

Memorandum

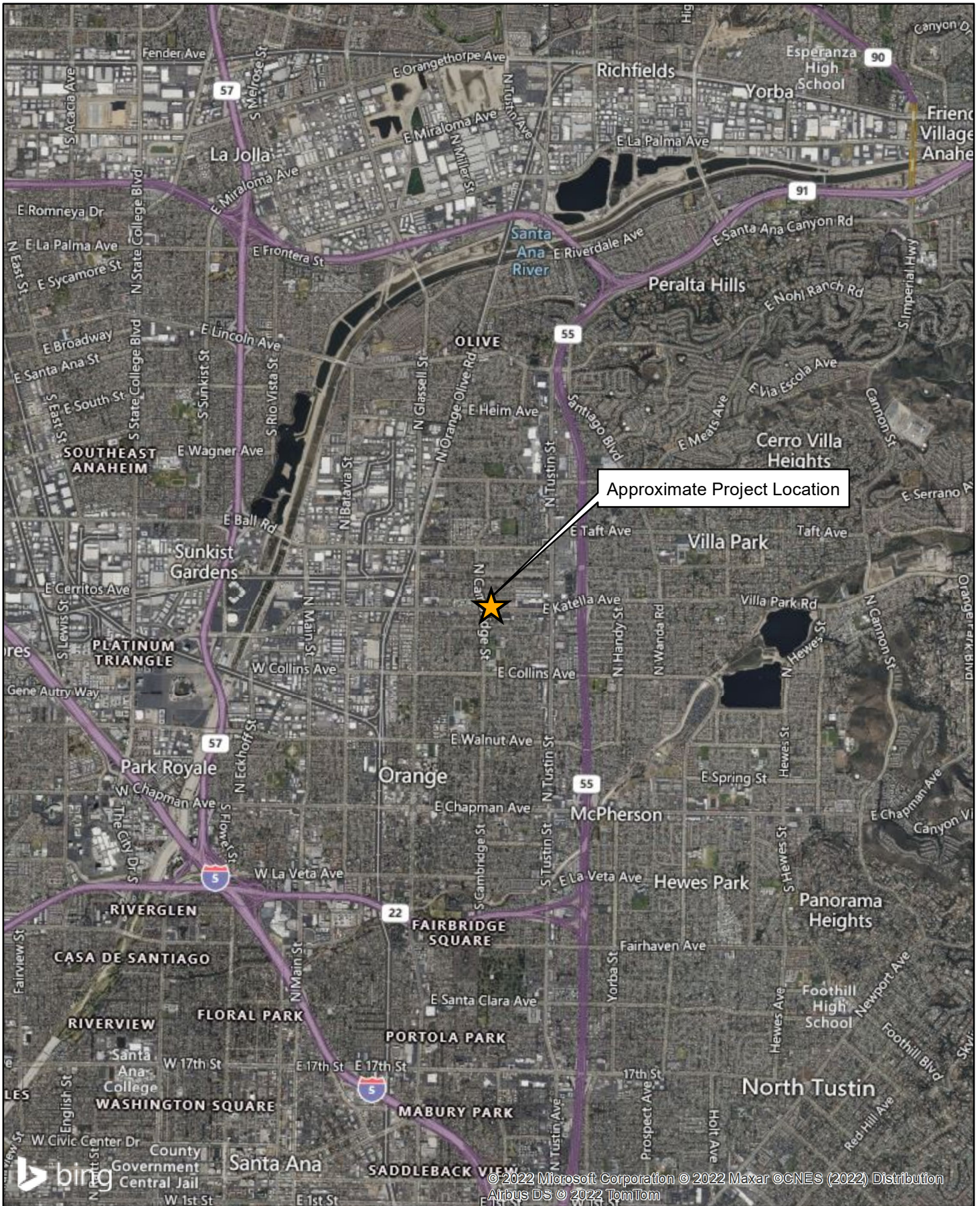
Date: November 14, 2022
To: Emilie Simard, Intracorp
From: Brianna Bernard
Subject: Biological Resource Assessment for 901 E. Katella Project in the City of Orange

Intracorp (Applicant) requested Carlson Strategic Land Solutions (CSLS) prepare a Biological Resource Assessment memorandum and graphics documenting the finding of a field review for potential sensitive plants and wildlife for the 901 East Katella Project (Project) located in the City of Orange, California. In support of Project efforts CSLS biologist, Brianna Bernard, conducted an analysis of the biological resources onsite on October 18, 2022. This memorandum provides the results of the site visit.

1.0 Project Location and Description

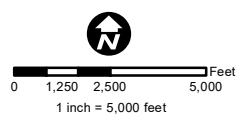
The Project site is an abandoned building and parking lot located on the north-east corner of Katella Avenue and Cambridge Street at 901 East Katella Avenue in the City of Orange (**Figures 1 and 2**). The approximately 2.7-acre Project site is surrounded by residential uses to the north, and commercial uses to the east, south across Katella Avenue, and west across N Cambridge Street.

The Project proposes to construct residential homes and associated infrastructure. Access would be provided driveways on Cambridge Street and Katella Avenue. A tentative tract map is provided on **Figure 3**.



GIS Prepared By:
Carlson SLS

Created: November 3, 2022



Data Sources: Bing Maps

901 E. Katella Project
Regional Map

Figure 1

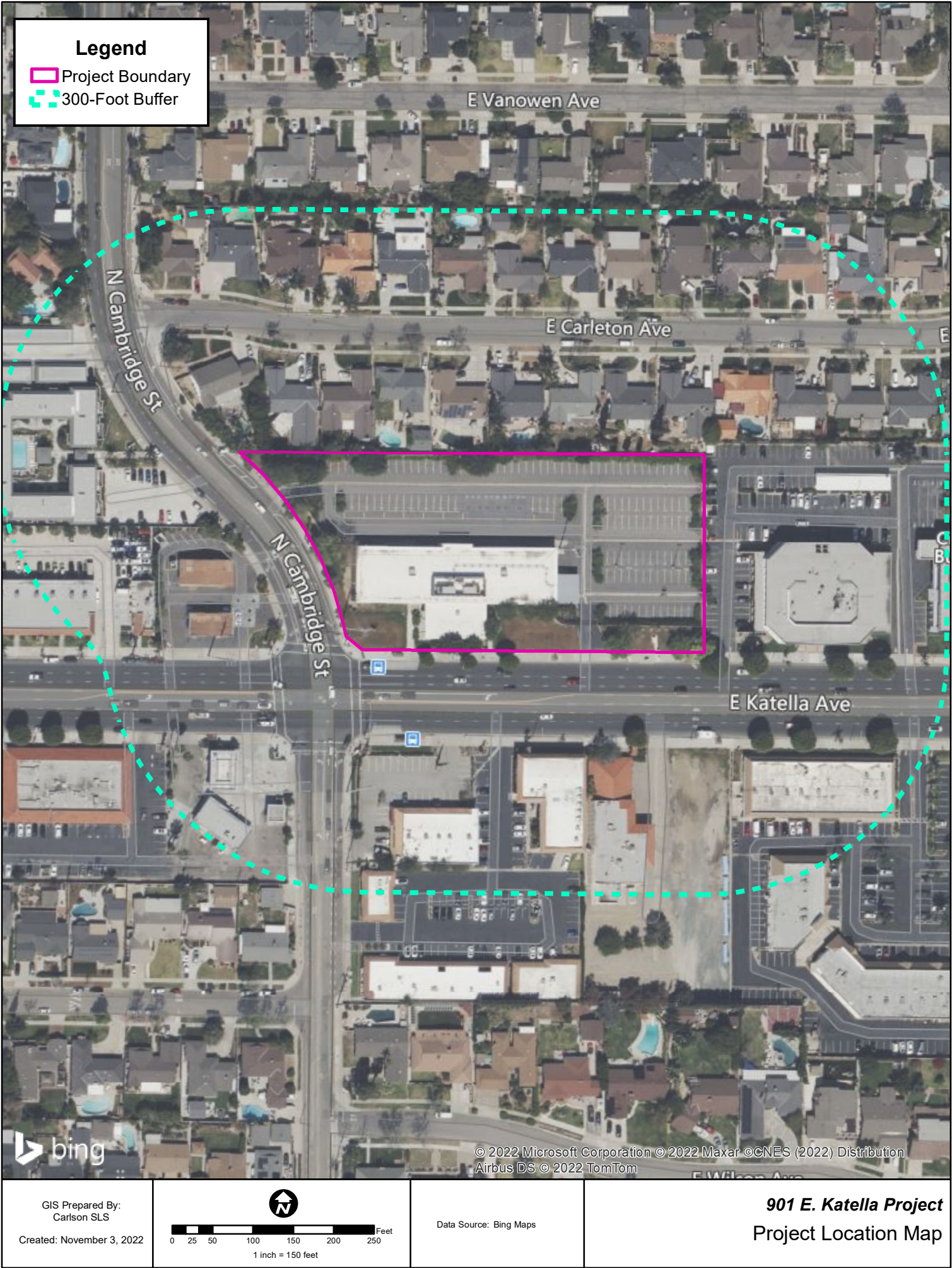
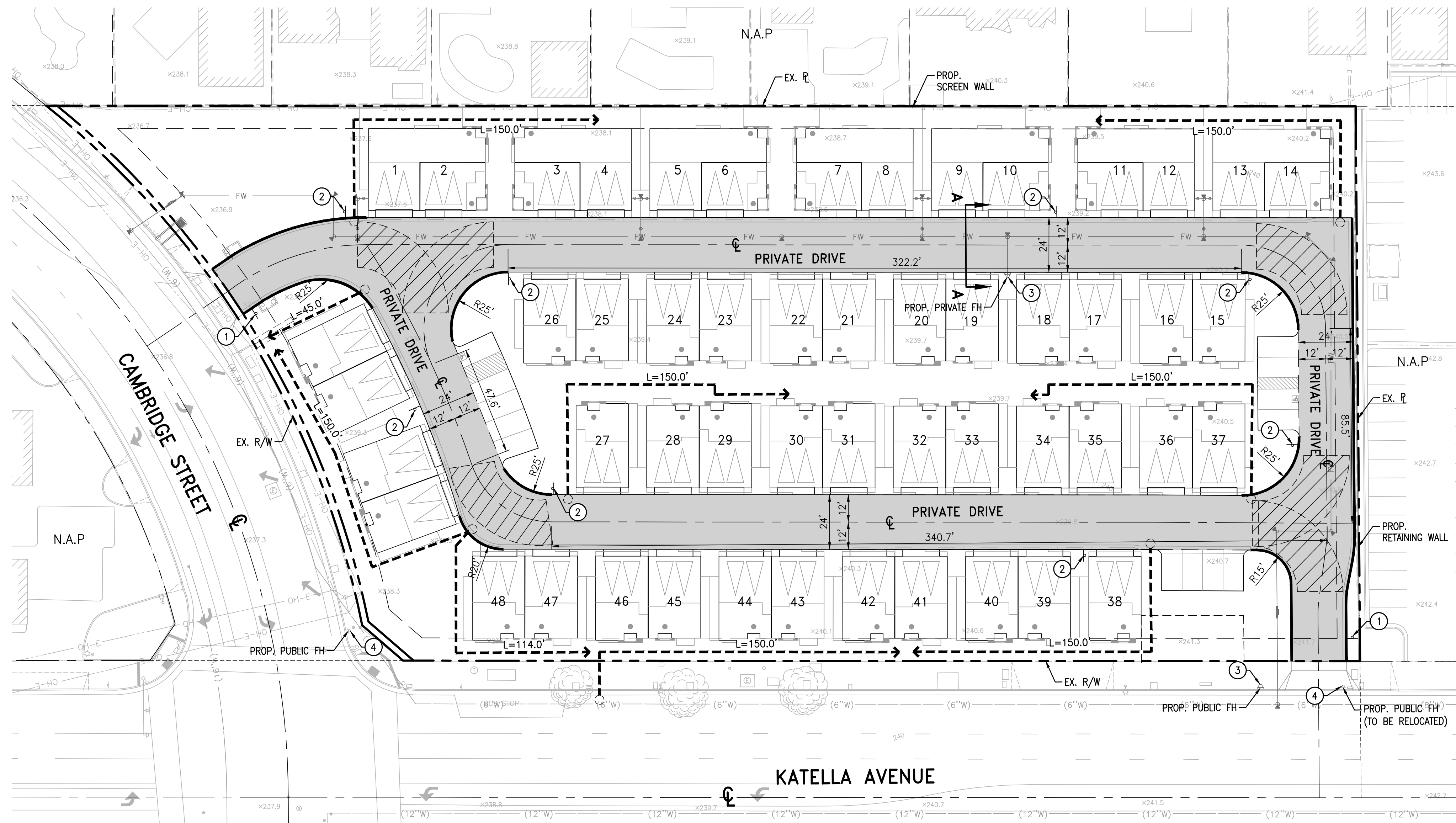


Figure 2

TENTATIVE TRACT NO. 19253

FOR CONDOMINIUM PURPOSES
901 EAST KATELLA AVNUE
CITY OF ORANGE, COUNTY OF ORANGE
STATE OF CALIFORNIA



SITE ADDRESS:

901 E. KATELLA AVENUE
ORANGE, CA 92667

PROJECT SCOPE:

3 STORY RESIDENTIAL BUILDINGS
2 PLAN TYPES: APPROXIMATELY 1,900 - 2,000 SF

CONSTRUCTION NOTES:

1. INSTALL FIRE LANE ENTRANCE SIGN PER C.O.F.P.B. GUIDELINE ATTACHMENT 11
2. INSTALL "NO PARKING" SIGN PER DETAIL HEREON AND C.O.F.P.B. GUIDELINE ATTACHMENT 12
3. PROPOSED FIRE HYDRANT LOCATION PER PUBLIC WATER IMPROVEMENT PLANS AND CITY OF ORANGE STDs. INSTALL BLUE DOT REFLECTIVE PAVEMENT MARKER PER O.F.D.
4. EXISTING PUBLIC FIRE HYDRANT

NOTES:

ALL BUILDINGS ARE CONSTRUCTION TYPE VB

OCCUPANCY IS TYPE R-3 TOWNHOMES

AUTOMATIC RESIDENTIAL FIRE SPRINKLER IS REQUIRED (NFPA 130 SYSTEM) PER 2013 CRC SECTION R313. SYSTEM SHALL BE DESIGNED AND INSTALLED IN ACCORDANCE WITH 2013 CRC SECTION R313.3 AND NFPA 13D.

CURRENT ZONING PER CITY OF ORANGE, CA:

RESIDENTIAL ZONING (R3) / MEDIUM DENSITY RESIDENTIAL

ORANGE CITY FIRE DEPARTMENT NOTES:

INSPECTIONS REQUIREMENTS

1. OFD SITE INSPECTIONS ARE REQUIRED FOR THIS PROJECT. PLEASE SCHEDULE ALL FIELD INSPECTIONS AT LEAST 48 HOURS IN ADVANCE. CALL THE FIRE PREVENTION OFFICE AT (714) 288-2541 FOR INSPECTION SCHEDULING.
2. A LUMBER DROP INSPECTION SHALL BE PERFORMED PRIOR TO DELIVERY TO THE SITE. ALL-WEATHER ACCESS ROADS CAPABLE OF SUPPORTING 68,000 LBS., TOPPED WITH ASPHALT, CONCRETE, OR EQUIVALENT SHALL BE IN PLACE AND HYDRANTS OPERATIONAL AT TIME OF LUMBER DROP INSPECTION.
3. PHASED INSTALLATION OF FIRE ACCESS ROADS REQUIRES ADDITIONAL INSPECTIONS.
4. AN ORIGINAL APPROVED, SIGNED, WET-STAMPED OFD FIRE MASTER PLAN SHALL BE AVAILABLE ON SITE.
5. ACCESS ROADS AND HYDRANTS SHALL BE MAINTAINED AND REMAIN CLEAR OF OBSTRUCTIONS AT ALL TIMES.
6. AREAS WHERE PARKING IS NOT PERMITTED SHALL BE CLEARLY IDENTIFIED.
7. OBSTRUCTION OF FIRE LANES AND HYDRANTS MAY RESULT IN CANCELLATION OR SUSPENSION OF INSPECTIONS AND A NOTICE OF CORRECTION OR CITATION WILL BE ISSUED.
8. TEMPORARY FUEL TANKS OF 60 OR MORE GALLONS SHALL BE REVIEWED, INSPECTED, AND PERMITTED BY THE OFD PRIOR TO INSTALLATION AND USE.
9. THE PROJECT ADDRESS SHALL BE CLEARLY POSTED AND VISIBLE FROM THE PUBLIC ROAD DURING.
10. ALL GATES WHICH ARE REQUIRED FOR FIRE DEPARTMENT ACCESS SHALL BE EQUIPPED WITH EITHER A KNOX OR FIRE DEPARTMENT PADLOCK.
11. BUILDING OF FOUR OR MORE STORIES SHALL BE PROVIDED WITH STAIRS AND A STANDPIPE BEFORE REACHING 40 FEET IN HEIGHT.

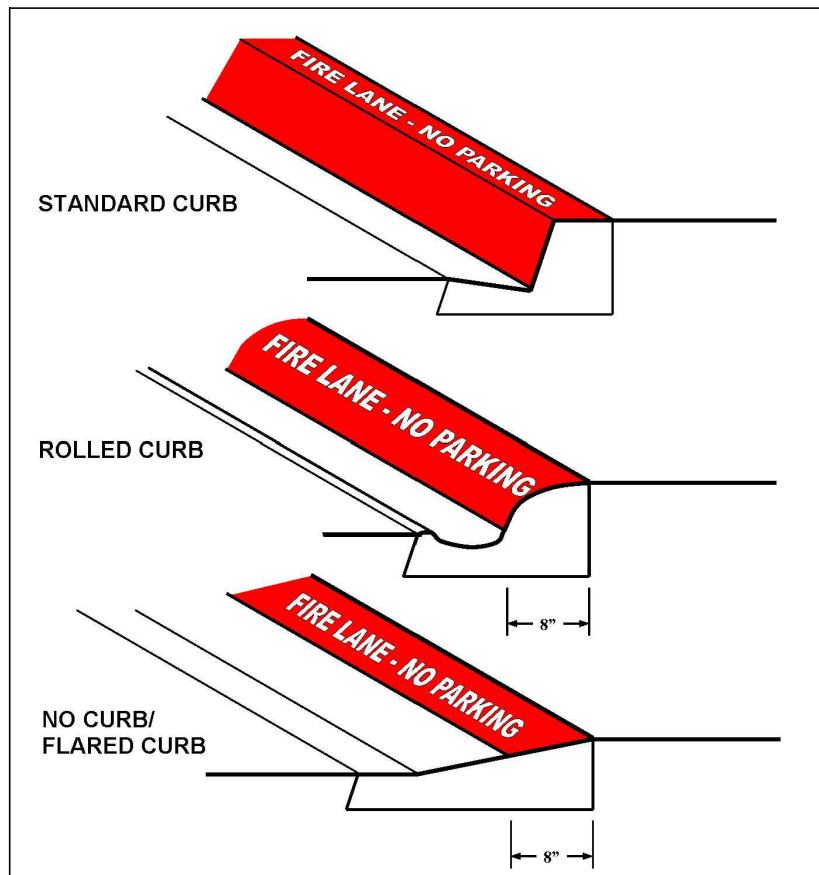
GENERAL REQUIREMENTS

12. FIRE LANE WIDTHS SHALL BE MEASURED FROM TOP FACE OF THE CURB TO TOP FACE OF THE CURB FOR FIRE LANES WITH STANDARD CURBS AND GUTTERS AND FROM FLOW-LINE TO FLOW-LINE FOR FIRE LANES WITH MODIFIED CURB DESIGNS (E.G., ROLLED, RAMPED, ETC.). THE DEVELOPER IS RESPONSIBLE TO VERIFY THAT ALL APPROVED PUBLIC WORKS OR GRADING DEPARTMENT STREET IMPROVEMENT PLANS OR PRECISE GRADING PLANS CONFORM TO THE MINIMUM STREET WIDTH MEASUREMENTS PER THE APPROVED OFD FIRE MASTER PLAN.
13. PERMANENT, TEMPORARY, AND PHASED EMERGENCY ACCESS ROADS SHALL BE DESIGNED AND MAINTAINED TO SUPPORT AN IMPOSED LOAD OF 68,000 LBS. AND SURFACED TO PROVIDE ALL-WEATHER DRIVING CAPABILITIES.
14. ADDITIONAL FIRE LANE MARKINGS MAY BE REQUIRED AT THE TIME OF INSPECTION DEPENDING ON FIELD CONDITIONS.
15. ADDRESS NUMBERS SHALL BE LOCATED AND BE OF A COLOR AND SIZED SO AS TO BE PLAINLY VISIBLE AND LEGIBLE FROM THREE ROADWAY.
16. ACCESS GATES SHALL BE APPROVED PRIOR TO INSTALLATION AND SHALL BE IN COMPLIANCE WITH CHAPTER 5 OF THE CFC.
17. APPROVED ACCESS WALKWAYS SHALL BE PROVIDED TO ALL REQUIRED OPENINGS AND ALL RESCUE WINDOWS.
18. VEGETATION SHALL BE SELECTED AND MAINTAINED IN SUCH A MANNER AS TO ALLOW IMMEDIATE ACCESS TO ALL HYDRANTS, VALVES, FIRE DEPARTMENT CONNECTIONS, PULL STATIONS, EXTINGUISHERS SPRINKLER RISERS, ALARM CONTROL PANELS, RESCUE WINDOWS, AND OTHER DEVICES OR AREAS USED FOR FIREFIGHTING PURPOSES. VEGETATION OR BUILDING FEATURES SHALL NOT OBSTRUCT ADDRESS NUMBERS OR INHIBIT THE FUNCTIONING OF ALARM BELLS, HORNS OR STROBES.
19. DUMPSTERS AND TRASH CONTAINERS LARGER THAN 1.5 CUBIC YARDS SHALL NOT BE STORED IN BUILDINGS OR PLACED WITHIN 5 FEET OF COMBUSTIBLE WALLS, OPENINGS OR COMBUSTIBLE ROOF EAVE UNLESS PROTECTED BY AN APPROVED SPRINKLER SYSTEM.
20. ANY FUTURE MODIFICATION TO THE APPROVED FIRE MASTER PLAN OR APPROVED SITE PLAN, INCLUDING BUT NOT LIMITED TO ROAD WIDTH, GRADE, SPEED HUMPS, TURNING RADII, GATES OR OTHER OBSTRUCTION, SHALL REQUIRE REVIEW, INSPECTION, AND APPROVAL BY THE OFD.
21. APPROVAL OF THIS PLAN SHALL NOT BE CONSTRUCTED AS APPROVAL OF ANY INFORMATION OR PROJECT CONDITIONS OTHER THAN THOSE ITEMS AND REQUIREMENTS IDENTIFIED IN RELATED PORTIONS OF THE CFC AND CBC AND ORANGE MUNICIPAL CODE. THIS PROJECT MAY BE SUBJECT TO ADDITIONAL REQUIREMENTS NOT STATED HEREIN UPON EXAMINATION OF ACTUAL SITE AND PROJECT CONDITIONS OR DISCLOSURE OF ADDITIONAL INFORMATION.

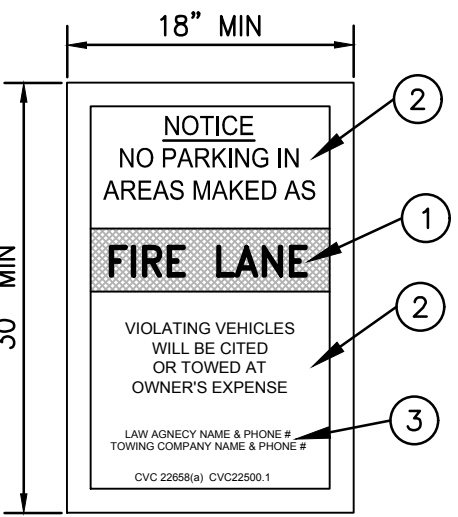
GENERAL REQUIREMENTS

22. AN UNDERGROUND PIPING PLAN IS REQUIRED FOR THE INSTALLATION OF AN AUTOMATIC FIRE SPRINKLER SYSTEM OR FOR A PRIVATE FIRE HYDRANT SYSTEM. A SEPARATE PLAN SUBMITTAL IS REQUIRED.
23. AN AUTOMATIC FIRE SPRINKLER SYSTEM SHALL BE INSTALLED IN ACCORDANCE WITH APPLICABLE CODES AND LOCAL ORDINANCES, AMENDMENTS, AND GUIDELINES. SPRINKLER SYSTEMS, OTHER THAN THOSE WITH LESS THAN 100 HEADS SERVING A SINGLE FAMILY RESIDENCE/DUPLEX, SHALL BE MONITORED BY AN APPROVED CENTRAL STATION. SEPARATE PLAN SUBMITTALS FOR THE SPRINKLER AND MONITORING SYSTEMS ARE REQUIRED.
24. A FIRE ALARM SYSTEM SHALL BE INSTALLED IN ACCORDANCE WITH APPLICABLE CODES AND ORDINANCES, AMENDMENTS, AND GUIDELINES. A SEPARATE PLAN SUBMITTAL IS REQUIRED.

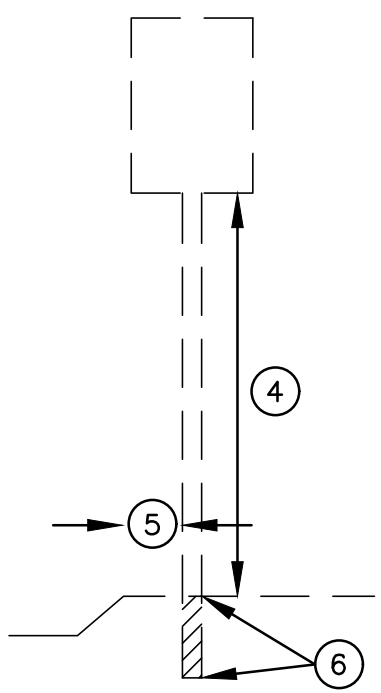
FIRE LANE IDENTIFICATION - RED CURBS:



FIRE LANE SIGN DETAILS & NOTES:



FIRE LANE ENTRANCE SIGN DETAIL
NOT TO SCALE



SIGN MOUNTING DETAIL
NOT TO SCALE

1. THE WORDS FIRE LANE SHALL BE WHITE REFLECTIVE ON RED BACKGROUND AND NO SMALLER THAN 2-3/4" INCHES IN HEIGHT
2. LETTERING SHALL BE RED ON WHITE REFLECTIVE BACKGROUND, NO SMALLER THAN 1-3/8" INCHES IN HEIGHT
3. LETTERING SHALL BE RED ON WHITE REFLECTIVE BACKGROUND, NO SMALLER THAN 1 INCH IN HEIGHT
4. HEIGHT OF SIGN IN SIDEWALK OR PEDESTRIAN AREA SHALL BE 7'-0", AND 5'-0" IN ALL OTHER AREAS.
5. DEPTH OF SIGN SHALL BE 18 INCHES FROM STANDARD CURB AND 24 INCHES WITH ROLLED CURB TO CENTER OF POST.
6. BURY DEPTH SHALL BE A MINIMUM OF 24 INCHES.

NOTES

ALL SIGN AND LETTERING DIMENSIONS SHOWN ARE MINIMUMS. "ARIAL NARROW" FONT IS USED IN SAMPLE THOUGH OTHER LEGIBLE SANS-SERIF FONTS MAY BE ACCEPTABLE.

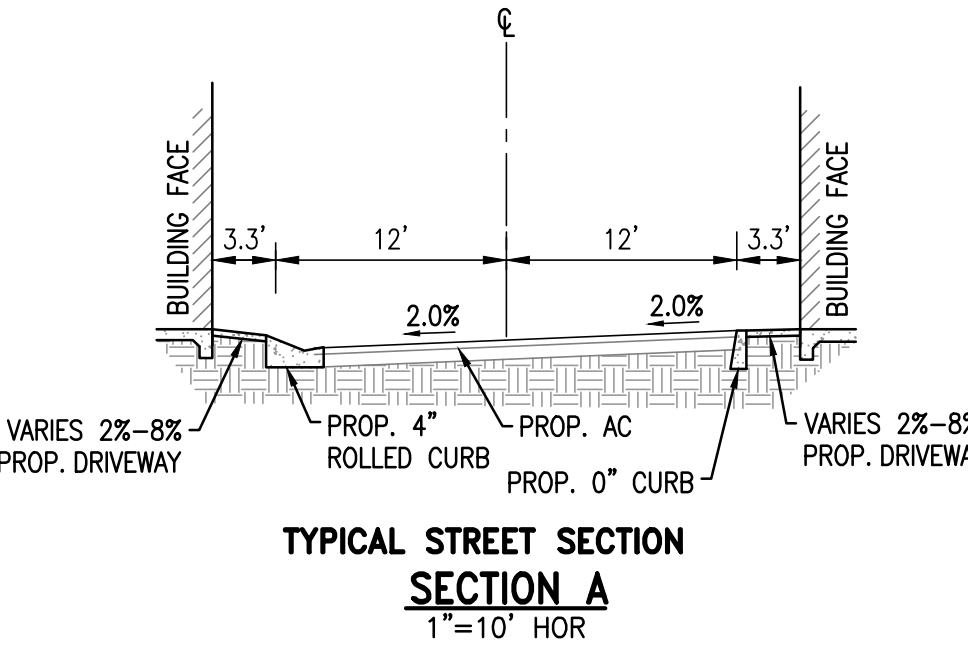
THIS SIGN SHALL BE POSTED AT ALL VEHICLE ENTRANCES TO AREAS MARKED WITH EITHER RED CURBS OR FIRE LANE "NO PARKING" SIGNS. SIGNS SHALL BE SECURELY MOUNTED FACING THE DIRECTION OF TRAVEL AND CLEARLY VISIBLE TO ONCOMING TRAFFIC ENTERING THE DESIGNATED AREA. SIGNS SHALL BE MADE OF DURABLE MATERIAL AND INSTALLED PER ATTACHMENTS 13 AND 14 OF 2017 OFCA GUIDELINE B09.

TOWING COMPANY CONTACT INFORMATION IS REQUIRED FOR ALL PROPERTIES WITH A STANDING WRITTEN AGREEMENT FOR SERVICES WITH A TOWING COMPANY PER THE CALIFORNIA VEHICLE CODE.

THE SIGNS SHALL BE SECURELY MOUNTED FACING THE DIRECTION OF TRAVEL AND CLEARLY VISIBLE TO ONCOMING TRAFFIC ENTERING DESIGNATED AREA. SIGNS SHALL BE OF DURABLE MATERIAL.

LEGEND

- HOSE PULL LENGTH PER PLAN
- FIRE HYDRANT
- FIRE ACCESS LANE
- FIRE ACCESS LANE SIGN
- EX. PROPERTY LINE/ RIGHT-OF-WAY
- PROP. RIGHT-OF-WAY
- FIRE TRUCK TURN RADIUS PER PLAN
- FIRE LANE - RED CURB



NOTES

1. FIRE LANE ENTRANCE SIGN(S) SHALL ALSO BE PROVIDED PER ATTACHMENT 10 OR 11 PER OFCA GUIDELINE B09. CURBS SHALL BE PAINTED OSHA SAFETY RED.
2. "FIRE LANE - NO PARKING" SHALL BE PAINTED ON TOP OF CURB IN 3" WHITE LETTERING AT A SPACING OF 30' ON CENTER OR PORTION THEREOF.

REVISIONS					
NO	DATE	INITIAL	DESCRIPTION	APP	DATE

DEVELOPER:

INTRACORP HOMES

895 DOVE STREET, SUITE 400
NEWPORT BEACH, CA 92660
PHONE (949) 955-2370

SOILS ENGINEER:

GEOTEK, INC.

1548 N. MAPLE STREET
CORONA, CA 92880
PHONE (951) 710-1160

PREPARED BY :



CONSULTING, INC.
CIVIL ENGINEERING
LAND PLANNING & SURVEYING

9830 IRVINE CENTER DRIVE
IRVINE, CALIFORNIA 92618

(949) 916-3800

INFO@CVC-INC.NET

WWW.CVC-INC.NET



TENTATIVE TRACT MAP 19253

FIRE MASTER PLAN

SHEET 1 OF 1

SCALE: AS SHOWN

DRAWN BY: LR

CHECKED BY: JH

CITY OF ORANGE

2.0 Methodology

2.1 Biological Survey

Prior to the field survey, available literature, historical aerials, and databases were reviewed regarding sensitive habitats, special status plants, and wildlife species within the vicinity. CSLS reviewed and consulted literature and databases focused on Orange County, California, including the California Natural Diversity Database (CNDDDB) and the U.S. Fish and Wildlife Service (USFWS) Critical Habitat database. The CNDDDB is a California Department of Fish and Wildlife (CDFW) species account database that inventories status and locations of rare plants and wildlife in California. The CNDDDB was used to identify any sensitive plant communities and special status plants and wildlife that have potential to occur within the Project site.

The USFWS's online service for information regarding Final Critical Habitat designation within California was reviewed to determine if the Study Area is within any species' designated Critical Habitat. The USFWS regulatory mapping process for the designation of critical habitat is an imprecise, broad-based, mapping exercise of areas that may or may not include constituent elements of the critical habitat designation. Due to this approach in mapping, large areas are designated as critical habitat regardless of the existing habitat, and as a result may include developed areas, such as buildings, roads, hardscape, and other such facilities, as well as natural habitats.

2.1.1 *Plant Community Mapping*

Plant communities were mapped in the field directly onto a 200-scale (1" = 200') focusing on dominant plant species. Plant species were identified using plant field and taxonomical guides, such as The Jepson Manual: Vascular Plants of California, second edition (Baldwin et al. 2012). Vegetation communities were characterized utilizing vegetation alliances in accordance with The Manual of California Vegetation, Second Edition (MCVII) (Sawyer et al. 2009). Where necessary, deviations were made on best professional judgment when areas did not fit into a specific habitat description provided by MCVII. After completing the fieldwork, the plant community polygons were digitized using Geographic Information System (GIS) technology to calculate acreages.

2.2 City of Orange Tree Ordinance

The City establishes regulations and standards for the preservation, protection, and selected removal of trees. Tree protection, removal, and replacement standards are outlined in the City of Orange's Municipal Code (Chapter 12.32). Per the City's Municipal Code the intent is to preserve the vast number of majestic trees and other

mature trees. The primary purpose of Chapter 12.32 Tree Preservation is to regulate the removal and destruction of trees from undeveloped and public interest property as defined in Section 12.32.040 and 12.32.050 of the City's Municipal Code. Tree, as defined in Section 12.32.020 means any live plant which has a single trunk measuring 10.5 inches in circumference, measured at a point 24 inches above the ground level.

Undeveloped property is defined in Section 12.32.040 as any real property which has not been caused to progress to a more improved, advanced state of development. Public interest property is defined in Section 12.32.050 as any property, privately owned or otherwise, whether developed or undeveloped, which has, because of the presence of certain trees of historical value in such property, become property endowed with a public interest.

2.3 Orange County Natural Community Conservation Plan and Habitat Conservation Plan (NCCP/HCP)

The Orange County Natural Community Conservation Plan and Habitat Conservation Plan (NCCP/HCP) was prepared in cooperation with CDFW and USFWS. The NCCP/HCP focus' on creating a multiple-species, multiple-habitat subregional Reserve System and implementing a long-term adaptive management program that will protect coastal sage scrub and other habitats and species located within the CSS habitat mosaic, while providing for economic uses that will meet the social and economic needs of the people of the subregion.

The primary goal of the NCCP/HCP is to protect and manage habitat supporting a broad range of plant and animal populations. To accomplish this goal, the NCCP/HCP creates a subregional habitat Reserve System and implements a coordinated program to manage biological resources within the habitat reserve.

2.4 Jurisdictional Waters

The Project site was assessed for jurisdictional Waters of the United States (U.S.) and Waters of the State. To determine the presence of a wetland, three indicators are required: (1) hydrophytic vegetation, (2) hydric soils, and (3) wetland hydrology. The methodology published in the *U.S. Army Corps of Engineers 1987 Wetland Delineation Manual* and the *Arid West Supplement* sets the standards for meeting each of the three indicators, which normally require that 50 percent or more dominant plant species typical of a wetland, soils exhibiting characteristics of saturation, and hydrological indicators be present.

Additionally, jurisdiction over non-wetland Waters of the U.S. is typically determined through the observation of an Ordinary High Water Mark (OHWM), which is defined as the "line on the shore established by the fluctuation of water and indicated by physical characteristics such as a clear, natural line impressed on the bank, shelving, changes in the character of soil, destruction of terrestrial vegetation, the presence of litter and debris, or other appropriate means that consider the characteristics of the surrounding areas." Projects with impacts to Waters of the U.S. are regulated under Sections 401 and 404 of the Clean Water Act.

Waters of the State are regulated by the California Department of Fish and Wildlife (CDFW) through Section 1600 et seq. of the California Fish and Game Code. The limits of Waters of the State are defined as the "body of water that flows at least periodically or intermittently through a bed or channel having banks and supports fish or other aquatic life. This includes watercourses having surface or subsurface flow that supports or has supported riparian vegetation." Therefore, the limits extend from the channel bed to the top of the bank, with the addition of the canopy of any riparian habitat associated with the watercourse.

3.0 Results

3.1 Biological Results

CSLS Biologist conducted a general biological survey within the Project site and surrounding 300-foot buffer, collectively referred to as the Study Area, on October 18, 2022. The survey was performed between 10:00 a.m. and 11:05 a.m. The temperature was 82° F during the field survey, with clear skies. Any inaccessible or restricted areas were surveyed using binoculars. The vegetation, trees, jurisdictional waters, and wildlife observed were documented. Representative photographs of the Study Area are included in **Attachment A**.

3.1.1 *Vegetation Communities*

The Project site is a developed lot with an abandoned building and associated parking lot. The site is composed entirely of developed community with scattered ornamental species in the parking lot and frontage of the building (**Figure 4**). A description of the vegetation community is found below.

Developed

The entire Project site is developed with a 20,000 square foot abandoned building, a covered storage area, a cell phone tower all located east of the main abandoned

building, an asphalt-paved parking lot, associated landscaping and two gated entryways located on the southern and western portions of the property. At the time of the biological assessment, signs of homeless encampments were observed within the abandoned building. Vegetation within this community include variegated agave (*Agave americana* 'Variegata'), glossy privet (*Ligustrum lucidum*), creeping juniper (*Juniperus horizontalis*) and the following trees, all which occur along the frontage road:

Table 2. Tree Species Onsite

<i>Jacaranda mimosifolia</i>	Jacaranda
<i>Ulmus parvifolia</i>	Chinese Elm
<i>Ceiba speciosa</i>	Silk Floss Trees

3.1.2 Special Status Plant and Wildlife Species

The Project site contains no special-status vegetation type listed by the CNDDDB and CDFW. Due to the developed environment of the Project site, it does not contain any suitable habitat for special status plants or wildlife. Several sensitive wildlife species were reported in the vicinity of the Project site based on the CNDDDB and within the quadrangle search. No special status wildlife was identified or observed within the Project site during the field survey (**Figure 5**).

3.1.3 Critical Habitat

The Study Area is not located within any designated critical habitat. The closest mapped critical habitat occurs approximately 2.87 miles to the east for the coastal California gnatcatcher (*Poliophtila californica californica*). The Project site does not contain any suitable habitat for these species.

3.1.4 Wildlife Species

The Project site is located along a busy corridor along Katella Avenue and Cambridge Street. Due to this wildlife species observed onsite was low during the survey and consisted primarily of species accustomed to urban settings. Observed species include American crow (*Corvus brachyrhynchos*), black phoebe (*Sayornis nigricans*), Anna's hummingbird (*Calypte anna*), song sparrow (*Melospiza melodia*), and mourning dove (*Zenaida macroura*).

3.2 NCCP/HCP

The Project site is not located within the mapped boundary of the Orange County NCCP/HCP.

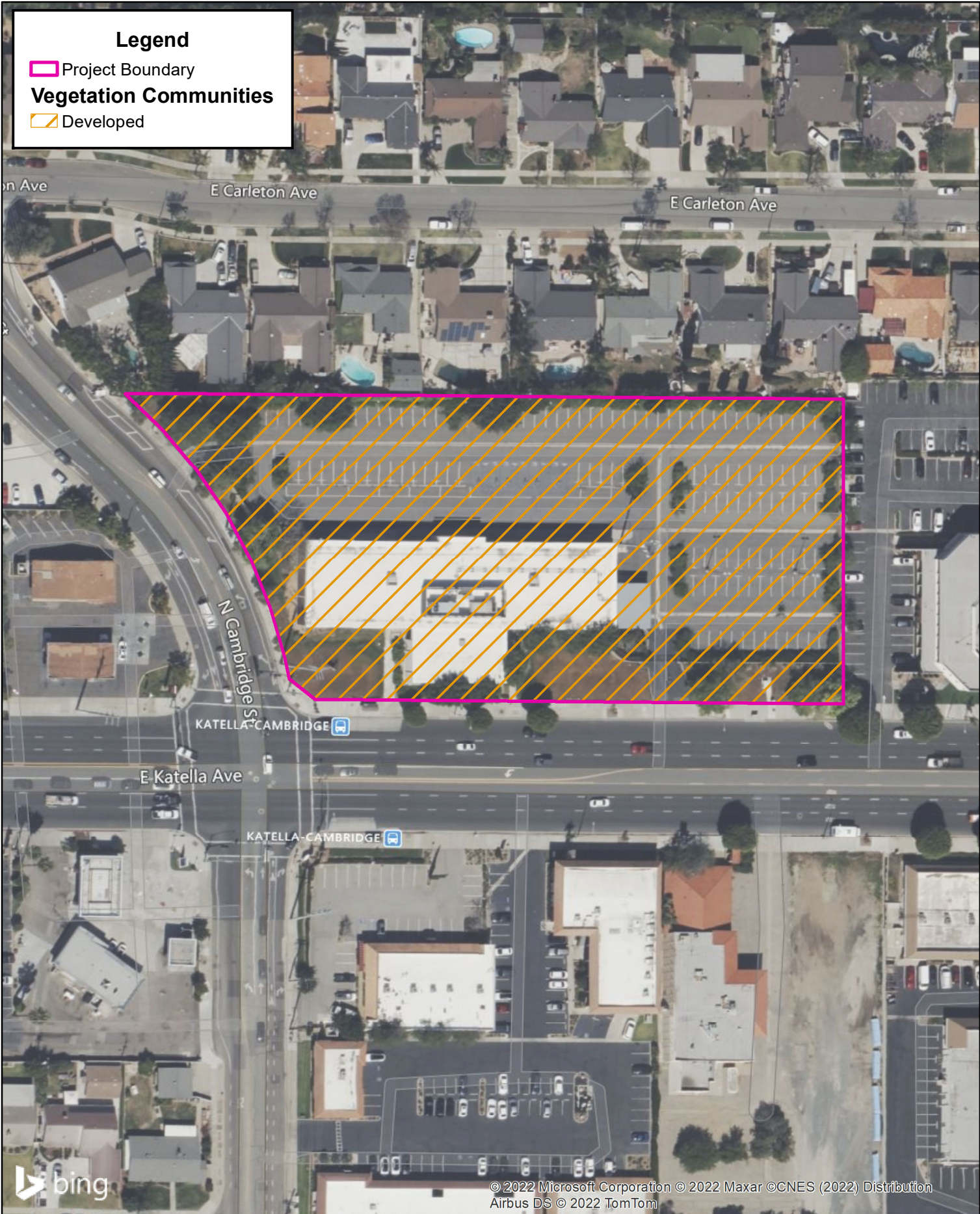


Figure 4

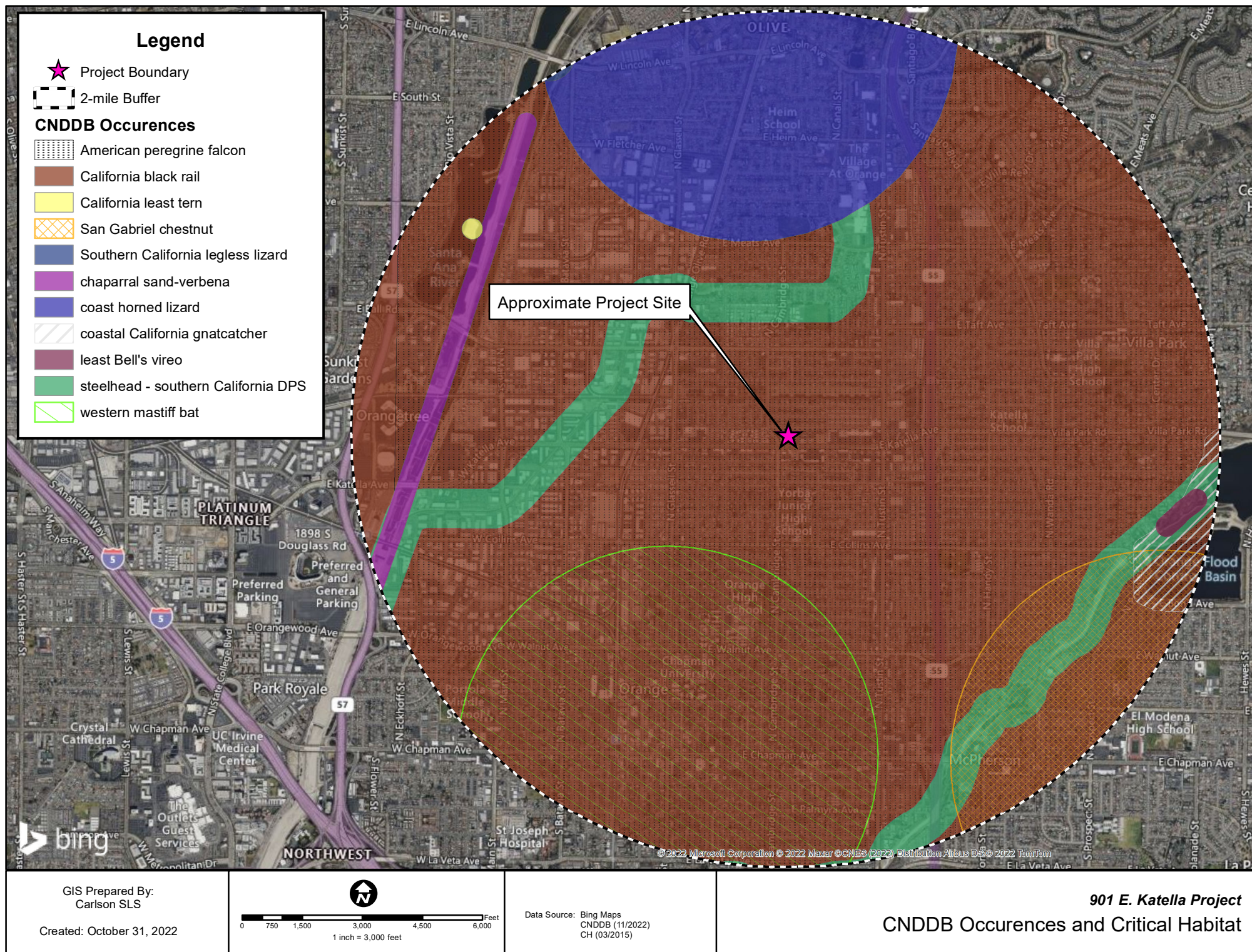


Figure 5

3.3 Jurisdictional Waters

Based on the literature review and USGS quadrangle topographic map, no blue line drainages were mapped on the Project site. During the field survey, the biologists paid special attention for any drainages meeting the regulatory definitions of waters.

The Project site is a developed condition with an abandoned building and associated parking lot. Based on the field survey, there are no features identified on the Project site that meet the definition and are considered jurisdictional Waters of the United States or Waters of the State, pursuant to Section 1600-1603 of the California Fish and Game Code and Section 401 and 404 of the Clean Water Act, respectively.

4.0 Impacts

With the implementation of the Project the entire parcel will be impacted.

4.1 Biological Results

4.1.1 *Vegetation Communities*

Development of the Project site would result in the direct removal of non-native species and hardscape, including buildings and parking lot. No special status or sensitive plant species were identified to occur onsite, nor were they observed onsite. The Project site is developed with some ornamental species. The Project would include the removal of non-native ornamental species, which are abundant in the area; therefore, impacts would not be considered a significant impact and no mitigation is required.

4.1.2 *Sensitive Wildlife Species*

Development of the Project site would result in the disruption and removal of potential nesting habitat in the form of buildings, ornamental trees, and shrubs. Due to the built nature of the site, the busy intersection, and development within the vicinity (e.g., nearby commercial buildings), these impacts would not be expected to reduce the general wildlife populations below self-sustaining levels within the region and impacts to non-sensitive wildlife species do not meet the significance thresholds. Therefore, impacts to common wildlife species would not be considered a significant impact and no mitigation is required.

The Project site consists of developed habitat and lacks suitable habitat for sensitive wildlife species. The Project site provides limited suitable habitat for some common avian species in the form of ornamental species and existing building eaves. While none of the common species carry a Federal or State listing as threatened or endangered, they are all protected under the Migratory Bird Treaty Act (MBTA). Therefore, a pre-construction survey is required in compliance with the MBTA. Implementation of

Mitigation Measure MM BIO-1 would reduce potential impacts to the avian species to a less than significant level, if nesting individuals are present.

MM BIO-1 *Prior to the issuance of any grading permit that would impact potentially suitable nesting habitat for avian species, the project applicant shall adhere to the following:*

1. *Vegetation removal activities shall be scheduled outside the nesting season (September 1 to February 14 for songbirds; September 1 to January 14 for raptors) to the extent feasible to avoid potential impacts to nesting birds and/or ground nesters.*
2. *Any construction activities that occur during typical nesting season (February 15 to August 31 for songbirds; January 15 to August 31 for raptors) will require that all suitable habitat, on-site and within 300-feet surrounding the site (as feasible), be thoroughly surveyed for the presence of nesting birds by a qualified biologist before commencement ground disturbances. If active nests are identified, the biologist would establish buffers around the vegetation (500 feet for raptors and sensitive species, 200 feet for non-raptors/non-sensitive species). All work within these buffers would be halted until the nesting effort is finished (i.e. the juveniles are surviving independent from the nest). The onsite biologist would review and verify compliance with these nesting boundaries and would verify the nesting effort has finished. Work can resume within these areas when no other active nests are found. Alternatively, a qualified biologist may determine that construction can be permitted within the buffer areas and would develop a monitoring plan to prevent any impacts while the nest continues to be active (eggs, chicks, etc.). Upon completion of the survey and any follow-up construction avoidance management, a report shall be prepared and submitted to City for mitigation monitoring compliance record keeping.*

4.1.3 Wildlife Corridor

The Project site is surrounded by commercial building and residential development and does not function as a wildlife corridor. Furthermore, the Project site is a gated parcel and is located on the corner of a busy intersection with consistent traffic and noise further deterring the use of the site as corridor. As such, no impacts would occur, and no mitigation is required.

4.2 Local Ordinances or Policies

While the City has a tree ordinance, the intent and purpose of the ordinance is to regulate the removal and destruction of trees from undeveloped and public interest property. The Project site is a developed parcel and does not meet the definition of public interest property. However, as part of Project construction and design, ornamental landscaping will be incorporated into the residential neighborhood in the form of trees and shrubs. While the trees found onsite do not meet the definition of the City's tree ordinance and therefore do not require mitigation, the Project design incorporate trees, shrubs, and other ornamental ground cover. Therefore, no impacts would occur, and no mitigation is required.

4.3 Adopted Habitat Conservation Plan

The Project site is not mapped within the boundary of the Orange County NCCP/HCP. Therefore, no impacts would occur, and no mitigation is required.

4.4 Jurisdictional Features

No jurisdictional features occur on the Project site that meet the definition and are considered jurisdictional Waters of the United States or Waters of the State, pursuant to Section 1600-1603 of the California Fish and Game Code and Section 401 and 404 of the Clean Water Act, respectively. Therefore, no impacts would occur, and no mitigation is required.

5.0 Summary

The Project site consists of an abandon building on a developed lot with scattered ornamental trees and shrubs. The Project site does not contain sensitive habitat or suitable habitat for sensitive species.

While the site is developed, the building and scattered ornamental species could provide suitable nesting habitat for avian species. Due to the suitable habitat, direct impacts could occur to nesting birds should construction activities and ground disturbances begin during the typical nesting season. However, adherence and implementation of **MM BIO - 1** will ensure impacts to avian species or their habitats are minimized thus reducing the Project's impact to less than significant.

The Project site does not fall within the Orange County NCCP/HCP boundary. While the City does have an ordinance for trees, the Project does not meet the purpose or intent of the ordinance. However, the Project does propose landscaping as part of the final design.

No jurisdictional features are present onsite.

Please contact me at bbernard@carlsonsls.com or 949.542.7042, should you have any questions or comments.

Brianna Bernard
Project Manager

Enclosures:

- Attachment A: Representative Photographs

Attachment A

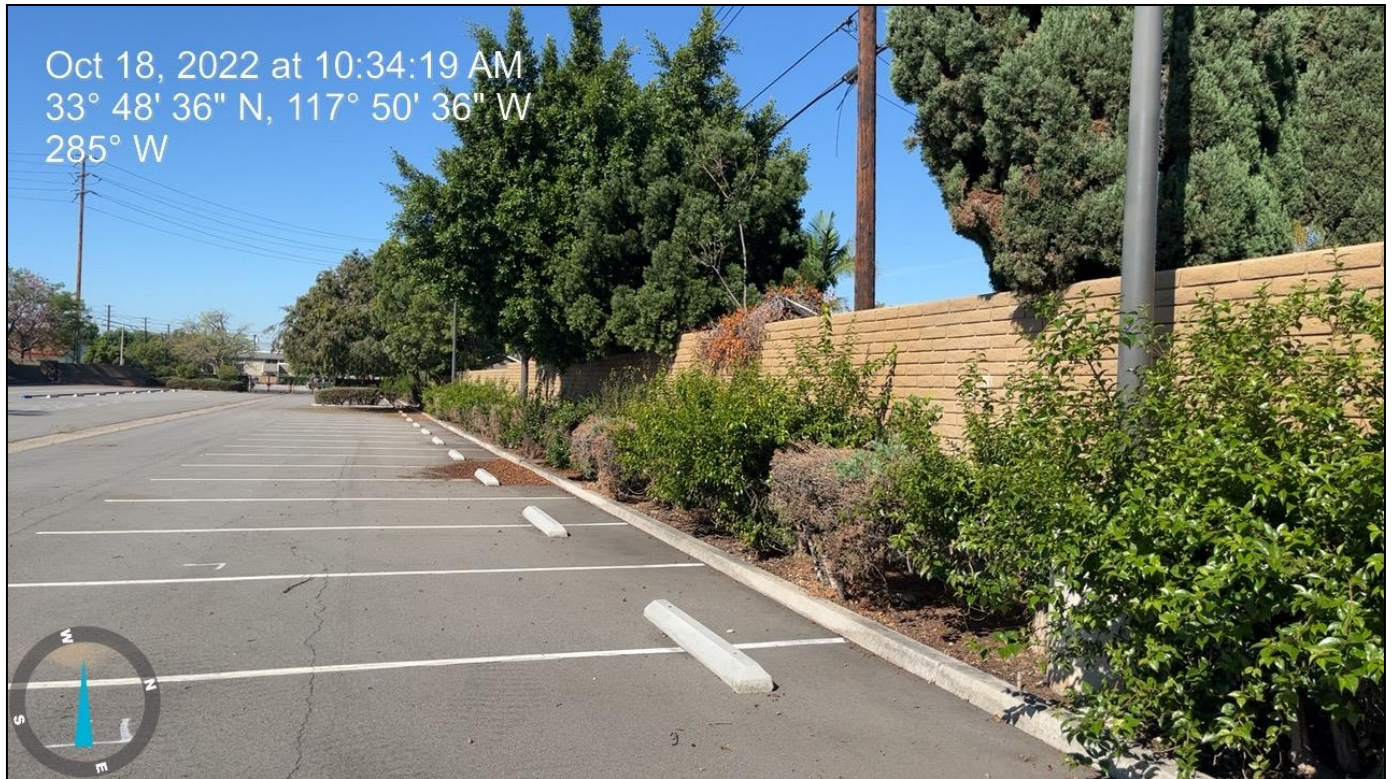
Representative Photographs



The Project site consists of an abandoned building and associated parking lot.



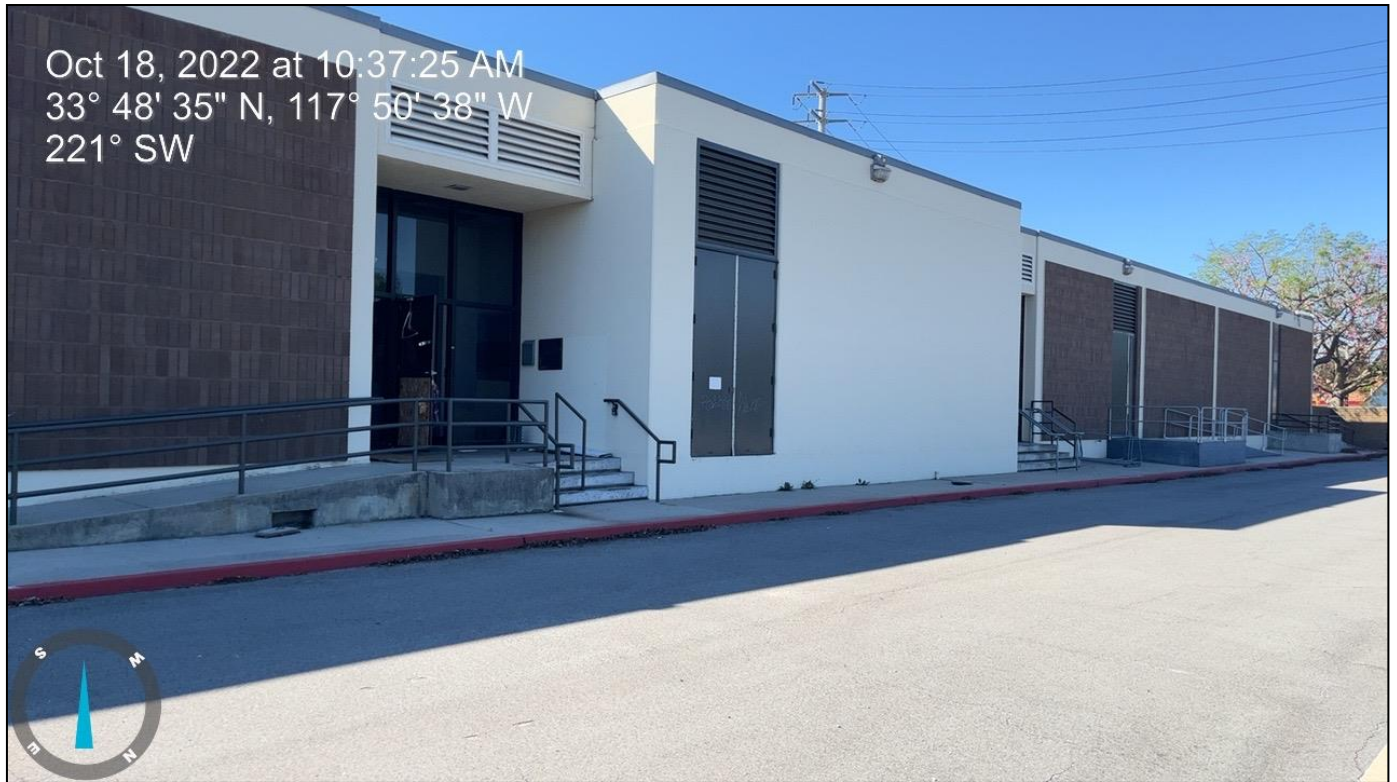
The parking lot is asphalt with ornamental species located around the perimeter.



The parking lot is asphalt with ornamental species located around the perimeter.



The site also has a covered storage area.



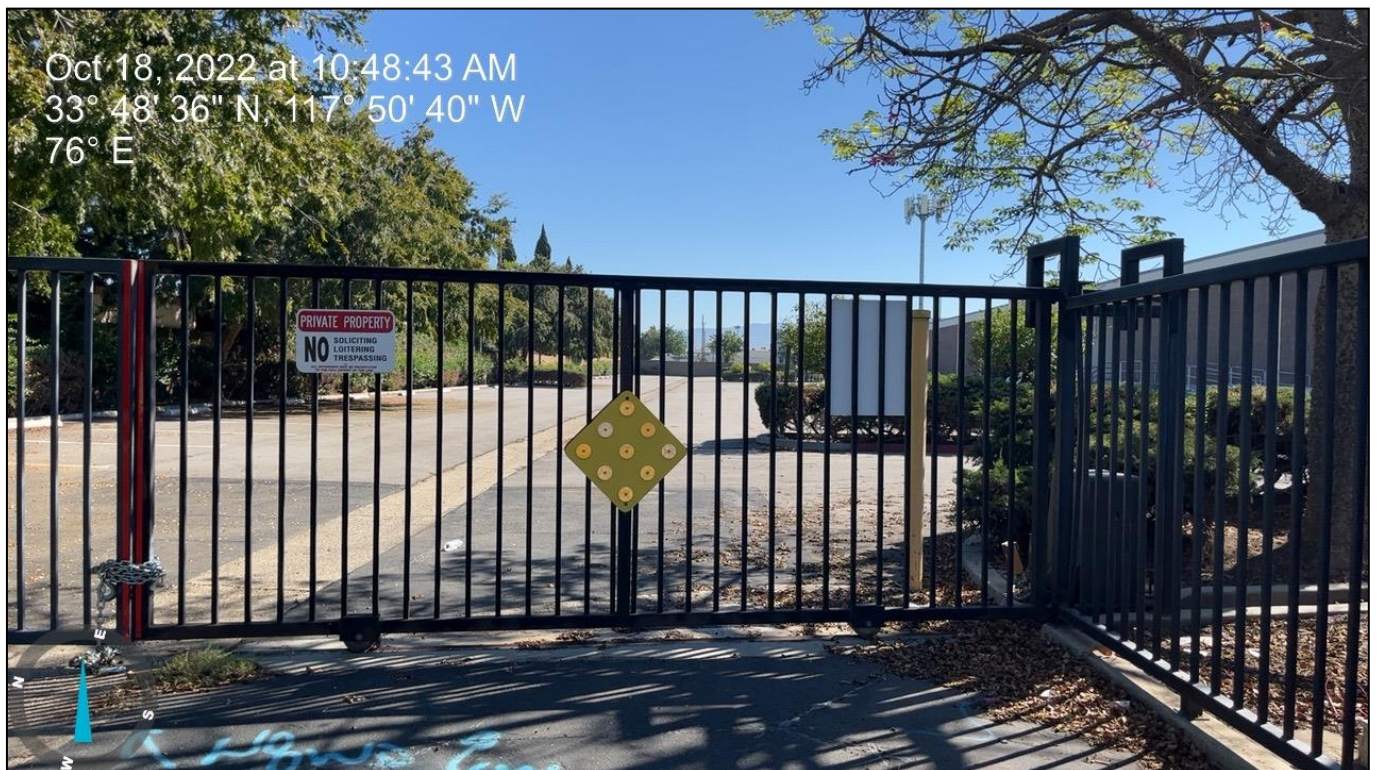
At the time of the survey homeless were in the abandon office building.



Looking east across the Project site.



Looking north at the corner of Katella and Cambridge.



The Project site is gated.



Looking west along Katella at the frontage of the Project site.



Looking east along Katella at the frontage of the Project site.