

Appendix C

Biological
Resources
Evaluation

October 15, 2021

Project # 05034.00001.001

Mr. Dennis Clover
D.G. Clover Construction Co., Inc.
3241C Fruitridge Road
Yuba City, CA 95993

Subject: Biological Resources Evaluation Report for the Proposed California Truck & Trailer Repair Project in the City of Sacramento, CA

Dear Mr. Clover:

HELIX Environmental Planning, Inc. (HELIX) has prepared this biological resources evaluation report for the proposed California Truck and Trailer Repair Project, which is located at 121 Morrison Avenue in the City of Sacramento, California. The currently undeveloped site is the location of a proposed two-story, 7,700 square foot truck repair facility with three repair bays, an administrative office, and a concrete apron. The purpose of our biological resources study was to evaluate the potential for regionally occurring special-status plant and animal species and/or sensitive biological habitats to occur in the project site and/or be impacted by the proposed development on the site. This letter report describes the methods and results of our biological resources evaluation.

Project Location and Description

The subject property is located in the City of Sacramento at 121 Morrison Avenue and is bounded by Harris Avenue to the north; existing light-industrial buildings to the east; Morrison Avenue to the south; and Opportunity Street to the west (Figure 1). The property comprises Sacramento County Assessor's Parcel Numbers 250-0025-005 and 250-0025-060. The area evaluated for the purpose of this report is 2.40 acres (hereafter referred to as the Study Area) and excludes the utility facility (Sump 87) owned and operated by the City of Sacramento located in the northwestern corner of the vacant lot. The approximate center of the Study Area is at latitude 38.638237 and longitude -121.465387, NAD 83. The site is proposed for development of a truck repair facility with three repair bays, administrative office, and a concrete apron.

Figure 2 is the approximate site boundary depicted on the USGS topographic map and Figure 3 is the approximate site boundary depicted on aerial imagery. Figures are included in Attachment A.

Methods

Studies conducted in support of this report included a special-status species evaluation, and a biological reconnaissance survey, which included a tree inventory.

Special-Status Species Evaluation

Regulations pertaining to the protection of biological resources at the Study Area are summarized in Attachment B. For the purposes of this report, special-status species are those that fall into one or more of the following categories, including those:

- listed as endangered or threatened under the Federal Endangered Species Act (FESA; including candidates and species proposed for listing);
- listed as endangered or threatened under the California Endangered Species Act (CESA; including candidates and species proposed for listing);
- designated as rare, protected, or fully protected pursuant to California Fish and Game Code;
- designated a Species of Special Concern (SSC) by the California Department of Fish and Wildlife (CDFW);
- considered by CDFW to be a Watch List species with potential to become an SSC;
- defined as rare or endangered under Section 15380 of the California Environmental Quality Act (CEQA); or
- Having a California Rare Plant Rank (CRPR) of 1A, 1B, 2A, 2B, or 3.

In order to evaluate special-status species and/or their habitats with the potential to occur in the Study Area and/or be impacted by the proposed project, HELIX obtained lists of special-status species known to occur and/or having the potential to occur in the Study Area and vicinity from the U.S. Fish and Wildlife Service (USFWS; USFWS 2021), the California Native Plant Society (CNPS; CNPS 2021), and the California Natural Diversity Database (CNDDB; CDFW 2021). Attachment C includes these lists of special-status plant and animal species occurring in the project region. The potential for these regionally occurring special-status species to occur in the Study Area is analyzed in Attachment D.

Reconnaissance Survey

A biological reconnaissance survey was conducted on September 22, 2021, by Stephanie McLaughlin, M.S., ISA Certified Arborist (WE-12922A) between 0900 and 1100 hours. The weather during the field survey was warm and sunny with light wind. The Study Area was systematically surveyed on foot to ensure total search coverage. All plant and animal species observed onsite during the surveys were recorded (Attachment E), and all biological communities occurring onsite were characterized. Following the field survey, the potential for each species identified in the database query to occur within the Study Area was determined based on the site survey, soils, habitats present within the Study Area, and species-specific information, as shown in Attachment D.

Arborist Inventory

An arborist inventory was conducted on September 22, 2021, by Stephanie McLaughlin, M.S., ISA Certified Arborist (WE-12922A). The following data was collected for trees on or overhanging the Study Area with a diameter at standard height (DSH) of six inches or greater: species, trunk diameter at 54 inches above the ground (DSH), dripline radius, estimated height, and overall health and structure of the

tree. Health, structure, and overall condition was rated on a five-point scale of 0 (dead), 1 (severe decline), 2 (declining), 3 (fair), 4 (good), or 5 (excellent). Comments such as number of trunks, irregularities, scars or other growth characteristics or vigor indicators were recorded for each tree. Recommendations for preservation or removal were made based on each tree's condition. The location of each tree was recorded using an EOS Systems Arrow 100 Global Navigation Satellite System receiver with sub-meter accuracy. Trees on the site were identified in the field with pre-printed numbered tags.

Results

Environmental Setting

The site is located within an industrial area in the northern portion of the City of Sacramento and is surrounded by industrial, commercial, and residential development. The site is generally bordered by residential parcels to the south and by industrial developments to the north, east, and west.

Site Conditions

The site is a vacant lot that is in a relatively disturbed condition. Historic aerial imagery indicates that the Study Area has been subject to a variety of re-occurring ground disturbance activities since 1947, including disking, staging of materials, mowing, and construction. The contours of the Study Area reflect a history of fill, grading, and other modifications resulting in tire ruts, small hills, and debris piles currently making up the microtopography of the Study Area.

The site appears to have been cleared of any trees and other woody vegetation prior to 1947 and was used for agriculture for a period of time. The study area has been comprised of grassland and herbaceous cover since 1993 (NETR). The transportation and shipping center adjacent to the western border of the Study Area was constructed in 1998 and the utility facility in the northwestern corner of the Study Area was constructed in 2002 as seen on aerial imagery (Google Earth®). Currently, there are several large piles of construction debris and concrete in the northwest corner of the Study Area. There is a population of un-housed people living around the perimeter of the Study Area and there is a significant amount of trash and debris scattered throughout the Study Area.

Habitat Types/Vegetation Communities

There is one habitat type/vegetation community on the site: ruderal/disturbed. Habitats and land covers are depicted on Figure 4. Representative site photographs are included as Attachment F.

Ruderal/Disturbed

Ruderal/disturbed habitat occurs in areas that are heavily disturbed by past or ongoing human activities but retain a soil substrate. Ruderal/disturbed areas may be sparsely to densely vegetated, but do not support a recognizable community or species assemblage. Vegetative cover is usually herbaceous and dominated by a wide variety of weedy non-native species or a few ruderal native species.

Ruderal/disturbed habitat, which totals 2.40 acres, comprises the entirety of the site. This habitat in the Study Area is either unvegetated or heavily dominated by a dense cover of non-native annual grasses, with small patches of native and non-native grasses and forbs. Italian ryegrass (*Festuca perennis*), wild oat (*Avena fatua*), and ripgut brome (*Bromus diandrus*) make up the majority of the herbaceous cover in the Study Area in terms of percent cover, with other non-native grasses such as medusa head (*Elymus*

caput-medusae) also present at high density in some areas. Nearly all herbaceous plant species observed during the biological reconnaissance are non-natives associated with disturbance. The Study Area is subject to regular disturbance and at the time of the biological reconnaissance survey the area had recently been mown. A list of species observed during the biological reconnaissance survey is included in Attachment E.

Topography

The Study Area is largely flat. Elevation on the Study Area ranges from 32 to 36 feet above mean sea level, with a gradual downward slope from north to south.

Soils

The Study Area includes one soil mapping unit (NRCS 2021): San Joaquin fine sandy loam, 0 to 3 percent slopes.

San Joaquin fine sandy loam, 0 to 3 percent slopes soils occur at toeslopes on terraces and consist of alluvium derived from granite. A typical soil profile for San Joaquin fine sandy loam soil is fine sandy loam from 0 to 13 inches, sandy clay loam from 13 to 30 inches, clay loam from 30 to 35 inches, inundated from 35 to 60 inches, and stratified sandy loam or loam from 60 to 67 inches; the depth to water table is more than 80 inches. San Joaquin fine sandy loam is moderately well drained and is not on the National Hydric Soils List for Sacramento County (NRCS 2015).

Special-Status Species Evaluation

A total of six regionally occurring special-status plant species and 21 regionally occurring special-status wildlife species were identified during the database queries and desktop review and are evaluated in Attachment D.

Special-Status Plant Species

A total of six regionally occurring special-status plant species were identified during the database queries and desktop review. Five of these species occur in wetland habitats such as vernal pools and seasonal wetlands: dwarf downingia (*Downingia pusilla*), legenere (*Legenere limosa*), Boggs Lake hedge-hyssop (*Gratiola heterosepala*), Sacramento Orcutt grass (*Orcuttia viscida*), and Sanford's arrowhead (*Sagittaria sanfordii*). One of these species occurs in mesic soils: Ahart's dwarf rush (*Juncus leiospermus* var. *ahartii*).

There is no suitable habitat for special-status plant species on the site and there have been no reported occurrences of special-status plant species on or adjacent to the site in the CNDDb. The site is vegetated with ruderal vegetation and has been disturbed.

Special-Status Wildlife Species

A total of 21 regionally occurring special-status wildlife species were identified during the database searches and desktop review. The majority of the special-status wildlife species are associated with aquatic habitats of the adjacent Sacramento Valley such as rivers, sloughs, and freshwater wetlands, including vernal pools. The remaining species are associated with open areas with native or naturalized vegetation and scattered trees.

There are no reported occurrences of special-status animal species on or adjacent to the site and no special-status species were observed during the biological reconnaissance survey. However, the site provides suitable habitat for white-tailed kite (*Elanus leucurus*), burrowing owl (*Athene cunicularia*), Swainson's hawk (*Buteo swainsoni*), and other common nesting raptors and migratory birds. These species are discussed briefly below. Species determined to have no potential to occur on the Study Area or be impacted by the proposed project (Attachment D) are not discussed further in this report.

Burrowing Owl (CDFW Species of Special Concern)

Burrowing owls are year-round residents of most parts of California, though local seasonal movements are common and populations in northeastern California and high elevations may migrate to lower elevations during the winter. Burrowing owls inhabit underground burrows, especially those of California ground squirrels (*Otospermophilus beecheyi*), and artificial holes such as pipes, culverts, and crevices in debris piles. Suitable habitat is open and relatively flat, with short vegetation, low perches or mounds, and abundant rodent and insect prey. Common examples of suitable habitat include agricultural fields, pastures, grasslands, deserts, and disturbed places. Breeding season for burrowing owl is April through August (CDFW 2012).

No burrowing owls or sign were observed during the biological reconnaissance, which included a thorough search for this species. However, there are several reported occurrences of burrowing owl in the CNDDDB in the vicinity of the Study Area. The nearest extant occurrence of burrowing owl is 0.4 mile southeast of the Study Area near Auburn Blvd and there are three other reported occurrences of burrowing owl within roughly 2 miles of the Study Area and 15 total occurrences within 5 miles (CDFW 2021).

Ruderal/disturbed areas in the Study Area provide marginally suitable habitat for burrowing owl. Previous diskings and staging of materials has removed any small mammal burrows; however, there are several small debris piles that provide elements of suitable habitat. The site is too small in size to support significant burrowing owl foraging and is surrounded by disturbed industrial and residential parcels. The high levels of human presence and disturbance at the site likely discourage occupation of the site by burrowing owls, as does the presence of dogs and other animals. However, there is a potential for this species to occur on the site.

If burrowing owls are residing in the Study Area or on adjacent properties, the project would have potential for adverse effects through injury or mortality, displacement, and loss of habitat. Injury or mortality to individual adults and young, or mortality of eggs and chicks due to forced nest abandonment by adults, would be a violation of the Fish and Game Code and a significant impact. Loss of occupied habitat including nesting burrows, satellite burrows, foraging habitat, dispersal habitat, wintering habitat, and linkages is considered a potentially significant impact to the local and regional populations of burrowing owl (CDFW 2012).

The recommended mitigation measures for nesting burrowing owl in the following section would reduce potential impacts to this species to less than significant.

Swainson's Hawk (State Threatened)

Swainson's hawk is a breeding season migrant in California that winters in South America; migrants typically arrive and begin scouting nest locations in mid-April (SHTAC 2000). Swainson's hawks return to California in March and begin establishing nesting territories. Nest construction continues through April

and eggs are usually laid between early April and early May. Incubation lasts 34-35 days, and the young fledge 42-44 days after hatching. The Swainson's Hawk Technical Advisory Committee (SHTAC) defines five survey periods based on breeding season phenology (SHTAC 2000): January – March 20 (Period I); March 20 – April 5 (Period II – courtship/territory establishment); April 5 – April 20 (Period III – nest building); April 21 – June 10 (Period IV – incubating/hatching); June 10 – July 30 (Period V – post-fledging). These dates are based on a typical breeding season for the majority of birds in the Delta region (San Joaquin County to Yolo County) and may shift earlier with decreasing latitude. Populations are largest in the southern Sacramento Valley and high deserts (CDFW 1994).

Swainson's hawks typically nest in large trees in riparian woodlands, tall trees in upland stands (especially eucalyptus), and solitary trees in agricultural areas. Isolation from human foot traffic is important to nest site selection, though hawks are less sensitive to vehicle traffic. Nests are typically concealed in dense canopy. Individuals exhibit high nest site fidelity over their lifetime. Swainson's hawks forage opportunistically over a large area, soaring up to 10 miles from the nest to hunt small mammals and insects in agricultural fields and grasslands (Estep 1989). Suitable foraging habitat is open, with low vegetation (less than 12 inches) and abundant prey. Foraging activity is highest in agricultural fields during activities that drive prey into the open such as harvesting, disking, flooding, and burning (Estep 1989). Major prey species include California voles, pocket gophers, deer mice, California ground squirrels, mourning doves, ring-necked pheasants, meadowlarks and other passerines, grasshoppers, crickets, and beetles (Estep 1989). Swainson's hawks are active aerial predators that hunt in low circling flights over fields, often following farm equipment. During the breeding season, Swainson's hawks eat mainly vertebrates, shifting to insects during migration (Palmer 1988).

Agricultural lands considered suitable foraging habitat for Swainson's hawk include alfalfa, fallow fields, low-growing row or field crops (e.g., beets, tomatoes), dry-land and irrigated pasture, rice (when not flooded), and cereal crops (CDFW 1994). Suitability for Swainson's hawk foraging is driven largely by the interaction of two factors: prey base supported by the crop type, and accessibility of prey to aerial predators (Estep 1989). Accessibility of prey is determined by vegetation structure; dense cover of vegetation over approximately 12-inches height renders prey largely inaccessible and reduces foraging use (Estep 1989, 2009).

Swainson's hawk was not observed in the Study Area during the biological survey and the site lacks trees that would typically be used by Swainson's hawk for nesting. However, there are 29 reported occurrences of Swainson's hawk in the CNDDB within a five-mile radius of the Study Area (CDFW 2021), with the closest occurrences being approximately 1.6 miles north of the Study Area in Hansen Ranch Regional Park. There is a reported occurrence from 2010 approximately 1.9 miles south of the Study Area in an urban area along West El Camino Ave.

Due to the proximity of numerous Swainson's hawk nests within 5 miles of the Study Area, this species could potentially use the ruderal/disturbed habitat in the site for occasional foraging, although it would not be expected to be a significant food source for Swainson's hawk due to the small size of the parcel and the developed surroundings. In addition, there is a low potential for Swainson's hawk to nest in trees in the Study Area.

The project has the potential to impact nesting Swainson's hawk if this species were to nest in or adjacent to the Study Area. Within an urban setting such as the Study Area, CDFW considers intensive

new disturbances (such as would occur during construction activities associated with the proposed project) within 0.25 mile of an active nest to be a potential impact (CDFW 1994). Impacts to nesting Swainson's hawk could include disruption of courtship or nesting behavior, abandonment of eggs or young, or forced fledging. Potential impacts to nesting Swainson's hawks would be considered a significant impact. The proposed project would result in the conversion of 2.40 acres of ruderal/disturbed habitat that provides medium to low quality Swainson's hawk foraging habitat to unsuitable uses. The Department of Fish and Game has determined that parcels with foraging habitat of five acres or more in size are recognized to be the minimum required for viable foraging habitat for this species (CDFW 1994). Therefore, loss of foraging habitat as a result of site development would not be considered a significant impact to the regional population of Swainson's hawk.

The recommended mitigation measures for nesting Swainson's hawk in the following section would reduce potential impacts to this species to less than significant.

White-tailed Kite (CDFW Fully Protected)

White-tailed kite is a year-round resident in coastal and valley lowlands, where it inhabits herbaceous and open stages of most habitat types. Individuals forage in grasslands, farmlands, and wetlands, preying mostly on small diurnal mammals. Nests are built near the top of dense tree stands, usually near open foraging areas (Zeiner et al. 1988).

No white-tailed kites were observed during the biological reconnaissance survey conducted for the proposed project. The nearest extant occurrence of white-tailed kite is 1.3 miles northwest of the Study Area near Hansen Ranch Regional Park (CDFW 2021). Foraging habitat is present in the ruderal vegetation. However, habitat for white-tailed kite is marginal due to the disturbed nature of this site.

No adverse effects to white-tailed kite foraging are anticipated as a result of the loss of ruderal/disturbed habitat that would occur due to development of the proposed project. Non-breeding adults could readily avoid contact with construction equipment or personnel by moving out of the construction area. Displacement of non-breeding adults would not be a significant impact. The project has potential for adverse effects to white-tailed kite through nest disturbance leading to destruction of eggs or nestlings if this species were to nest in or adjacent to the Study Area. Eggs and young still dependent on the nest would be susceptible to injury or mortality through physical contact or through nest abandonment caused by displacement of adults. Destruction of eggs or young would be a violation of the Fish and Game Code and a significant impact

The recommended mitigation measures for nesting migratory birds and raptors in the following section would reduce potential impacts to this species to less than significant.

Migratory Birds and Raptors

As noted in Attachment B, migratory and non-game birds are protected during the nesting season by California Fish and Game Code. The Study Area and immediate vicinity provides nesting and foraging habitat for a variety of native birds common to urbanized areas, such as mourning dove (*Zenaida macroura*), house finch (*Haemorhous mexicanus*), and American robin (*Turdus migratorius*). Nests were not observed during surveys; however, a variety of migratory birds have the potential to nest in and adjacent to the site, in trees, shrubs and on the ground in vegetation.

Project activities such as clearing and grubbing during the avian breeding season (February 1 through August 31) could result in injury or mortality of eggs and chicks directly through destruction or indirectly through forced nest abandonment due to noise and other disturbance. Needless destruction of nests, eggs, and chicks would be a violation of the Fish and Game Code and a significant impact.

The recommended mitigation measures for nesting migratory birds and raptors in the following section would reduce potential impacts to nesting migratory birds and raptors to less than significant.

Protected Trees

Four trees are present on the site that include one Gooding's black willow (*Salix gooddingii*), one blue oak (*Quercus douglasii*), one valley oak (*Quercus lobata*), and one Bradford pear (*Pyrus calleryana*) (see Attachment A; Figure 5). The City of Sacramento protects trees under Chapter 12.56 of the Sacramento City Code. A permit is required to remove native oaks (*Quercus* spp.), buckeyes (*Aesculus californicus*), or sycamores (*Platanus racemosa*) having a diameter at standard height (i.e., 54 inches above grade; DSH) of 12 inches or more, or any tree having a DSH of 24 inches or more, on undeveloped private parcels inside the City limits. For a tree with a common root system that branches at the ground, DSH means the sum of the diameter of the largest trunk and one-half the cumulative diameter of the remaining trunks at 4.5 feet above natural grade (see Attachment B).

Table 1
TREES LOCATED IN THE STUDY AREA

Tree Number	Species	DSH (inches)	Height (feet)	Dripline (feet)	Structure	Health	Condition	Notes
325	<i>Quercus douglasii</i> blue oak	7	17	8	3	4	4	epicormics
326	<i>Salix gooddingii</i> Goodding's black willow	23.4, 18, 7.2, 9 Total – 40.5	16	18	2	2	2	co-dominant leaders, included bark, significant crown dieback, broken branches Recommend Removal
327	<i>Quercus lobata</i> valley oak	9, 7.5, 8 Total – 16.75	22	10	3	4	3	co-dominant leaders, included bark
328	<i>Pyrus calleryana</i> Bradford pear	15.5	35	17	4	4	4	included bark, growing into power lines

Two of the four trees located in the Study Area (Trees #326 and #327) are protected trees as defined by Chapter 12.56 of the Sacramento City Code. Tree #327 is a valley oak in good condition. Tree #326 is a Goodding's black willow rated in declining condition and has been recommended for removal. All trees in the Study Area would need to be removed to facilitate development of the proposed project.

Sensitive Natural Communities

Due to the general lack in abundance of native plant species, there are no terrestrial or aquatic sensitive natural communities in the Study Area.

Recommended Mitigation Measures

Special-Status Species

Burrowing Owl

Prior to the commencement of construction activities (which includes clearing, grubbing, or grading) a survey for burrowing owl should be conducted by a qualified biologist. The survey should occur within 30 days of the start of construction activities. Surveys should be conducted in accordance with the following:

- A survey for burrows and owls should be conducted by walking through suitable habitat over the entire Study Area and in areas within 150 meters (~500 feet) of the project impact zone.
- Pedestrian survey transects should be spaced to allow 100 percent visual coverage of the ground surface. The distance between transect center lines should be no more than 30 meters (~100 feet) and should be reduced to account for differences in terrain, vegetation density, and ground surface visibility. Surveyor(s) should maintain a minimum distance of 50 meters (~160 feet) from any owls or occupied burrows. It is important to minimize disturbance near occupied burrows during all seasons.
- If no occupied burrows or burrowing owls are found in the survey area, a letter report documenting survey methods and findings should be prepared and no further mitigation is necessary.
- If occupied burrows or burrowing owls are found, then a complete burrowing owl survey is required. This consists of a minimum of four site visits conducted on four separate days, which must also be consistent with the Survey Method, Weather Conditions, and Time of Day sections of Appendix D of the California Fish and Wildlife *"Staff Report on Burrowing Owl Mitigation"* (March 2012). A survey report should be prepared that is consistent with the Survey Report section of Appendix D of the California Fish and Wildlife *"Staff Report on Burrowing Owl Mitigation"* (March 2012).
- If occupied burrows or burrowing owls are found the applicant should contact the County and consult with CDFW prior to construction and will be required to submit a Burrowing Owl Mitigation Plan (subject to the approval of the Environmental Coordinator and in consultation with California Fish and Wildlife). This plan must document all proposed measures, including avoidance, minimization, exclusion, relocation, or other measures, and include a plan to monitor mitigation success. The CDFW *"Staff Report on Burrowing Owl Mitigation"* (March 2012) should be used in the development of the mitigation plan.

Swainson's Hawk

Pre-construction surveys should be conducted to determine if there are nesting Swainson's hawk within 0.5-mile of the Study Area. The purpose of the survey requirement is to ensure that construction activities do not affect nesting hawks, potentially resulting in nest abandonment or other harm to nesting success. Prior to initiation of construction activities during the Swainson's hawk breeding season (March 1 through September 15), the applicant should determine the presence of active Swainson's hawk nests in and within 0.5-mile of the Study Area using the most recent published survey protocols (i.e., 3 surveys by a qualified biologist in each of the two periods preceding the construction start date; SHTAC 2000). If an active Swainson's hawk nest is discovered, the applicant should initiate consultation with CDFW to determine what measures need to be implemented in order to ensure that nesting hawks remain undisturbed. The measures selected would depend on many variables, including the distance of activities from the nest, the types of activities, and whether the landform between the nest and activities provides any kind of natural screening. If no active nests are discovered, no further action would be required.

White-Tailed Kite, Other Raptors, and Migratory Birds

The Study Area provides suitable nesting habitat for native songbirds and large trees adjacent to the site provide nesting habitat for white-tailed kite and other raptors. Removal of vegetation containing active nests would potentially result in destruction of eggs and/or chicks; noise, dust, and other anthropogenic stressors in the vicinity of an active nest could lead to forced nest abandonment and mortality of eggs and/or chicks. Needless destruction of eggs or chicks would be a violation of the Fish and Game Code and a significant impact. Pre-construction surveys should be conducted prior to project implementation to determine if nesting birds are present on or adjacent to the site, so that measures could be implemented if needed to avoid harming nesting birds.

The following mitigation is recommended to reduce potential project impacts to nesting birds:

- If project (construction) ground-disturbing or vegetation clearing and grubbing activities commence during the avian breeding season (February 1 through August 31), a qualified biologist should conduct a pre-construction nesting bird survey no more than 14 days prior to initiation of project activities and again immediately prior to construction. The survey area should include suitable raptor nesting habitat within 500 feet of the project boundary (inaccessible areas outside of the Study Area can be surveyed from the site or from public roads using binoculars or spotting scopes). Pre-construction surveys are not required in areas where project activities have been continuous since prior to February 1, as determined by a qualified biologist. Areas that have been inactive for more than 14 days during the avian breeding season must be re-surveyed prior to resumption of project activities. If no active nests are identified, no further mitigation is required. If active nests are identified, the following measure is required:
 - A suitable buffer (e.g., 500 feet for raptors; 100 feet for passerines) should be established by a qualified biologist around active nests and no construction activities within the buffer should be allowed until a qualified biologist has determined that the nest is no longer active (i.e., the nestlings have fledged and are no longer reliant on the nest, or the nest has failed). Encroachment into the buffer may occur at the discretion of a qualified biologist. Any encroachment into the buffer should be monitored by a qualified biologist to determine whether nesting birds are being impacted.

Protected Trees

There are a total of four trees located in the Study Area; based on the current site plan no trees will be preserved in the Study Area upon completion of the proposed project. Two (Tree #326 and #327) of the four trees located in the Study Area are protected trees as defined by Chapter 12.56 of the Sacramento City Code. Tree #327 is a valley oak in good condition. Tree #326 is a Goodding's black willow rated in declining condition and has been recommended for removal.

Mitigation for tree removal includes on- or off-site replacement, payment of in-lieu fees, or credit for preservation of existing trees. Tree replacement should be done at a ratio of one-inch DSH of tree replaced for each inch DSH of tree removed (1:1 ratio). The replacement value of planted trees is as follows:

- A tree in a 15-gallon container or smaller = one inch DSH.
- A tree in a 24-inch box = two inch DSH.
- A tree in a 36 box or larger = three-inch DSH.

Replacement trees should be the same species as those removed or a species that is acceptable to the director.

The proposed project has an extensive tree planting plan which includes the installation of 40 trees in the Study Area upon project completion. Trees will be a minimum of 15-gallon container size when planted. The tree planting plan has several California native tree species incorporated, including ten California buckeye and three blue oaks. This results in a total replacement tree value of 40 DSH, 13 DSH of which are California native species.

As Tree #326 has been recommended for removal, no mitigation should be required. Tree #327 is protected and will require mitigation for removal. Tree # 327 has a DSH of 16.75. Mitigation for this tree should be covered by the tree planting plan for the proposed project.

The following mitigation is recommended to reduce potential project impacts to protected trees:

- Trees on the site should be protected from removal as well as from ground disturbance within the protection zone without a tree permit from the City of Sacramento. Prior to any removal, or ground disturbance within a radius of one foot greater than the maximum dripline of a protected tree, the project proponent should obtain a tree permit from the City. The person requesting the permit, or the property owner may also be required to pay the cost of obtaining and planting the replacement trees.

Summary/Conclusions:

Site Conditions

The Study Area is in a disturbed condition and supports no sensitive natural communities or sensitive terrestrial biological resources. Vegetation in the Study Area consists of ruderal species, almost all of which are non-native.

Special-Status Species

The Study Area and adjacent sites provide marginal habitat for three regionally occurring special-status animal species: burrowing owl, Swainson's hawk, and white-tailed kite. Implementation of the recommended mitigation measures would reduce the potential for project impacts to these three bird species to less than significant.

The Study Area does not provide suitable habitat for any other regionally occurring special-status plant or animal species, and no additional species have the potential to occur on the Study Area or be impacted by the proposed project.

Migratory Birds

There is potential for common native birds to nest on the Study Area or on adjacent properties where project activities could result in stress leading to nest failure. Implementation of the recommended mitigation measure for nesting bird surveys would reduce the potential for project impacts to nesting birds to less than significant.

Protected Trees

There is a total of four tree located in the Study Area; no trees will be preserved in the Study Area upon completion of the proposed project. Two (Tree #326 and #327) of the four trees located in the Study Area are protected trees as defined by Chapter 12.56 of the Sacramento City Code. Tree #326 has been recommended for removal, no mitigation should be required. Tree #327 is protected and will require mitigation for removal. Mitigation for this tree should be covered by the tree planting plan for the proposed project. Implementation of the recommended mitigation measure for a tree removal permit would reduce the potential for project impacts to protected trees to less than significant.

I appreciate the opportunity to assist you on this project. Feel free to contact me with any questions at (916) 365-8712.

Sincerely,



Stephen Stringer, M.S.
Principal Biologist

Attachments:

- A – Figures
- B – Regulatory Context
- C – Database Query Results
- D – Potential for Regionally Occurring Special-status Species to Occur in the Study Area
- E – Species Observed in the Study Area
- F – Site Photos

REFERENCES:

California Department of Fish and Wildlife (CDFW). 1994. State Fish and Game staff report regarding mitigation for impacts to Swainson's hawks in the Central Valley of California. November.

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California Native Plant Society (CNPS). 2021. Inventory of Rare and Endangered Plants (online edition, v8-03 0.39). For: *Rio Linda, Carmichael, Sacramento East, and Citrus Heights* USGS 7.5-minute series quadrangles), Sacramento, CA. Accessed September 17, 2021.

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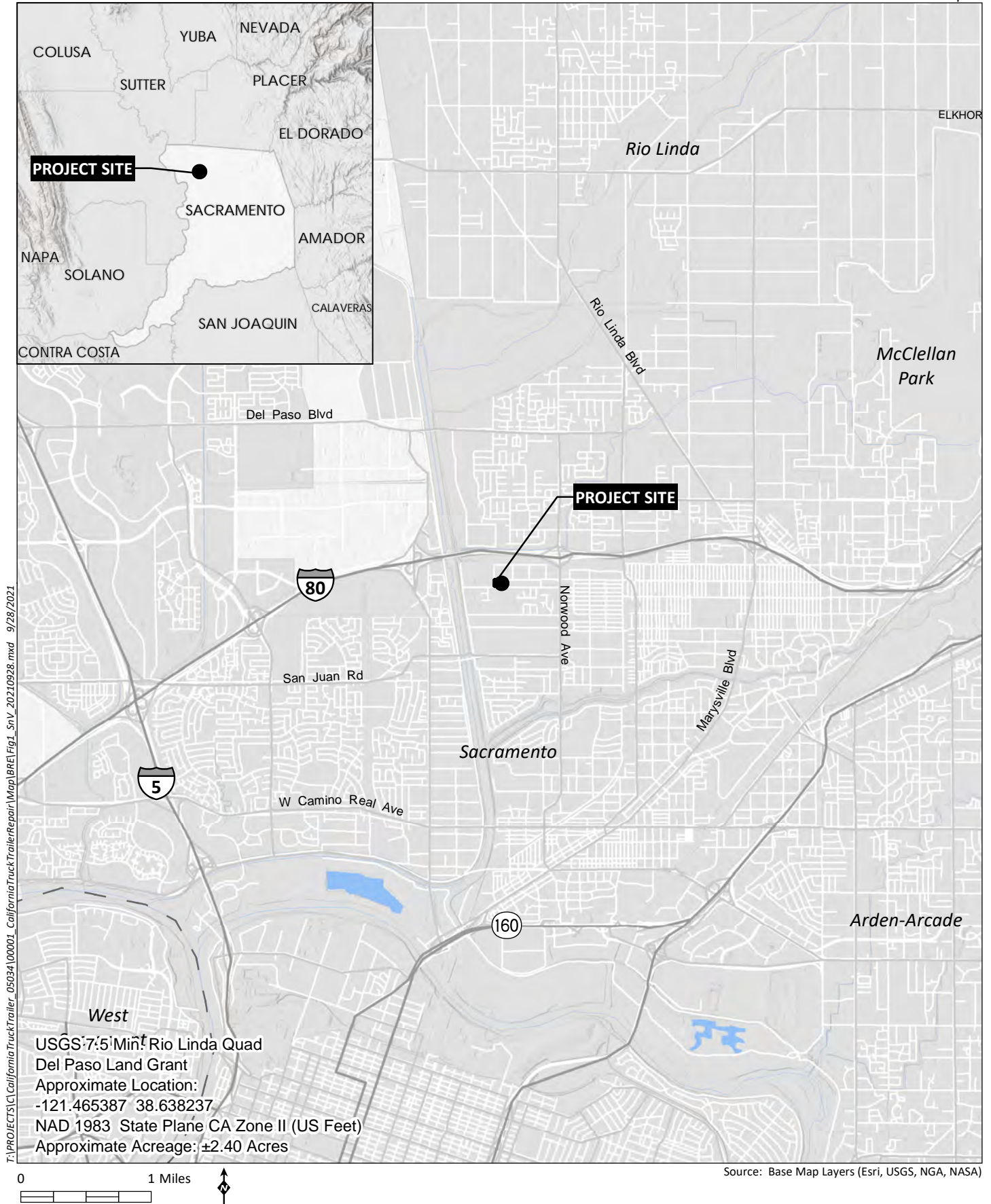
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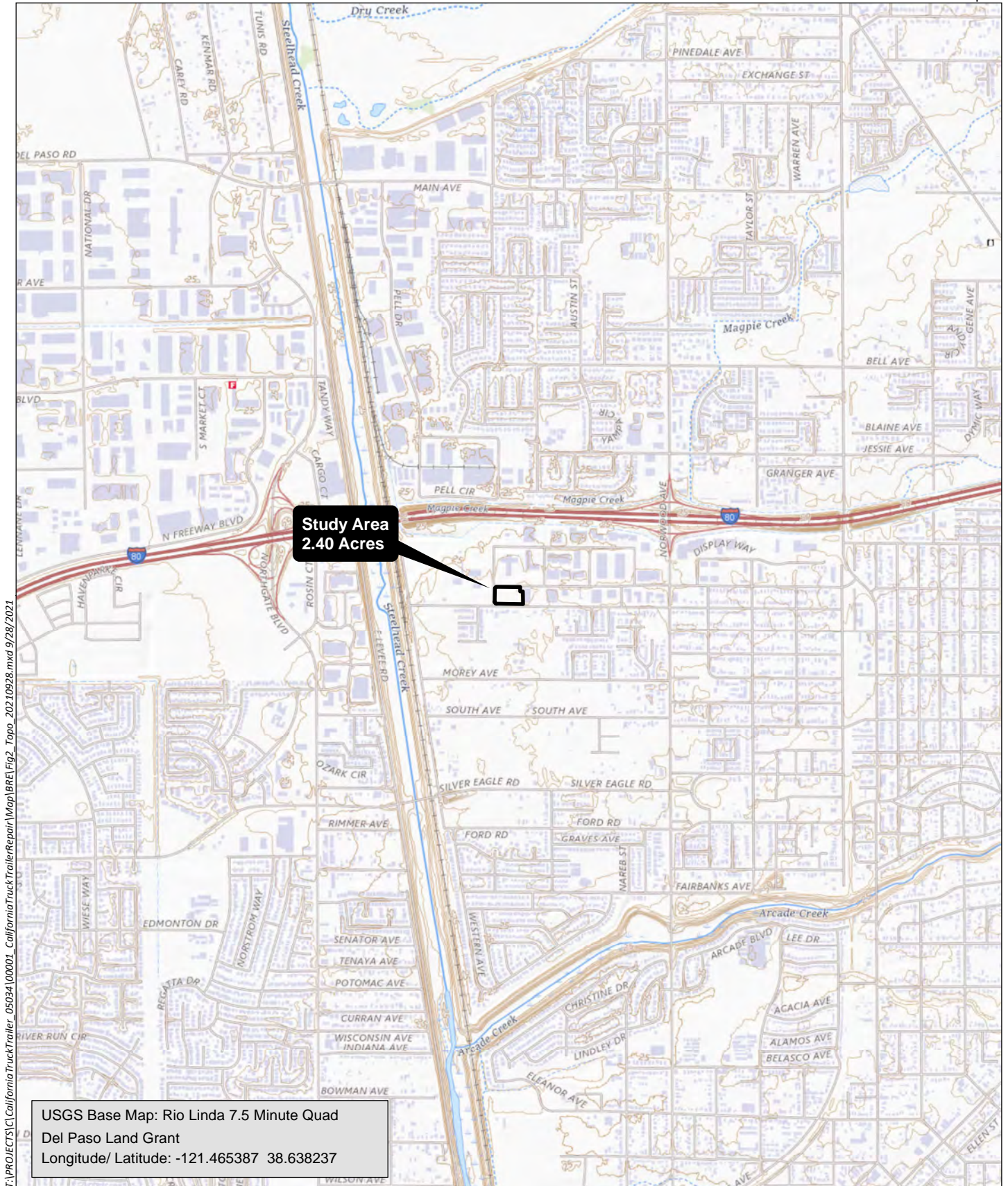
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Attachment A

Figures





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Source: USGS National Map, 2020



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Attachment B

Regulatory Context

Regulatory Setting

Policies, regulations, and plans pertaining to the protection of biological resources in the Study Area are summarized in the following sections.

Federal Regulations

Federal Endangered Species Act

The U.S. Fish and Wildlife Service (USFWS) enforces the provisions stipulated within the Federal Endangered Species Act of 1973 (FESA; 16 USC 1531 *et seq.*). Species identified as federally threatened or endangered (50 CFR 17.11, and 17.12) are protected from take, defined as direct or indirect harm, unless a Section 10 permit is granted to an entity other than a federal agency or a Biological Opinion with incidental take provisions is rendered to a federal lead agency via a Section 7 consultation. Pursuant to the requirements of FESA, an agency reviewing a proposed project within its jurisdiction must determine whether any federally-listed species may be present in the study area and determine whether the proposed project will jeopardize the continued existence of or result in the destruction or adverse modification of critical habitat of such species (16 USC 1536 (a)[3], [4]). Other federal agencies designate species of concern (species that have the potential to become listed), which are evaluated during environmental review under the National Environmental Protection Act (NEPA) or California Environmental Quality Act (CEQA) although they are not otherwise protected under FESA.

Migratory Bird Treaty Act

The Migratory Bird Treaty Act (MBTA) of 1918 established federal responsibilities for the protection of nearly all species of birds, their eggs, and nests. The Migratory Bird Treaty Reform Act of 2004 further defined species protected under the act and excluded all non-native species. Section 16 U.S.C. 703–712 of the Act states “unless and except as permitted by regulations, it shall be unlawful at any time, by any means or in any manner, to pursue, hunt, take, capture, kill, attempt to take, capture, or kill” a migratory bird. A migratory bird is any species or family of birds that live, reproduce or migrate within or across international borders at some point during their annual life cycle. Currently, there are 836 migratory birds protected nationwide by the Migratory Bird Treaty Act, of which 58 are legal to hunt. The U.S. Court of Appeals for the 9th Circuit (with jurisdiction over California) has ruled that the MBTA does not prohibit incidental take (952 F 2d 297 – Court of Appeals, 9th Circuit 1991).

State Jurisdiction

California Endangered Species Act

The California Endangered Species Act (CESA) (California Fish and Game Code Sections 2050 to 2097) is similar to the FESA. The California Fish and Wildlife Commission is responsible for maintaining lists of threatened and endangered species under CESA. CESA prohibits the take of listed and candidate (petitioned to be listed) species. “Take” under California law means to hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch capture, or kill (California Fish and Game Code, Section 86). The California Department of Fish and Wildlife (CDFW) can authorize take of a state-listed species under Section 2081 of the California Fish and Game Code if the take is incidental to an otherwise lawful

activity, the impacts are minimized and fully mitigated, funding is ensured to implement and monitor mitigation measures, and CDFW determines that issuance would not jeopardize the continued existence of the species. A CESA permit must be obtained if a project will result in the “take” of listed species, either during construction or over the life of the project. For species listed under both FESA and CESA requiring a Biological Opinion under Section 7 of the FESA, CDFW may also authorize impacts to CESA species by issuing a Consistency Determination under Section 2080.1 of the Fish and Game Code.

California Code of Regulations Title 14 and California Fish and Game Code

The official listing of endangered and threatened animals and plants is contained in the California Code of Regulations Title 14 §670.5. A state candidate species is one that the California Fish and Game Code has formally noticed as being under review by CDFW to include in the state list pursuant to Sections 2074.2 and 2075.5 of the California Fish and Game Code.

Legal protection is also provided for wildlife species in California that are identified as “fully protected animals.” These species are protected under Sections 3511 (birds), 4700 (mammals), 5050 (reptiles and amphibians), and 5515 (fish) of the California Fish and Game Code. These statutes prohibit take or possession of fully protected species at any time. CDFW is unable to authorize incidental take of fully protected species unless any such take authorization is issued in conjunction with the approval of a Natural Community Conservation Plan that covers the fully protected species (California Fish and Game Code Section 2835).

California Environmental Quality Act

Under the California Environmental Quality Act of 1970 (CEQA; Public Resources Code Section 21000 *et seq.*), lead agencies analyze whether projects would have a substantial adverse effect on a candidate, sensitive, or special-status species (Public Resources Code Section 21001(c)). These “special-status” species generally include those listed under FESA and CESA, and species that are not currently protected by statute or regulation, but would be considered rare, threatened, or endangered under the criteria included CEQA Guidelines Section 15380. Therefore, species that are considered rare are addressed under CEQA regardless of whether they are afforded protection through any other statute or regulation. The California Native Plant Society (CNPS) inventories the native flora of California and ranks species according to rarity; plants ranked as 1A, 1B, 2A, 2B, and 3 are generally considered special-status species under CEQA.¹

Although threatened and endangered species are protected by specific federal and state statutes, CEQA Guidelines Section 15380(d) provides that a species not listed on the federal or state list of protected species may be considered rare if it can be shown to meet certain specified criteria. These criteria have been modeled after the definition in FESA and the section of the California Fish and Game Code dealing with rare or endangered plants and animals. Section 15380(d) allows a public agency to undertake a review to determine if a significant effect on species that have not yet been listed by either the USFWS or CDFW (*i.e.*, candidate species) would occur.

Native Plant Protection Act

The California Native Plant Protection Act of 1977 (California Fish and Game Code Sections 1900-1913) empowers the Fish and Game Commission to list native plant species, subspecies, or varieties as

¹ The California Rare Plant Rank system can be found online at < <http://www.cnps.org/cnps/rareplants/ranking.php>>

endangered or rare following a public hearing. To the extent that the location of such plants is known, CDFW must notify property owners that a listed plant is known to occur on their property. Where a property owner has been so notified by CDFW, the owner must notify CDFW at least 10 days in advance of any change in land use (other than changing from one agricultural use to another), in order that CDFW may salvage listed plants that would otherwise be destroyed. Currently, 64 taxa of native plants have been listed as rare under the act.

Nesting Birds

California Fish and Game Code Subsections 3503 and 3800 prohibit the possession, take, or needless destruction of birds, their nests, and eggs, and the salvage of dead nongame birds. California Fish and Game Code Subsection 3503.5 protects all birds in the orders of Falconiformes and Strigiformes (birds of prey). Fish and Game Code Subsection 3513 states that it is unlawful to take or possess any migratory nongame bird as designated in the Migratory Bird Treaty Act or any part of such migratory nongame bird except as provided by rules and regulations adopted by the Secretary of the Interior under provisions of the Migratory Bird Treaty Act. The Attorney General of California has released an opinion that the Fish and Game Code prohibits incidental take.

Jurisdictional Waters

Federal Jurisdiction

Any person, firm, or agency planning to alter or work in “waters of the U.S.,” including the discharge of dredged or fill material, must first obtain authorization from the U.S. Army Corps of Engineers (USACE) under Section 404 of the Clean Water Act (CWA; 33 USC 1344). Permits, licenses, variances, or similar authorization may also be required by other federal, state, and local statutes. Section 10 of the Rivers and Harbors Act prohibits the obstruction or alteration of navigable waters of the U.S. without a permit from USACE (33 USC 403).

The four general categories of regulated waters include:

- The territorial seas and traditional navigable waters;
- Perennial and intermittent tributaries to those waters;
- Certain lakes, ponds, and impoundments; and
- Wetlands adjacent to jurisdictional waters.

The following aquatic resources are generally exempted:

- Groundwater
- Ephemeral features
- Diffuse stormwater run-off
- Constructed ditches dug in uplands
- Prior converted cropland
- Artificially irrigated areas
- Artificial lakes and ponds
- Water-filled depressions incidental to mining or construction activity
- Stormwater control features
- Groundwater recharge, water reuse, and wastewater recycling structures
- Waste treatment systems

With non-tidal waters, in the absence of adjacent wetlands, the extent of USACE jurisdiction extends to the ordinary high water mark (OHWM) – the line on the shore established by fluctuations of water and indicated by a clear, natural line impressed on the bank, shelving, changes in soil character, destruction of terrestrial vegetation, or the presence of litter and debris. Wetlands are defined in 33 CFR Part 328 as:

“those areas that are inundated or saturated by surface or ground water at a frequency and duration to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions.”

Federal and state regulations pertaining to waters of the U.S., including wetlands, are discussed below.

Clean Water Act (33 USC 1251-1376). The CWA provides guidance for the restoration and maintenance of the chemical, physical, and biological integrity of the nation’s waters.

Section 401 requires that an applicant for a federal license or permit that allows activities resulting in a discharge to waters of the U.S. must obtain a state certification that the discharge complies with other provisions of CWA. The Regional Water Quality Control Board (RWQCB) administers the certification program in California and may require State Water Quality Certification before other permits are issued.

Section 402 establishes a permitting system for the discharge of any pollutant (except dredged or fill material) into waters of the U.S.

Section 404 establishes a permit program administered by USACE that regulates the discharge of dredged or fill material into waters of the U.S. (including wetlands). Implementing regulations by USACE are found at 33 CFR Parts 320-332. The Section 404 (b)(1) Guidelines were developed by the USEPA in conjunction with USACE (40 CFR Part 230), allowing the discharge of dredged or fill material for non-water dependent uses into special aquatic sites only if there is no practicable alternative that would have less adverse impacts. State Jurisdiction

Regional Water Quality Control Board

Any action requiring a CWA Section 404 permit, or a Rivers and Harbors Act Section 10 permit, must also obtain a CWA Section 401 Water Quality Certification. The State of California Water Quality Certification (WQC) Program was formally initiated by the State Water Resources Control Board (SWRCB) in 1990 under the requirements stipulated by Section 401 of the Federal CWA. Although the Clean Water Act is a Federal law, Section 401 of the CWA recognizes that states have the primary authority and responsibility for setting water quality standards. In California, under Section 401, the State and Regional Water Boards are the authorities that certify that issuance of a federal license or permit does not violate California’s water quality standards (i.e., that they do not violate Porter-Cologne and the Water Code). The WQC Program currently issues the WQC for discharges requiring USACE’s permits for fill and dredge discharges within Waters of the United States, and now also implements the State’s wetland protection and hydromodification regulation program under the Porter Cologne Water Quality Control Act.

On April 2, 2019, the SWRCB adopted a State Wetland Definition and Procedures for Discharges of Dredged or Fill Material to Waters of the State (Procedures), for inclusion in the forthcoming Water Quality Control Plan for Inland Surface Waters and Enclosed Bays and Estuaries and Ocean Waters of California. The Procedures consist of four major elements: 1) a wetland definition; 2) a framework for determining if a feature that meets the wetland definition is a water of the state; 3) wetland delineation

procedures; and 4) procedures for the submittal, review and approval of applications for Water Quality Certifications and Waste Discharge Requirements for dredge or fill activities. The Office of Administrative Law approved the Procedures on August 28, 2019, and the Procedures became effective May 28, 2020.

Under the Procedures and the State Water Code (Water Code §13050(e)), “Waters of the State” are defined as “any surface water or groundwater, including saline waters, within the boundaries of the state.” Unless excluded by the Procedures, any activity that could result in discharge of dredged or fill material to Waters of the State, which includes Waters of the U.S. and non-federal Waters of the State, requires filing of an application under the Procedures.

The Porter-Cologne Water Quality Control Act (Porter-Cologne Act, Water Code Section 13000 et seq.) is California’s statutory authority for the protection of water quality in conjunction with the federal CWA. The Porter-Cologne Act requires the SWRCB and RWQCBs under the CWA to adopt and periodically update water quality control plans, or basin plans. Basin plans are plans in which beneficial uses, water quality objectives, and implementation programs are established for each of the nine regions in California. The Porter-Cologne Act also requires dischargers of pollutants or dredged or fill material to notify the RWQCBs of such activities by filing Reports of Waste Discharge and authorizes the SWRCB and RWQCBs to issue and enforce waste discharge requirements, National Pollution Discharge Elimination System (NPDES) permits, Section 401 water quality certifications, or other approvals.

California Department of Fish and Wildlife

The CDFW is a trustee agency that has jurisdiction under Section 1600 et seq. of the California Fish and Game Code. Under Sections 1602 and 1603, a private party must notify CDFW if a proposed project will “substantially divert or obstruct the natural flow or substantially change the bed, channel, or bank of streambeds...except when the department has been notified pursuant to Section 1601.” Additionally, CDFW asserts jurisdiction over native riparian habitat adjacent to aquatic features, including native trees over four inches in diameter at breast height (DBH). If an existing fish or wildlife resource may be substantially adversely affected by the activity, CDFW may propose reasonable measures that will allow protection of those resources. If these measures are agreeable to the parties involved, they may enter into an agreement with CDFW identifying the approved activities and associated mitigation measures. Generally, CDFW recommends submitting an application for a Streambed Alteration Agreement (SAA) for any work done within the lateral limit of water flow or the edge of riparian vegetation, whichever is greater.

Local Regulations

City of Sacramento Tree Preservation Regulations

The City of Sacramento protects trees under Chapter 12.56 of the Sacramento City Code. A permit is required to remove native oaks (*Quercus* spp.), buckeyes (*Aesculus californicus*), or sycamores (*Platanus racemosa*) having a diameter at standard height (*i.e.*, 54 inches above grade; DSH) of 12 inches or more, or any tree having a DSH of 24 inches or more, on undeveloped private parcels inside the City limits. For a tree with a common root system that branches at the ground, DSH means the sum of the diameter of the largest trunk and one-half the cumulative diameter of the remaining trunks at 4.5 feet above natural grade.

Attachment C

Database Query Results



Selected Elements by Element Code

California Department of Fish and Wildlife

California Natural Diversity Database



Query Criteria: Quad< IS (Rio Linda (3812164) OR Citrus Heights (3812163) OR Sacramento East (3812154) OR Carmichael (3812153))

Element Code	Species	Federal Status	State Status	Global Rank	State Rank	Rare Plant Rank/CDFW SSC or FP
AAABF02020	<i>Spea hammondi</i> western spadefoot	None	None	G2G3	S3	SSC
ABNGA04010	<i>Ardea herodias</i> great blue heron	None	None	G5	S4	
ABNGA04040	<i>Ardea alba</i> great egret	None	None	G5	S4	
ABNKC06010	<i>Elanus leucurus</i> white-tailed kite	None	None	G5	S3S4	FP
ABNKC12040	<i>Accipiter cooperii</i> Cooper's hawk	None	None	G5	S4	WL
ABNKC19070	<i>Buteo swainsoni</i> Swainson's hawk	None	Threatened	G5	S3	
ABNKC19120	<i>Buteo regalis</i> ferruginous hawk	None	None	G4	S3S4	WL
ABNKC22010	<i>Aquila chrysaetos</i> golden eagle	None	None	G5	S3	FP
ABNRB02022	<i>Coccyzus americanus occidentalis</i> western yellow-billed cuckoo	Threatened	Endangered	G5T2T3	S1	
ABNSB10010	<i>Athene cunicularia</i> burrowing owl	None	None	G4	S3	SSC
ABPAU01010	<i>Progne subis</i> purple martin	None	None	G5	S3	SSC
ABPAU08010	<i>Riparia riparia</i> bank swallow	None	Threatened	G5	S2	
ABPBXA3010	<i>Melospiza melodia</i> song sparrow ("Modesto" population)	None	None	G5	S3?	SSC
ABPBXB0020	<i>Agelaius tricolor</i> tricolored blackbird	None	Threatened	G1G2	S1S2	SSC
AFCHA0209K	<i>Oncorhynchus mykiss irideus pop. 11</i> steelhead - Central Valley DPS	Threatened	None	G5T2Q	S2	
AMAJF04010	<i>Taxidea taxus</i> American badger	None	None	G5	S3	SSC
ARAAD02030	<i>Emys marmorata</i> western pond turtle	None	None	G3G4	S3	SSC
ARADB36150	<i>Thamnophis gigas</i> giant gartersnake	Threatened	Threatened	G2	S2	
CTT44110CA	<i>Northern Hardpan Vernal Pool</i> Northern Hardpan Vernal Pool	None	None	G3	S3.1	



Selected Elements by Element Code

California Department of Fish and Wildlife

California Natural Diversity Database



Element Code	Species	Federal Status	State Status	Global Rank	State Rank	Rare Plant Rank/CDFW SSC or FP
CTT44120CA	Northern Claypan Vernal Pool Northern Claypan Vernal Pool	None	None	G1	S1.1	
CTT44132CA	Northern Volcanic Mud Flow Vernal Pool Northern Volcanic Mud Flow Vernal Pool	None	None	G1	S1.1	
CTT63440CA	Elderberry Savanna Elderberry Savanna	None	None	G2	S2.1	
ICBRA03030	Branchinecta lynchi vernal pool fairy shrimp	Threatened	None	G3	S3	
ICBRA03150	Branchinecta mesovallensis midvalley fairy shrimp	None	None	G2	S2S3	
ICBRA06010	Linderiella occidentalis California linderiella	None	None	G2G3	S2S3	
ICBRA10010	Lepidurus packardii vernal pool tadpole shrimp	Endangered	None	G4	S3S4	
ICBRA23010	Dumontia oregonensis hairy water flea	None	None	G1G3	S1	
IICOL48011	Desmocerus californicus dimorphus valley elderberry longhorn beetle	Threatened	None	G3T2	S3	
IICOL5V010	Hydrochara rickseckeri Ricksecker's water scavenger beetle	None	None	G2?	S2?	
IIHYM35210	Andrena subapasta An andrenid bee	None	None	G1G2	S1S2	
IMBIV19010	Gonidea angulata western ridged mussel	None	None	G3	S1S2	
PDCAM060C0	Downingia pusilla dwarf downingia	None	None	GU	S2	2B.2
PDCAM0C010	Legenere limosa legenere	None	None	G2	S2	1B.1
PDSCR0R060	Gratiola heterosepala Boggs Lake hedge-hyssop	None	Endangered	G2	S2	1B.2
PMALI040Q0	Sagittaria sanfordii Sanford's arrowhead	None	None	G3	S3	1B.2
PMJUN011L1	Juncus leiospermus var. ahartii Ahart's dwarf rush	None	None	G2T1	S1	1B.2
PMLIL0V010	Fritillaria agrestis stinkbells	None	None	G3	S3	4.2
PMPOA4G070	Orcuttia viscida Sacramento Orcutt grass	Endangered	Endangered	G1	S1	1B.1

Record Count: 38

[HOME](#) [ABOUT](#) [CHANGES](#) [REVIEW](#) [HELP](#)Search:

Search Results

8 matches found. Click on scientific name for details

Search Criteria: Quad is one of [3812164,3812163,3812154,3812153]

Scientific Name	Common Name	Family	Lifeform	Blooming Period	Fed List	State List	Global Rank	State Rank
CA Rare Plant Rank	General Habitats	Micro Habitats	Lowest Elevation	Highest Elevation	CA Endemic	Date Added	Photo	

Search:

▲ SCIENTIFIC NAME	COMMON NAME	FAMILY	LIFEFORM	BLOOMING PERIOD	FED LIST	STATE LIST	GLOBAL RANK	STATE RANK	CA RARE PLANT RANK	PHOTO
<i>Brodiaea rosea</i> <i>ssp. vallicola</i>	valley brodiaea	Themidaceae	perennial bulbiferous herb	Apr-May(Jun)	None	None	G5T3	S3	4.2	No Photo Available
<i>Downingia pusilla</i>	dwarf downingia	Campanulaceae	annual herb	Mar-May	None	None	GU	S2	2B.2	No Photo Available
<i>Fritillaria agrestis</i>	stinkbells	Liliaceae	perennial bulbiferous herb	Mar-Jun	None	None	G3	S3	4.2	No Photo Available
<i>Gratiola heterosepala</i>	Boggs Lake hedge-hyssop	Plantaginaceae	annual herb	Apr-Aug	None	CE	G2	S2	1B.2	No Photo Available
<i>Juncus leiospermus</i> var. <i>ahartii</i>	Ahart's dwarf rush	Juncaceae	annual herb	Mar-May	None	None	G2T1	S1	1B.2	No Photo Available
<i>Legenere limosa</i>	legenere	Campanulaceae	annual herb	Apr-Jun	None	None	G2	S2	1B.1	No Photo Available
<i>Orcuttia viscida</i>	Sacramento Orcutt grass	Poaceae	annual herb	Apr-Jul(Sep)	FE	CE	G1	S1	1B.1	No Photo Available
<i>Sagittaria sanfordii</i>	Sanford's arrowhead	Alismataceae	perennial rhizomatous herb (emergent)	May-Oct(Nov)	None	None	G3	S3	1B.2	No Photo Available

Showing 1 to 8 of 8 entries

CONTACT US

Send questions and comments to rareplants@cnps.org.

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United States Department of the Interior



FISH AND WILDLIFE SERVICE
Sacramento Fish And Wildlife Office
Federal Building
2800 Cottage Way, Room W-2605
Sacramento, CA 95825-1846
Phone: (916) 414-6600 Fax: (916) 414-6713

In Reply Refer To:
Consultation Code: 08ESMF00-2021-SLI-2791
Event Code: 08ESMF00-2021-E-08125
Project Name: California Truck & Trailer Repair

September 17, 2021

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, under the jurisdiction of the U.S. Fish and Wildlife Service (Service) that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the Service under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

Please follow the link below to see if your proposed project has the potential to affect other species or their habitats under the jurisdiction of the National Marine Fisheries Service:

http://www.nwr.noaa.gov/protected_species/species_list/species_lists.html

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to

utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)(c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

<http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF>

Please be aware that bald and golden eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 *et seq.*), and projects affecting these species may require development of an eagle conservation plan (http://www.fws.gov/windenergy/eagle_guidance.html). Additionally, wind energy projects should follow the wind energy guidelines (<http://www.fws.gov/windenergy/>) for minimizing impacts to migratory birds and bats.

Guidance for minimizing impacts to migratory birds for projects including communications towers (e.g., cellular, digital television, radio, and emergency broadcast) can be found at:

<http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/towers.htm>;

<http://www.towerkill.com>; and

www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html.

[http://](http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html)

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List
-

Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Sacramento Fish And Wildlife Office

Federal Building

2800 Cottage Way, Room W-2605

Sacramento, CA 95825-1846

(916) 414-6600

Project Summary

Consultation Code: 08ESMF00-2021-SLI-2791

Event Code: Some(08ESMF00-2021-E-08125)

Project Name: California Truck & Trailer Repair

Project Type: DEVELOPMENT

Project Description: development

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@38.6382483,-121.46534272862715,14z>



Counties: Sacramento County, California

Endangered Species Act Species

There is a total of 8 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

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1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

Reptiles

NAME	STATUS
Giant Garter Snake <i>Thamnophis gigas</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/4482	Threatened

Amphibians

NAME	STATUS
California Red-legged Frog <i>Rana draytonii</i> There is final critical habitat for this species. The location of the critical habitat is not available. Species profile: https://ecos.fws.gov/ecp/species/2891	Threatened
California Tiger Salamander <i>Ambystoma californiense</i> Population: U.S.A. (Central CA DPS) There is final critical habitat for this species. The location of the critical habitat is not available. Species profile: https://ecos.fws.gov/ecp/species/2076	Threatened

Fishes

NAME	STATUS
Delta Smelt <i>Hypomesus transpacificus</i> There is final critical habitat for this species. The location of the critical habitat is not available. Species profile: https://ecos.fws.gov/ecp/species/321	Threatened

Insects

NAME	STATUS
Monarch Butterfly <i>Danaus plexippus</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9743	Candidate
Valley Elderberry Longhorn Beetle <i>Desmocerus californicus dimorphus</i> There is final critical habitat for this species. The location of the critical habitat is not available. Species profile: https://ecos.fws.gov/ecp/species/7850	Threatened

Crustaceans

NAME	STATUS
Vernal Pool Fairy Shrimp <i>Branchinecta lynchi</i> There is final critical habitat for this species. The location of the critical habitat is not available. Species profile: https://ecos.fws.gov/ecp/species/498	Threatened
Vernal Pool Tadpole Shrimp <i>Lepidurus packardii</i> There is final critical habitat for this species. The location of the critical habitat is not available. Species profile: https://ecos.fws.gov/ecp/species/2246	Endangered

Critical habitats

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

Attachment D

Potential for Regionally
Occurring Special-Status Species
to Occur in the Study Area

Attachment D

Potential for Regionally Occurring Special-Status Species to Occur in the Study Area

Species Name/ Common Name ¹	Status ²	Habit, Ecology and Life History	Potential to Occur
Plants			
<i>Downingia pusilla</i> dwarf downingia	--/--/2B.2	An annual herb found in vernal pools and mesic microsites in valley and foothill grassland from 1 – 445 meters elevation. Blooms March – May (CNPS 2020).	Will not occur. There are no vernal pools on the Study Area.
<i>Gratiola heterosepala</i> Boggs Lake hedge-hyssop	--/SE/1B.2	An annual herb found on clay soils in marshes and swamps at lake margins, and in vernal pools from 10 – 2,375 meters elevation. Blooms April – August (CNPS 2020).	Will not occur. There are no marshes, swamps, or suitable vernal pools on the Study Area.
<i>Juncus leiospermus</i> var. <i>ahartii</i> Ahart's dwarf rush	--/--/1B.2	An annual herb found in mesic soils in valley and foothill grassland from 30 – 299 meters elevation. Blooms March – May (CNPS 2020).	Will not occur. There is no suitable mesic grassland habitat on the Study Area.
<i>Legenere limosa</i> legenere	--/--/1B.1	An annual herb found in vernal pools from 1 – 880 meters elevation. Blooms April – June (CNPS 2020).	Will not occur. There are no vernal pools on the Study Area.
<i>Orcuttia viscida</i> Sacramento Orcutt grass	FE/SE/1B.1	An annual herb found in vernal pools from 30 – 100 meters elevation. Blooms April-July (Sep) (CNPS 2020).	Will not occur. There are no vernal pools on the Study Area.
<i>Sagittaria sanfordii</i> Sanford's arrowhead	--/--/1B.2	A perennial rhizomatous herb found in marshes, swamps, and assorted shallow freshwater habitats from 0 – 650 meters elevation. Blooms May – October (November) (CNPS 2020).	Will not occur. There is no aquatic habitat on the Study Area.
Animals			
Invertebrates			
<i>Branchinecta lynchi</i> vernal pool fairy shrimp	FT/--/--	Vernal pools ranging from small, clear, sandstone rock pools to large, turbid, alkaline, grassland valley floor pools. It is most frequently found in pools measuring less than 0.05 acre; although has been collected from vernal pools exceeding 25 acres. The known range within California includes the Central Valley and southern California (USFWS 2005).	Will not occur. There are no vernal pools on the Study Area.

Attachment D (cont.)

Potential for Regionally Occurring Special-Status Species to Occur on the Study Area

Species Name/ Common Name ¹	Status ²	Habit, Ecology and Life History	Potential to Occur
<i>Desmocerus californicus californicus</i> valley elderberry longhorn beetle	FT/--/--	Endemic to elderberry shrubs (<i>Sambucus</i> spp.) occurring in riparian habitat in the Sacramento and San Joaquin Valleys, riparian habitats in the Sacramento and San Joaquin Valleys, and less common throughout riparian forests of the Central Valley from Redding to Fresno County (USFWS 2014) typically below 152 m amsl (USFWS 2017a).	Will not occur. There are no elderberry shrubs in or immediately adjacent to the Study Area.
<i>Lepidurus packardii</i> vernal pool tadpole shrimp	FE/--/--	Vernal pools from 54 square feet to 89 acres, containing clear- to highly-turbid water. Its known range is within the Central Valley of California and in the San Francisco Bay area (USFWS 2005).	Will not occur. There are no vernal pools on the Study Area.
Fishes			
<i>Hypomesus transpacificus</i> Delta smelt	FT/SE/--	Spawn in freshwater streams, in fast, deep water, over gravel, cobble, or boulders. Juveniles inhabit estuarine waters for 1-4 years until dispersing into coastal marine waters as adults. Adults return to spawn in fresh water every 6-10 years.	Will not occur. There is no aquatic habitat for this species on the Study Area and the Study Area is outside of this species' known geographic range.
<i>Oncorhynchus mykiss irideus</i> pop. 11 Central Valley Steelhead DPS	FT/--/--	This distinct population segment includes all naturally spawned anadromous steelhead populations below natural and manmade impassable barriers in the Sacramento and San Joaquin Rivers and their tributaries, excluding steelhead from San Francisco and San Pablo Bays and their tributaries, as well as two artificial propagation programs: the Coleman NFH, and Feather River Hatchery steelhead hatchery programs (NMFS 2016). Steelhead spawn in rivers and streams with cool, clear, water and suitable silt free substrate (NMFS 2016).	Will not occur. There is no aquatic habitat on the Study Area.

Attachment D (cont.)

Potential for Regionally Occurring Special-Status Species to Occur on the Study Area

Amphibians			
<i>Ambystoma californiense</i> California tiger salamander	FT/ST/--	Generally restricted to vernal pools and seasonal ponds, including many constructed stock ponds, in grassland and oak savannah plant communities from sea level to about 1,500 feet in central California. Adults spend the majority of their lives in upland areas surrounding suitable breeding ponds, in rodent burrows. Suitable breeding habitat must be present in combination with suitable upland habitat. In the Coastal region, populations are scattered from Sonoma County in the northern San Francisco Bay Area to Santa Barbara County, and in the Central Valley and Sierra Nevada foothills from Yolo to Kern counties (USFWS 2017b).	Will not occur. The Study Area is outside of this species' known geographic range and there is no suitable aquatic or upland habitat in or adjacent to the Study Area.
<i>Rana draytonii</i> California red-legged frog	FT/--/SSC	The California red-legged frog occupies a fairly distinct habitat, combining both specific aquatic and riparian components. The adults require dense, shrubby or emergent riparian vegetation closely associated with deep (greater than 2 1/3-foot deep) still or slow-moving water. The largest densities of California red-legged frogs are associated with deep-water pools with dense stands of overhanging willows (<i>Salix</i> spp.) and an intermixed fringe of cattails (<i>Typha latifolia</i>). Well-vegetated terrestrial areas within the riparian corridor may provide important sheltering habitat during winter. California red-legged frogs aestivate (enter a dormant state during summer or dry weather) in small mammal burrows and moist leaf litter. They have been found up to 100 feet from water in adjacent dense riparian vegetation. Studies have indicated that this species cannot inhabit water bodies that exceed 70° F, especially if there are no cool, deep portions (USFWS 2002).	Will not occur. The Study Area is outside of this species' known geographic range and there is no suitable habitat in or adjacent to the Study Area.

Attachment D (cont.)

Potential for Regionally Occurring Special-Status Species to Occur on the Study Area

<i>Spea hammondi</i> western spadefoot toad	--/--/SSC	Amphibian that breeds in vernal pools and seasonal ponds or slow portions of streams in grasslands and woodlands. Adults spend most of their time in underground burrows in grasslands surrounding breeding pools (Jennings and Hayes 1994). Breeding is typically finished by the end of March. Tadpoles mature through late-spring and disperse as pools dry (Zeiner et al. 1988-1990).	Will not occur. There is no aquatic habitat within grasslands and woodlands on the Study Area to support breeding habitat for this species.
Reptiles			
<i>Actinemys (=Emys) marmorata</i> western pond turtle	--/--/SSC	Inhabits slow-moving water with dense submerged vegetation, abundant basking sites, gently sloping banks, and dry clay or silt soils in nearby uplands. Turtles will lay eggs up to 0.25-mile from water, but typically go no more than 600 feet (Jennings and Hayes 1994).	Will not occur. There is no aquatic habitat or suitable uplands on the Study Area.
<i>Thamnophis gigas</i> giant garter snake	FT/ST/--	Endemic to the San Joaquin and Sacramento Valley floors. Inhabits agricultural wetlands and other waterways such as irrigation and drainage canals, sloughs, ponds, small lakes, low gradient streams, and adjacent uplands. Requires adequate water during its active season (early spring through mid-fall) to provide food and cover, emergent, herbaceous wetland vegetation for foraging and cover, grassy banks and openings in waterside vegetation for basking, and higher elevation uplands for cover and refuge from flood waters during its dormant season (winter). Inhabits small mammal burrows and other soil crevices with sunny exposure along south and west facing slopes, above prevailing flood elevations when dormant. Primarily found in marshes and sloughs as well as slow-moving creeks but absent from large rivers (USFWS 2017c).	Will not occur. There is no aquatic habitat or suitable uplands on the Study Area.

Attachment D (cont.)

Potential for Regionally Occurring Special-Status Species to Occur on the Study Area

Birds			
<i>Accipiter cooperii</i> Cooper's hawk	--/--/WL	Nests in woodlands and urban trees. Preys on medium-sized birds and small mammals. Forages in open woodland and habitat edges (Zeiner <i>et al.</i> 1990).	Will not occur. The Study Area is too small to provide nesting or foraging habitat for this species.
<i>Agelaius tricolor</i> tricolored blackbird	--/ST/--	Common locally throughout central California. Nests and seeks cover in emergent wetland vegetation and thorny vegetation such as Himalayan blackberry (<i>Rubus armeniacus</i>) as well as cattails and tules. Nesting area must be large enough to support a minimum colony of 50 pairs as they are a highly colonial species. Forages on ground in croplands, grassy fields, flooded land, and edges of ponds for insects (Shuford and Gardali 2008).	Will not occur. The Study Area does not provide suitable nesting or foraging habitat for this species.
<i>Aquila chrysaetos</i> golden eagle	--/--/FP	Typically occurs in rolling foothills, mountain areas, deserts and other open habitats up to 3,822 m amsl. Typically nests on cliff ledges or large trees in open areas in canyons. Will occasionally use other tall structures for nesting, such as electrical transmission towers. Prey consists mostly of rodents, carrion, birds, reptiles and occasionally small livestock (Zeiner <i>et al.</i> 1990).	Will not occur. The Study Area does not provide suitable nesting or foraging habitat for this species.
<i>Athene cunicularia</i> burrowing owl	--/--/SSC	Forages in grasslands, agricultural fields, and disturbed places where burrowing mammals are abundant. Nests in burrows, especially those of California ground squirrel (<i>Otospermophilus beecheyi</i> ; CDFW 2012).	May occur. Marginal habitat for this species is present on the site. There are several small debris piles that provide elements of suitable habitat. The site is too small in size to support burrowing owl foraging and is surrounded by disturbed industrial and residential parcels. No small mammal burrows or sign of burrowing owl was observed on the site. The nearest extant occurrence of this species is 2.5 miles southeast of

Attachment D (cont.)

Potential for Regionally Occurring Special-Status Species to Occur on the Study Area

			the Study Area near Auburn Blvd (CDFW 2021).
<i>Buteo swainsoni</i> Swainson's hawk	--/ST/--	Swainson's hawk breeds in stands with few trees in juniper-sage flats, riparian areas, and in oak savannah in the Central Valley and forages in adjacent grasslands or suitable grain or alfalfa fields, or livestock pastures. Swainson's hawks breed in California and winter in Mexico and South America. Swainson's hawks usually arrive in the Central Valley between March 1 and April 1 and migrate south between September and October. Swainson's hawks usually nest in trees adjacent to suitable foraging habitat. Swainson's hawk nests are usually located in trees near the edges of riparian stands, in lone trees or groves of trees in agricultural fields, and in mature roadside trees. Valley oak, Fremont cottonwood, walnut, and large willow with an average height of about 58 feet, and ranging from 41 to 82 feet, are the most commonly used nest trees in the Central Valley. Suitable foraging areas for Swainson's hawk include native grasslands or lightly grazed pastures, alfalfa and other hay crops, idle land, certain grain and row croplands, and ruderal lands. Swainson's hawks primarily feed on voles; however, they will feed on a variety of prey including small mammals, birds, and insects (CDFW 1994).	May Occur. Marginal nesting habitat is present for this species in and adjacent to the Study Area and the Study Area could be used for occasional foraging.
<i>Coccyzus americanus occidentalis</i> Western yellow-billed cuckoo	FT/SE/--	Occurs at isolated sites in Sacramento Valley in northern California, and along Kern and Colorado River systems in southern California. Frequents valley foothill and desert riparian habitats. Inhabits open woodlands with clearings, and riparian habitats with dense understory foliage along slow-moving drainages, backwaters, or seeps. Prefers dense willows for roosting but will	Will not occur. The Study Area does not provide suitable habitat for this species.

Attachment D (cont.)

Potential for Regionally Occurring Special-Status Species to Occur on the Study Area

		use adjacent orchard in the Sacramento Valley (CDFW 2005).	
<i>Elanus leucurus</i> white-tailed kite	--/--/FP	Inhabits rolling foothills and valley margins with scattered oaks, as well as river bottomlands or marshes next to deciduous woodland. Nests in isolated, dense-topped trees in open areas. Forages in a variety of habitats including grassland, marshes, and agricultural fields (Zeiner <i>et al.</i> 1988-1990).	May occur. The Study Area provides suitable foraging habitat and large trees on adjacent lots provide suitable nesting habitat for this species. Raptor nests were not observed in any of the large trees adjacent to the site. The nearest extant occurrence of this species is 1.3 miles northwest of the Study Area near Hansen Ranch Regional Park (CDFW 2021).
<i>Melospiza melodia</i> Song sparrow ("Modesto" population)	--/--/SSC	Restricted to California, where it is locally numerous in the Sacramento Valley, Sacramento–San Joaquin River Delta, and northern San Joaquin Valley. Resides in emergent freshwater marshes dominated by tules (<i>Scirpus</i> spp.) and cattails (<i>Typha</i> spp.) as well as riparian willow (<i>Salix</i> spp.) thickets. These Song Sparrows also nest in riparian forests of Valley Oak (<i>Quercus lobata</i>) with a sufficient understory of blackberry (<i>Rubus</i> spp.), along vegetated irrigation canals and levees, and in recently planted Valley Oak restoration sites (Shuford and Gardali 2008).	Will not occur. The Study Area does not provide suitable nesting habitat for this species.
<i>Progne subis</i> purple martin	--/--/SSC	Occurs as a summer resident and migrant, primarily from mid-March to late September. Breeds from May (rarely late Apr) to mid-August. Purple martins are widely but locally distributed in forest and woodland areas at low to intermediate elevations throughout much of the state. Martins use a wide variety of nest substrates (e.g., tree cavities, bridges, utility poles, lava tubes, and, formerly, buildings), but nonetheless are very selective of habitat conditions nearby. Martins are most abundant in	Will not occur. The Study Area does not provide suitable nesting habitat for this species.

Attachment D (cont.)

Potential for Regionally Occurring Special-Status Species to Occur on the Study Area

		mesic regions, near large wetlands and other water bodies, and at upper slopes and ridges, which likely concentrate aerial insects (Shuford and Gardali 2008).	
<i>Riparia riparia</i> bank swallow	--/ST/--	Found primarily in riparian and lowland habitat in California. Nests in colonies along cliffs or steep riverbanks in holes. In California, a majority of the population is situated along the Sacramento River and the Feather River. Other smaller populations persist near Monterey and north of Shasta counties (Zeiner <i>et al.</i> 1988-1990).	Will not occur. The Study Area does not provide suitable nesting habitat for this species.
Mammals			
<i>Taxidea taxus</i> American badger	--/--/SSC	Inhabits drier open stages of most shrub, forest, and herbaceous habitats with loose, friable soils. Preys on a wide variety of mammals, reptiles, birds, and carrion, and hunts mostly by digging out fossorial prey. Occasionally takes prey on the surface. Not tolerant of cultivation. No longer occur in the Central Valley except in the extreme western edge (Williams 1986).	Will not occur. The Study Area does not provide suitable habitat for this species; the Study Area is too small and in too urbanized a setting to provide foraging habitat.

¹ Sensitive species reported in CNDDB or CNPS on the "Rio Linda" USGS quads, or in USFWS lists for the project site.

² Status is as follows: Federal (ESA) listing/State (CESA) listing/other CDFW status or CRPR. F = Federal; S = State of California; E = Endangered; T = Threatened; C = Candidate; FP=Fully Protected; SSC=Species of Special Concern; WL=Watch List.

³ Status in the Project site is assessed as follows. **Will Not Occur:** Species is either sessile (*i.e.* plants) or so limited to a particular habitat that it cannot disperse on its own and/or habitat suitable for its establishment and survival does not occur on the project site; **Not Expected:** Species moves freely and might disperse through or across the project site, but suitable habitat for residence or breeding does not occur on the project site, potential for an individual of the species to disperse through or forage in the site cannot be excluded with 100% certainty; **Presumed Absent:** Habitat suitable for residence and breeding occurs on the project site; however, focused surveys conducted for the current project were negative; **May Occur:** Species was not observed on the site and breeding habitat is not present but the species has the potential to utilize the site for dispersal, **High:** Habitat suitable for residence and breeding occurs on the project site and the species has been recorded recently on or near the project site, but was not observed during surveys for the current project; **Present:** The species was observed during biological surveys for the current project and is assumed to occupy the project site or utilize the project site during some portion of its life cycle.

CRPR = California Rare Plant Rank: 1B – rare, threatened, or endangered in California and elsewhere; 2B – rare, threatened, or endangered in California but more common elsewhere. Extension codes: .1 – seriously endangered; .2 – moderately endangered.

REFERENCES

- California Department of Fish and Wildlife (CDFW). 1994. Staff report regarding mitigation for impacts to Swainson's hawk (*Buteo swainsoni*) in the Central Valley of California. November 1.
2005. The Status of Rare, Threatened, and Endangered Plants and Animals of California 2000-2004: 2005 Annual Report Summary. Sacramento, California, USA.
2012. Staff Report on Burrowing Owl Mitigation. July
2021. California Natural Diversity Database (For: *Rio Linda, Carmichael, Sacramento East, and Citrus Heights* USGS 7.5-minute series quadrangles), Sacramento, CA. Accessed September 17, 2021
- California Native Plant Society (CNPS). 2021. Inventory of Rare and Endangered Plants (online edition, v8-03 0.39). For: *Rio Linda, Carmichael, Sacramento East, and Citrus Heights* USGS 7.5-minute series quadrangles), Sacramento, CA. Accessed September 17, 2021.
- Jennings, M.R. and M.P. Hayes. 1994. Amphibian and Reptile Species of Special Concern in California. Final Report submitted to the California Department of Fish and [Wildlife], Inland Fisheries Division.
- National Marine Fisheries Service (NMFS). 2016. California Central Valley Steelhead Distinct Population Segment: 5-year Review. California Central Valley Area Office.
- Rogers, D.C. 2001. Revision of the North American *Lepidurus* (Notostraca: Crustacea) with a description of a new species previously confused with two other species. *Journal of Crustacean Biology* 21(4): 991-1006.
- Shuford, W.D., and T. Gardali, editors. 2008. California Bird Species of Special Concern: A ranked assessment of species, subspecies, and distinct populations of birds of immediate conservation concern in California. *Studies of Western Birds* 1. Western Field Ornithologists, Camarillo, California, and California Department of Fish and Game, Sacramento.
- U.S. Fish and Wildlife Service (USFWS). 2002. Recovery Plan for the California Red-legged Frog (*Rana aurora draytonii*). U.S. Fish and Wildlife Service, Portland, Oregon. viii + 173 pp.
2014. 50 CFR Part 17 RIN-1018-AV29 Endangered and Threatened Wildlife and Plants; Withdrawal of the Proposed Rule to Remove the Valley Elderberry Longhorn Beetle from the Federal List of Endangered and Threatened Wildlife. *Federal Register* Vol. 79, No. 180. September 17.
- 2017a. Framework for Assessing Impacts to the Valley Elderberry Longhorn Beetle (*Desmocerus californicus dimorphus*). U.S. Fish and Wildlife Service; Sacramento, California. 28 pp.
- 2017b. Recovery Plan for the Central California Distinct Population Segment of the California Tiger Salamander (*Ambystoma californiense*). U.S. Fish and Wildlife Service, Pacific Southwest Region, Sacramento, California. v + 69pp.

Attachment D (cont.)

Potential for Regionally Occurring Special-Status Species to Occur on the Study Area

2017c. Recovery Plan for the Giant Garter Snake (*Thamnophis gigas*). U.S. Fish and Wildlife Service, Pacific Southwest Region, Sacramento, California. vii + 71 pp.

2021. Information for Planning and Consultation (IPaC). List of threatened and endangered species that may occur in your proposed project location and/or be affected by your proposed project.

Williams, D.F. 1986. California Mammal Species of Special Concern in California. Department of Biological Sciences California State University, Stanislaus and California Department of Fish and Game, Sacramento.

Zeiner, D.C., W.F. Laudenslayer, Jr., K.E. Mayer, and M. White, eds. 1988-1990. California's Wildlife. Vol. I-III. California Department of Fish and Game, Sacramento, California.

Attachment E

Species Observed in
the Study Area

Table E-1. Plant Species Observed in the Study Area

Family	Species Name	Common Name	Status ¹
Native			
Fagaceae	<i>Quercus douglasii</i>	blue oak	--
	<i>Quercus lobata</i>	valley oak	
Salicaceae	<i>Salix gooddingii</i>	Goodding's black willow	--
Non-native			
Amaranthaceae	<i>Amaranthus albus</i>	prostrate pigweed	
	<i>Salsola soda</i>	opposite-leaved Russian thistle	
Asteraceae	<i>Carduus pycnocephalus</i>	Italian thistle	Moderate
	<i>Cichorium intybus</i>	common chicory	
	<i>Lactuca serriola</i>	prickly lettuce	Moderate
	<i>Sonchus asper</i>	prickly sow-thistle	--
Brassicaceae	<i>Brassica nigra</i>	black mustard	Moderate
Euphorbiaceae	<i>Euphorbia prostrata</i>	prostrate spurge	
Fabaceae	<i>Vicia villosa</i>	hairy vetch	--
Poaceae	<i>Avena fatua</i>	common wild oat	--
	<i>Bromus diandrus</i>	ripgut brome	
	<i>Cynodon dactylon</i>	Bermuda grass	Moderate
	<i>Festuca perennis</i>	Italian rye-grass	Moderate
	<i>Taeniatherum caput-medusae</i>	medusahead	High
Oleaceae	<i>Ligustrum lucidum</i>	glossy privet	
Rosaceae	<i>Pyrus calleryana</i>	Bradford pear	Watch

¹Status of native species is federal listing/state listing/California Rare Plant Rank; Status for non-native species is California Invasive Species Council invasiveness rating.

Table E-2. Wildlife Species Observed in the Study Area

Order/Family	Species Name	Common Name	Status ¹
Birds			
Apodiformes			
Trochilidae	<i>Calypte anna</i>	Anna's hummingbird	--
Columbiformes			
Columbidae	<i>Columba livia</i>	rock dove	--
	<i>Zenaida macroura</i>	mourning dove	--
Passeriformes			
Corvidae	<i>Aphelocoma californica</i>	California scrub jay	--
	<i>Corvus brachyrhynchos</i>	American crow	--
Fringillidae	<i>Haemorhous mexicanus</i>	house finch	--
Icteridae	<i>Euphagus cyanocephalus</i>	Brewer's blackbird	--
Mimidae	<i>Mimus polyglottos</i>	northern mockingbird	--
Passerelidae	<i>Passer domesticus</i>	house sparrow	--
Turdidae	<i>Turdus migratorius</i>	American robin	--
Mammals			
Carnivora			
Canidae	<i>Canis latrans</i>	coyote (scat)	--
	<i>Canis lupus familiaris</i>	domestic dog	--
Lagomorpha			
Leporidae	<i>Lepus californicus</i>	black-tailed jackrabbit (scat)	--

¹Status for animal species is ESA/CESA listing or other sensitivity.

Attachment F

Site Photos



Photo 1: View of the Study Area taken from the eastern border looking northwest. Photo taken September 22, 2021.



Photo 2: View of the Study Area taken from the southwestern corner looking northeast. Photo taken September 22, 2021.



Photo 3: View of piles of concrete and fill located in the northwestern corner of the Study Area. Photo taken September 22, 2021.



Photo 4: View of the utility facility in the northwestern corner of the Study Area. Photo taken September 22, 2021.



Photo 5: View of Trees # 327 and 325 and pile of trash in the northern portion of the Study Area. Photo taken September 22, 2021.



Photo 6: View of Tree # 326, directly adjacent to the utility facility. Photo taken September 22, 2021.