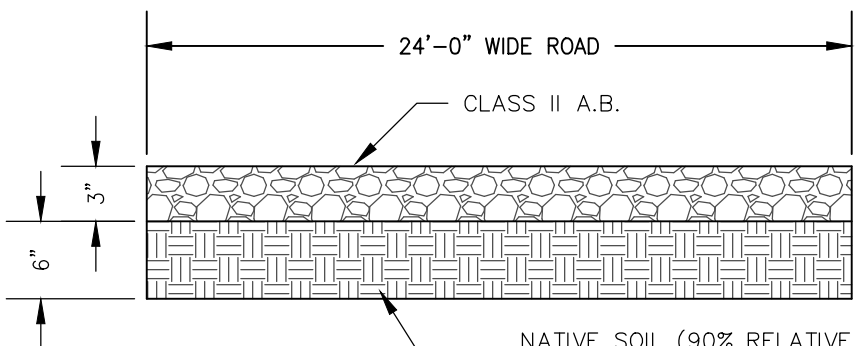
1. GRADE ALL ACCESS ROADS
2. PROOF ROLL TO 90% COMPACTION
3. PLACE 3" GRAVEL AND COMPACT

CUT/FILL

CUT = 125 CY
FILL = 125 CY
NET FILL = 0.00 CY

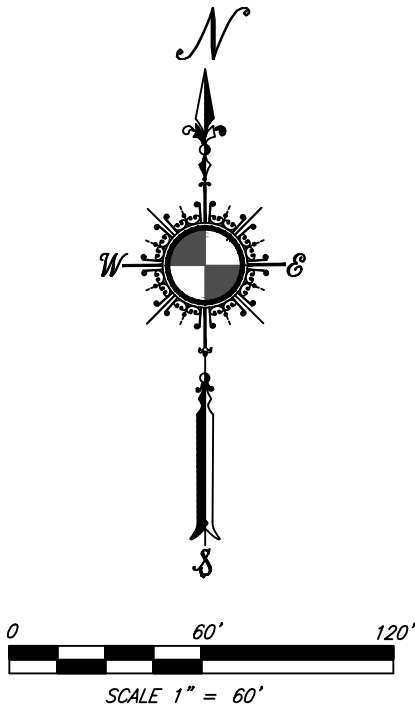
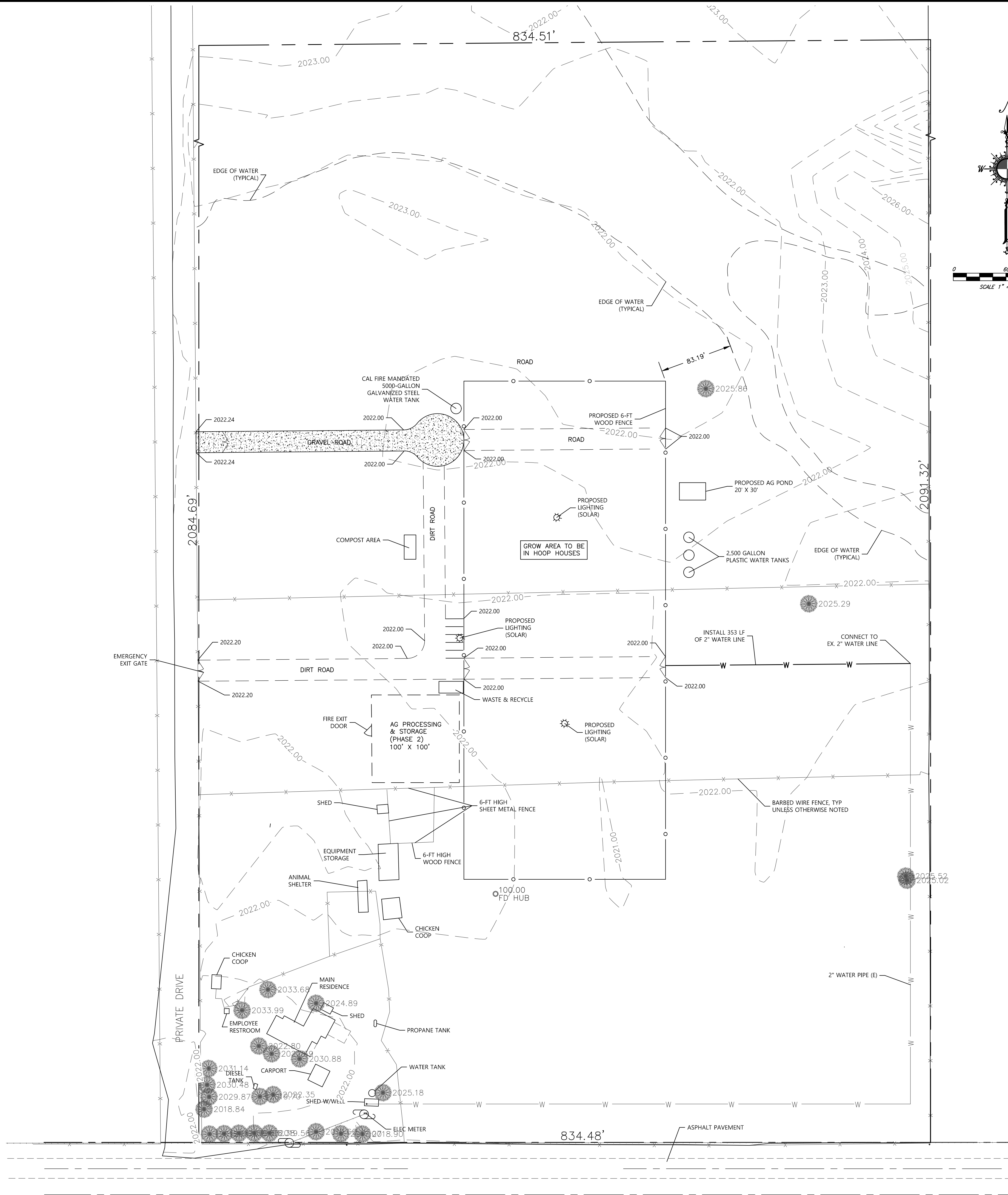


PIPE TRENCHING
NTS

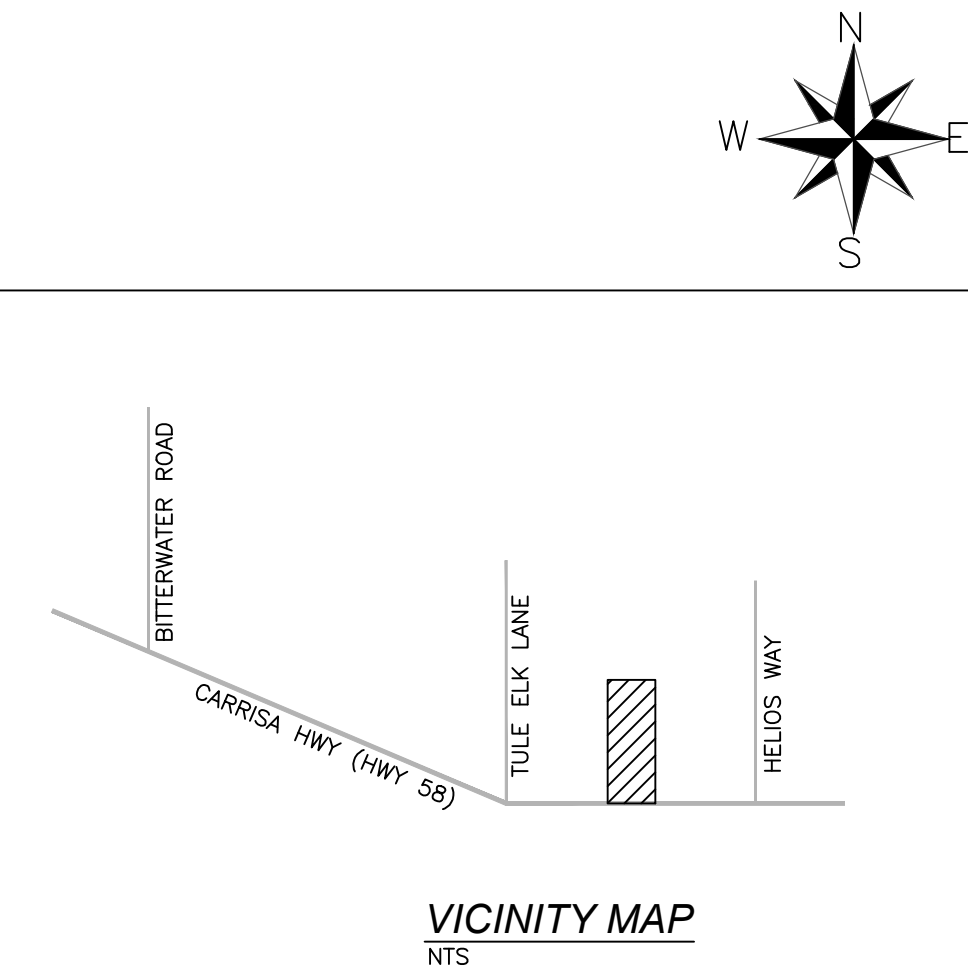


GRAVEL ROAD
NOT TO SCALE





- SITE PLAN FOR THE PURPOSE OF CANNABIS CULTIVATION
1. NO TREE INSIDE PROPOSED CULTIVATION AREA.
 2. ACCESS FROM NEW GATE ALONG PRIVATE SHARED DRIVE.
 3. NO PESTICIDE WILL BE USED.
 4. USE OF FERTILIZER IS ANTICIPATED.
 5. CAL FIRE MANDATED 6-INCH ALL WEATHER SIGN WITH ADDRESS.
 6. CAL FIRE MANDATED MAINTAINED PRIVATE ACCESS ROAD.
 7. RESTROOM INSIDE EXISTING MAIN RESIDENCE.



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 APN: 072-301-012



Attachment D. CNDDDB/CNPS Special Status Species Lists

Potential Special Status Plant List

Table 1 lists five special status plant species reported from the region with potential to occur. Federal status, California State status, and CNPS ranking for each species are given. Typical blooming period, habitat preference, potential to occur on site, and whether or not the species was observed in the Study Area are also provided.

TABLE 1. SPECIAL STATUS PLANT LIST

	Common Name Scientific Name	Fed/State Status Global/State Rank CRPR	Blooming Period	Habitat Preference	Potential to Occur	Detected Within Study Area?	Effect of Proposed Activity
1.	Oval-Leaved Snapdragon <i>Antirrhinum ovatum</i>	None/None G3/S3 4.2	May - November	Heavy, adobe-clay soils on gentle, open slopes, also disturbed areas; 200-1000 m. s San Joaquin Valley, s SCoRI	Low. Appropriate habitat is present, but soils may not be suitable.	No	Not Likely to Affect
2.	Indian Valley Spineflower <i>Aristocapsa insignis</i>	None/None G1/S1 1B.2	May - September	Foothill woodland; 300-600 m. SCoRI (Monterey, SLO Counties)	Low. Appropriate habitat may be present in untilled portions of the Property but soils may not be suitable.	No	Not Likely to Affect
3.	Salinas Milk-Vetch <i>Astragalus macrodon</i>	None/None G4/S4 4.3	April - July	Eroded pale shales or sandstone, or serpentine alluvium; 300-950 m. SCoR	Moderate. Appropriate habitat may be present in untilled portions of the Property.	No	Not Likely to Affect
4.	Diamond-petaled California Poppy <i>Eschscholzia rhombipetala</i>	None/None G1/S1 1B.1	March - April	Alkaline clay flats and slopes in grasslands, fallow fields;	Low. Appropriate habitat is present, but soils may not be suitable.	No	Not Likely to Affect

	Common Name <i>Scientific Name</i>	Fed/State Status Global/State Rank CRPR	Blooming Period	Habitat Preference	Potential to Occur	Detected Within Study Area?	Effect of Proposed Activity
5.	Munz's Tidy-tips <i>Layia munzii</i>	None/None G2/S2 1B.2	March - April	Alkaline clay soils in chenopod scrub, grasslands; 45-760 m.	Low. Potentially suitable habitat is present on the Property.	No	Not Likely to Affect

Habitat Preference Abbreviations:

CCo: Central Coast	SnFrB: San Francisco Bay	SLO: San Luis Obispo	CW: Central West
SCo: South Coast	TR: Transverse Ranges	SN: Sierra Nevada	SW: South West
SCoR: South Coast Ranges	WTR: Western Transverse Ranges	SnJt: San Jacinto Mtns	DMoj: Mojave Desert
SCoRO: Outer South Coast Ranges	SnJV: San Joaquin Valley	SnBr: San Bernardino	PR: Peninsular Range
SCoRI: Inner South Coast Ranges	ScV: Sacramento Valley	Teh: Tehachapi Mtn Area	

State/Rank Abbreviations:

FE: Federally Endangered	PT: Proposed Federally Threatened	CT: California Threatened
FT: Federally Threatened	CE: California Endangered	Cand. CE: Candidate for California Endangered
PE: Proposed Federally Endangered	CR: California Rare	Cand. CT: 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 4: Plants of limited distribution - a watch list

CRPR Threat Ranks:

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)

Potential Special Status Animals List

Table 2 lists fifteen special status animal species reported from the region with potential to occur in the Study Area. Federal status, California State status, and CDFW listing status for each species are given. Typical nesting or breeding period, habitat preference, to occur, and whether or not the species was observed in the Study Area are also provided.

TABLE 2. SPECIAL STATUS ANIMAL LIST

	Common Name <i>Scientific Name</i>	Fed/State Status Global/State Rank CRPR	Nesting- Breeding Period	Habitat Preference	Potential to Occur	Detected Within Study Area?	Effect of Proposed Activity
1.	Tricolored Blackbird <i>Agelaius tricolor</i>	None/Cand. CE G2G3/S1S2 SSC (Nesting)	March 15 through August 15	Requires open water, protected nesting substrate, & foraging area with insect prey near nesting colony.	Low. Potential non-nesting habitat may be present on the Property.	No	Negligible Effect
2.	Long-eared Owl <i>Asio otus</i>	None/ None G5/S3? SSC	February- July	Riparian with tall willows and cottonwoods; CLOs paralleling streams; requires adjacent open land for hunting and presence of old crow, magpie, or raptor nests	Low. Potential nesting habitat may be present in trees near the existing residence.	No	Potential Adverse Effect can be Mitigated
3.	Burrowing Owl <i>Athene cunicularia</i>	None/None G4/S3 SSC (Burrow sites and some wintering sites)	March 15 through August 15	Burrows in squirrel holes in open habitats with low vegetation.	Moderate. Potential habitat is present, although very few burrows were observed.	No	Potential Adverse Effect can be Mitigated

	Common Name <i>Scientific Name</i>	Fed/State Status Global/State Rank CRPR	Nesting- Breeding Period	Habitat Preference	Potential to Occur	Detected Within Study Area?	Effect of Proposed Activity
4.	Vernal Pool Fairy Shrimp <i>Branchinecta lynchi</i>	FT/None G3/S3 None	Rainy Season	Clear water sandstone depression pools, grassed swale, earth slump, or basalt flow depression pools.	Low. Aquatic habitat is suitable in the pond and drainage during above-average rainfall years.	TBD	Not Likely to Affect
5.	Longhorn Fairy Shrimp <i>Branchinecta longiantenna</i>	FE/None G1/S1S2 Special Animal	Rainy Season	Small clear water depressions in sandstone, and clear to turbid clay/grass bottomed pools in shallow swales	Low. Aquatic habitat is suitable in the pond and drainage during above-average rainfall years.	No	Not Likely to Affect
6.	Giant Kangaroo Rat <i>Dipodomys ingens</i>	FE/CE G1G2/S1S2 Special Animal	n/a	Sandy loamy soil on level and gently sloping ground with annual grasses, forbs, and scattered shrubs. Sw. San Joaquin Valley.	Low. Appropriate habitat may exist in very small areas on site. No precincts were observed during surveys. Trapping was not conducted.	No	Not Likely to Affect
7.	Merlin <i>Falco columbarius</i>	None/None G5/S3S4 Special Animal (Wintering)	September - April (Wintering)	Winters on seacoasts, estuaries, woodlands, savannas, grassland edges, deserts.	Low. Potential foraging habitat present. No nesting habitat.	No	Negligible Effect
8.	Prairie Falcon <i>Falco mexicanus</i>	None/None G5/S4 WL (Nesting)	March 15 through August 15	Inhabits dry, open terrain. Nests on cliffs near open areas for hunting.	Low. Potential foraging habitat present. No nesting habitat.	No	Negligible Effect

	Common Name <i>Scientific Name</i>	Fed/State Status Global/State Rank CRPR	Nesting- Breeding Period	Habitat Preference	Potential to Occur	Detected Within Study Area?	Effect of Proposed Activity
9.	Loggerhead Shrike <i>Lanius ludovicianus</i>	None/None G4/S4 SSC (Nesting)	March 15 through August 15	Open areas with appropriate perches, near shrubby vegetation for nesting.	High. Appropriate nesting habitat occurs on the Property.	Yes	Potential Adverse Effect can be Mitigated
10.	San Joaquin Coachwhip <i>Masticophis flagellum ruddocki</i>	None/None G5T2T3/S2? SSC	May	Open, dry, treeless areas, including grasslands and saltbush scrub; takes refuge in burrows and under shaded vegetation	Moderate. Potential habitat occurs on the Property.	No	Potential Adverse Effect can be Mitigated
11.	Tulare Grasshopper Mouse <i>Onychomys torridus tularensis</i>	None/None G5T1T2/S1S2 SSC	n/a	Hot arid valleys and scrub deserts; S. San Joaquin Valley. Eats arthropods.	Low. Suitable habitat could occur in untilled portions of the project	No	Negligible Effect
12.	Coast Horned Lizard <i>Phrynosoma blainvillii</i>	None/None G3G4/S3S4 SSC	May - September	Frequents a wide variety of habitats, most common in lowlands along sandy washes with scattered low bushes.	Low. Suitable habitat is not present.	No	Potential Adverse Effect can be Mitigated
13.	Western Spadefoot Toad <i>Spea hammondi</i>	None/None G3/S3 SSC	January – August	Ephemeral pools in grassland and woodland habitats	Moderate. Suitable breeding habitat is present in an onsite pond.	No	Potential Adverse Effect can be Mitigated

	Common Name <i>Scientific Name</i>	Fed/State Status Global/State Rank CRPR	Nesting- Breeding Period	Habitat Preference	Potential to Occur	Detected Within Study Area?	Effect of Proposed Activity
14.	American Badger <i>Taxidea taxus</i>	None/None G5/S3 SSC	February – May	Needs friable soils in open ground with abundant food source such as California ground squirrels.	Moderate. Suitable habitat may exist on site near where ground squirrel complexes are found.	No	Potential Adverse Effect can be Mitigated
15.	San Joaquin Kit Fox <i>Vulpes macrotis mutica</i>	FE/CT G4T2/S2 Special Animal	December – July	Annual grasslands or grassy open stages with scattered shrubby vegetation. Needs loose textured sandy soil and prey base.	Moderate. Suitable habitat may exist on site near where ground squirrel complexes are found.	No	Potential Adverse Effect can be Mitigated

Habitat characteristics are from the Jepson Manual and the CDNNB.

Abbreviations:

FE: Federally Endangered	CE: California Endangered	SA: CDFW Special Animal
FT: Federally Threatened	CT: California Threatened	SSC: CDFW Species of Special Concern
PE: Proposed Federally Endangered	Cand. CE: Candidate for California Endangered	FP: CDFW Fully-Protected
PT: Proposed Federally Threatened	Cand. CT: Candidate for California Threatened	WL: CDFW Watch List

Attachment E. Plant List

TABLE 3. PLANT LIST

Scientific Name	Special Status	Origin	Common Name
Trees - 1 Species			
<i>Unidentified</i>	None	Planted	Deciduous species
Forbs - 10 Species			
<i>Astragalus</i> sp.	None	Native	Annual milkvetch
<i>Calandrinia menziesii</i>	None	Native	Red maids
<i>Capsella bursa-pastoris</i>	None	Introduced	Shepherd's purse
<i>Castilleja exserta</i>	None	Native	Purple owl's clover
<i>Erodium cicutarium</i>	None	Introduced	Filaree
<i>Hirschfeldia incana</i>	None	Introduced	Wild Mustard
<i>Lupinus nanus</i>	None	Native	Sky lupine
<i>Phacelia ciliata</i>	None	Native	Great Valley phacelia
<i>Plagiobothrys</i> sp.	None	Native	Popcorn flower
<i>Rumex</i> sp.	None	Native	Dock
Grasses – 4 Species			
<i>Avena fatua</i>	None	Introduced	Wild oat
<i>Bromus diandrus</i>	None	Introduced	Rip-gut brome
<i>Bromus hordeaceus</i>	None	Introduced	Soft chess brome
<i>Hordeum murinum</i>	None	Introduced	Foxtail barley

Attachment F. Wildlife List

TABLE 4. WILDLIFE LIST

Common Name	Scientific Name	Special Status	Habitat Type
Crustaceans – 1 Species			
Fairy Shrimp	<i>Branchinecta</i> sp.	TBD	Ephemeral pools
Birds – 6 Species			
Cinnamon Teal	<i>Anas cyanoptera</i>	None	Lakes, ponds
Turkey Vulture	<i>Cathartes aura</i>	None	Open country
Horned Lark	<i>Eremophila alpestris</i>	None	Grassland, oak savanna
Brewer's Blackbird	<i>Euphagus cyanocephalus</i>	None	Fields, urban
Loggerhead Shrike	<i>Lanius ludovicianus</i>	SSC (nesting)	Nests in shrubs, trees near open areas
Mourning Dove	<i>Zenaida macroura</i>	None	Open and semi-open habitats
Mammals – 1 Species			
California Ground Squirrel	<i>Spermophilus beecheyi</i>	None	Grasslands

Attachment G. San Joaquin Kit Fox Habitat Evaluation Form

Kit Fox Habitat Evaluation Form

Cover Sheet

Project Name: Cano - 8770 Hwy 58

Date: 2-12-2019

APN: 072-301-012

Project Location: 8770 Hwy 58, Santa Margarita, CA

Include project vicinity map and project boundary on copy of U.S.G.S. 7.5. minute map (size may be reduced)

U.S.G.S. Quad Map Name: California Valley

Lat/Long or UTM coordinates (if available): 35.36841, -120.06938

Project Description: Construction of cannabis production facilities

Project Size: 3.8 acres

Amount of Kit Fox Habitat Affected: 3.8 acres

Quantity of WHR Habitat Types Impacted (i.e. – 2 acres annual grassland, 3 acres blue oak woodland)

WHR type: Annual grassland/Fallow Cropland

3.8 acres

Comments:

Form Completed by:



Revised 03/02

San Joaquin Kit Fox Habitat Evaluation Form

Is the project within 10 miles from a recorded San Joaquin kit fox observation or within contiguous suitable habitat as defined in Question 2(A-E)?

YES – Continue with evaluation form

NO – Evaluation form/surveys are not necessary

1. Importance of the project area relative to Recovery Plan for Upland Species of the San Joaquin Valley, California (Williams et al, 1998).
 - A. Project would block or degrade an existing corridor linking core populations or isolate a subpopulation (20).
 - B. Project is within a core population (15)**
 - C. Project area is identified within satellite population (12)
 - D. Project area is within a corridor linking satellite populations (10)
 - E. Project area is not within any of the previously described areas but is within known kit fox range (5)
2. Habitat characteristics of the project area.
 - A. Annual grassland or saltbush scrub present >50% of site (15)**
 - B. Grassland or saltbush scrub present but comprises <50% of project area (10)
 - C. Oak savannah present on >50% of site (8)
 - D. Fallow ag fields or grain/alfalfa crops (7)
 - E. Orchards/vineyards (5)
 - F. Intensively maintained row crops or suitable vegetation absent (0)
3. Isolation of project area
 - A. Project area surrounded by contiguous kit fox habitat as described in Question 2a-e (15)**
 - B. Project area adjacent to at least 40 acres of contiguous habitat or part of an existing corridor (10)
 - C. Project area adjacent to <40 acres of habitat but linked by existing corridor (i.e.- river, canal, aqueduct) (7)
 - D. Project area surrounded by ag but less than 200 yards from habitat (5)
 - E. Project area completely isolated by row crops or development and is greater than 200 yards from potential habitat (0)
4. Potential for increased mortality as a result of the project implementation. Mortality may come from direct (e.g. – construction related) or indirect (e.g. –vehicle strikes due to increases in post development traffic) sources.
 - A. Increase in mortality likely (10)
 - B. Unknown mortality effects (5)**
 - C. No long term effect on mortality (0)

5. Amount of potential kit fox habitat affected

- A. > 320 acres (10)
- B. 160-319 acres (7)
- C. 80-159 acres (5)
- D. 40-79 acres (3)
- E. <40 acres (1)**

6. Results of project implementation

- A. Project site will be permanently converted and will no longer support foxes (10)**
- B. Project area will be temporarily impacted but will require periodic disturbance for ongoing maintenance (7)
- C. Project area will be temporarily impacted and no maintenance necessary (5)
- D. Project will result in changes to agricultural crops (2)
- E. No habitat impacts (0)

7. Project shape

- A. Large block (10)**
- B. Linear with >40 foot right-of way (5)
- C. Linear with <40 foot right-of-way (3)

8. Have San Joaquin kit foxes been observed within 3 miles of the project area within the last 10 years?

- A. Yes (10)**
- B. No (0)

Scoring

1. Recovery importance	15
2. Habitat condition	15
3. Isolation	15
4. Mortality	5
5. Quantity of habitat impacted	1
6. Project results	10
7. Project shape	10
8. Recent observations	<u>10</u>
Total	81