BIOLOGICAL RESOURCES ANALYSIS REPORT

FOR THE

ELDER CREEK PROPERTY

SACRAMENTO COUNTY, CALIFORNIA



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SUMMARY

On February 13, 2024, Olberding Environmental, Inc. conducted a field reconnaissance survey of the Elder Creek Property (Property) for the purpose of identifying sensitive plant and wildlife species, sensitive habitats, and biological constraints associated with the Property. The Property surveyed is comprised of approximately 46.69-acres and includes Assessor's Parcel Numbers (APNs) 630-130-006, 630-130-019, and 630-130-022 within Sacramento County, California.

A jurisdictional delineation was conducted simultaneously. This delineation will be submitted to the U.S. Army Corps of Engineers (Corps) for review, and includes 14 seasonal wetland features totaling 3.82 acres. The features may be considered jurisdictional by the Corps, Regional Water Quality Control Board (RWQCB), and/or the California Department of Fish and Wildlife (CDFW). If any project related activities are to occur within these features, consultation with the appropriate agencies will need to occur. The Property also falls within the Plan Area of the South Sacramento Habitat Conservation Plan (SSHCP; County of Sacramento, et al., 2018). The SSHCP includes general and species-specific Avoidance and Minimization Measures (AMMs) to avoid or minimize effects of Covered Activities on SSHCP land cover types and Covered Species. These AMMs are discussed further in Section 8.0 of this document.

A query of the U.S. Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC), the California Natural Diversity Database (CNDDB), and the California Native Plant Society (CNPS) website showed that there are several special-status wildlife species with a potential to occur on the Property, but special-status plants are presumed absent due to the absence of vernal pool features, marshes, swamps, riprap covered levees, or alkaline, acidic, or gravelly soils, which the plant species require. Additionally, the Property is outside of the elevation range of some of the plant species.

The Property contains potential habitat for several special-status aquatic invertebrates. This includes vernal pool fairy shrimp (*Branchinecta lynchi*), mid-valley fairy shrimp (*Branchinecta mesovallensis*), Ricksecker's water scavenger beetle (*Hydrochara rickseckeri*), and vernal pool tadpole shrimp (*Lepidurus packardi*). While these species were not observed during the survey, numerous unidentified aquatic invertebrates were observed swimming within the larger and deeper pools. Presence of the species can be assumed, or protocol level aquatic invertebrate surveys will need to be conducted as described in Section 8.0 to determine presence or absence of these species.

There is the potential for western spadefoot toad (*Spea hammondii*) to occur within the seasonal wetland features that occur on the Property. There is an historic CNDDB occurrence of this species that overlaps with the northern portion of the Property. In addition, there are several more recent CNDDB occurrences within five miles of the Property. This species can breed within shallow seasonal wetland features such as occur on the Property. The presence of the species can be

assumed, or pre-construction surveys for the species should be conducted as is described in Section 8.0.

There is potential for several special-status birds to occur in a nesting and/or foraging capacity. In addition, there is also the potential for non-listed birds to nest on the Property, which would still be protected under the Migratory Bird Treaty Act. There is the potential for tricolored blackbird (*Agelaius tricolor*), Swainson's hawk (*Buteo swainsoni*), and white-tailed kite (*Elanus leucurus*) to occur in a foraging capacity only. The Property lacks the riparian or oak savanna habitats that Swainson's hawk require for nesting, the tall, dense wetland vegetation that tricolored blackbirds require for nesting, and the thick riparian trees and shrubs that white-tailed kite require for nesting. However, these species may forage throughout the non-native annual grassland and seasonal wetland features. The Property also contains numerous mammal burrows that may be utilized by burrowing owls (*Athene cunicularia*) for nesting and foraging. The Property falls within SSHCP modeled habitat for these species. As such, species-specific AMMs will need to be conducted as is described in Section 8.0.

Two habitat types were identified on the Property which include non-native annual grassland and seasonal wetlands. The USFWS has identified several Final Critical Habitat units that occur within five miles of the Property (Attachment 1, Figure 7). However, the Property does not occur within any of these habitat units, therefore there will be no effect to these species' critical habitat units.

1.0 INTRODUCTION

Olberding Environmental, Inc. has conducted a biological resources analysis of the Elder Creek Property located in Sacramento County, California. This biological resources analysis includes a review of pertinent literature on relevant background information and habitat characteristics of the site. The review includes researching existing information contained in an IPaC provided by the USFWS, occurrences within the CNDDB maintained by the CDFW, and the CNPS *Inventory of Rare and Endangered Vascular Plants of California.* Also included is a review of information related to species of plants and wildlife that could potentially utilize the described habitats identified on and immediately surrounding the Property.

2.0 LOCATION

The Elder Creek Property is located south of State Highway 16 (CA-16), at the intersection of Bradshaw Road and Elder Creek Road, in Sacramento County. A large excavation pit and detention basin are located to the west of the Property. The southern boundary of the Property is bounded by Elder Creek Road, and a portion of the eastern boundary is bounded by Bradshaw Road, while the rest of the Property is surrounded by residential/industrial property or grazing pastures.

Attachment 1, Figure 1 depicts the regional location of the Property in Sacramento County, while Attachment 1, Figure 2 illustrates the vicinity of the Property in relationship to CA-16. Attachment 1, Figure 3 identifies the location of the Property on the Carmichael USGS 7.5' Quadrangle. An aerial photograph of the Property has been included as Attachment 1, Figure 4.

Access to the Property is provided from Sacramento. Take State Highway 99 South/Interstate 80 Business/US 50 East and follow to Watt Avenue. Take Watt Avenue south to CA-16 East/Jackson Road. Turn left onto CA-16 for approximately one mile before turning right onto Bradshaw Avenue. The Property is approximately 200 feet on the right.

3.0 PROPERTY DESCRIPTION

The Property consists of approximately 46.69 acres of open land. A portion of the Property was previously used as a residence but was demolished prior to the survey. The Property is relatively flat, with elevation ranging from 65 feet above sea level to 60 feet above sea level. Most of the Property is vegetated with grasses and herbaceous species, with a few scattered trees. Historically, the Property has been used for grazing.

The Property contains two habitat types consisting of non-native annual grassland and seasonal wetlands. The seasonal wetlands are scattered throughout the Property. Several black walnut trees (*Juglans nigra*) occur along the northern boundary and in the middle of the Property, and several large blue gum trees (*Eucalyptus globulus*) are located in the southern portion of the Property.

4.0 REGULATORY SETTING

4.1 Federal Regulatory Setting

4.1.1 Plants and Wildlife

The federal Endangered Species Act (ESA) of 1973 (16 USC 1531 et seq., as amended) prohibits federal agencies from authorizing, permitting, or funding any action that would result in biological jeopardy to a plant or animal species listed as Threatened or Endangered under the Act. Listed species are taxa for which proposed and final rules have been published in the Federal Register (USFWS 2024a). If a proposed project may jeopardize listed species, Section 7 of the ESA requires consideration of those species through formal consultations with the USFWS. Federal Proposed species (USFWS 2024b) are species for which a proposed listing as Threatened or Endangered under ESA has been published in the Federal Register. If a proposed project may jeopardize proposed species, Section 7 of the ESA affords consideration of those species through informal conferences with USFWS. The USFWS defines federal Candidate species as "those taxa for which

we have on file sufficient information on biological vulnerability and threats to support issuance of a proposed rule to list, but issuance of the proposed rule is precluded by other higher priority listing actions" (USFWS 2024b). Federal Candidate species are not afforded formal protection, although USFWS encourages other federal agencies to give consideration to Candidate species in environmental planning.

4.1.2 Wetlands/Waters

The federal government, acting through the Corps and the Environmental Protection Agency (EPA), has jurisdiction over all "waters of the United States" as authorized by §404 of the Clean Water Act (CWA) and §10 of the Rivers and Harbors Act of 1899 (33 CFR Parts 320-330). Properties that cause the discharge of dredged or fill material into waters of the United States require permitting by the Corps. Actions affecting small areas of jurisdictional waters of the United States may qualify for a Nationwide Permit (NWP), provided conditions of the permit are met, such as avoiding impacts to threatened or endangered species or to important cultural sites. Properties that affect larger areas or which do not meet the conditions of an NWP require an Individual Permit. The process for obtaining an Individual Permit requires a detailed alternatives analysis and development of a comprehensive mitigation/monitoring plan.

Waters of the United States are defined as territorial seas and traditionally navigable waters, tributaries, lakes and ponds, and impoundments of jurisdictional waters, and adjacent wetlands. Under federal regulation, wetlands are defined as areas that are inundated or saturated by surface of groundwater at a frequency or duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. (33 CFR Part 328.3(c)(16)). Wetlands generally include swamps, marshes, bogs, and similar areas. In addition, portions of the riparian habitat along a river or stream may be a wetland where the riparian vegetation is at or below the ordinary high water mark and thus also meets the wetland hydrology and hydric soil criteria.

Navigable waters include all waters subject to the ebb and flow of the tides, including the open ocean, tidal bays, and tidal sloughs. Navigable waters also include some large, non-tidal rivers and lakes, which are important for transportation in commerce. The jurisdictional limit over navigable waters extends laterally to the entire water surface and bed of the waterbody landward to the limits of the mean high tide line. For non-tidal rivers or lakes, which have been designated (by the Corps) to be navigable waters, the limit of jurisdiction along the shoreline is defined by the ordinary high water mark. "Other waters" refer to waters of the United States other than wetlands or navigable waters. Other waters include streams and ponds, which are generally open water bodies and are not vegetated. Other waters can be perennial or intermittent water bodies and waterways. The Corps regulates other waters to the outward limit of the ordinary high water mark. Streams should exhibit a defined channel, bed and banks to be delineated as other waters.

The Corps does not generally consider "non-tidal drainage and irrigation ditches excavated on dry land" to be jurisdictional waters of the United States (and such ditches would therefore not be regulated by the Corps (33 CFR Parts 320-330, November 13, 1986). Other areas generally not considered jurisdictional waters include: 1) artificially irrigated areas that would revert to upland habitat if the irrigation ceased; 2) artificial lakes and ponds created by excavating and/or diking of dry land to collect and retain water, used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing; 3) waste treatment ponds; 4) ponds formed by construction activities including borrow pits until abandoned; and 5) ponds created for aesthetic reasons such as reflecting or ornamental ponds (33 CFR Part 328.3). However, the preamble also states "the Corps reserves the right on a case-by-case basis to determine that a particular waterbody within these categories" can be regulated as jurisdictional water. The EPA also has authority to determine jurisdictional waters of the U.S. on a case-by-case basis. Riparian habitat that is above the ordinary high water mark and does not meet the three-parameter criteria for a wetland would not be regulated as jurisdictional waters of the United States.

4.1.3 Migratory Bird Treaty Act

Raptors are migratory bird species protected by international treaty under the Migratory Bird Treaty Act (MBTA) of 1918 (16 U.S.C. 703-711). The MBTA makes it unlawful to take, possess, buy, sell, purchase, or barter any migratory bird listed in 50 CFR. Part 10, including feathers or other parts, nests, eggs, or products, except as allowed by implementing regulations (50 CFR 21). Sections 3503, 3503.5, and 3800 of the California Fish and Game Code prohibit the take, possession, or destruction of birds, their nests or eggs. Implementation of the take provisions requires that Property-related disturbance at active nesting territories be reduced or eliminated during critical phases of the nesting cycle (generally February 1 – September 1, annually). Disturbance that causes nest abandonment and/or loss of reproductive effort (e.g., killing or abandonment of eggs or young) or the loss of habitat upon which the birds depend, is considered "taking" and is potentially punishable by fines and/or imprisonment. Such taking would also violate federal law protecting migratory birds (e.g., MBTA).

4.1.4 Federal Bald and Golden Eagle Protection Act

In addition to protection under the MBTA, both the bald eagle and the golden eagle are also protected by the Bald and Golden Eagle Protection Act of 1940 (16 U.S.C. 668-668c). The Bald and Golden Eagle Protection Act, and amended several times since being enacted in 1940, prohibits anyone, without a permit issued by the Secretary of the Interior, from "taking" bald or golden eagles, including their parts, nests, or eggs (USFWS 2007a). The Act provides criminal penalties for persons who "take, possess, sell, purchase, barter, offer to sell, purchase or barter, transport, export or import, at any time or any manner, any bald eagle ... [or any golden eagle],

alive or dead, or any part, nest, or egg thereof." The Act defines "take" as "pursue, shoot, shoot at, poison, wound, kill, capture, trap, collect, molest or disturb" (USFWS 2007a).

For purposes of these guidelines, "disturb" means: "to agitate or bother a bald or golden eagle to a degree that causes, or is likely to cause, based on the best scientific information available, 1) injury to an eagle, 2) a decrease in its productivity, by substantially interfering with normal breeding, feeding, or sheltering behavior, or 3) nest abandonment, by substantially interfering with normal breeding, feeding, or sheltering behavior" (USFWS 2007a).

In addition to immediate impacts, this definition also covers impacts that result from human-induced alterations initiated around a previously used nest site during a time when eagles are not present, if, upon the eagle's return, such alterations agitate or bother an eagle to a degree that interferes with or interrupts normal breeding, feeding, or sheltering habits, and causes injury, death or nest abandonment (USFWS 2007a).

4.2 State Regulatory Setting

4.2.1 Plants and Wildlife

Property permitting and approval requires compliance with California Environmental Quality Act (CEQA), the 1984 California Endangered Species Act (CESA), and the 1977 Native Plant Protection Act (NPPA). The CESA and NPPA authorize the California Fish and Game Commission to designate Endangered, Threatened and Rare species and to regulate the taking of these species (§§2050-2098, Fish & Game Code). The California Code of Regulations (Title 14, §670.5) lists animal species considered Endangered or Threatened by the State.

The Natural Heritage Division of the CDFW administers the state rare species program. The CDFW maintains lists of designated Endangered, Threatened, and Rare plant and animal species (CDFW 2024a and 2024b). Listed species either were designated under the NPPA or designated by the Fish and Game Commission. In addition to recognizing three levels of endangerment, the CDFW can afford interim protection to candidate species while they are being reviewed by the Fish and Game Commission.

CDFW also maintains a list of animal species of special concern (CDFW 2024b), most of which are species whose breeding populations in California may face extirpation. Although these species have no legal status, CDFW recommends considering them during analysis of proposed impacts to protect declining populations and avoid the need to list them as endangered in the future.

The California Fish & Game Code §3503, 3503.5, and 3513 cover native bird protection. Mitigation for avoidance of impacts to nesting birds are typically necessary to comply with these Sections of the Fish and Game Code in CEQA and other permitting documents.

Under provisions of §15380(d) of the CEQA Guidelines, the CEQA lead agency and CDFW, in making a determination of significance, must treat non-listed plant and animal species as equivalent to listed species if such species satisfy the minimum biological criteria for listing. In general, the CDFW considers plant species on List 1A (Plants Presumed Extinct in California), List 1B (Plants Rare, Threatened, or Endangered in California and elsewhere), or List 2 (Plants Rare, Threatened, or Endangered in California, But More Common Elsewhere) of the CNPS *Inventory of Rare and Endangered Vascular Plants of California* (Skinner and Pavlik 1994) as qualifying for legal protection under §15380(d). Species on CNPS Lists 3 or 4 may, but generally do not, qualify for protection under this provision.

Sensitive habitats include riparian corridors, wetlands, habitats for legally protected species and CDFW Species of Special Concern, areas of high biological diversity, areas providing important wildlife habitat, and unusual or regionally restricted habitat types. Habitat types considered sensitive include those listed on the CNDDB working list of "high priority" habitats (i.e., those habitats that are rare or endangered within the borders of California) (Holland 1986).

4.2.2 Wetlands/Waters

The RWQCB regulates activities in wetlands and other waters through §401 of the Clean Water Act and the Porter-Cologne Act. Section 401 requires a state water quality certification for properties subject to 404 regulations. Requirements of the certification include mitigation for loss of wetland habitat. In the San Francisco Bay region, the RWQCB may identify additional wetland mitigation beyond the mitigation required by the Corps. California Fish and Game Code §§1600-1607 require the CDFW be notified of any activity that could affect the bank or bed of any stream that has value to fish and wildlife. Upon notification, the CDFW has the discretion to execute a Streambed Alteration Agreement. The CDFW defines a stream as follows:

> *"... a body of water that flows at least periodically...through a bed or channel having banks and supporting fish and other aquatic life. This includes watercourses having a subsurface flow that supports or has supported riparian vegetation."*
> (Source: Streambed Alteration Program, California Department of Fish and Wildlife, 2016).

In practice, CDFW authority is extended to any "blue line" stream shown on a USGS topographic map, as well as unmapped channels with a definable bank and bed. Wetlands, as defined by the Corps, need not be present for CDFW to exert authority.

4.2.3 California Environmental Quality Act

According to Appendix G of the CEQA (CEQA 2016) Guidelines, a proposed project would have a significant impact on biological resources if it would:

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the CDFW and USFWS?

b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the CDFW or USFWS?

c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

4.3 Local Regulations

The Property falls within the Plan Area of the SSHCP. Depending on the nature of any future development of the Property, project related activities may fall under the Covered Activities of the SSHCP (County of Sacramento, et al., 2018). The SSHCP includes general AMMs to avoid or minimize effects of Covered Activities on SSHCP land cover types and Covered Species. These AMMs are discussed further in Section 8.0 of this document. Additionally, the SSHCP has mapped out modeled habitat for SSHCP Covered Species. If a project boundary overlaps with SSHCP modeled habitat, then species-specific AMMs will need to be implemented.

In addition, the Sacramento County municipal code includes provisions pertaining to stormwater management and discharge, heritage and landmark trees, and tree permits. These provisions are included below:

Title 15: Water and Sewers

15.12.120 Purpose and Intent

(a) This chapter is adopted pursuant to Article XI, Section 7 of the California Constitution which authorizes the County to exercise its police power to protect and promote the public health, safety and general welfare. While stormwater runoff is one step in the natural cycle of water, human activities, including, but not limited to, agriculture, construction, manufacturing and the operation of an urban infrastructure, may result in undesirable discharges of pollutants and certain sediments. Such discharges may accumulate in local drainage channels and waterways and eventually may be deposited in the natural surface waters. The purpose of this chapter is to protect and enhance the watercourses within the unincorporated area of the County, by controlling the contribution of urban pollutants to stormwater runoff which enters the County storm drain system in a manner consistent with the Federal Clean Water Act, the Porter-Cologne Water Quality Control Act and Municipal discharge Permit No. CAS082597, and by controlling pollutants that are discharged directly to natural surface waters.

(b) It is the intent of the Board in adopting this chapter to provide the County with the legal authority to accomplish the following goals:

1. To benefit the people and environment of the County by protecting water quality in waters of the State;

2. To reduce the discharge of pollutants in stormwater to the maximum extent practicable, whether those discharges are made to the County storm drain system, or directly to natural surface waters;

3. To effectively prohibit non-stormwater discharges into the County storm drain system or to natural surface waters;

4. To comply with the requirements of the Federal Clean Water Act, the Porter-Cologne Water Quality Control Act and NPDES Municipal Storm Water Discharge Permit #CAS082597 as they apply to the discharge of pollutants into and from the County storm drain system;

5. To fully implement the County's stormwater Quality Improvement Plan;

6. To protect the physical integrity and function of the County storm drain system from the effects of pollutants and materials other than stormwater;

7. To prevent the contamination of groundwater as a result of pollution migration from the County storm drain system;

8. To promote cost effective management and beneficial use of sediments in the County storm drain system;

9. To protect the health and safety of maintenance personnel and the public who may be exposed to pollutants in the County storm drain system or in natural surface waters;

10. To provide for the recovery of regulatory costs incurred by the County in the implementation of this chapter or its stormwater Quality Improvement Plan, including, but not limited to, enforcement activities, compliance assistance, inspections, investigations, sampling and monitoring; and

11. To establish appropriate enforcement procedures and penalties for violations of the provisions of this chapter. (SCC 1280 § 2, 2004)

Title 19: Trees

19.04.010 Purpose

In order to promote the health, safety and enhance the beauty and general welfare of Sacramento County, it is hereby declared to be the policy of the County to plant, maintain, protect, preserve and to regulate the planting, maintaining, protecting and preserving of public trees and landscaping; to eliminate dangerous conditions caused by trees and shrubs that may result in injuries to persons or property; to protect all trees within the County against the spread of disease or pests, and to provide for the special protection of heritage and landmark trees within the unincorporated area of the County. This chapter shall be known as and may be cited as and referred to as the "Tree Ordinance." (Ord. 915 § 1, 1966)

19.04.050 – Heritage Trees

a. When an application is made under the County zoning regulations for a variance, consideration shall be given to the presence of a landmark or heritage tree on the parcel of real property in determining whether a variance shall be granted.

b. Whenever feasible the public works director shall modify standard street sections and make changes in street alignment to avoid the removal or damage of heritage and landmark trees. Increased right-of-way or construction costs caused by such

modification shall not receive their usual consideration in the planning and design processes. (Ord. 915 § 5, 1966)

19.04.100 – Tree Permits

A permit shall be required before any person shall plant, transplant, move, separate, trim, prune, cut above or below the ground, disrupt, alter or do surgery upon any public tree located on an easement, planting easement, street, or public premises, irrespective of whether the tree is alive or dead.

1. The public works director shall prescribe the form of the permit which shall be valid for a period of six months;

2. The Board may require a fee for the issuance of the permit. The fee shall be in an amount calculated to recover the costs involved in processing the permit and any related field investigation;

3. Permits shall be signed by the public works director or his designee, and shall be subject to such conditions as he determines to be necessary taking into consideration the safety, health and general welfare of the public, the location of utilities, driveways, traffic and streetlights and other characteristics of the area;

4. In determining whether a permit should be issued for removal of a tree, the public works director may hold a public hearing or may use other appropriate means to determine the desires of residents in the immediate vicinity of the tree, and he shall give their desires such weight as he deems appropriate in relation to other relevant considerations.

   The director may require that a permittee plant one or more trees in place of the one removed, in the same location or vicinity;

5. The public works director may require a permittee to furnish a satisfactory bond, cash deposit or other security satisfactory to the department of public works, to ensure that the conditions of the permit will be fulfilled;

6. Except where public safety is involved, a permit shall not be issued to trim or remove a public tree for the singular purpose of providing better visibility;

7. Permits shall not be issued for the planting of any tree which is not in accordance with the master tree plan unless the public works director determines that the characteristics of the substituted tree are substantially the same as those of a tree permitted by the plan and the parks director concurs in the substitution;

8. Each tree planted pursuant to a permit on a planting easement, street or public premises shall become a public tree. The permit shall contain a statement to this effect;

9. It is unlawful for a permittee to fail, refuse, or neglect to plant a tree required by a permit or to fail to fulfill any condition imposed by the Director when issuing the permit. (Ord. 915 § 10, 1966.)

5.0 METHODS OF ANALYSIS FOR GENERAL BIOLOGICAL RESOURCES

A special-status plant and wildlife species database search and review was conducted using the IPaC and CNDDB. An additional search was conducted for special-status plants using CNPS *Inventory* on-line. Special-status species reports were accessed by searching the CNDDB database for the Rio Linda, Citrus Heights, Folsom, Sacramento East, Carmichael, Buffalo Creek, Florin, Elk Grove, and Sloughhouse USGS 7.5-minute quadrangles which surround the Property, and by examining those species that have been identified in the vicinity of the Property. These quadrangles will be henceforth noted as surrounding quads. The database report identified special-status species known to occur in the region or those that have the potential to occur in the vicinity of the Property. The CNDDB report was used to focus special-status species analysis of the site prior to the reconnaissance surveys.

Olberding Environmental biologists conducted a reconnaissance-level survey of the Property on February 13, 2024. The survey consisted of walking throughout the Property and evaluating the site and adjacent lands for potential biological resources. Existing conditions, observed plants and wildlife, adjacent land use, soils and potential biological resource constraints were recorded during the visit. Plant and wildlife species observed within and adjacent to the Property during the reconnaissance survey are listed in Attachment 2, Table 1. Site photographs are provided in Attachment 3 of this document. Attachment 1, Figure 9 shows where each site photo was taken.

The objectives of the field survey were to determine the potential presence or absence of special-status species habitat listed in the CNDDB database report and to identify any wetland areas that could be potentially regulated by the Corps, RWQCB, and/or CDFW (CNDDB 2024). In addition, the Olberding Environmental biologist looked for other potential sensitive species or habitats that may not have been obvious from background database reports or research. Surveys conducted after the growing season or conducted outside of the specific flowering period for a special-status plant cannot conclusively determine the presence or absence of such plant species; therefore, site conditions and habitat type were used to determine potential for occurrence. When suitable habitat was observed to support a special-status plant or animal species, it was noted in the discussion for that particular species. Regulatory agencies evaluate the possibility of occurrence based on habitats observed on-site and the degree of connectivity with other special-status animal habitats in the

vicinity of the Property. These factors are discussed in each special-status plant or animal section. Potential for occurrence of each special-status or protected plant and animal species was evaluated using the following criteria.

- **Present**: The species has been recorded by CNDDB or other literature as occurring on the Property and/or was observed on the Property during the reconnaissance survey or protocol surveys.

- **May Occur**: The species has been recorded by CNDDB or other literature as occurring within five miles of the Property, and/or was observed within five miles of the Property, and/or suitable habitat for the species is present on the Property or its immediate vicinity.

- **Not Likely to Occur**: The species has historically occurred on or within five miles of the Property but has no current records. The species occurs within five miles of the Property, but only marginally suitable habitat conditions are present. The Property is likely to be used only as incidental foraging habitat or as an occasional migratory corridor.

- **Presumed Absent**: The species will not occur on the Property due to the absence of suitable habitat conditions, and/or the lack of current occurrences. Alternatively, if directed or protocol-level surveys were done during the proper occurrence period and the species was not found, it is presumed absent.

Sources consulted for agency status information include USFWS (2024a) for federally listed species and CDFW (2024a) for State of California listed species. Based on information from the above sources, Olberding Environmental developed a target list of special-status plants and animals with the potential to occur within or in the vicinity of the Property (Attachment 2, Table 2).

5.1 Soils Evaluation

The soils present on a property may determine if habitat on the site is suitable for certain special-status plants and animals. The host plants of some special-status invertebrates may also require specific soil conditions. In the absence of suitable soil conditions, special-status plants or animals requiring those conditions would be presumed absent. Information regarding soil characteristics for the Property was obtained by viewing the Natural Resources Conservation Service (NRCS) Web Soil Survey report for the Property (NRCS 2024).

5.2 Plant Survey Methods

The purposes of the botanical surveys were (1) to characterize the habitat types (plant communities) of the study area; (2) to determine whether any suitable habitat for any special-status plant species occurs within the study area; and (3) to determine whether any sensitive habitat types (e.g., wetlands) occur within the study area. Site conditions and plant habitat surveys are important tools in determining the potential occurrence of plants not recorded during surveys (e.g., special-status plants) because presence cannot conclusively be determined if field surveys are conducted after the growing season or conducted outside a specific flowering period.

5.2.1 Review of Literature and Data Sources

The biologist conducted focused surveys of literature and special-status species databases in order to identify special-status plant species and sensitive habitat types with potential to occur in the study area. Sources reviewed included the CNDDB occurrence records (CNDDB 2024) and CNPS *Inventory* (Skinner and Pavlik 1994) for the surrounding quads; and standard flora (The Jepson Manual, Hickman 2012). From the above sources, a list of special-status plant species with potential to occur in the Property vicinity was developed (Attachment 2, Table 2).

5.2.2 Field Surveys

Biologists from Olberding Environmental conducted a reconnaissance-level survey to determine habitat types and the potential for special-status plants based on the observed habitat types. All vascular plant species that were identifiable at the time of the survey were recorded and identified using keys and descriptions in The Jepson Manual (Hickman 2012).

The habitat types occurring on the Property were characterized according to pre-established categories. In classifying the habitat types on the site, the generalized plant community classification schemes of *A Manual of California Vegetation* (Sawyer, Keeler-Wolf, and Evens 2009) were consulted. The final classification and characterization of the habitat types of the study area were based on field observations.

5.3 Wildlife Survey Methods

The purposes of the wildlife survey were to identify special-status wildlife species and/or potential special-status wildlife habitats within the Property.

5.3.1 Review of Literature and Data Sources

A focused review of literature and data sources was conducted in order to determine which special-status wildlife species had potential to occur in the vicinity of the Property. Current agency status information was obtained from USFWS (2024a) for species listed as Threatened or Endangered, as well as Proposed and Candidate species for listing, under the federal ESA; and from CDFW (2024a, 2024b) for species listed as Threatened or Endangered by the state of California under the CESA, or listed as "species of special concern" by CDFW. From the above sources, a list of special-status wildlife species with potential to occur in the Property vicinity was developed (Attachment 2, Table 2).

5.3.2 Field Surveys

General Wildlife Survey – Olberding Environmental biologists conducted a general survey of species habitat within the entire Property. The purpose of the habitat survey was to evaluate wildlife habitats and the potential for any protected species to occur on or adjacent to the Property.

6.0 RESULTS FOR GENERAL BIOLOGICAL RESOURCES

The search and review of the CNDDB database reports revealed the occurrence of special-status plant and wildlife species that occur in the habitats found within the Property boundaries (CNDDB 2024). The CNDDB database and background data were reviewed for the surrounding quads. Plant occurrences shown on Attachment 1, Figure 5 and wildlife occurrences shown on Attachment 1, Figure 6 are located within 5 miles of the Property and were reviewed for their potential to occur on the Property based on general habitat types. Results of the species review are tabulated on Attachment 2, Table 2. Critical habitat within the surrounding quads is shown on Attachment 1, Figure 7.

6.1 Soil Evaluation Results

The NRCS (2024) reports four soil types within the Property. A detailed map of the soils for the Property can be found in Attachment 1, Figure 8. The soils mapped include the following types as described in the Soil Survey of Yuba County, California (NRCS 2024):

- **157 – Hedge loam, 0 to 2 percent slopes** – The hedge series forms on terraces and the parent material consists of alluvium derived from granite. This soil type is classified as moderately well drained and is nonsaline to very slightly saline.

- **164 – Kimball silt loam, 0 to 2 percent slopes** – The Kimball series forms on terraces and the parent material consists of alluvium derived from granite. This soil type is

classified as well drained.

- **213 – San Joaquin silt loam, leveled, 0 to 1 percent slopes** – The San Joaquin series forms on terraces and the parent material consists of alluvium derived from granite. This soil type is classified as moderately well drained.

- **215 – San Joaquin silt loam, 3 to 8 percent slopes** – The San Joaquin series forms on terraces and the parent material consists of alluvium derived from granite. This soil type is classified as moderately well drained.

6.2 Plant Survey Results

6.2.1 Floristic Inventory and Habitat Characterization

The Property supports two habitat types consisting of non-native annual grassland and seasonal wetlands. In classifying these habitat types on the Property, generalized plant community classification schemes were used (Sawyer, Keeler-Wolf, and Evens 2009). The final classification and characterization of the habitat types of the Property was based on field observations. Special-status plant species occurrences that are located within 5 miles of the Property are shown in Attachment 1, Figure 5.

The habitat types and a description of the plant species present within the habitat types are provided below. The habitats found on the Property are mapped on Attachment 1, Figure 10. Dominant plant species are also noted. A complete list of plant species observed on the Property can be found within Attachment 2, Table 1.

Non-native Annual Grassland

The majority of the Property is dominated by non-native annual grassland habitat. Historically the Property was grazed. Currently portions of it are mowed or disked, while the remainder is left fallow. Vegetation within this habitat area was dominated by grass species including rattail sixweek grass (*Festuca [Vulpia] myuros*), ripgut brome (*Bromus diandrus*), and wall barley (*Hordeum murinum*). Other dominant herbaceous species include broadleaf filaree (*Erodium botrys*), field mustard (*Brasica rapa*), and mouse ear chickweed (*Cerastium glomeratum*). While some native herbaceous species were identified, this plant community is dominated by introduced, non-native grasses and herbs.

Seasonal Wetlands

There are 14 seasonal wetlands that occur on the Property. These features range in size from less than 0.01 acre to over 1.20 acres in size. Each of the seasonal wetland features identified contained areas of ponding water ranging from one inch deep to approximately ten inches deep. One feature, SW 9, has been artificially excavated to a depth of over eight feet. Vegetation within the seasonal wetland features were dominated by spinyfruit buttercup (*Ranunculus muricatus*), curly dock (*Rumex crispus*), purple sand spurry (*Spergularia rubra*), marsh purslane (*Ludwigia palustris*), aquatic pygmy weed (*Crassula aquatica*), and the upland species common Timothy grass (*Phleum pratense*).

6.2.2 Special-Status Plant Species

Special-status plant species include species listed as Rare, Threatened, or Endangered by the USFWS (2024a) or by the State of California (CDFW 2024a). Federal Proposed and Candidate species (USFWS, 2024b) are also special-status species. Special-status species also include species listed on List 1A, List 1B, List 2, or List 4 of the CNPS Inventory (Skinner and Pavlik, 1994; CNPS 2024). All species in the above categories fall under state regulatory authority under the provisions of CEQA (except for CNPS List 4 plants, which act as a "watch list") and may also fall under federal regulatory authority. CNPS List 3 plants were not included within this document, as they are classified as "Plants About Which We Need More Information". These species are considered to be of lower sensitivity and generally do not fall under specific state or federal regulatory authority. Specific mitigation considerations are not generally required for List 3 and List 4 species.

Attachment 2, Table 2 includes a list of special-status plants with the potential to occur in the immediate vicinity of the Property based on a review of the surrounding quads. However, due to a lack of specific habitats or "micro-climates" necessary for these species to occur, it was determined that it is unlikely that any special-status plant species are found within the boundaries of the Property. CNDDB occurrences of special-status plants within a five-mile radius of the Property are shown in Attachment 1, Figure 5.

6.3 Wildlife Survey Results

6.3.1 General Wildlife Species and Habitats

A complete list of wildlife species observed within the Property can be found in Attachment 2, Table 1. Wildlife species observed within the habitats present on the Property, and special-status wildlife that may occur within the habitat types are discussed below:

Non-native Annual Grassland

The non-native annual grassland habitat provides habitat for numerous wildlife species. During the February survey several bird species were observed including western scrub jay (*Aphelocoma californica*), numerous Canada geese (*Branta canadensis*), several red-tailed hawks (*Buteo jamaicensis*), Brewer's black birds (*Euphagus cyanocephalus*), and a California gull (*Larus californicus*). Numerous small mammal burrows were also observed scattered throughout the annual grassland habitat. A deer mouse (*Peromyscus maniculatus*) and California brush rabbit (*Sylvilagus bachmani*) were observed on the Property.

While not observed during the survey event, non-native annual grassland areas may also provide potential habitat for special-status species. This includes nesting and foraging habitat for the burrowing owl. Additionally, the non-native annual grassland is also potential foraging habitat for the tricolored blackbird, Swainson's hawk, and white-tailed kite. Although the Property lacks potential nesting habitat for these species.

Seasonal Wetlands

There were no wildlife species directly observed utilizing the potential seasonal wetland habitat areas, other than unidentified aquatic invertebrates. Due to the seasonal nature of the features, it is likely that wildlife that utilize the surrounding non-native annual grassland habitat would also utilize the potential wetland features. The features did not show the characteristics of vernal pool features; therefore, they do not provide habitat for vernal pool dependent special-status species. While not observed during the survey event, these features may provide habitat for special-status species. This includes invertebrate species such as vernal pool fairy shrimp, mid-valley fairy shrimp, Ricksecker's water scavenger beetle, and vernal pool tadpole shrimp.

6.3.2 Special-status Wildlife Discussion

SPECIAL-STATUS INVERTEBRATE SPECIES

The following special-status invertebrate species have a potential to occur on the Property. Species descriptions, nearby occurrences, and potential habitat are discussed below.

Vernal Pool Fairy Shrimp (*Branchinecta lynchi*). Federally Threatened.

The vernal pool fairy shrimp is approximately three quarters of an inch in length. This species is endemic to California and the Agate Desert of southern Oregon. This species is only found among vernal pools or vernal pool-like habitats; not other permanent bodies of water such as riverine or marine habitats (USFWS 2007b). They occur only in cool-water pools, requiring temperatures of

50°F or lower to hatch. Eggs become encysted during dry periods and hatch when seasonal wetlands refill. Threats to the vernal pool fairy shrimp include loss of habitat, agriculture, foot traffic, and off-road vehicles.

There are 27 CNDDB occurrences of vernal pool fairy shrimp within five miles of the Property. The nearest occurrence (# 162) is located approximately 1 mile south of the Property, between Gerber and Florin Roads. The occurrence is from 1993 when specimens of this species were identified within a "man made" pool. This CNDDB occurrence is presumed extant. There is potential for this species to occur within many of the seasonal wetlands identified on the Property. Numerous aquatic invertebrates were observed within many of the features.

Mid-valley fairy shrimp (*Branchunecta mesovallensis*). SSHCP Covered Species

The mid-valley fairy shrimp is a small (7-20 mm) freshwater crustacean in the *Branchinectidae* family. It is endemic to vernal pools and seasonal wetlands within California's Central Valley as they require seasonally ephemeral aquatic habitats that pool in winter and spring. Typically, this species inhabits small to medium-sized vernal pools with grass or clay-bottoms, as well as roadside ditches, or artificial habitats, and can tolerate relatively warm water temperatures. As an omnivorous filter-feeder, mid-valley fairy shrimps diet consists of filtering particles from the surrounding water, including bacteria, unicellular algae, and micrometazoa. The consumption of fairy shrimp cysts by predators' aids in their population distribution. Cysts can survive the dryness of summer, remaining in this dormant phase for years until appropriate signals trigger them to hatch (Natomas Basin Conservancy 2023).

There are 13 CNDDB occurrences of mid-valley fairy shrimp within five miles of the Property. The nearest occurrence (# 56) is located just under two miles to the northeast of the Property, south of the former Mather Air Force Base (AFB). This site was surveyed in 1993 and 1995 and numerous specimens were observed within a vernal pool complex on site. This CNDDB occurrence is presumed extant. There is potential for this species to occur within many of the seasonal wetlands identified on the Property. Numerous aquatic invertebrates were observed within many of the features.

Ricksecker's water scavenger beetle (*Hydrochara rickseckeri*). SSHCP Covered Species

This water scavenger beetle is a large aquatic beetle endemic to Central California (Short, et. al. 2017). As part of the *Hydrophilids* family, the larvae is worm-like with hard heads and a pair of long, sharp pincer jaws. The adult beetles can fly and swim on top or under the water. Their diet consists of any prey they can catch, including prey much larger than themselves. This species inhabits weedy, shallow, open water habitats associated with freshwater seeps, springs, vernal pools, and slow-moving streams.

There is one CNDDB occurrence of this species within five miles of the Property. Occurrence # 5 is located approximately 2.7 miles northeast of the Property, within Mather Field Regional Park. The occurrence is from 1997, when one specimen was collected. This CNDDB occurrence is presumed extant. There is potential for this species to occur within many of the seasonal wetlands identified on the Property. Numerous aquatic invertebrates were observed within many of the features.

Vernal Pool Tadpole Shrimp (*Lepidurus packardi*). Federally Endangered.

This small crustacean (two inches at adulthood) belongs to the family *Triopsidae*. It has a large carapace resembling a shield that covers nearly the entire body. Two long appendages project from the last abdominal segment. They are found only in ephemeral freshwater habitats, including alkaline pools, clay flats, vernal lakes, vernal pools, vernal swales, and other seasonal wetlands in California (USFWS 2007c). This species inhabits freshwater habitats contained clear to highly turbid water, with water temperatures ranging from 50 - 84°F and pH ranging form 6.2 to 8.5. Their diet is made up of organic matter, fairy shrimp, and other invertebrates. During the summer and fall, the vernal pool tadpole shrimp becomes encysted in the dry sediments of pools, becoming active after winter rains.

There are 41 CNDDB occurrences of vernal pool tadpole shrimp within five miles of the Property. The nearest occurrence (# 21) is located less than one mile to the northeast of the Property, southwest of Mather AFB. Numerous specimens were collected from this site between 1989 and 1996. However dry season surveys conducted in 2009 and 2010 did not identify any specimens. Despite this, this CNDDB occurrence is presumed extant. There is potential for this species to occur within many of the seasonal wetlands identified on the Property. Numerous aquatic invertebrates were observed within many of the features.

SPECIAL-STATUS AMPHIBIANS

The following special-status amphibian species has a potential to occur on the Property. A description of the species, nearby occurrences, and potential habitat are discussed below.

Western Spadefoot Toad (*Spea hammondii*). USFWS Proposed Threatened, CDFW Species of Special Concern.

Western spadefoot toads, from the family *Pelobatidae*, are distinguished from true toads (genus *Bufo*) by their cat-like eyes (due to vertically elliptical pupils), single black sharp-edged "spades" on their hind feet, teeth in their upper jaws, and smooth skin. Adults range in length from one and a half to two and a half inches long. The species ranges throughout the Central Valley and adjacent

foothills. Within the Coast Ranges it is found from Point Conception, Santa Barbara County, south to the Mexican border. The species occurs primarily in grasslands from sea level up to 4,460 feet in elevation, but occasional populations also occur in valley-foothill hardwood woodlands. Breeding and egg laying occur almost exclusively in shallow, temporary pools formed by heavy winter rains. Egg masses are attached to plant material, or the upper surfaces of small, submerged rocks (Zeiner et al. 2000).

There are four CNDDB occurrences of western spadefoot toad within five miles of the Property. One of these occurrences (# 501) overlaps with the northern portion of the Property. This is a historic occurrence, from 1925, but it is still presumed extant. The next closest occurrence (# 167) is located approximately3.6 miles northeast of the Property in Mather Regional Park. Several individuals were observed in 1993 and 1997. There is potential for this species to occur within many of the seasonal wetlands identified on the Property. This species can reproduce in very shallow, short lived, ponded features.

SPECIAL-STATUS BIRD SPECIES

The following special-status bird species have a potential to occur on the Property in a foraging and/or nesting capacity. Species descriptions, nearby occurrences, and potential habitat are discussed below.

Tricolored Blackbird (*Agelaius tricolor*). State Threatened, California Species of Special Concern.

A close relative of the red-winged blackbird (*Agelaius phoeniceus*), the tricolored blackbird is distinguished by a white patch underscoring the bright red epaulettes that are prominent in the males of both species. Often found in large flocks of red-winged blackbirds, this species is highly colonial. They breed near fresh water, preferably in emergent wetlands with tall, dense cattails or tules, but also in thickets of willow, blackberry, wild rose, and tall herbs. Nests may be located a few feet over freshwater or hidden on the ground among low vegetation. They forage among grassland and cropland habitats (Zeiner, et al 2008).

There are 28 CNDDB occurrences of tricolored blackbird within five miles of the Property. The nearest occurrence (# 307) is located just over 0.25 miles south of the Property, northwest of the intersection of Bradshaw and Florin Roads. Thousands of birds have been observed nesting in this location from 1993 through 2015, and this CNDDB occurrence is presumed extant. The Property does not contain any nesting habitat for this species, but tricolored blackbirds may forage throughout annual grassland and seasonal wetland habitats. Therefore, this species may occur in a foraging capacity only.

Burrowing Owl (*Athene cunicularia*). CDFW Species of Special Concern.

Burrowing owls are ground dwelling members of the owl family and are small brown to tan colored birds with bold spots and barring. Burrowing owls generally require open annual grassland habitats in which to nest, but can be found on abandoned lots, roads, airports, and other urban areas. Burrowing owls generally use California ground squirrel holes for their nesting burrow, but are also known to use other mammal burrows, pipes, or other debris for nesting purposes. Burrowing owls prefer annual grassland habitats with low vegetative cover (Zeiner, et al. 1999). The breeding season for burrowing owls occurs from March through August. Burrowing owls often nest in loose colonies about 100 yards apart. They lay three to twelve eggs from mid-May to early June. The female incubates the clutch for about 28 days, while the male provides her with food. The young owls begin appearing at the burrow's entrance two weeks after hatching and leave the nest to hunt for insects on their own after about 45 days. The chicks can fly well at six weeks old.

There are 13 CNDDB occurrences of this species within five miles of the Property. The nearest occurrence (# 487) is located less than one mile to the northeast of the Property, southwest of Mather AFB. This occurrence is from 1991 when numerous individuals were observed on the site throughout the year, with 16 active burrows. This CNDDB occurrence is presumed extant. There is potential for this species to nest and forage throughout the annual grassland habitat. Numerous mammal burrows were observed throughout the Property, providing potential burrow sites and food sources.

Swainson's Hawk (*Buteo swainsoni*). State Threatened.

The Swainson's hawk is a raptor that is slightly smaller than the red-tailed hawk with wings that taper slightly toward the outer wing tip. This hawk has a brown bib that covers its head and extends down the chest. The leading portion of the wing is light in color. In flight, this bird has an inverse color pattern in comparison to a red-tailed hawk. This hawk has three potential color morphs: light, intermediate, and dark. Swainson's hawks are summer migrants to the Central Valley and Delta region.

Commonly, the Swainson's hawk builds platform nests in tall mature trees, often in the first fork of the tree: built with sticks, twigs, and branches with green leaves (blue gum, valley oak, live oak, pine, or similar tall tree stands). These raptors require nearby foraging habitat such as annual grasslands, alfalfa fields, grain fields, and row crops. They often nest in peripheral to riparian systems. They will use lone trees in agriculture fields or pastures and roadside trees when available and adjacent to suitable foraging habitat (CDFW 2024).

There are seven CNDDB occurrences of this species within five miles of the Property. There are two CNDDB occurrences that are located approximately 1.7 miles from the Property. Occurrence

2204 is located north of the Property, at the intersection of Bradshaw Road and Kiefer Boulevard. A nesting pair was observed at this location in 2010. While the lot has since been developed, the CNDDB classifies this occurrence as presumed extant. The second nearest CNDDB occurrence is # 2244 is located south of the Property near the intersection of Bradshaw Road and Gerber Road. A nest with young was observed in 2009, and the CNDDB classifies this occurrences as presumed extant.

White-tailed Kite (*Elanus leucurus*). CDFW Fully Protected.

The white-tailed kite is falcon-shaped with a long white tail. This raptor has black patches on the shoulders that are highly visible while the bird is flying or perching. White-tailed kites forage in annual grasslands, farmlands, orchards, chaparral, and at the edges of marshes and meadows. They are found nesting in trees and shrubs such as willows (*Salix* sp.), California sycamore (*Platanus racemosa*), and coast live oak (*Quercus agrifolia*) often near marshes, lakes, rivers, or ponds. This raptor often hovers while inspecting the ground below for prey. The white-tailed kite eats small mammals as well as some birds, lizards, and insects. Annual grasslands are considered good foraging habitat for white-tailed kites, which will forage in human-impacted areas (Zeiner, et al 2005).

There are four CNDDB occurrences of white-tailed kite within five miles of the Property. The nearest occurrence (# 27) is located less than one mile southeast of the Property, south of Elder Creek Road and east of Bradshaw Road. This occurrence is from 1990 when two adults were observed nesting. This CNDDB occurrence is presumed extant. The Property does not provide nesting habitat for this species, but it may forage throughout the annual grassland and seasonal wetland habitat areas. Therefore, this species may be present in a foraging capacity only.

7.0 CONCLUSIONS

7.1 Wetlands and Other Waters

Results of the biological resource analysis survey conducted by Olberding Environmental indicate that the Property contains seasonal wetlands that may be jurisdictional by the Corps, RWQCB, or CDFW. There are a total of 14 seasonal wetlands located on the Property. These features range in size from less than 0.01 acre to over 1.20 acres in size. Each of the seasonal wetland features identified contained areas of ponding water ranging from one inch deep to approximately ten inches deep. A jurisdictional delineation was conducted and will be submitted to the Corps for review.

7.2 Special-status Plants

It was determined that there is no potential for any special-status plants to occur on the Property. This is due to the absence of appropriate adequate habitat, including vernal pool features, marshes, swamps, riprap on levees, or alkaline, acidic, or gravelly soils. Additionally, the Property is outside the elevation range for some of the species. As there is no potential for special-status plants, there are no recommended actions related to any plant species.

7.3 Special-status Wildlife

It was determined that there is a potential for several special-status wildlife species to occur on the Property. These species are described below.

Special-Status Invertebrates – There is the potential for several aquatic invertebrates to occur within the seasonal wetlands located on the Property. This includes vernal pool fairy shrimp, mid-valley fairy shrimp, Ricksecker's water scavenger beetle, and vernal pool tadpole shrimp. While these species were not observed during the survey event, numerous unidentified aquatic invertebrates were observed swimming within the larger and deeper pools. The presence of the species can be assumed, or protocol level aquatic invertebrate surveys will need to be conducted, as described in Section 8.0 below, to determine presence or absence of the species.

Special-Status Fish – There are no aquatic features on the Property that would support any special-status fish species (i.e., green sturgeon – southern DPS (*Acipenser medirostris* pop. 1), steelhead – Central Valley DPS (*Oncorhynchus mykiss irideus* pop. 11), Sacramento splittail (*Pogonichthys macrolepidotus*), or longfin smelt (*Spirinchus thaleichthys*)).

Special-Status Amphibians – There is the potential that western spadefoot toad may occur within the seasonal wetlands located on the Property. There is an historic CNDDB occurrence of this species that overlaps with the northern portion of the Property, and there are several more recent CNDDB occurrences within five miles of the Property. This species can breed within shallow seasonal wetland features as occur on the Property. The presence of this species can be assumed, or pre-construction surveys for the species can be conducted, as described in Section 8.0 below, to determine presence or absence of the species. If presence is presumed or the species is observed, then SSHCP species specific AMMs will need to occur, as described in Section 8.0 below.

Special-Status Reptiles – The Property does not contain the perennial aquatic features that would be required to support the special-status reptile species known to occur within the vicinity (i.e., western pond turtle (*Actinemys marmorata*) and giant garter snake (*Thamnophis gigas*)). Therefore, there is no potential for any special-status reptiles to occur on the Property.

Foraging or Nesting Raptor/Passerine Species – There is potential for several special-status birds to occur in a nesting and/or foraging capacity. In addition, there is also the potential for non-listed birds to nest on the Property, which would still be protected under the Migratory Bird Treaty Act. There is the potential for Swainson's hawk, tricolored blackbird, and white-tailed kite to occur in a foraging capacity only. The Property lacks the riparian or oak savanna habitats that Swainson's hawk require for nesting, the tall, dense wetland vegetation that tricolored blackbirds require for nesting, and the thick riparian trees and shrubs that white-tailed kite require for nesting. However, these species may forage throughout the non-native annual grassland and seasonal wetland features. The Property also contains numerous mammal burrows that may be utilized by burrowing owls for nesting and foraging. Due to the potential for nesting birds and burrowing owls, pre-construction avian surveys should be conducted if project work takes place during the nesting season (February through August), and a pre-construction burrowing owl survey should be conducted. Additionally, the SSHCP (County of Sacramento, et al., 2018) includes species specific AMMs for these species. These surveys and AMMs are discussed in more detail in Section 8.0 below.

Special-Status Mammals – It is unlikely that any special-status mammal species would occur on the Property. The nearest CNDDB occurrence of pallid bat (*Antrozous pallidus*) is located 13 miles to the north, however this occurrence is historic. The nearest recent CNDDB occurrence is located 30 miles to the northeast. The nearest CNDDB occurrence of western red bat (*Lasiurus blossevillii*) is located over 22 miles southwest of the Property. The SSHCP includes occurrences of this species from unknow dates approximately 3 miles northwest of the Property (County of Sacramento, et al., 2018), however, there is no suitable foraging habitat in the vicinity of the Property, so the species is not likely to occur. Additionally, the Property lacks the friable soils required by American badger (*Taxidea taxus*).

8.0 RECOMMENDATIONS

The Project Area contains habitat types that may provide foraging and/or breeding habitat for numerous special-status species. In addition, the Project Area falls within areas that the SSHCP (County of Sacramento, et al., 2018) has identified as modeled habitat for numerous SSHCP covered species. The following recommendations will reduce, minimize, or mitigate any potential impacts to special-status species.

Special-Status Invertebrates – There is the potential for several special-status and SSHCP covered invertebrate species to occur within the seasonal wetlands identified on the Property. This includes vernal pool fairy shrimp, mid-valley fairy shrimp, Ricksecker's water scavenger beetle, and vernal pool tadpole shrimp. Presence of the species can be assumed, or protocol level aquatic invertebrate surveys will need to be conducted as described below to determine presence or absence. If presence of the species is assumed, or is confirmed through protocol level surveys, then

mitigation for impacts can be made through either payment of the SSHCP development fee or land dedication.

- **Protocol Level Aquatic Invertebrate Survey** – If project construction related activities impact any of the seasonal wetland features, then protocol level aquatic invertebrate surveys should be conducted to determine the presence or absence of any protected species. The survey should follow the methodology outlined in the *Survey Guidelines for the Listed Large Branchiopods* (USFWS 2015). Per the guidelines, a complete survey consists of one wet season survey and one dry season survey conducted and completed within a 3-year period. The wet season surveys begin after the first rainfall event when the wetlands hold greater than 3 cm of standing water 24 hours after a rain event. The surveys continue at 14-day intervals and continue until the wetlands dry, or a minimum of 90 consecutive days of inundation has occurred. Dry season surveys are conducted after the soils within the wetland features have completely dried. Soils samples are collected and then submitted for processing and identification.

Special-Status Amphibians – There is potential for the special-status and SSHCP covered species western spadefoot toad to occur on the Property. The presence of the species can be assumed, or pre-construction surveys for the species should be conducted as is described below. If presence of the species is assumed, or is confirmed through pre-construction surveys, then mitigation for impacts can be made through either payment of the SSHCP development fee or land dedication. In addition, the SSHCP contains species specific AMMs for western spadefoot toad, as is described in WS-1 through WS-6 below.

- **Pre-Construction Western Spadefoot Toad Survey** – If project construction related activities impact any of the seasonal wetland features, then pre-construction surveys to determine the presence or absence of the species should be conducted. The surveys should follow the methodology outlined in *A Standardized Protocol for Surveying Aquatic Amphibians* (National Park Service 1995). These surveys are usually conducted from early spring to the late summer in order to detect all life stages of the species. The basic technique for conducting aquatic surveys is to 1) use binoculars to scan for basking amphibians, 2) slowly walk in the water or on the adjacent bank while visually searching for eggs, larvae, and adults, and 3) use a dip net to find and capture larvae and adults.

- **WS-1 (Western Spadefoot Work Window):** Ground-disturbing Covered Activities within western spadefoot modeled habitat (SSHCP Figure 3-17) will occur outside the breeding and dispersal season (after May 15 and before October 15), to the maximum extent practicable.

- **WS-2 (Western Spadefoot Exclusion Fencing):** If Covered Activities must be implemented in modeled habitat (SSHCP Figure 3-17) after October 15 and before May 15, exclusion fencing will be installed around the project footprint before October 15, and the project site must be monitored by an approved biologist following rain events. Temporary high-visibility construction fencing will be installed along the edge of work areas, and silt fencing will be installed immediately behind the temporary high-visibility construction fencing to exclude western spadefoot from entering the construction area. Fencing will remain in place until all construction activities within the construction area are completed. No project activities will occur outside the delineated project footprint. If a western spadefoot is encountered, refer to WS-6, below.

- **WS-3 (Western Spadefoot Monitoring):** If Covered Activities must be implemented in modeled habitat (SSHCP Figure 3-17) in the breeding and dispersal season (after October 15 and before May 15), an approved biologist experienced with western spadefoot identification and behavior will monitor the project site, including the integrity of any exclusion fencing. The approved biologist will be on site daily while construction-related activities are taking place, and will inspect the project site daily for western spadefoot prior to construction activities. The approved biologist will also train construction personnel on the required avoidance procedures, exclusion fencing, and protocols in the event that a western spadefoot enters an active construction zone (i.e., outside the buffer zone). If a western spadefoot is encountered, refer to WS-6, below.

- **WS-4 (Avoid Western Spadefoot Entrapment):** If a Covered Activity occurs in western spadefoot modeled habitat (SSHCP Figure 3-17), all excavated steep-walled holes and trenches more than 6 inches deep will be covered with plywood (or similar material) or provided with one or more escape ramps constructed of earth fill or wooden planks at the end of each work day or 30 minutes prior to sunset, whichever occurs first. All steep-walled holes and trenches will be inspected by the approved biologist each morning to ensure that no wildlife has become entrapped. All construction pipes, culverts, similar structures, construction equipment, and construction debris left overnight within western spadefoot modeled habitat will be inspected for western spadefoot by the approved biologist prior to being moved. If a western spadefoot is encountered, refer to WS-6, below.

- **WS-5 (Erosion Control Materials in Western Spadefoot Habitat):** If erosion control (BMP-2) is implemented within western spadefoot modeled habitat (SSHCP Figure 3-17), non-entangling erosion control material will be used to reduce the potential for entrapment. Tightly woven fiber netting (mesh size less than 0.25 inch) or similar material will be used to ensure that western spadefoots are not trapped (no monofilament). Coconut coir matting and fiber rolls containing burlap are examples of acceptable erosion control materials.

- **WS-6 (Western Spadefoot Encounter Protocol):** If Covered Activities must be implemented in modeled habitat (SSHCP Figure 3-17) during the breeding and dispersal season (after October 15 and before May 15), and a western spadefoot is encountered during construction activities, the approved biologist will notify the Wildlife Agencies immediately. Construction activities will be suspended in a 100-foot radius of the animal until the animal leaves the project site on its own volition. If necessary, the approved biologist will notify the Wildlife Agencies to determine the appropriate procedures related to relocation. If the animal is handled, a report will be submitted, including date(s), location(s), habitat description, and any corrective measures taken to protect the western spadefoot within 1 business day to the Wildlife Agencies. The biologist will report any take of listed species to the U.S. Fish and Wildlife Service and California Department of Fish and Wildlife immediately. Any worker who inadvertently injures or kills a western spadefoot or who finds dead, injured, or entrapped western spadefoot(s) must immediately report the incident to the approved biologist.

Special-Status Birds – There is potential for numerous special-status and SSHCP covered bird species to occur on the Property. This includes tricolored blackbird, white-tailed kite, and Swainson's hawk that may occur in a foraging capacity only, and burrowing owl which may forage and burrow within the Property. The SSHCP identifies modeled habitat for each of these species as overlapping with the Property. As such, there are species specific AMMs outlined within the SSHCP that will be implemented. These include AMMs for tricolored blackbird as is described in TCB-1 through TCB-4, AMMs for Swainson's hawk as is described in SWHA-1 through SWHA-4, AMMs for western burrowing owl as is described in WBO-1 through WBO -7, and general raptor AMMs as is described in RAPTOR-1 through RAPTOR-4.

- **TCB-1 (Tricolored Blackbird Surveys):** If modeled habitat for tricolored blackbird is present within a Covered Activity's project footprint or within 500 feet of a project footprint, then an approved biologist will conduct a field investigation to determine if existing or potential nesting or foraging sites are present within the project footprint and adjacent areas within 500 feet of the project footprint. Adjacent parcels under different land ownership will be surveyed only if access is granted or if the parcels are visible from authorized areas. Within the Plan Area, potential tricolor blackbird nest sites are often associated with freshwater marsh and seasonal wetlands, or in thickets of willow, blackberry, wild rose, thistle, and other thorny vegetation. Tricolored blackbirds are also known to nest in crops associated with dairy farms. Foraging habitat is associated with annual grasslands, wet and dry vernal pools and other seasonal wetlands, agricultural fields (such as large tracts of alfalfa and pastures with continuous haying schedules and recently tilled fields), cattle feedlots, and dairies. The Third-Party Project Proponent will map all existing or potential nesting or foraging sites and provide these maps to the Local Land Use Permittees and Implementing Entity. Nesting sites must also be noted on plans that are

submitted to a Local Land Use Permittee. See SSHCP Chapter 10 for the process to conduct and submit survey information.

- **TCB-2 (Tricolored Blackbird Pre-Construction Surveys):** Pre-construction surveys will be required to determine if active nests are present within a project footprint or within 500 feet of a project footprint if existing or potential nest sites were found during design surveys and construction activities will occur during the breeding season (March 1 through September 15). An approved biologist will conduct pre-construction surveys within 30 days and within 3 days of ground-disturbing activities, and within the proposed project footprint and 500 feet of the proposed project footprint to determine the presence of nesting tricolored blackbird. Pre-construction surveys will be conducted during the breeding season (March 1 through August 31). Surveys conducted in February (to meet pre-construction survey requirements for work starting in March) must be conducted within 14 days and 3 days in advance of ground-disturbing activities. If a nest is present, then TCB-3 and TCB-4 will be implemented. The approved biologist will inform the Land Use Authority Permittee and the Implementing Entity of species locations, and they in turn will notify the Wildlife Agencies.

- **TCB-3 (Tricolored Blackbird Nest Buffer):** If active nests are found within the project footprint or within 500 feet of any project-related Covered Activity, the Third-Party Project Proponent will establish a 500-foot temporary buffer around the active nest until the young have fledged.

- **TCB-4 (Tricolored Blackbird Nest Buffer Monitoring):** If nesting tricolored blackbirds are present within the project footprint or within 500 feet of any project-related Covered Activity, then an approved biologist experienced with tricolored blackbird behavior will be retained by the Third-Party Project Proponent to monitor the nest throughout the nesting season and to determine when the young have fledged. The approved biologist will be on site daily while construction-related activities are taking place near the disturbance buffer. Work within the nest disturbance buffer will not be permitted. If the approved biologist determines that tricolored blackbirds are exhibiting agitated behavior, construction will cease until the buffer size is increased to a distance necessary to result in no harm or harassment to the nesting tricolored blackbirds. If the biologist determines that the colonies are at risk, a meeting with the Third-Party Project Proponent, Implementing Entity, and Wildlife Agencies will be held to determine the best course of action to avoid nest abandonment or take of individuals. The approved biologist will also train construction personnel on the required avoidance procedures, buffer zones, and protocols in the event that a tricolored blackbird flies into an active construction zone (i.e., outside the buffer zone).

- **SWHA-1 (Swainson's Hawk Surveys):** If modeled habitat for Swainson's hawk (SSHCP Figure 3-25) is present within a Covered Activity's project footprint or within 0.25 mile of a project footprint, then an approved biologist will conduct a survey to determine if existing or potential nesting sites are present within the project footprint and adjacent areas within 0.25 mile of the project footprint. Adjacent parcels under different land ownership will be surveyed only if access is granted or if the parcels are visible from authorized areas. Nest sites are often associated with Riparian land cover, but also include lone trees in fields, trees along roadways, and trees around structures. Nest trees may include, but are not limited to, Fremont's cottonwood (*Populus fremontii*), oaks (*Quercus* spp.), willows (*Salix* spp.), walnuts (*Juglans* spp.), eucalyptus (*Eucalyptus* spp.), pines (*Pinus* spp.), and Deodar cedar (*Cedrus deodara*). The Third-Party Project Proponent will map all existing and potential nesting sites and provide these maps to the Local Land Use Permittees and Implementing Entity. Nesting sites must also be noted on plans that are submitted to a Local Land Use Permittee. See SSHCP Chapter 10 for the process to conduct and submit survey information.

- **SWHA-2 (Swainson's Hawk Pre-Construction Surveys):** Pre-construction surveys will be required to determine if active nests are present within a project footprint or within 0.25 mile of a project footprint if existing or potential nest sites were found during initial surveys and construction activities will occur during the breeding season (March 1 through September 15). An approved biologist will conduct pre-construction surveys within 30 days and 3 days of ground-disturbing activities to determine presence of nesting Swainson's hawk. Pre-construction surveys will be conducted during the breeding season (March 1 through September 15). If a nest is present, then SWHA-3 and SWHA-4 will be implemented. The approved biologist will inform the Land Use Authority Permittee and Implementing Entity of species locations, and they in turn will notify the Wildlife Agencies.

- **SWHA-3 (Swainson's Hawk Nest Buffer):** If active nests are found within the project footprint or within 0.25 mile of any project-related Covered Activity, the Third-Party Project Proponent will establish a 0.25 mile disturbance buffer around the active nest until the young have fledged, with concurrence from the Wildlife Agencies.

- **SWHA-4 (Swainson's Hawk Nest Buffer Monitoring):** If nesting Swainson's hawks are present within the project footprint or within 0.25 mile of any project-related Covered Activity, then an approved biologist experienced with Swainson's hawk behavior will be retained by the Third-Party Project Proponent to monitor the nest throughout the nesting season and to determine when the young have fledged. The approved biologist will be on site daily while construction-related activities are taking place within the buffer. Work within the temporary nest disturbance buffer can occur with the written permission of the

Implementing Entity and Wildlife Agencies. If nesting Swainson's hawks begin to exhibit agitated behavior, such as defensive flights at intruders, getting up from a brooding position, or flying off the nest, the approved biologist will have the authority to shut down construction activities. If agitated behavior is exhibited, the biologist, Third-Party Project Proponent, Implementing Entity, and Wildlife Agencies will meet to determine the best course of action to avoid nest abandonment or take of individuals. The approved biologist will also train construction personnel on the required avoidance procedures, buffer zones, and protocols in the event that a Swainson's hawk flies into an active construction zone (i.e., outside the buffer zone).

- **WBO-1 (Western Burrowing Owl Surveys):** Surveys within modeled habitat are required for both the breeding and non-breeding season. If the project site falls within modeled habitat, an approved biologist will survey the project site and map all burrows, noting any burrows that may be occupied. Occupied burrows are often (but not always) indicated by tracks, feathers, egg shell fragments, pellets, prey remains, and/or excrement. Surveying and mapping will be conducted by the approved biologist while walking transects throughout the entire project site plus all accessible areas within a 250-foot radius from the project site. The centerline of these transects will be no more than 50 feet apart and will vary in width to account for changes in terrain and vegetation that can preclude complete visual coverage of the area. For example, in hilly terrain with patches of tall grass, transects will be closer together, and in open areas with little vegetation, they can be 50 feet apart. This methodology is consistent with current survey protocols for this species (California Burrowing Owl Consortium 1993). Adjacent parcels under different land ownership will be surveyed only if access is granted or if the parcels are visible from authorized areas. If suitable habitat is identified during the initial survey, and if the project does not fully avoid the habitat, pre-construction surveys will be required. Burrowing owl habitat is fully avoided if project-related activities do not impinge on a 250-foot buffer established by the approved biologist around suitable burrows. See SSHCP Chapter 10 for the process to conduct and submit survey information.

- **WBO-2 (Western Burrowing Owl Pre-Construction Surveys):** Prior to any Covered Activity ground disturbance, an approved biologist will conduct pre-construction surveys in all areas that were identified as suitable habitat during the initial surveys. The purpose of the pre-construction surveys is to document the presence or absence of burrowing owls on the project site, particularly in areas within 250 feet of construction activities. To maximize the likelihood of detecting owls, the pre-construction survey will last a minimum of 3 hours. The survey will begin 1 hour before sunrise and continue until 2 hours after sunrise (3 hours total), or begin 2 hours before sunset and continue until 1 hour after sunset. Additional time may be required for large project sites. A minimum of two pre-construction surveys will be conducted (if owls are detected on the first survey, a second survey is not

needed). All owls observed will be counted and their location will be mapped. Surveys will conclude no more than 2 calendar days prior to construction. Therefore, the Third-Party Project Proponent must begin surveys no more than 4 days prior to construction (2 days of surveying plus up to 2 days between surveys and construction). To avoid last-minute changes in schedule or contracting that may occur if burrowing owls are found, the Third-Party Project Proponent may also conduct a preliminary survey up to 15 days before construction. This preliminary survey may count as the first of the two required surveys as long as the second survey concludes no more than 2 calendar days in advance of construction.

- **WBO-3 (Burrowing Owl Avoidance):** If western burrowing owl or evidence of western burrowing owl is observed on the project site or within 250 feet of the project site during pre-construction surveys, then the following will occur:

  During Breeding Season: If the approved biologist finds evidence of western burrowing owls within a project site during the breeding season (February 1 through August 31), all project-related activities will avoid nest sites during the remainder of the breeding season or while the nest remains occupied by adults or young (nest occupation includes individuals or family groups foraging on or near the site following fledging). Avoidance is establishment of a minimum 250-foot buffer zone around nests. Construction and other project-related activities may occur outside of the 250-foot buffer zone. Construction and other project-related activities may be allowed inside of the 250-foot non-disturbance buffer during the breeding season if the nest is not disturbed, and the Third-Party Project Proponent develops an avoidance, minimization, and monitoring plan that is approved by the Implementing Entity and Wildlife Agencies prior to project construction based on the following criteria:

    - The Implementing Entity and Wildlife Agencies approve of the avoidance and minimization plan provided by the project applicant.
    - An approved biologist monitors the owls for at least 3 days prior to construction to determine baseline nesting and foraging behavior (i.e., behavior without construction).
    - The same approved biologist monitors the owls during construction and finds no change in owl nesting and foraging behavior in response to construction activities.

  If there is any change in owl nesting and foraging behavior as a result of construction activities, the approved biologist will have authority to shut down activities within the 250-foot buffer. Construction cannot resume within the 250-foot buffer until any owls present

are no longer affected by nearby construction activities, and with written concurrence from the Wildlife Agencies.

If monitoring by the approved biologist indicates that the nest is abandoned prior to the end of nesting season and the burrow is no longer in use, the non-disturbance buffer zone may be removed if approved by the Wildlife Agencies. The approved biologist will excavate the burrow in accordance with the latest California Department of Fish and Wildlife guidelines for burrowing owl to prevent reoccupation after receiving approval from the Wildlife Agencies.

The Implementing Entity and Wildlife Agencies will respond to a request from the Third-Party Project Proponent to review the proposed construction monitoring plan within 21 days.

During Non-Breeding Season: During the non-breeding season (September 1 through January 31), the approved biologist will establish a minimum 250-foot non-disturbance buffer around occupied burrows. Construction activities outside of this 250-foot buffer will be allowed. Construction activities within the non-disturbance buffer will be allowed if the following criteria are met to prevent owls from abandoning over-wintering sites:

- An approved biologist monitors the owls for at least 3 days prior to construction to determine baseline foraging behavior (i.e., behavior without construction).
- The same approved biologist monitors the owls during construction and finds no change in owl foraging behavior in response to construction activities.
- If there is any change in owl foraging behavior as a result of construction activities, the approved biologist will have authority to shut down activities within the 250-foot buffer.
- If the owls are gone for at least 1 week, the Third-Party Project Proponent may request approval from the Implementing Entity and Wildlife Agencies that an approved biologist excavate usable burrows and install one-way exclusionary devices to prevent owls from re-occupying the site. After all usable burrows are excavated, the buffer zone will be removed and construction may continue.

Monitoring must continue as described above for the non-breeding season as long as the burrow remains active.

- **WBO-4 (Burrowing Owl Construction Monitoring):** During construction of Covered Activities, 250-foot construction buffer zones will be established and maintained around any occupied burrow. An approved biologist will monitor the site to ensure that buffers are enforced and owls are not disturbed. The approved biologist will also train construction

personnel on avoidance procedures, buffer zones, and protocols in the event that a burrowing owl flies into an active construction zone.

- **WBO-5 (Burrowing Owl Passive Relocation):** Passive relocation is not allowed without the express written approval of the Wildlife Agencies. Passive owl relocation may be allowed on a case-by-case basis on project sites during the non-breeding season (September 1 through January 31) with the written approval of the Wildlife Agencies if the other measures described in this condition preclude work from continuing. Passive relocation must be done in accordance with the latest California Department of Fish and Wildlife guidelines for burrowing owl. Passive relocation will only be proposed if the burrow needing to be removed or with the potential to collapse from construction activities is the result of a Covered Activity. If passive relocation is approved by the Wildlife Agencies, an approved biologist can passively exclude birds from their burrows during the non-breeding season by installing one-way doors in burrow entrances. These doors will be in place for 48 hours to ensure that owls have left the burrow, and then the biologist will excavate the burrow to prevent reoccupation. Burrows will be excavated using hand tools only. During excavation, an escape route will be maintained at all times. This may include inserting an artificial structure into the burrow to avoid having materials collapse into the burrow and trap owls inside. Other methods of passive relocation, based on best available science, may be approved by the Wildlife Agencies over the 50-year Permit Term.

- **WBO-6 (Burrowing Owl Timing of Maintenance Activities):** All activities adjacent to existing or planned Preserves, Preserve Setbacks, or Stream Setback areas will be seasonally timed, when safety permits, to avoid or minimize adverse effects on occupied burrows.

- **WBO-7 (Rodent Control):** Rodent control will be allowed only in developed portions of a Covered Activity project site within western burrowing owl modeled habitat. Where rodent control is allowed, the method of rodent control will comply with the methods of rodent control discussed in the 4(d) Rule published in the U.S. Fish and Wildlife Service's (2004) final listing rule for tiger salamander.

- **RAPTOR-1 (Raptor Surveys):** If modeled habitat for a covered raptor species (SSHCP Figures 3-20, 3-23, 3-24, or 3-28) is present within a Covered Activity's project footprint or within 0.25 mile of a project footprint, then an approved biologist will conduct a field investigation to determine if existing or potential nesting sites are present within the project footprint and adjacent areas within 0.25 mile of the project footprint. Adjacent parcels under different land ownership will be surveyed only if access is granted or if the parcels are visible from authorized areas. The Third-Party Project Proponent will map all existing or potential nesting sites and provide these maps to the Local Land Use Permittees and

Implementing Entity. Nesting sites must also be noted on plans that are submitted to a Local Land Use Permittee. See SSHCP Chapter 10 for the process to conduct and submit survey information.

- **RAPTOR-2 (Raptor Pre-Construction Surveys):** Pre-construction surveys will be required to determine if active nests are present with a project footprint or within 0.25 mile of a project footprint if existing or potential nest sites are found during initial surveys and construction activities will occur during the raptor breeding season. An approved biologist will conduct pre-construction surveys within 30 days and 3 days of ground-disturbing activities within the proposed project footprint and within 0.25 mile of the proposed project footprint to determine presence of nesting covered raptor species. Pre-construction surveys will be conducted during the raptor breeding season. If a nest is present, then RAPTOR-3 and RAPTOR-4 will be implemented. The approved biologist will inform the Land Use Authority Permittee and Implementing Entity of species locations, and they in turn will notify the Wildlife Agencies.

- **RAPTOR-3 (Raptor Nest/Roost Buffer):** If active nests are found within the project footprint or within 0.25 mile of any project-related Covered Activity, the Third-Party Project Proponent will establish a 0.25 mile temporary nest disturbance buffer around the active nest until the young have fledged.

- **RAPTOR-4 (Raptor Nest/Roost Buffer Monitoring):** If project-related Covered Activities within the temporary nest disturbance buffer are determined to be necessary during the nesting season, then an approved biologist experienced with raptor behavior will be retained by the Third-Party Project Proponent to monitor the nest throughout the nesting season and to determine when the young have fledged. The approved biologist will be on site daily while construction-related activities are taking place within the disturbance buffer. Work within the temporary nest disturbance buffer can occur with the written permission of the Implementing Entity and Wildlife Agencies. If nesting raptors begin to exhibit agitated behavior, such as defensive flights at intruders, getting up from a brooding position, or flying off the nest, the approved biologist/monitor will have the authority to shut down construction activities. If agitated behavior is exhibited, the biologist, Third-Party Project Proponent, Implementing Entity, and Wildlife Agencies will meet to determine the best course of action to avoid nest abandonment or take of individuals. The approved biologist will also train construction personnel on the required avoidance procedures, buffer zones, and protocols in the event that a covered raptor species flies into an active construction zone (i.e., outside the buffer zone).

Additional AMMs – Based on current plans, project related activities will fall under the Covered Activities of the SSHCP (County of Sacramento, et al., 2018). The SSHCP includes general

AMMs to avoid or minimize effects of Covered Activities on SSHCP land cover types and Covered Species. Below is a list of Construction Best Management Practices (BMPs) that should be conducted during any project related activities.

- **BMP-1 (Construction Fencing):** Orange construction fencing will be installed to ensure that ground disturbance does not extend beyond the allowed construction footprint (i.e., the limit of project construction plus equipment staging areas and access roads). Plan Permittees and Third-Party Project Proponents implementing ground disturbing Covered Activities will mark the outer boundary of any Preserve Setback or Stream Setback adjacent to or within the project site with orange construction fencing prior to ground disturbance. This fencing will remain in place until project completion, as identified by the Plan Permittee.

- **BMP-2 (Erosion Control):** Plan Permittees and Third-Party Project Proponents implementing ground disturbing Covered Activities will install temporary control measures for sediment, stormwater, and pollutant runoff as required by the Plan Permittee to protect water quality and species habitat. Silt fencing or other appropriate sediment control device(s) will be installed downslope of any Covered Activity that disturbs soils.

  Fiber rolls and seed mixtures used for erosion control will be certified as free of viable noxious weed seed. As discussed in Section 5.4.2 (of the SSHCP), Covered Species Take Avoidance and Minimization Measures, erosion controls installed in or adjacent to Plan Area modeled habitat for giant gartersnake (*Thamnophis gigas*), western pond turtle (*Actinemys marmorata*), California tiger salamander (*California tiger salamander*), or western spadefoot (see SSHCP Chapter 3) must be of appropriate design and materials that will not entrap the species (e.g., not contain mesh netting). Regular monitoring and maintenance of the project's erosion control measures will be conducted until project completion to ensure effective operation of erosion control measures.

- **BMP-3 (Equipment Storage and Fueling):** Plan Permittees and Third-Party Project Proponents implementing ground-disturbing Covered Activities will ensure that equipment storage and staging will occur in the development footprint only (not sited in any existing on-site Preserve, planned on-site Preserve, Preserve Setback, Stream Setback, or aquatic land cover type). Fuel storage and equipment fueling will occur away from waterways, stream channels, stream banks, and other environmentally sensitive areas within the development footprint.

  However, certain equipment storage and fueling activities can be allowed on Preserves within habitat re-establishment/establishment sites (refer to SSHCP Section 5.2.7) if no location outside of the site is available. If a Covered Activity results in a spill of fuel,

hydraulic fluid, lubricants, or other petroleum products, the spill will be absorbed and waste disposed of in a manner to prevent pollutants from entering a waterway, Preserve, Preserve Setback, or Stream Setback.

- **BMP-4 (Erodible Materials):** Plan Permittees and Third-Party Project Proponents implementing Covered Activities must not deposit erodible materials into waterways. Vegetation clippings, brush, loose soils, or other debris material will not be stockpiled within stream channels or on adjacent banks. Erodible material must be disposed of such that it cannot enter a waterway, Preserve, Preserve Setback, Stream Setback, or aquatic land cover type. If water and sludge must be pumped from a subdrain or other structure, the material will be conveyed to a temporary settling basin to prevent sediment from entering a waterway.

- **BMP-5 (Dust Control):** Plan Permittees and Third-Party Project Proponents implementing ground-disturbing Covered Activities will water active construction sites regularly, if warranted, to avoid or minimize impacts from construction dust on adjacent vegetation and wildlife habitats. No surface water will be used from aquatic land covers; water will be obtained from a municipal source or existing groundwater well.

- **BMP-6 (Construction Lighting):** Plan Permittees and Third-Party Project Proponents implementing ground-disturbing Covered Activities will direct all temporary construction lighting (e.g., lighting used for security or nighttime equipment maintenance) away from adjacent natural habitats, and particularly Riparian and Wetland habitats and wildlife movement areas.

- **BMP-7 (Biological Monitor):** If a Covered Activity includes ground disturbance within Covered Species modeled habitat, an approved biologist will be on site during the period of ground disturbance, and may need to be on site during other construction activities depending on the Covered Species affected. After ground-disturbing project activities are complete, the approved biologist will train an individual to act as the on-site construction monitor for the remainder of construction, with the concurrence of the Permitting Agencies. The on-site monitor will attend the training described in BMP-8. The approved biologist and the on-site monitor will have oversight over implementation of Avoidance and Minimization Measures, and will have the authority to stop activities if any of the requirements associated with those measures are not met. If the monitor requests that work be stopped, the Wildlife Agencies will be notified within one working day by email. The approved biologist and/or on-site monitor will record all observations of listed species on California Natural Diversity Database field sheets and submit them to the California Department of Fish and Wildlife. The approved biologist or on-site monitor will be the contact source for any employee or contractor who might inadvertently kill or injure a

Covered Species or who finds a dead, injured or entrapped individual. The approved biologist and on-site monitor's names and telephone numbers will be provided to the Wildlife Agencies prior to the initiation of ground-disturbing activities. Refer to species-specific measures for details on requirements for biological monitors.

- **BMP-8 (Training of Construction Staff):** A mandatory Worker Environmental Awareness Program will be conducted by an approved biologist for all construction workers, including contractors, prior to the commencement of construction activities. The training will include how to identify Covered Species that might enter the construction site, relevant life history information and habitats, SSHCP and statutory requirements and the consequences of non-compliance, the boundaries of the construction area and permitted disturbance zones, litter control training (SPECIES-2), and appropriate protocols if a Covered Species is encountered. Supporting materials containing training information will be prepared and distributed by the approved biologist. When necessary, training and supporting materials will also be provided in Spanish. Upon completion of training, construction personnel will sign a form stating that they attended the training and understand all of the Avoidance and Minimization Measures. Written documentation of the training must be submitted to the Implementing Entity within 30 days of completion of the training, and the Implementing Entity will provide this information to the Wildlife Agencies.

- **BMP-9 (Soil Compaction):** After construction is complete, all temporarily disturbed areas will be restored similar to pre-project conditions, including impacts relating to soil compaction, water infiltration capacity, and soil hydrologic characteristics.

- **BMP-10 (Revegetation):** Plan Permittees and Third-Party Project Proponents implementing ground-disturbing Covered Activities will revegetate any cut-and-fill slopes with native or existing non-invasive, non-native plants (e.g., non-native grasses) suitable for the altered soil conditions and in compliance with EDGE-2 and EDGE-8, if applicable.

- **BMP-11 (Speed Limit):** Project-related vehicles will observe the posted speed limits on paved roads and a 10-mile-per-hour speed limit on unpaved roads and during travel in project areas. Construction crews will be given weekly tailgate instruction to travel only on designated and marked existing, cross-country, and project-only roads.

Additionally, the following AMMs apply to all Covered Activities that are required to implement Covered Species take AMMs.

- **SPECIES-1 (Litter Removal Program):** A litter control program will be instituted for the entire project site. All workers will ensure that their food scraps, paper wrappers, food

containers, cans, bottles, and other trash are deposited in covered or closed trash containers. All garbage will be removed from the project site at the end of each work day, and construction personnel will not feed or otherwise attract wildlife to the area where construction activities are taking place.

- **SPECIES-2 (No Pets in Construction Areas):** To avoid harm and harassment of native species, workers and visitors will not bring pets onto a project site.

- **SPECIES-3 (Take Report):** If accidental injury or death of any Covered Species occurs, workers will immediately inform the approved biologist or on-site monitor and site supervisor. The approved biologist or on-site monitor will phone the appropriate contact person at the Implementing Entity. The Implementing Entity will immediately contact the Wildlife Agencies by telephone. A memorandum will be provided to the Implementing Entity and Wildlife Agencies within 1 working day of the incident. The report will provide the date and location of the incident, number of individuals taken, the circumstances resulting in the take, and any corrective measures taken to prevent additional take.

- **SPECIES-4 (Post-Construction Compliance Report):** A post-construction compliance report will be submitted to the SSHCP Implementing Entity within 30 calendar days of completion of construction activities or within 30 calendar days of any break in construction activity that lasts more than 30 days. The report will detail the construction start and completion dates, any information about meeting or failing to meet species take AMMs, effectiveness of each AMM that was applied at the project site, and any known project effects to Covered Species.

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ATTACHMENTS

ATTACHMENT 1
FIGURES

Figure 1	**Regional Map**
Figure 2	**Vicinity Map**
Figure 3	**USGS Quadrangle Map**
Figure 4	**Aerial Photograph**
Figure 5	**CNDDB Map of Special-Status Wildlife**
Figure 6	**CNDDB Map of Special-Status Plants**
Figure 7	**USFWS Designated Critical Habitat**
Figure 8	**Soils Map**
Figure 9	**Photo Location Map**
Figure 10	**Habitat Map**

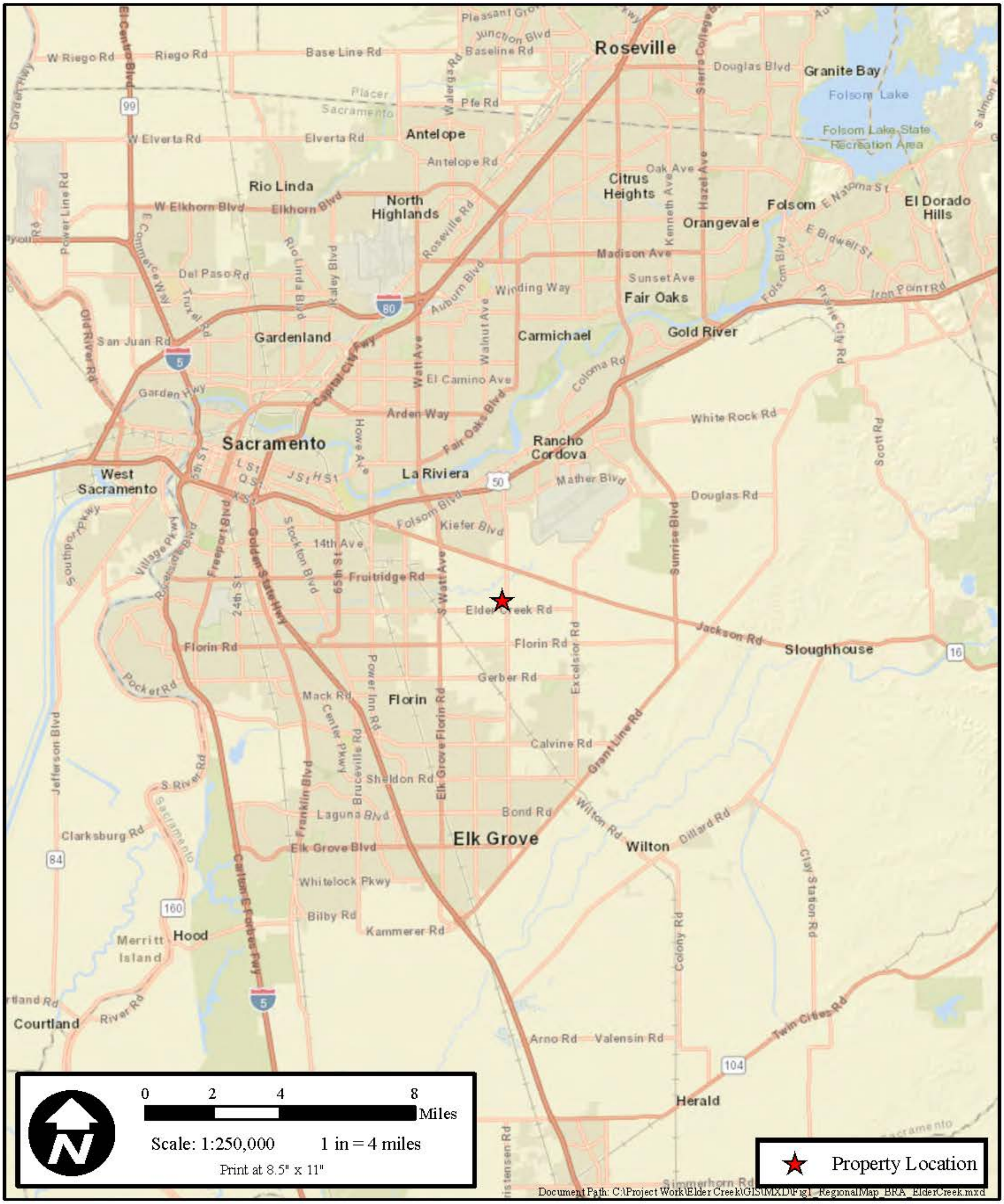
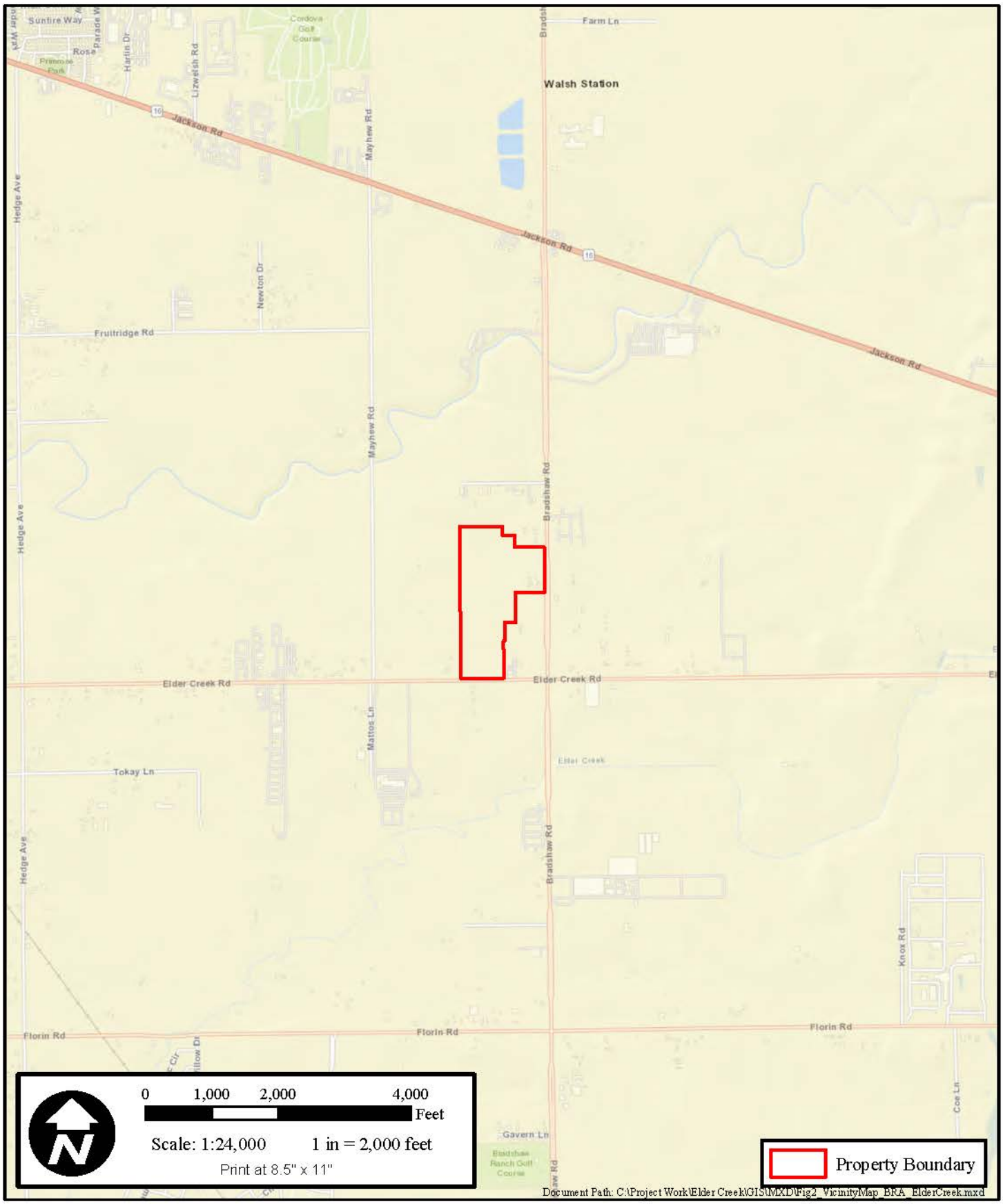


Figure 1: Regional Map
Elder Creek Property
Sacramento County, California

OLBERDING
-ENVIRONMENTAL-

193 Blue Ravine Road, Ste. 165
Folsom, CA 95630
Phone: (916) 985-1188

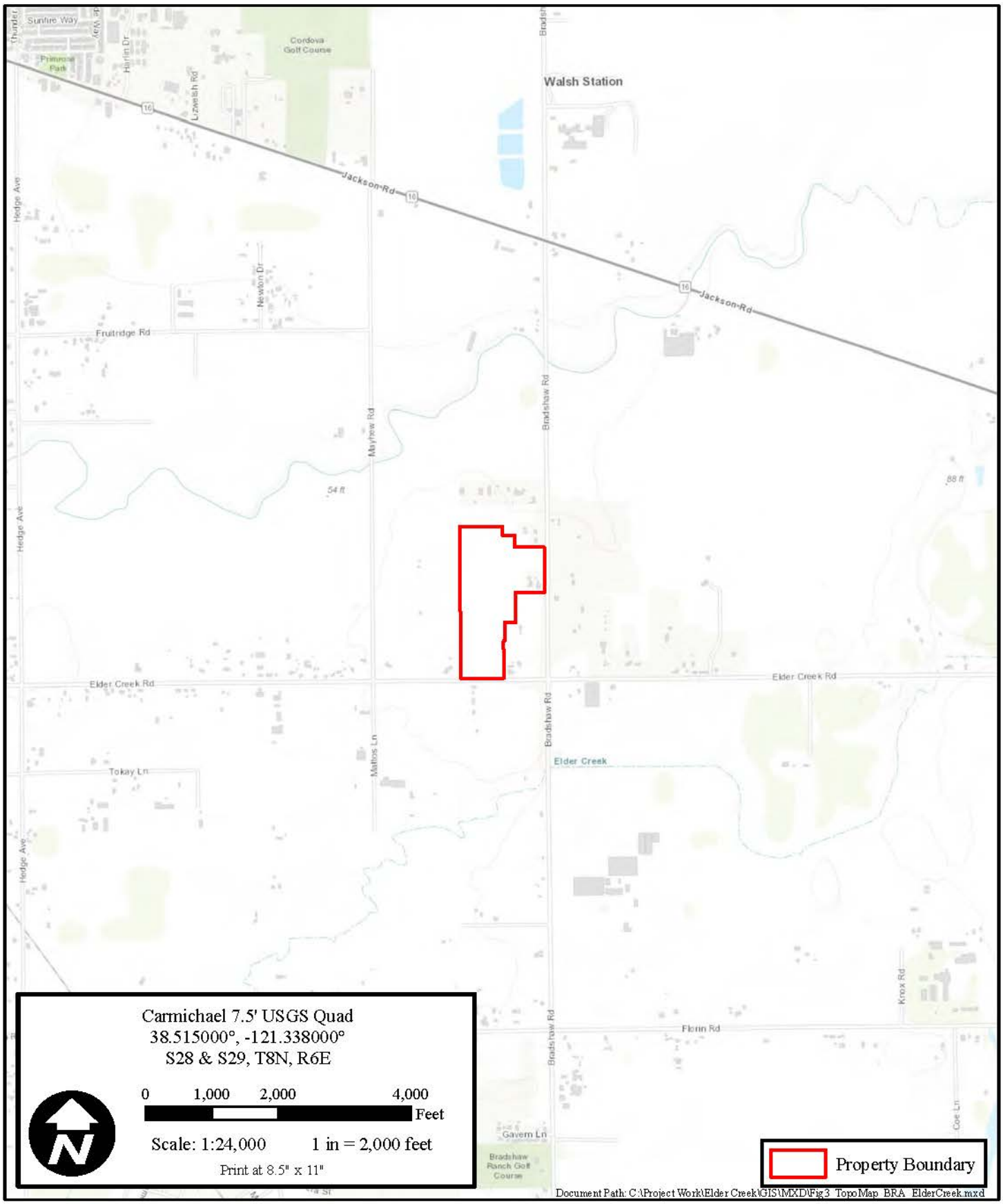
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OLBERDING -ENVIRONMENTAL-
193 Blue Ravine Road, Ste. 165
Folsom, CA 95630
Phone: (916) 985-1188

Figure 2: Vicinity Map
Elder Creek Property
Sacramento County, California

Revision Date: 02/23/2024



OLBERDING -ENVIRONMENTAL-
193 Blue Ravine Road, Ste. 165
Folsom, CA 95630
Phone: (916) 985-1188

Figure 3: USGS Topographic Map
Elder Creek Property
Sacramento County, California

Revision Date: 02/23/2024

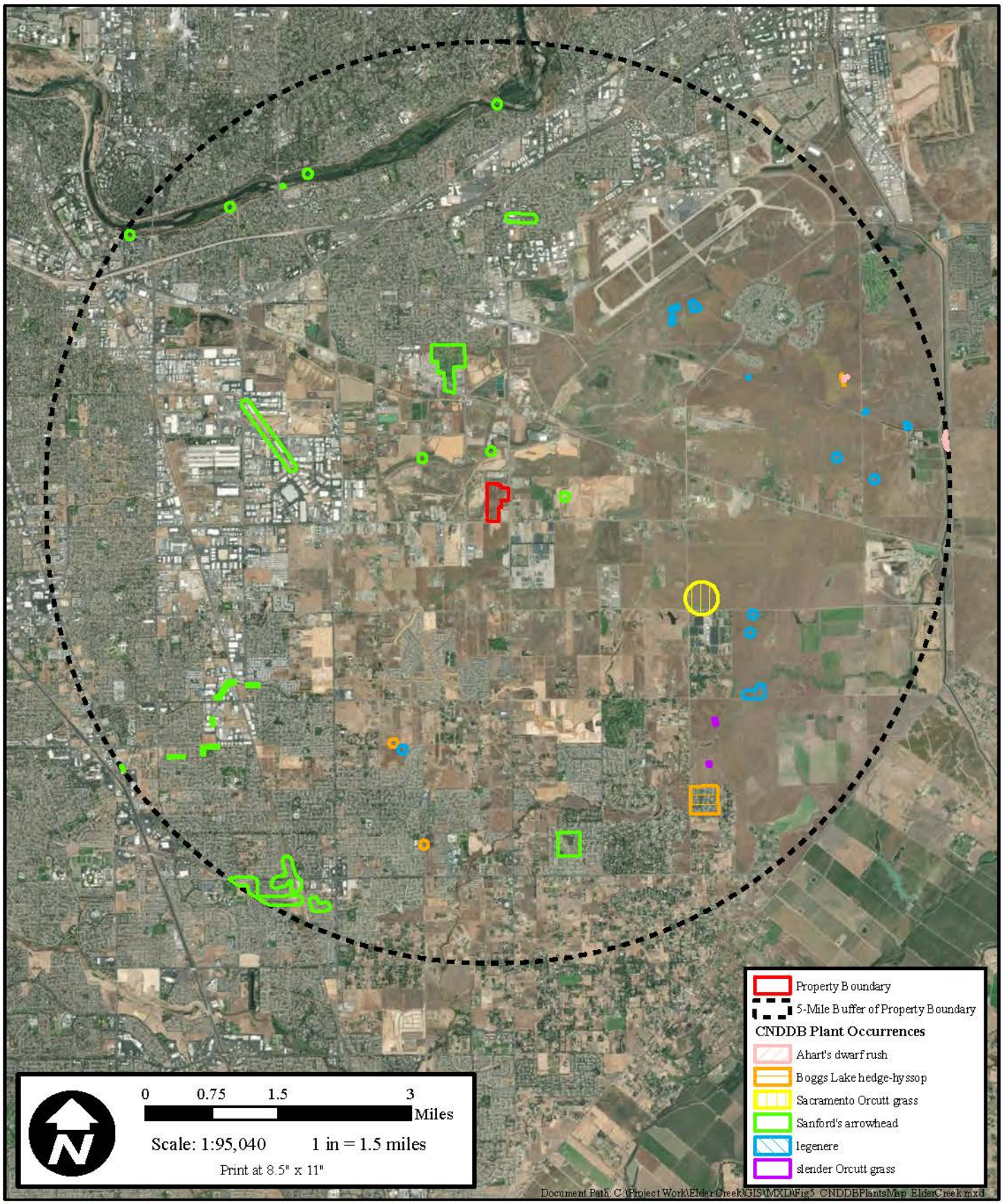


OLBERDING
-ENVIRONMENTAL-

193 Blue Ravine Road, Ste. 165
Folsom, CA 95630
Phone: (916) 985-1188

Figure 4: Aerial Map
Elder Creek Property
Sacramento County, California

Revision Date: 02/23/2024

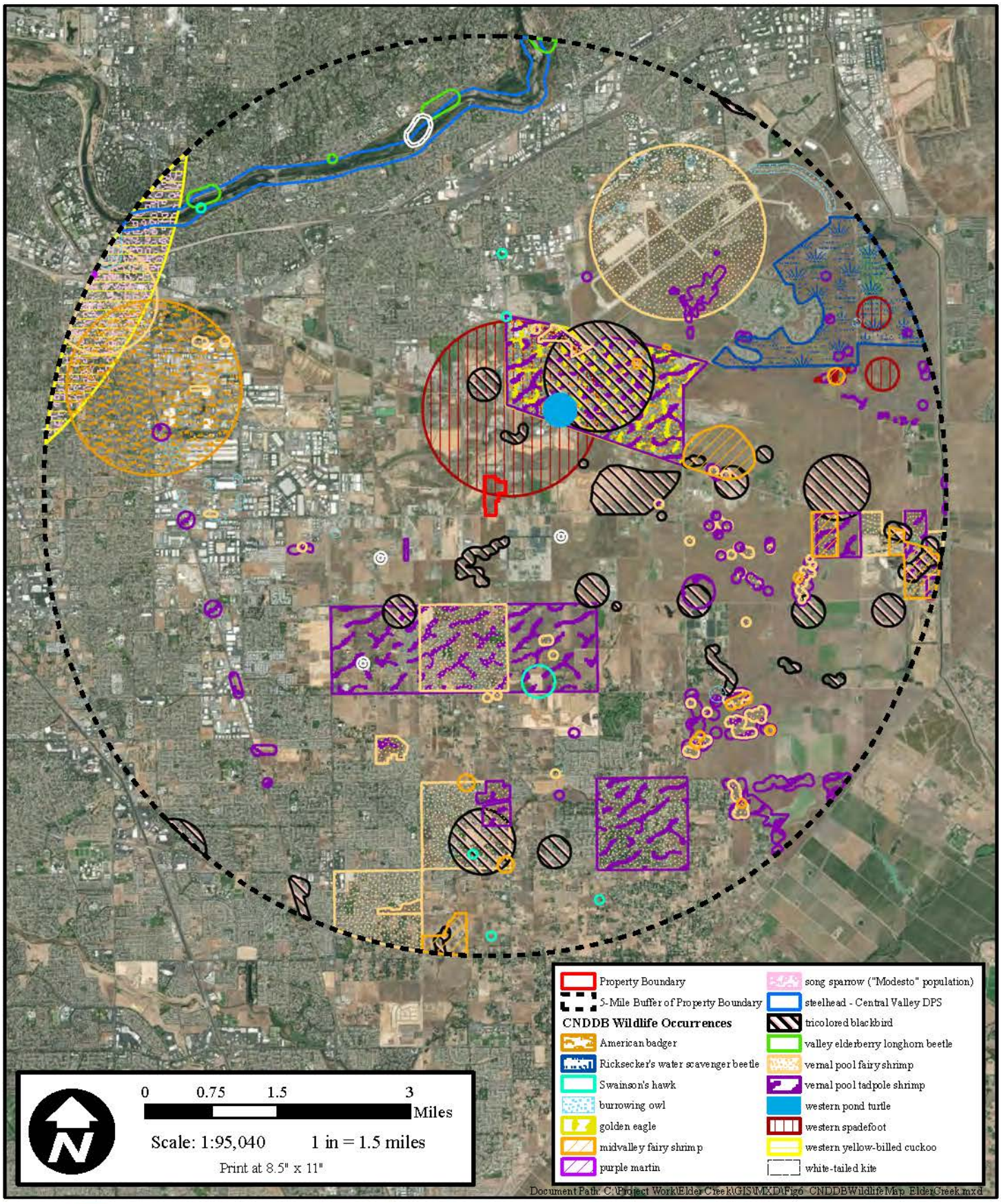


OLBERDING
-ENVIRONMENTAL-

193 Blue Ravine Road, Ste. 165
Folsom, CA 95630
Phone: (916) 985-1188

Figure 5: CNDDB Plants Map
Elder Creek Property
Sacramento County, California

Revision Date: 02/22/2024

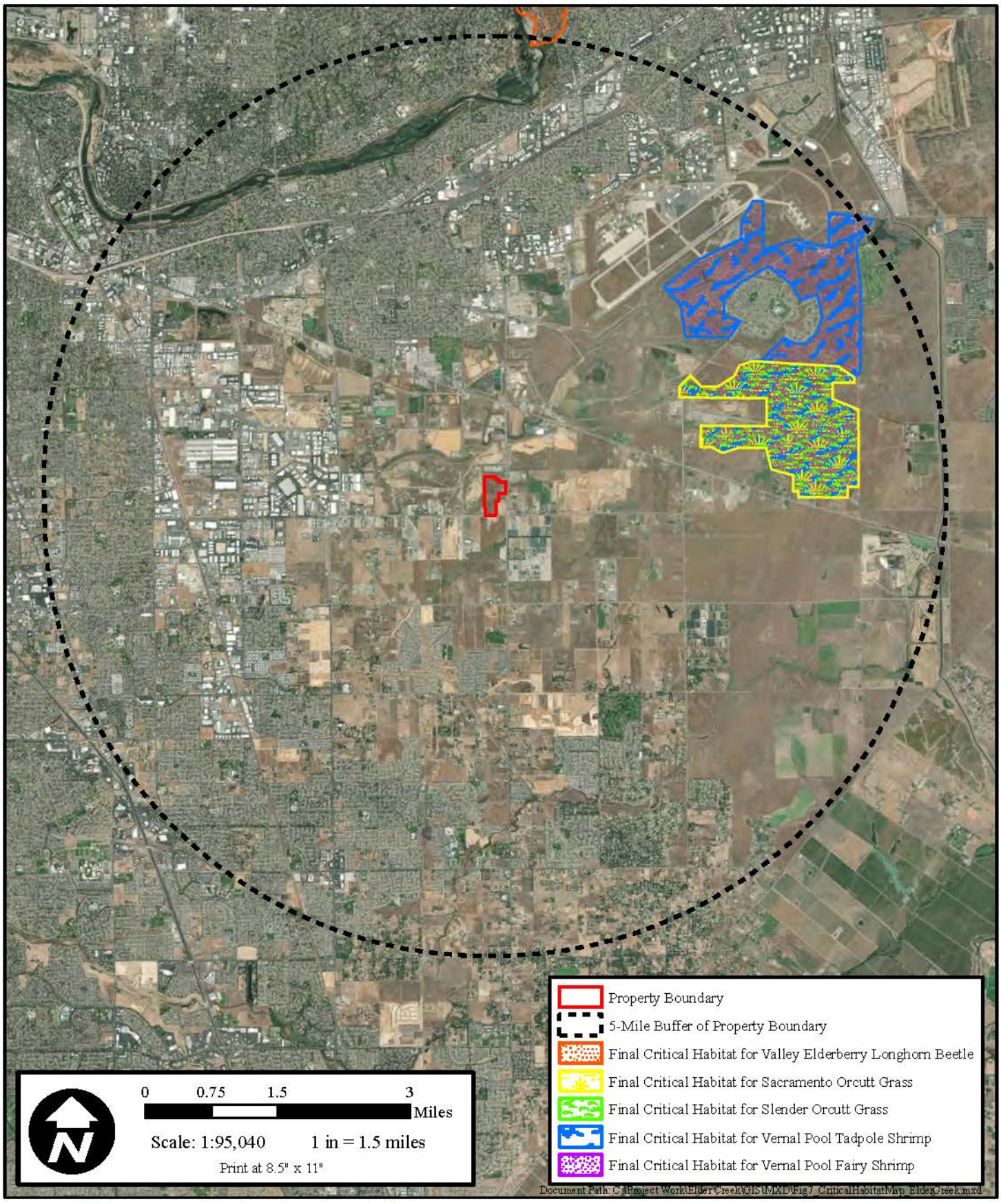


OLBERDING
-ENVIRONMENTAL-

193 Blue Ravine Road, Ste. 165
Folsom, CA 95630
Phone: (916) 985-1188

Figure 6: CNDDB Wildlife Map
Elder Creek Property
Sacramento County, California

Revision Date: 02/22/2024

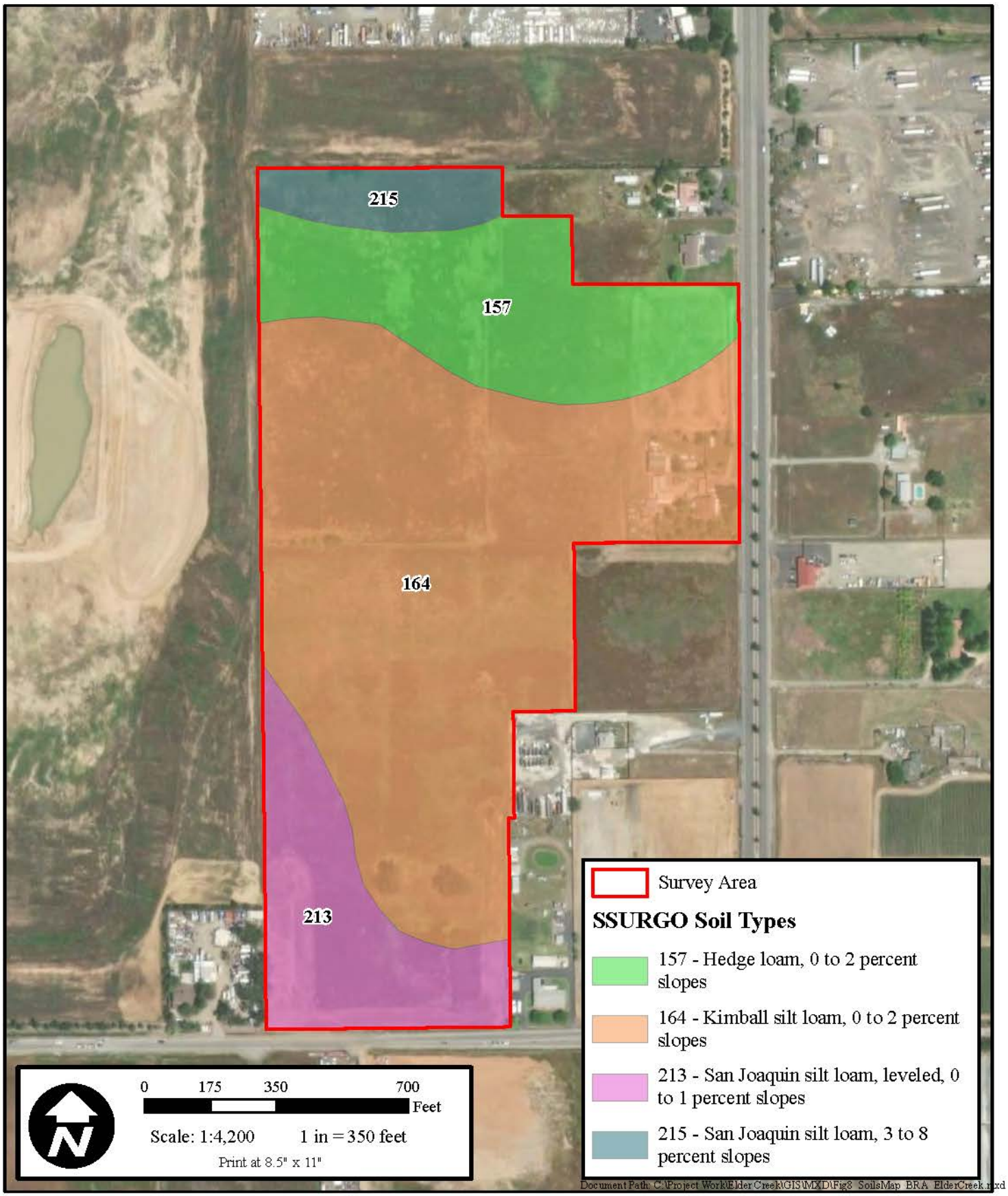


OLBERDING -ENVIRONMENTAL-

193 Blue Ravine Road, Ste. 165
Folsom, CA 95630
Phone: (916) 985-1188

Figure 7: Critical Habitat Map
Elder Creek Property
Sacramento County, California

Revision Date: 02/23/2024



OLBERDING -ENVIRONMENTAL-
193 Blue Ravine Road, Ste. 165
Folsom, CA 95630
Phone: (916) 985-1188

Figure 8: Soils Map
Elder Creek Property
Sacramento County, California

Revision Date: 02/22/2024

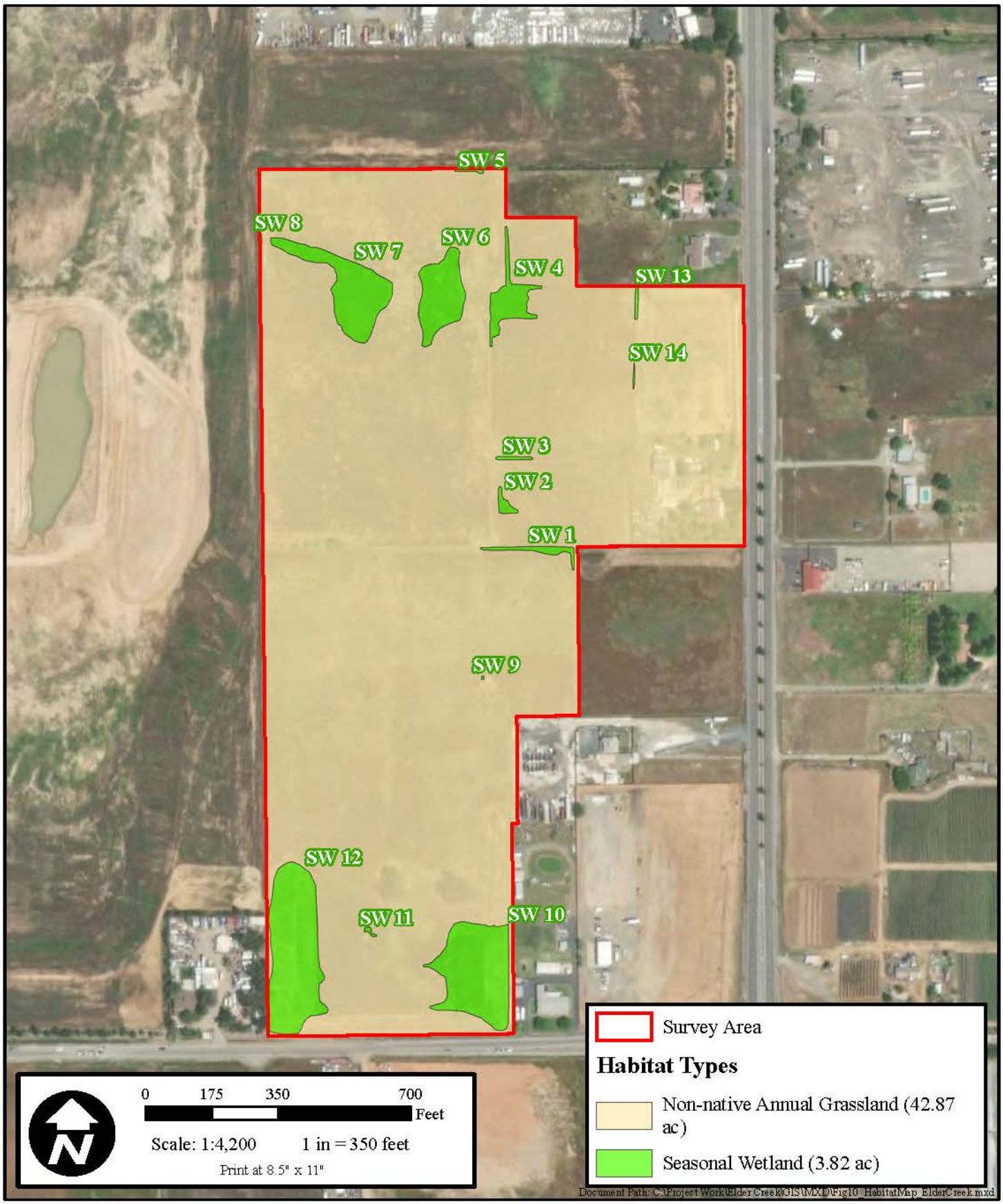


OLBERDING -ENVIRONMENTAL-

193 Blue Ravine Road, Ste. 165
Folsom, CA 95630
Phone: (916) 985-1188

Figure 9: Photo Map
Elder Creek Property
Sacramento County, California

Revision Date: 02/22/2024



OLBERDING -ENVIRONMENTAL-
193 Blue Ravine Road, Ste. 165
Folsom, CA 95630
Phone: (916) 985-1188

Figure 10: Habitat Map
Elder Creek Property
Sacramento County, California

Revision Date: 02/22/2024

ATTACHMENT 2
TABLES

Table 1

Plant and Wildlife Species Observed

Within/Adjacent to the Property

Table 1

Plant and Wildlife Species Observed Within/Adjacent to the Property

Scientific Name	Common Name
Plant Species Observed	
Acacia dealbata	silver wattle
Allium vineale	vineyard onion
Amsinckia menziesii	fiddleneck
Brassica rapa	field mustard
Bromus diandrus	ripgut brome
Capsella bursa-pastoris	shepard's purse
Calandrinia ciliata	redmaids
Callitriche marginata	winged water starwort
Cardus pycnocephalus	Italian thistle
Centaurea solstitialis	yellow star thistle
Cerastium fontanum	common mouse ear chickweed
Convolvulus arvensis	field bindweed
Crassula aquatica	aquatic pygmy weed
Dittrichia graveolens	stinkwort
Elymus canadensis	Canada wild rye
Epilobium brachycarpum	annual fireweed
Erodium botrys	broad leaf filaree
Eryngium vaseyi	coyote thistle
Eucalyptus globulus	blue gum trees
Festuca [Vulpia] myros	rattail sixweeks grass
Festuca perennis	Italian rye grass
Heterotheca grandiflora	telegraph weed
Hordeum marinum	Mediterranean barley
Hordeum murinum	wall barley
Hypochaeris glabra	smooth cats ear
Juglans nigra	black walnut
Lactuca serriola	prickly lettuce
Lamium amplexicaule	henbit
Ludwigia palustris	marsh purslane
Lupinus bicolor	miniature lupine
Narcissus tazetta	cream narcissus
Phleum pratense	common timothy grass

Table 1

Plant and Wildlife Species Observed Within/Adjacent to the Property

Scientific Name	Common Name
Prunus persica	peach
Ranunculus muicatus	spiny buttercup
Raphanus raphanistrum	wild raddish
Rumex crispus	curly dock
Senecio vulgaris	common groundsel
Silybum marianum	milk thistle
Spergularia rubra	purple sand spurry
Trifolium sp.	clover
Vicia villosa	hairy vetch
Wildlife Species Observed	
Birds	
Aphelocoma californica	western scrub jay
Branta canadensis	Canada goose
Buteo jamaicensis	red-tailed hawk
Euphagus cyanocephalus	Brewer's black bird
Larus californicus	California gull
Mammals	
Peromyscus maniculatus	deer mouse
Sylvilagus bachmani	California brush rabbit

Table 2

Special-Status Species for the Rio Linda, Citrus Heights, Folsom, Sacramento East, Carmichael, Buffalo Creek, Florin, Elk Grove, and Sloughhouse 7.5 Minute Quadrangle Maps

Table 2

Special-Status Species for the Rio Linda, Citrus Heights, Folsom, Sacramento East, Carmichael, Buffalo Creek, Florin, Elk Grove, and Sloughhouse 7.5 Minute Quadrangle Maps[1]

Common Name/Scientific Name	Status (Fed/State/ Other)[2]	Blooming or Survey Period	Habitats of Occurrence	Potential on Site	Status on Site**
PLANTS					
Peruvian dodder (*Cuscuta obtusiflora* var. g*landulosa)*	-/-/2B.2	July – October	An annual parasitic vine that is native to California. Generally found near freshwater marshes and swamps.	Required habitat not found within Survey Area	Presumed Absent
dwarf downingia (*Downingia pusilla*)	-/-/2B.2, SSHCP	March – May	Mesic valley and foothill grasslands, vernal pools. Located from 5 – 1,460 ft. elevation.	Mesic areas are located within the Survey Area. But no CNDDB occurrences within 5 miles	Not Likely to Occur
Boggs Lake hedge-hyssop (*Gratiola heterosepala*)	-/E/1B.2, SSHCP	April – August	Annual herb found from 35' – 7,790' in elevation. Located in clay soils among the margins of lakes and swamps and within vernal pools.	Required habitat not found within Survey Area	Presumed Absent
woolly rose-mallow (*Hibiscus lasiocarpos* var. *occidentalis*)	-/-/1B.2	June - September	Freshwater marshes and swamps, often in riprap on the sides of levees. Located from 0 – 395 ft. elevation	Required habitat not found within Survey Area	Presumed Absent

Table 2

Special-Status Species for the Rio Linda, Citrus Heights, Folsom, Sacramento East, Carmichael, Buffalo Creek, Florin, Elk Grove, and Sloughhouse 7.5 Minute Quadrangle Maps[1]

Common Name/Scientific Name	Status (Fed/State/ Other)[2]	Blooming or Survey Period	Habitats of Occurrence	Potential on Site	Status on Site**
Ahart's dwarf rush (*Juncus leiospermus* var. *ahartii*)	-/-/1B.2, SSHCP	March – May	Annual herb found from 100' – 750' in elevation. Located in valley and foothill grasslands with mesic soils.	Survey Area is outside of species elevation range.	Presumed Absent
alkali-sink goldfields (*Lasthenia chrysantha*)	-/-/1B.1	February - June	Valley grassland, alkali sink, and wetland-riparian areas. 0 – 655 ft. elevation	Required habitat not found within Survey Area	Presumed Absent
legenere (*Legenere limosa*)	-/-/1B.1, SSHCP	April – June	Annual herb found from 5' – 2,885' in elevation. Located within vernal pools.	Required habitat not found within Survey Area	Presumed Absent
Heckard's pepper grass (*Lepidium latipes* var. *heckardii*)	-/-/1B.2	March – May	Annual herb endemic to California. Occurs usually in wetlands.	Wetlands occur within the Survey Area, but no CNDDB occurrences within 5 miles	Not Likely to Occur

Table 2

Special-Status Species for the Rio Linda, Citrus Heights, Folsom, Sacramento East, Carmichael, Buffalo Creek, Florin, Elk Grove, and Sloughhouse 7.5 Minute Quadrangle Maps[1]

Common Name/Scientific Name	Status (Fed/State/ Other)[2]	Blooming or Survey Period	Habitats of Occurrence	Potential on Site	Status on Site**
pincushion navarretia (*Navarretia myersii* ssp. *myersii*)	-/-/1B.1, SSHCP	April – May	Annual herb found from 65' – 1,085' in elevation. Located within vernal pools, often with acidic soils.	Vernal pools occur within the Survey Area, but no CNDDB occurrences within 5 miles	Not Likely to Occur
slender Orcutt grass (*Orcuttia tenuis*)	T/E/1B.1, SSHCP	May – October	Annual herb found from 115' – 5,775' in elevation. Located within vernal pools, often in gravelly substrate.	Survey Area is outside of species elevation range	Presumed Absent
Sacramento Orcutt grass (*Orcuttia viscida*)	E/E/1B.1, SSHCP	April – September	Annual herb found from 100' – 330' in elevation. Located within vernal pools.	Survey Area is outside of species elevation range	Presumed Absent
Sanford's arrowhead (*Sagittaria sanfordii*)	-/-/1B.2, SSHCP	May – November	Emergent perennial rhizomatous herb found among shallow, freshwater marshes and swamps. Located from 0 – 2,135 ft. elevation.	Required habitat not found within Survey Area	Presumed Absent

Table 2

Special-Status Species for the Rio Linda, Citrus Heights, Folsom, Sacramento East, Carmichael, Buffalo Creek, Florin, Elk Grove, and Sloughhouse 7.5 Minute Quadrangle Maps[1]

Common Name/Scientific Name	Status (Fed/State/ Other)[2]	Blooming or Survey Period	Habitats of Occurrence	Potential on Site	Status on Site**
saline clover (*Trifolium hydrophilum*)	-/-/1B.2	April – June	Annual herb found among marshes and swamps, alkaline and mesic areas of valley and foothill grasslands, and vernal pools. Located from 0 – 985 ft. elevation.	Mesic areas of grasslands and vernal pools occur within the Survey Area. But no CNDDB occurrences within five miles.	Not Likely to Occur
INVERTEBRATES					
crotch bumble bee (*Bombus crotchii*)	-/CE/-	Resident	Found in open grassland and scrub, able to persist in semi-natural habitats surrounded by intensely modified landscapes. Nests underground and requires undisturbed nesting and winter sites. Historic range extends from central CA south to Baja, Mexico. Recent observations indicated retraction from northern and southern extremes of range.	Required habitat present throughout the Survey Area. But there are no CNDDB occurrences within 5 miles	Not Likely to Occur
Conservancy fairy shrimp (*Branchinecta conservation*)	E/E/-	Resident	Inhabit ephemeral/vernal pools of fresh turbid water.	Vernal pool features do not contain turbid water. No CNDDB occurrences within 5 miles.	Presumed Absent

Table 2

Special-Status Species for the Rio Linda, Citrus Heights, Folsom, Sacramento East, Carmichael, Buffalo Creek, Florin, Elk Grove, and Sloughhouse 7.5 Minute Quadrangle Maps[1]

Common Name/Scientific Name	Status (Fed/State/ Other)[2]	Blooming or Survey Period	Habitats of Occurrence	Potential on Site	Status on Site**
vernal pool fairy shrimp *(Branchinecta lynchi)*	T/-/SSHCP	December – May (dependent on the timing of winter and spring rains)	Endemic to the grasslands of the central valley, central coast mountains, and south coast mountains, in astatic rain-filled pools. Inhabits small, clear-water sandstone-depression pools and grassed swale, earth slump, or basalt-flow depression pools.	Vernal pools occur within the Survey Area. 27 CNDDB occurrences within 5 miles	May Occur
mid-valley fairy shrimp (*Branchinecta mesovallensis)*	-/-/SSHCP	Resident	Found in shallow ephemeral pool depressions within grasslands and lower elevation foothills. They can live in relatively warm water temperatures and inhabit some of the smallest and short-lived seasonal pools.	Vernal pools occur within the Survey Area. 13 CNDDB occurrences within 5 miles	May Occur
monarch butterfly (*Danaus Plexippus)*	C/-/-	September – March	Overwintering habitat includes forested groves from Mendocino County south to Baja, Mexico. Most commonly use eucalyptus, Monterey pine, and Monterey cypress trees.	Required habitat not found within Survey Area	Presumed Absent
valley elderberry longhorn beetle (*Desmocerus californicus dimorphus*)	T/-/SSHCP	Resident	Only found in association with its host plant, elderberry (*Sambuscus* spp.). Most occurrences are found below 500 feet in elevation.	Required habitat not found within Survey Area	Presumed Absent

Table 2

Special-Status Species for the Rio Linda, Citrus Heights, Folsom, Sacramento East, Carmichael, Buffalo Creek, Florin, Elk Grove, and Sloughhouse 7.5 Minute Quadrangle Maps[1]

Common Name/Scientific Name	Status (Fed/State/ Other)[2]	Blooming or Survey Period	Habitats of Occurrence	Potential on Site	Status on Site**
Ricksecker's water scavenger beetle (*Hydrochara rickseckeri*)	-/-/SSHCP	Resident	Found in ponds, streams, ditches and salt marshes.	Seasonal wetlands provide marginal habitat. One CNDDB occurrence within 5 miles.	May Occur
vernal pool tadpole shrimp (*Lepidurus packardi*)	E/-/SSHCP	Resident	Endemic to the northern portion of the Central Valley and Delta. Found in a variety of natural and artificial seasonally ponded habitats including vernal pools, swales, ephemeral drainages, stock ponds, reservoirs, ditches, backhoe pits, and tire ruts. Wetlands vary from 2 m^2 to 356 km^2.	Vernal pools occur within the Survey Area. 41 CNDDB occurrences within 5 miles	May Occur
FISH					
green sturgeon – southern DPS (*Acipenser medirostris* pop. 1)	-/T/-	Resident	Southern DPS ranges from the Eel River south including the Sacramento and San Joaquin Rivers. Most of its lifecycle is spend in coastal marine waters, estuaries, and lower reaches of large rivers. Ascend rivers to spawn, but specific spawning and rearing habitat is unknown.	Required habitat not found within Survey Area	Presumed Absent

Table 2

Special-Status Species for the Rio Linda, Citrus Heights, Folsom, Sacramento East, Carmichael, Buffalo Creek, Florin, Elk Grove, and Sloughhouse 7.5 Minute Quadrangle Maps[1]

Common Name/Scientific Name	Status (Fed/State/ Other)[2]	Blooming or Survey Period	Habitats of Occurrence	Potential on Site	Status on Site**
steelhead – Central Valley DPS (*Oncorhynchus mykiss irideus* pop. 11)	T/-/-	Resident	Cool, clear, well-oxygenated water preferred. Prefer complex structured river systems with large boulders, etc.	Required habitat not found within Survey Area	Presumed Absent
Sacramento splittail *(Pogonichthys macrolepidotus)*	-/-/SSC	Resident	Habitat includes backwaters and pools of rivers, lakes, slow-moving waters, and dead-end sloughs of main rivers and Delta. Formerly found throughout much of the Sacramento/San Joaquin river system. Spawning habitat includes the natural and newly restored floodplains of the Cosumnes River, managed floodplains such as the Yolo and Sutter bypasses, and disjunct segments of floodplain adjacent to the Sacramento and San Joaquin rivers and tributaries. These areas approximate the large, open, shallow-water areas which once existed throughout the Delta.	Required habitat not found within Survey Area	Presumed Absent
longfin smelt (*Spirinchus thaleichthys)*	-/T/-	Resident	Found along the Pacific coast from Alaksa to California. Historically found in the San Francisco Estuary and the Bay-Delta. Utilizes a variety of habitats from nearshore waters to estuaries, to lower portions of freshwater streams.	Required habitat not found within Survey Area	Presumed Absent

Table 2

Special-Status Species for the Rio Linda, Citrus Heights, Folsom, Sacramento East, Carmichael, Buffalo Creek, Florin, Elk Grove, and Sloughhouse 7.5 Minute Quadrangle Maps[1]

Common Name/Scientific Name	Status (Fed/State/ Other)[2]	Blooming or Survey Period	Habitats of Occurrence	Potential on Site	Status on Site**
AMPHIBIANS					
California tiger salamander – central California DPS (*Ambystoma californiense* pop. 1)	T/T/SSHCP	Aquatic Surveys - Once each in March, April, and May with at least 10 days between surveys. Upland Surveys - 20 nights of surveying under proper conditions beginning	Inhabit rolling grassland and oak savanna wither vernal pools or similar wetlands. Adults spend most of the year in subterranean retreats such as rodent burrows, but may be found on the surface during dispersal to and from breeding sites. The preferred breeding sites are vernal pools and other temporary ponds. However, CTS may use permanent manmade ponds as breeding habitat.	The vernal pools found within the Survey Area are not deep enough to support this species. No CNDDB occurrences within 5 miles.	Presumed Absent
western spadefoot (*Spea hammondi*)	PT/-/SSC, SSHCP	Year-round resident	Sandy or gravelly habitats in a variety of cismontane habitats, particularly vernal pools, grasslands, alkali flats, and playas. Breeds in rain pools, puddles, vernal pools, tire ruts, etc.	The vernal pool and seasonal wetlands provide potential breeding habitat. 4 CNDDB occurrences within 5 miles.	May Occur
REPTILES					
western pond turtle (*Actinemys marmorata*)	-/-/SSC, SSHCP	March – October	Aquatic turtle; needs permanent water in ponds, streams, irrigation ditches. Nests on sandy banks or grassy fields.	Required habitat not found within Survey Area	Presumed Absent

Table 2

Special-Status Species for the Rio Linda, Citrus Heights, Folsom, Sacramento East, Carmichael, Buffalo Creek, Florin, Elk Grove, and Sloughhouse 7.5 Minute Quadrangle Maps[1]

Common Name/Scientific Name	Status (Fed/State/ Other)[2]	Blooming or Survey Period	Habitats of Occurrence	Potential on Site	Status on Site**
giant garter snake (*Thamnophis gigas*)	T/T/SSHCP	Year-round resident	Inhabits agricultural wetlands and other waterways such as irrigation and drainage canals, sloughs, ponds, small lakes, low gradient streams, and adjacent uplands.	Required habitat not found within Survey Area	Presumed Absent
BIRDS					
Cooper's hawk (*Accipiter cooperii*)	-/-/WL, SSHCP	March– August	Nests in oak woodlands, coniferous forests, and riparian corridors, most often in dense stands. Often hunts on edges between habitats.	Only scattered trees within the Survey Area, does not provide nesting habitat.	Not Likely to Occur
tricolored blackbird (*Agelaius tricolor*)	-/T/SSC, SSHCP	February – August	Nesting within seasonal wetland marshes, blackberry brambles or other protected substrates. Forages in annual grassland and wetland habitats.	Nesting habitat does not occur within the Survey Area. Foraging habitat occurs among grassland. 28 CNDDB occurrences within 5 miles.	May Occur in a Foraging Capacity

Table 2

Special-Status Species for the Rio Linda, Citrus Heights, Folsom, Sacramento East, Carmichael, Buffalo Creek, Florin, Elk Grove, and Sloughhouse 7.5 Minute Quadrangle Maps[1]

Common Name/Scientific Name	Status (Fed/State/ Other)[2]	Blooming or Survey Period	Habitats of Occurrence	Potential on Site	Status on Site**
burrowing owl (*Athene cunicularia*)	-/-/SSC, SSHCP	February – August	Dry open annual or perennial grassland, desert, and scrubland. Uses abandoned mammal burrows for nesting.	Mammal burrows are located throughout the Survey Area. 13 CNDDB occurrences within 5 miles.	May Occur
golden eagle *(Aquila chrysaetos)*	-/-/FP, WL	February – August	Usually nests on cliffs. May also build nests in trees, on the ground, or in human-made structures. Live in open and semi open country avoiding developed areas and uninterrupted stretches of forest.	Required habitat not found within Survey Area	Presumed Absent
Swainson's hawk (*Buteo swainsoni*)	-/T/SSHCP	February – October	Nests in riparian areas and in oak savannah near foraging areas. Forages in alfalfa and grain fields with rodent populations.	Nesting habitat does not occur within the Survey Area. Grassland provides foraging habitat. Within SSHCP modeled habitat. 7 CNDDB occurrences within 5 miles	May Occur in a Foraging Capacity

Table 2

Special-Status Species for the Rio Linda, Citrus Heights, Folsom, Sacramento East, Carmichael, Buffalo Creek, Florin, Elk Grove, and Sloughhouse 7.5 Minute Quadrangle Maps[1]

Common Name/Scientific Name	Status (Fed/State/ Other)[2]	Blooming or Survey Period	Habitats of Occurrence	Potential on Site	Status on Site**
ferruginous hawk (*Buteo regalis*)	-/-/WL, SSHCP	Late Fall – Winter	Open country such as semiarid grasslands with few trees, rocky outcrops, and open valleys. Also, along streams or in agricultural areas during migration.	Marginal foraging habitat present in open grassland, but no rocky outcrops, open valleys, or streams.	Not Likely to Occur
northern harrier (*Circus hudsonius*)	-/-/SSC	February – August	Nests in grasslands and marshlands, ground nesting bird. (Nesting) Coastal salt and freshwater marsh. Nest and forage in grasslands, from salt grass in desert sink to mountain cienagas. Nests on ground in shrubby vegetation, usually at marsh edge; nest built of a large mound of sticks in wet areas.	Marginal foraging habitat present. No nearby CNDDB occurrences, but SSHCP occurrences over 3 miles southeast.	Not Likely to Occur.
western yellow-billed cuckoo (*Coccyzus americanus*)	T/E/-	May – September	Nest in riparian systems from British Columbia south to Mexico. Current nesting sites are almost exclusively low to mid elevation riparian woodlands with native broadleaved trees and shrubs that are at least 50 acres or more in extent. In California, habitat is often willows with cottonwood. They have not been found nesting in isolated patches, or narrow, linear patches smaller than 30-60 feet wide. But may be present in such habitats during migration or early in the breeding season.	Required habitat not found within Survey Area	Presumed Absent

Table 2

Special-Status Species for the Rio Linda, Citrus Heights, Folsom, Sacramento East, Carmichael, Buffalo Creek, Florin, Elk Grove, and Sloughhouse 7.5 Minute Quadrangle Maps[1]

Common Name/Scientific Name	Status (Fed/State/ Other)[2]	Blooming or Survey Period	Habitats of Occurrence	Potential on Site	Status on Site**
white-tailed kite (*Elanus leucurus*)	-/-/FP, SSHCP	February – August	Various grassland habitats, urban land, oak woodlands with grassland for foraging. They are found nesting in trees and shrubs such as willows (*Salix* sp.), California sycamore (*Platanus racemosa*), and coast live oak (*Quercus agrifolia*) often near marshes, lakes, rivers, or ponds.	Nesting habitat not found within the Survey Area. May forage among grassland areas. 4 CNDDB occurrences within 5 miles.	May Occur in a Foraging Capacity
loggerhead shrike (*Lanius ludovicianus*)	-/-/SSC, SSHCP	February – August	Prefers open habitats with scattered shrubs, trees, posts, fences, utility lines, or other perches. Builds nests on stable branches in densely-foliaged shrubs or trees.	Property contains few perches and no nesting habitat. No nearby CNDDB occurrences, but SSHCP occurrences within 3 miles.	Not Likely to Occur
song sparrow "Modesto population" (*Melospiza melodia)*	-/-/SSC	March – August	Emergent freshwater marshes, willow riparian, thickets, and riparian oak forests.	Required habitat not found within Survey Area	Presumed Absent
purple martin (*Progne subis*)	-/-/SSC	March – September	Uncommon to rare summer resident in low-elevation woodland habitats. Absent from CA in the winter. Found in valley foothill and montane hardwood and conifer forests, and riparian habitats. Nests in old woodpecker cavities, under bridges, etc.	Required habitat not found within Survey Area	Presumed Absent

Table 2

Special-Status Species for the Rio Linda, Citrus Heights, Folsom, Sacramento East, Carmichael, Buffalo Creek, Florin, Elk Grove, and Sloughhouse 7.5 Minute Quadrangle Maps[1]

Common Name/Scientific Name	Status (Fed/State/ Other)[2]	Blooming or Survey Period	Habitats of Occurrence	Potential on Site	Status on Site**
bank swallow (*Riparia riparia*)	-/T/-	April – August	Large nesting range in North America and Eurasia. While the species migrates south for the winter, northern winter range includes southern California. Habitat includes open and partial open areas, near flowing water. Nests are in steep sand, dirt, or gravel banks, in burrows dug near the top of the bank.	Required habitat not found within Survey Area	Presumed Absent
yellow-headed blackbird (*Xanthocephalus xanthocephalus*)	-/-/SSC	February – August	Breed in wetlands in prairies, mountain meadows, and shallow areas of marshes, ponds and rivers. Nest in cattails, bulrush, or reeds often alongside red-winged blackbirds. Forage in grasslands, croplands, or savannah.	Nesting habitat not found within the Survey Area. Nearest CNDDB occurrence is 9 miles southwest and from 1899.	Presumed Absent
MAMMALS					
pallid bat (*Antrozous pallidus*)	-/-/SSC	Resident	Forages in grasslands, shrublands, deserts, forests, and woodlands. Most common in open, dry habitats. Roosts in rock crevices, caves, tree hollows, and artificial structures. Roosts must protect bats from high temperatures; very sensitive to disturbance of roosting sites.	Nearest CNDDB occurrences is 13 miles north and from 1941. Nearest recent sighting is 30 miles northeast.	Not Likely to Occur

Table 2

Special-Status Species for the Rio Linda, Citrus Heights, Folsom, Sacramento East, Carmichael, Buffalo Creek, Florin, Elk Grove, and Sloughhouse 7.5 Minute Quadrangle Maps[1]

Common Name/Scientific Name	Status (Fed/State/ Other)[2]	Blooming or Survey Period	Habitats of Occurrence	Potential on Site	Status on Site**
western red bat (*Lasiurus blossevillii)*	-/-/SSC, SSHCP	Resident	Winter in western lowlands and coastal regions of the San Francisco Bay. Roosts in forests and woodlands. Feed in grasslands, shrublands, open woodlands and forests and croplands.	No roosting habitat. Marginal foraging habitat. No nearby CNDDB occurrences. SSHCP occurrences of unknown date 3 miles from Project.	Not Likely to Occur
American badger (*Taxidea taxus*)	-/-/SSC, SSHCP	Resident	Shrub, forest, and herbaceous habitats with friable soils to dig burrows. Need open, uncultivated ground. Prey on fossorial mammals.	Property contains compacted soils that are not friable.	Presumed Absent

Table 2

Special-Status Species for the Rio Linda, Citrus Heights, Folsom, Sacramento East, Carmichael, Buffalo Creek, Florin, Elk Grove, and Sloughhouse 7.5 Minute Quadrangle Maps[1]

Common Name/Scientific Name	Status (Fed/State/ Other)[2]	Blooming or Survey Period	Habitats of Occurrence	Potential on Site	Status on Site**

1. Special-status plants and animals as reported by the California Natural Diversity Data Base, California Native Plant Society, and other background research February 2024.
2. Order of Codes for Plants - Fed/State/CNPS
   Order of Codes for Animals - Fed/State/CDFW
   Codes:
   E - Federally/State Listed as an Endangered Species
   T - Federally/State Listed as a Threatened Species
   C - Species listed as a Candidate for Federal Threatened or Endangered Status
   CE – Candidate for State Endangered Status
   PT – Petition for Federal listing of Threatened Status
   SSC - California Species of Special Concern
   DL - Delisted
   FP - State Fully Protected
   WL – State Watch List
   SSHCP – South Sacramento Habitat Conservation Plan Covered Species
   S2 – Imperiled: Imperiled in the state because of rarity due to very restricted range, very few populations, steep declines, or other factors.
   S3 – Vulnerable: Vulnerable in the state due to a restricted range, relatively few populations, recent and widespread declines, or other factors.
   1A - CNPS Plants presumed extinct in California.
   1B - California Native Plant Society considers the plant Rare, Threatened, or Endangered in California and elsewhere.
   2B - CNPS Plants Rare, Threatened or Endangered in California, but more common elsewhere.
   4.1 – Plants of limited distribution, a watch list

ATTACHMENT 3
SITE PHOTOGRAPHS



1. Photo 1 is taken from the easter boundary of the Property, facing southwest. The photo shows the flat, open terrain that makes up the Property. Photo taken 2/13/2024.



2. Photo 2 is taken near photo point 1 and shows a small mammal burrow. There were numerous mammal burrows located throughout the annual grassland habitat. Photo taken 2/13/2024.



3. Photo 3 is taken near the northern boundary of the Property, facing north. The photo shows one of two vernal pool features (VP 1) that occur on the Property. Photo taken 2/13/2024.



4. Photo 4 is taken along the eastern boundary of the Property, facing west. The photo shows a portion of seasonal wetland feature SW 1. Photo taken 2/13/2024.



5. Photo 5 is taken from the northeastern corner of the Property, facing west. The photo shows the several black walnut trees that grow along the northern boundary of the Property. Photo taken 2/13/2024.



6. Photo 6 is taken from the northeastern corner of the Property, facing south. The photo shows a portion of seasonal wetland feature SW 4. Photo taken 2/13/2024.



7. Photo 7 is taken along the western boundary of the Property, facing east. The photo shows several of the black walnut trees that are growing in the middle of the Property. Photo taken 2/13/2024.



8. Photo 8 is taken in the same location as photo point 7. This photo shows a small twig-nest that was knocked out of the adjacent black walnut trees. While the survey was conducted outside of the typical nesting bird season, this indicates that birds typically nest within these trees. Photo taken 2/13/2024.



9. Photo 9 is taken near the middle of the Property, facing southeast. The photo shows seasonal wetland feature SW 9 which consists of a pit that has been excavated out of the surrounding landscape. Photo taken 2/13/2024.



10. Photo 10 is taken along the eastern boundary of the Property, facing southwest. The photo shows several large blue gum trees that grow in the southern portion of the Property. Photo taken 2/13/2024.



11. Photo 11 is taken near the southeast corner of the Property, facing southeast. The photo shows a portion of seasonal wetland feature SW 10 and the disked soils. Photo taken 2/13/2024.



12. Photo 12 is taken within the southern portion of the Property, facing west. The photo shows seasonal wetland feature SW 11. Photo taken 2/13/2024.



13. Photo 13 is taken along the southern boundary of the Property, facing west. Photo taken 2/13/2024.



14. Photo 14 is taken near the southwest corner of the Property, facing south. The photo shows a portion of seasonal wetland feature SW 12 and the disked soils.