





# LIVE OAK

ASSOCIATES, INC.

## BIOLOGICAL EVALUATION CHOWCHILLA MIXED USE DEVELOPMENT PROJECT MADERA COUNTY, CALIFORNIA



Prepared by

**LIVE OAK ASSOCIATES, INC.**  
Austin Pearson, Vice President  
Jeff Gurule, Senior Project Manager

Prepared for:

Laurie Blakeman  
Krazan & Associates, Inc.  
215 West Dakota Avenue  
Clovis, California 93612

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#### OAKHURST

P.O. Box 2697 | 39930 Sierra Way #B  
Oakhurst, CA 93644

P: (559) 642-4880 | F: (559) 642-4883

#### SAN JOSE

6840 Via Del Oro, Suite 220  
San Jose, CA 95119

(408) 224-8300

#### SOUTH LAKE TAHOE

P.O. Box 7314  
South Lake Tahoe, CA 96158

(408) 281-5885

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[WWW.LOAINC.COM](http://WWW.LOAINC.COM)

## EXECUTIVE SUMMARY

Pursuant to the California Environmental Quality Act (CEQA), Live Oak Associates, Inc. (LOA) investigated the biological resources of a 18.24-acre property (“project site”) proposed for residential development (“project”) and evaluated potential impacts from future project development to those resources. The project site is located in Madera County, immediately adjacent to the City of Chowchilla, but will be annexed into the City.

On June 13, 2023, LOA ecologist Jeff Gurule surveyed the project site for its biotic habitats, the plants and animals occurring in those habitats, and significant habitat values that may be protected by state and federal law. At the time of the field survey, the project site consisted of an agricultural field. Lands within the vicinity of the project site are subject to commercial, residential, and agricultural uses.

Potentially significant project impacts to biological resources and recommended mitigation measures are as follows:

- *Nesting Birds, Including the Tricolored Blackbird.* Project construction during the bird nesting season could result in nest failure and bird mortality, which would violate the Migratory Bird Treaty Act and California Fish and Game Code and constitute a significant project impact per the provisions of CEQA. Should project construction occur during the bird nesting season (February through August), construction activities shall be preceded by preconstruction surveys for active nests. Construction activities shall avoid active nests by appropriate buffers until the young have fledged.
- *Swainson’s Hawk.* Project construction during the Swainson’s hawk nesting season (March 15 to September 30), could result in compromised nesting success, should Swainson’s hawks be nesting near the project site. Protocol-level preconstruction surveys and avoidance buffers around active nests until the young have fledged would reduce potential impacts to Swainson’s hawks to a less than significant level.

The project will either have no impact or a less than significant impact, as defined by CEQA, on the following biotic resources: Special status plant species; special status animal species that would not likely use the site (i.e., the project site is outside their typical range or habitats of the site are not suitable for them); special status animal species that may occasionally use habitats of the project site for cover and foraging; wildlife movement corridors; sensitive natural communities and designated critical habitat; and waters of the State or U.S. The project is not in conflict with any habitat conservation plans or local policies.

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## **1.0 INTRODUCTION**

This report, prepared by Live Oak Associates, Inc. (LOA), describes the biological resources of an 18.24-acre area (“project site” or “site”) proposed for residential development (“project”), and assesses potential project-related impacts to those resources. Specifically, this report describes the biotic habitats of the project site, evaluates the suitability of each habitat for special status plant and animal species, identifies potentially significant impacts to sensitive or protected biological resources from the project and proposes measures that, if implemented, would mitigate those impacts to a less than significant level as defined by the California Environmental Quality Act (CEQA).

### **1.1 PROJECT LOCATION**

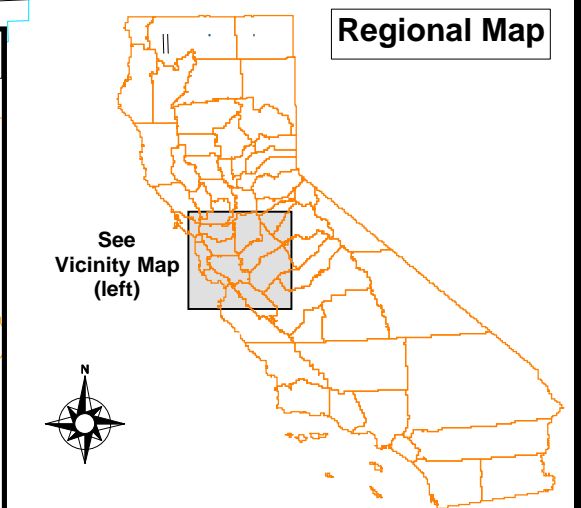
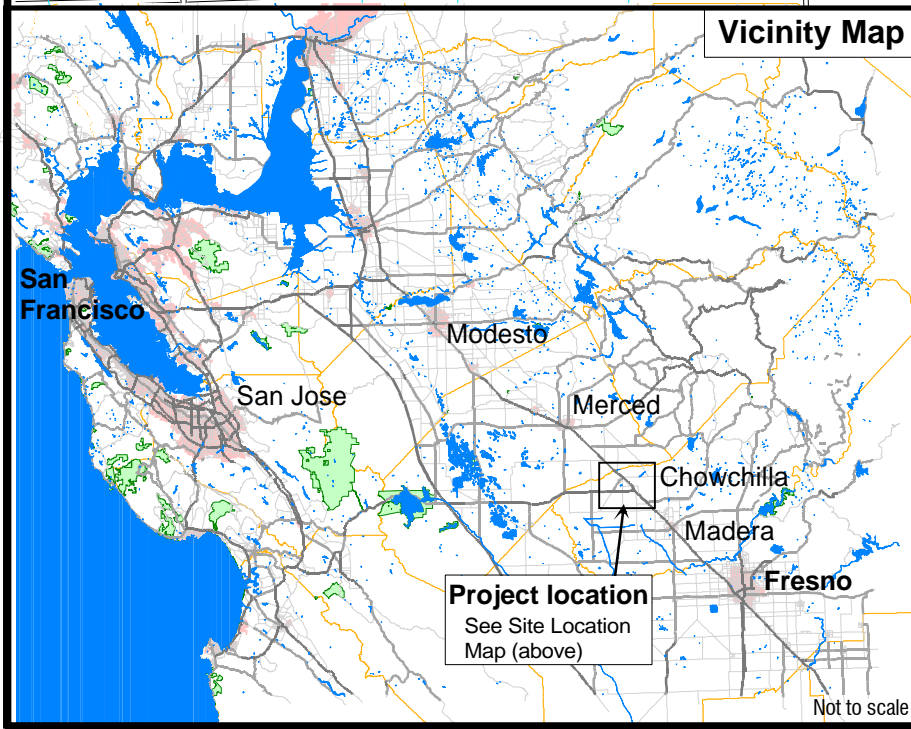
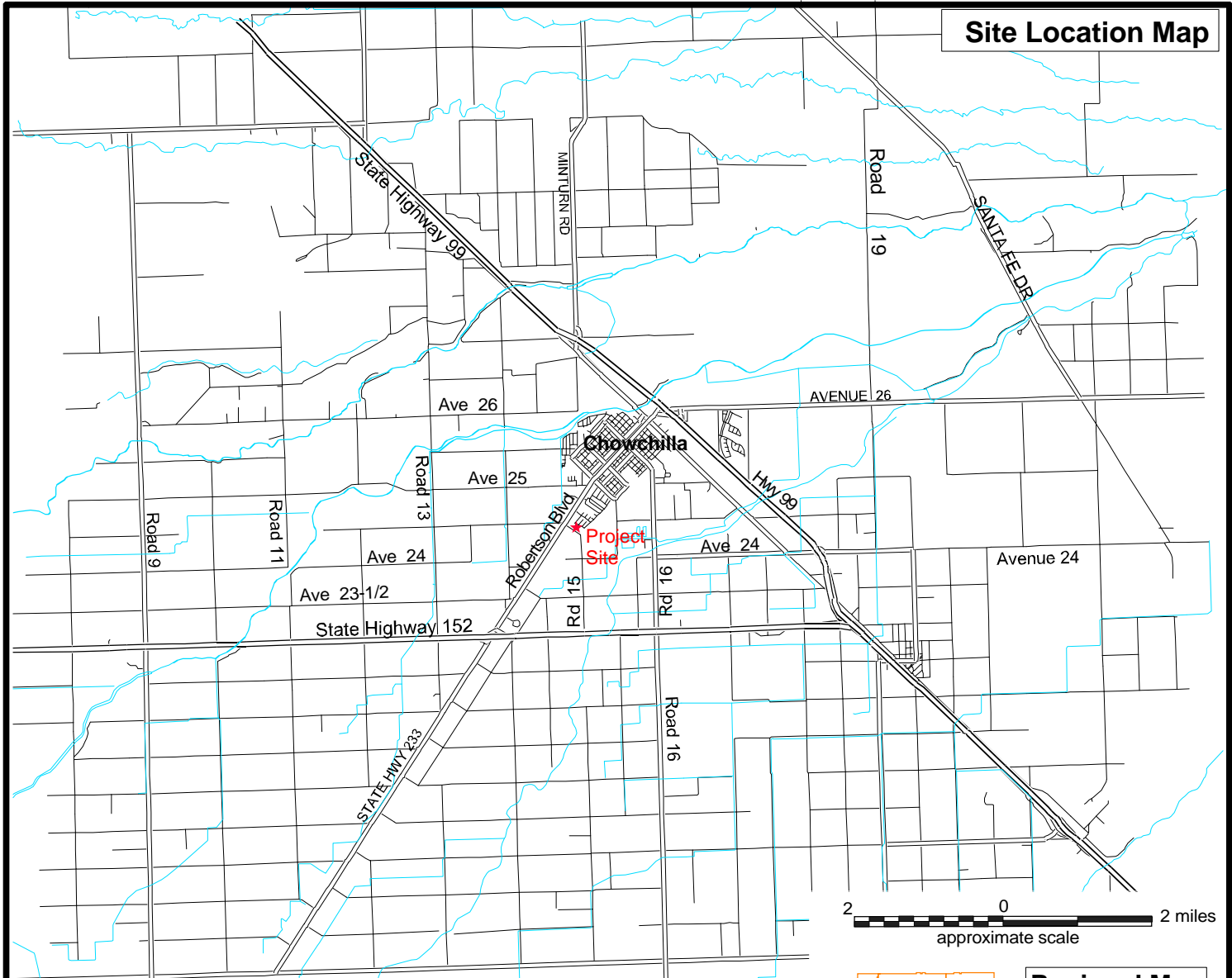
The project site is located in Madera County, immediately south of the City of Chowchilla, California (Figure 1). The project site is defined by the current parcel APN 026-233-008. The site can be found on the Chowchilla U.S. Geological Survey (USGS) 7.5-minute quadrangle, Section 31 and 36, Township 9 South, Range 16 East; Mount Diablo Base and Meridian (Figure 2).

### **1.2 PROJECT DESCRIPTION**

The project is the splitting of the current parcel to accommodate 17 residential lots with associated roads and infrastructure, as well as two larger lots that will accommodate future phases of residential development. The project proponents have also submitted an annexation application to incorporate the project area into the City of Chowchilla. As such, the City of Chowchilla is acting as the CEQA lead agency for the project.

### **1.3 REPORT OBJECTIVES**

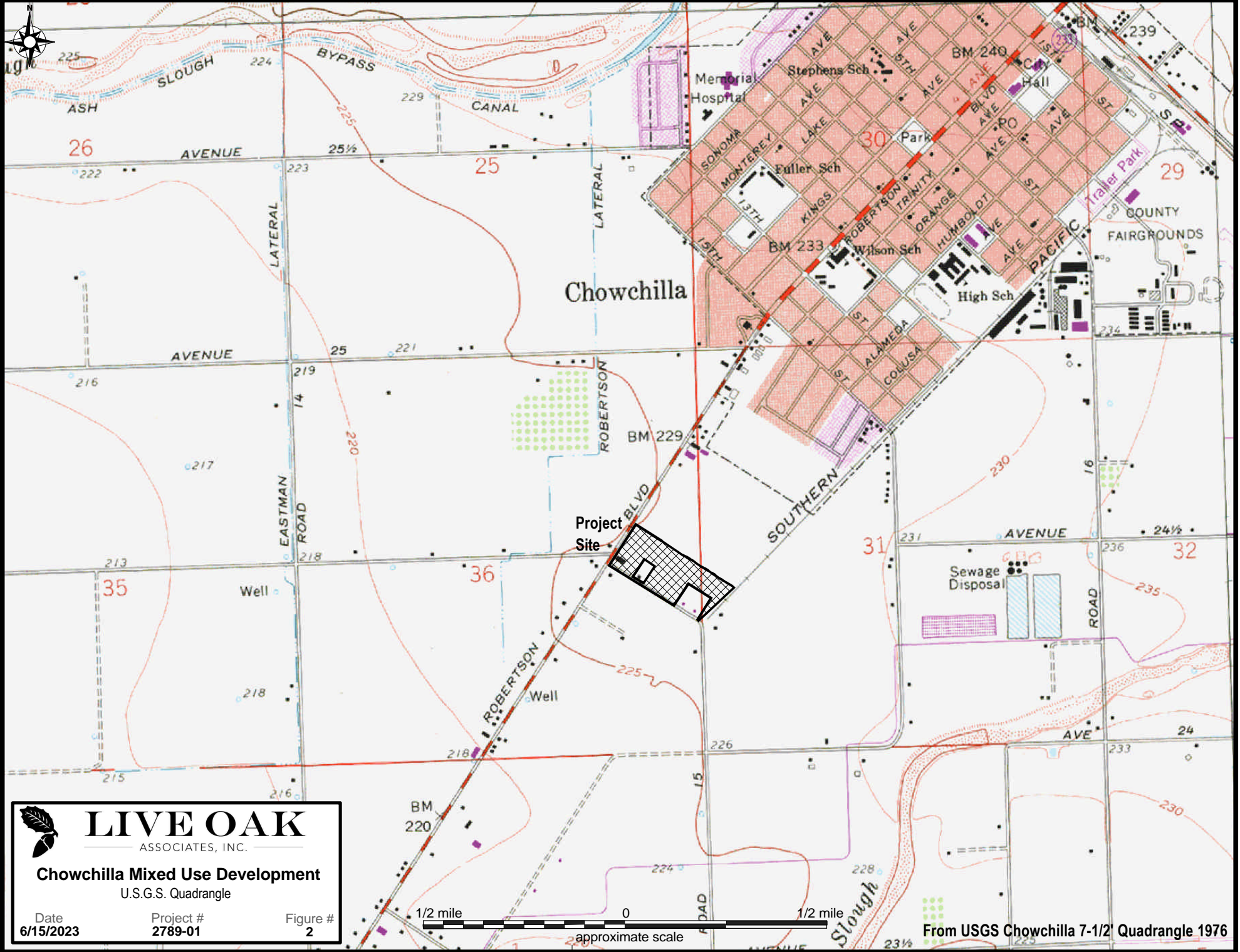
This report addresses issues related to 1) sensitive biotic resources occurring on the project site, 2) the federal, state, and local laws regulating such resources, and 3) mitigation measures that may be required to reduce the magnitude of anticipated project-related impacts and/or comply with permit requirements of state and federal resource agencies. As such, the objectives of this report are to:



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**Chowchilla Mixed Use Development**  
Site / Vicinity Map

Date <b>6/15/2023</b>	Project # <b>2789-01</b>	Figure # <b>1</b>
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**LIVE OAK**  
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**Chowchilla Mixed Use Development**  
 U.S.G.S. Quadrangle  
 Date 6/15/2023    Project # 2789-01    Figure # 2

From USGS Chowchilla 7-1/2' Quadrangle 1976

- Summarize all site-specific information related to existing biological resources.
- Make reasonable inferences about the biological resources that could occur on site based on habitat suitability and the proximity of the site to a species' known range.
- Summarize all state and federal natural resource protection laws that may be relevant to future site development.
- Identify and discuss project impacts to biological resources likely to occur on the site within the context of CEQA and state or federal laws.
- Identify avoidance, minimization, and/or mitigation measures that would reduce the magnitude of project impacts in a manner consistent with the requirements of CEQA and that are generally consistent with the requirements of the resource agencies regulating affected biological resources.

#### **1.4 STUDY METHODOLOGY**

The analysis of impacts, as discussed in Section 3.0 of this report, is based on the known and potential biotic resources of the project site (discussed in Section 2.0). Sources of information used in the preparation of this analysis include: (1) the *California Natural Diversity Data Base* (CDFW 2023); (2) the *Inventory of Rare and Endangered Vascular Plants of California* (CNPS 2023); (3) manuals, reports, and references related to plants and animals of the Sierra Nevada Foothills region; and (4) other available planning documents and biological studies from the general project vicinity. A field survey of the project site was conducted on June 13, 2023, by LOA biologist Jeff Gurule. The surveys entailed a systematic walk across the project site to ensure full visual coverage of the site, while noting principal land uses and associated plant and animal species, and mapping habitat suitable for special status species and other sensitive or protected biological resources.

## **2.0 EXISTING CONDITIONS**

### **2.1 REGIONAL SETTING**

The project site is located within the eastern half of the San Joaquin Valley, south and west of the lowest foothills of the Sierra Nevada. The site is situated immediately adjacent to the City of Chowchilla at the interface between widespread agricultural lands and urban development. Immediately surrounding land uses are residential, orchard, fallow field, and commercial. A perennially inundated stormwater detention basin serving the residential subdivision to the northeast is located immediately adjacent to the project site. The principal drainage of the region is the Chowchilla River and its distributary branches. The project site is situated between two of these distributary branches, Ash Slough approximately 1.0 mile to the north and Berenda Slough approximately 0.6 miles to the southeast.

Average annual precipitation in the general vicinity is approximately 12 inches, 85% of which falls between the months of October and March. Storm-water runoff is expected to readily infiltrate into the onsite soils.

### **2.2 PROJECT SITE**

The project site consists of an agricultural field that was last planted to wheat. Harvested wheat stubble was present across the site at the time of LOA's survey. The site has been utilized for agricultural purposes since at least the 1940s. The site is relatively flat with an elevation of approximately 225 feet National Geodetic Vertical Datum (NGVD) (Figure 2).

Soils of the site comprise the following soil mapping units:

- GcA: Grangeville fine sandy loam, over traver soils, 0 to 1 percent slopes (3295860)
- TwA: Tujunga loamy sand, 0 to 3 percent slopes (3295869)
- GhA: Grangeville fine sandy loam, deep over alkali hardpan, 0 to 1 percent slopes (463426)

Grangeville soils on the site are classified as hydric and in natural conditions can support wetlands within topographic depressions, where saturation, flooding, or ponding create anaerobic soil

conditions. Hydric soils along with the presence of hydrophytic vegetation and wetland hydrology are used to define wetlands. Despite the presence of hydric soils on the site, onsite soils have been significantly disturbed from decades of agricultural activity that has almost certainly included grading of the site, which would have eliminated any topographic depressions that may have historically created wetlands on the site. After a very heavy rainfall year, some areas of the site supported wetland vegetation that was interspersed with upland vegetation and the remains of the harvested wheat crop. However, defined wetland areas were not observed on the site during LOA's field survey.

### **2.3 BIOTIC HABITATS**

The project site contains a single biotic habitat/land use characterized as agricultural field. An aerial view of the site is presented in Figure 3. A list of vascular plants identified on the site is presented in Appendix A. A list of terrestrial vertebrates using or potentially using the project site is presented in Appendix B. Representative photos of the site are presented in Appendix C.

At the time of the site survey, the site consisted of post-harvest wheat field and ruderal field edges. Portions of the field edges contained garden plants tended by the adjacent residential property owners. Additionally, a large metal building occupied the western corner of the site. Aside from the wheat stubble, vegetation consisted of a mix of common native and non-native herbaceous vegetation. Species observed comprised short-podded mustard (*Hirschfeldia incana*), prickly lettuce (*Lactuca serriola*), fiddleneck (*Amsinckia sp.*), field bindweed (*Convolvulus arvensis*), doveweed (*Croton setiger*), jimsonweed (*Datura wrightii*), ripgut brome (*Bromus diandrus*), and wild oats (*Avena sp.*), among others. Wetland species observed in places consisted of toad rush (*Juncus bufonius*) and hyssop loosestrife (*Lythrum hyssopifolia*). Several small trees occurred along the field margins consisting of almond (*Prunus dulcis*) and chinaberry (*Melia azedarach*).

The site's agricultural field is of moderate habitat value for some native wildlife species that have adapted to make use of certain agricultural lands of the region. However, the suitability of the site for most native wildlife species is greatly limited by its long history of agricultural use, lack of aquatic habitat, and proximity to urban development. Amphibians are expected to be absent from the project site due to the absence of aquatic habitat on or near the site. A limited number

300' 0 150' 300feet  
approximate scale



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**Chowchilla Mixed Use Development**  
Aerial Photograph

Date 6/15/2023	Project # 2789-01	Figure # 3
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of common reptile species such as the common side-blotched lizard (*Uta stansburiana*), Pacific gopher snake (*Pituophis catenifer catenifer*), and western rattlesnake (*Crotalus viridis*) would be expected to occur on the site.

The site provides limited nesting habitat for avian species due to the general absence of trees and shrubs. However, the few trees at the field margins could conceivably be used for nesting by some species, and certain ground-nesting species may utilize the field and its margins. Foraging habitat for a number of avian species occurs on the site. Birds expected to utilize the site include mourning doves (*Zenaida macroura*), savannah sparrows (*Passerculus sandwichensis*), American pipits (*Anthus rubescens*), western kingbirds (*Tyrannis verticalis*) (observed), killdeers (*Charadrius vociferus*) (observed), barn swallows (*Hirundo rustica*) (observed), and Brewer's blackbirds (*Euphagus cyanocephalus*). Birds of prey potentially foraging on the site include American kestrels (*Falco sparverius*), red-tailed hawks (*Buteo jamaicensis*), and Swainson's hawks (*Buteo swainsoni*).

A few small mammal species would occur within the disced field. These may include California ground squirrels (*Otospermophilus beecheyi*) (observed), deer mice (*Peromyscus maniculatus*), Botta's pocket gophers (*Thomomys bottae*) (burrows observed), and Audubon cottontail rabbits (*Sylvilagus audubonii*). Ground squirrel burrows were limited to the southeastern end of the site. Mammalian predators such as striped skunk (*Mephitis mephitis*) and coyotes (*Canis latrans*) may pass through or forage on the site from time to time. Various species of bat may also forage over the site for flying insects.

## **2.4 SPECIAL STATUS PLANTS AND ANIMALS**

Many species of plants and animals within the state of California have low populations, limited distributions, or both. Such species may be considered "rare" and are vulnerable to extirpation as the state's human population grows and the habitats these species occupy are converted to agricultural and urban uses. As described more fully in Section 3.2, state and federal laws have provided the CDFW and the U.S. Fish and Wildlife Service (USFWS) with a mechanism for conserving and protecting the diversity of plant and animal species native to the state. A sizable number of native plants and animals have been formally designated as threatened or endangered under state and federal endangered species legislation. Others have been designated as

“candidates” for such listing. Still others have been designated as “species of special concern” by the CDFW. The California Native Plant Society (CNPS) has developed its own set of lists (i.e., California Rare Plant Ranks, or CRPR) of native plants considered rare, threatened, or endangered (CNPS 2023). Collectively, these plants and animals are referred to as “special status species.”

The California Natural Diversity Data Base (CNDDB) was queried for special status plant and animal occurrences in the nine USGS 7.5-minute quadrangles containing and surrounding the project site: *Chowchilla*, *Berenda*, *Bonita Ranch*, *Firebaugh NE*, *Plainsburg*, *Le Grand*, *Poso Farm*, *Bliss Ranch*, and *El Nido*. A number of special status plants and animals were returned in the query and are summarized below in Table 1. Sources of information for this table included *California’s Wildlife, Volumes I, II, and III* (Zeiner et. al 1988-1990), *California Natural Diversity Data Base* (CDFW 2023), *The Jepson Manual: Vascular Plants of California, second edition* (Baldwin et al 2012), the *California Native Plant Society’s Inventory of Rare and Endangered Vascular Plants of California* (CNPS 2023), *Calflora.org*, and *eBird.org*.

**TABLE 1. LIST OF SPECIAL STATUS SPECIES POTENTIALLY OCCURRING IN THE PROJECT VICINITY**

**PLANTS (Adapted from CDFW 2023 and CNPS 2023)**

**Species Listed as Threatened or Endangered under the State and/or Federal Endangered Species Act**

Species	Status	Habitat/Range	*Occurrence within the Project Site
Succulent Owl's Clover ( <i>Castilleja campestris</i> ssp. <i>succulenta</i> )	FT, CE CRPR 1B	Occurs in vernal pools and swales in valley foothills and grasslands of the San Joaquin and Sacramento Valleys from Fresno Co. on the south to Solano County on the north; blooms April to May.	<b>Absent.</b> Suitable habitat in the form of vernal pools is absent from the site and immediately surrounding lands.
Palmate-Bracted Bird's-Beak ( <i>Chloropyron palmatum</i> )	FE, CE CRPR 1B	Occurs in chenopod scrub, valley and foothill grassland. Usually on Pescadero silty clay which is alkaline.	<b>Absent.</b> Suitable habitat and soils are absent from the project site.
Colusa Grass ( <i>Neostapfia colusana</i> )	FT, CE CRPR 1B	Occurs in vernal pools of California's Central Valley. Requires deep pools with prolonged periods of inundation; blooms May to September.	<b>Absent.</b> Suitable habitat in the form of vernal pools is absent from the site and immediately surrounding lands.
San Joaquin Valley Orcutt Grass ( <i>Orcuttia inaequalis</i> )	FT, CE CRPR 1B	Occurs in deep vernal pools of California's San Joaquin Valley; blooms April to September.	<b>Absent.</b> Suitable habitat in the form of vernal pools is absent from the site and immediately surrounding lands.
Greene's Tuctoria ( <i>Tuctoria greenei</i> )	FE CRPR 1B	Occurs in vernal pools of California's Central Valley from Shasta Co. on the north to Tulare Co. on the south; blooms May to September.	<b>Absent.</b> Suitable habitat in the form of vernal pools is absent from the site and immediately surrounding lands.

**CNPS-listed Species**

Heartscale ( <i>Atriplex cordulata</i> var. <i>cordulata</i> )	CRPR 1B	Occurs in saline and alkaline soils of shadscale scrub, valley grassland, and wetland-riparian habitats. Blooms April to October.	<b>Absent.</b> Decades of agricultural use of the site have created unsuitable habitat conditions for this species.
Lesser Saltscale ( <i>Atriplex minuscula</i> )	CRPR 1B	Occurs in sandy, alkaline soils of alkali sinks and grasslands. Blooms May to October.	<b>Absent.</b> Decades of agricultural use of the site have created unsuitable habitat conditions for this species.
Vernal Pool Smallscale ( <i>Atriplex persistens</i> )	CRPR 1B	Occurs in vernal pools on alkaline soils. Blooms June-October.	<b>Absent.</b> Suitable habitat in the form of vernal pools is absent from the site and immediately surrounding lands.
Subtle Orache ( <i>Atriplex subtilis</i> )	CRPR 1B	Occurs in valley and foothill grasslands of the San Joaquin Valley. Blooms August-October.	<b>Absent.</b> Decades of agricultural use of the site have created unsuitable habitat conditions for this species.
Hoover's Calycadenia ( <i>Calycadenia hooveri</i> )	CRPR 1B	Found in rocky soils, frequently of the Hornitos series, in Calaveras, Madera, Mariposa, and Stanislaus Counties.	<b>Absent.</b> Decades of agricultural use of the site have created unsuitable habitat conditions for this species. Suitable rocky soils are absent from the project site.
Spiny-sepaled Button Celery ( <i>Eryngium spinosepalum</i> )	CRPR 1B	Found in vernal pools and swales at the eastern edge of the San Joaquin Valley. Blooms April to May.	<b>Absent.</b> Decades of agricultural use of the site have created unsuitable habitat conditions for this species. Vernal pools and other suitable wetland features are absent from the site.
Recurved Larkspur ( <i>Delphinium recurvatum</i> )	CRPR 1B	Occurs in alkaline soils of cismontane woodland and valley and foothill grasslands. Blooms March-June.	<b>Absent.</b> Decades of agricultural use of the site have created unsuitable habitat conditions for this species.

**TABLE 1. LIST OF SPECIAL STATUS SPECIES POTENTIALLY OCCURRING IN THE PROJECT VICINITY**

**PLANTS (Adapted from CDFW 2023 and CNPS 2023)**

**CNPS-listed Species (cont.)**

Species	Status	Habitat	*Occurrence within the Project Site
Alkali-Sink Goldfields ( <i>Lasthenia chrysantha</i> )	CRPR 1B	Occurs in alkaline vernal pools. Blooms Feb to June.	<b>Absent.</b> Suitable habitat in the form of vernal pools is absent from the site and immediately surrounding lands.
Shining Navarretia ( <i>Navarretia nigelliformis</i> ssp. <i>radicans</i> )	CRPR 1B	Occurs in cismontane woodland, vernal pools, and valley and foothill woodland. Blooms May to July.	<b>Absent.</b> Decades of agricultural use of the site have created unsuitable habitat conditions for this species.
Merced Phacelia ( <i>Phacelia ciliate</i> var. <i>opaca</i> )	CRPR 1B	Occurs in heavy clay soils of the Central Valley and low foothills of the Sierra Nevada. Blooms February to May.	<b>Absent.</b> Suitable habitat and soils are absent from the project site.
California Alkali Grass ( <i>Puccinellia simplex</i> )	CRPR 1B	Occurs in alkali sinks and flats within grassland and chenopod scrub habitats of the Central Valley, San Francisco Bay area and western Mojave Desert; elevations below 3,000 feet. Blooms March-May.	<b>Absent.</b> Decades of agricultural use of the site have created unsuitable habitat conditions for this species.

**ANIMALS (adapted from CDFW 2023)**

**Species Listed as Threatened or Endangered under the State and/or Federal Endangered Species Act**

Conservancy Fairy Shrimp ( <i>Branchinecta conservatio</i> )	FT	Primarily found in vernal pools of California's Central Valley.	<b>Absent.</b> Suitable habitat in the form of vernal pools is absent from the site and immediately surrounding lands.
Vernal Pool Fairy Shrimp ( <i>Branchinecta lynchi</i> )	FT	Primarily found in vernal pools of California's Central Valley.	<b>Absent.</b> Suitable habitat in the form of vernal pools is absent from the site and immediately surrounding lands.
Vernal Pool Tadpole Shrimp ( <i>Lepidurus packardii</i> )	FE	Primarily found in vernal pools of California's Central Valley.	<b>Absent.</b> Suitable habitat in the form of vernal pools is absent from the site and immediately surrounding lands.
Valley Elderberry Longhorn Beetle ( <i>Desmocerus californicus dimorphus</i> )	FT	Lives in mature elderberry shrubs of California's Central Valley and Sierra foothills.	<b>Absent.</b> Blue elderberry shrubs required by this species are absent from the site. Furthermore, the current opinion of the USFWS is that Madera County is outside the range of this subspecies.
California Tiger Salamander ( <i>Ambystoma californiense</i> )	FT CT	Found primarily in annual grasslands; requires vernal pools for breeding and rodent burrows for refuge.	<b>Absent.</b> Suitable breeding habitat in the form of large vernal pools are absent from the site and surrounding lands.
Blunt-Nosed Leopard Lizard ( <i>Gambelia silus</i> )	FE	Frequents grasslands, alkali meadows and chenopod scrub of the San Joaquin Valley from Merced County south to Kern County.	<b>Absent.</b> Suitable habitat is absent from the project site.
Giant Garter Snake ( <i>Thamnophis gigas</i> )	FT, CT, CFP	Occurs in marshes, sloughs, drainage canals, irrigation ditches, rice fields, and adjacent uplands. Prefers locations with emergent vegetation for cover and open areas for basking. Inhabit small mammal burrows and other upland soil crevices during the winter during hibernation.	<b>Absent.</b> Suitable habitat is absent from the project site. Furthermore, the project site is outside the range of this species.
Bald Eagle ( <i>Haliaeetus leucocephalus</i> )	CE, CFP	Winters near reservoirs of California's Central Valley. Mostly feeds on fish in large bodies of water or rivers.	<b>Absent.</b> Suitable foraging and nesting habitat are absent from the project site.

**TABLE 1. LIST OF SPECIAL STATUS SPECIES POTENTIALLY OCCURRING IN THE PROJECT VICINITY**

**ANIMALS (adapted from CDFW 2023)**

**Species Listed as Threatened or Endangered under the State and/or Federal Endangered Species Act**

Species	Status	Habitat	*Occurrence within the Project Site
Swainson’s Hawk ( <i>Buteo swainsoni</i> )	CT	Summer migrant in the Central Valley. Forages in grasslands and fields close to riparian areas.	<b>Possible.</b> This species has been documented nesting in the project vicinity, primarily within riparian trees along Berenda and Ash Sloughs and the Chowchilla River. Suitable nest trees are absent from the project site and immediately adjacent lands. The project site provides suitable foraging habitat for this species.
Tricolored Blackbird ( <i>Agelaius tricolor</i> )	CT	Breeds colonially near fresh water in dense bulrush, cattails, or thickets of willows or shrubs. Occasionally nests in wheat fields. Forages in a wide variety of habitats.	<b>Possible.</b> There are no accounts of tricolored blackbirds nesting on or in the near vicinity of the site. However, suitable nesting habitat would be available on the site when planted to wheat, as was the observed harvested crop during the site survey. The site also provides suitable foraging habitat.
Fresno Kangaroo Rat ( <i>Dipodomys nitratoides exilis</i> )	FE, CE	Inhabits grassland on gentle slopes of generally less than 10°, with friable, sandy-loam soils.	<b>Absent.</b> The project site provides unsuitable habitat for this species. This species is considered extirpated from Madera County (ESRP 2023). No kangaroo rat burrows or sign were observed anywhere on the site.
San Joaquin Kit Fox ( <i>Vulpes macrotis mutica</i> )	FE, CT	Desert alkali scrub, annual grasslands of California’s San Joaquin Valley and Tulare Basin, extending west into San Luis Obispo County. This species may forage in adjacent agricultural habitats.	<b>Unlikely.</b> The site provides marginal habitat for this species, at best. No populations of San Joaquin kit fox are known to occur in eastern Madera County. The nearest documented occurrence of a kit fox is approximately 9.5 miles to the northwest from 2001 (CDFW 2023).

**State Species of Special Concern**

Western Spadefoot ( <i>Spea hammondi</i> )	CSC	Primarily occurs in grasslands, but also occurs in valley and foothill hardwood woodlands. Requires vernal pools or other temporary pools for breeding.	<b>Absent.</b> Suitable breeding habitat in the form of vernal pools or other temporary bodies of water are absent from the site and surrounding lands.
Western Pond Turtle ( <i>Emys marmorata</i> )	CSC	Associated with permanent bodies of water for breeding. Requires partially submerged rocks or logs for basking sites. Eggs are deposited in a variety of soil types near water’s edge. Seasonal hibernation/estivation includes use of upland habitat from water sources including ground squirrel burrows and loose substrate for burying themselves.	<b>Absent.</b> Suitable habitat is absent from the project site. The adjacent stormwater detention pond is highly unlikely to support this species due to its creation on dry land far from any known populations of pond turtles.
Coast Horned Lizard ( <i>Phrynosoma blainvillii</i> )	CSC	Occurs in a wide variety of habitats. Most common in lowlands along sandy washes with scattered low bushes where there are open areas for sunning, bushes for cover, patches of loose soil for burial, and abundant supply of ants and other insects.	<b>Absent.</b> Suitable habitat for this species is absent from the project site.

**TABLE 1. LIST OF SPECIAL STATUS SPECIES POTENTIALLY OCCURRING IN THE PROJECT VICINITY**

**ANIMALS (adapted from CDFW 2023)**

**State Species of Special Concern**

Species	Status	Habitat	*Occurrence within the Project Site
Northern Harrier ( <i>Circus hudsonius</i> )	CSC	Frequents meadows, grasslands, open rangelands; uncommon in wooded habitats. Nests on the ground in tall concealing emergent or upland vegetation.	<b>Possible.</b> This species may occasionally forage on and over the site. Nesting habitat is absent from the site.
Burrowing Owl ( <i>Athene cunicularia</i> )	CSC	Found in open, dry grasslands, deserts and ruderal areas; requires ground squirrel burrows for cover and nesting.	<b>Unlikely.</b> Although the site provides potential foraging and nesting habitat for the burrowing owl, it represents a small patch of habitat in a matrix of largely incompatible uses including residential and commercial development, orchards, and urban Chowchilla. As such, it is unlikely to be used by burrowing owls. No sign of burrowing owl occupation of the site was observed during LOA's site survey, and only one burrowing owl observation has been documented in the vicinity of Chowchilla, which was observed 20 years ago approximately 2.0 miles southeast of the site (eBird 2023).
American Badger ( <i>Taxidea taxus</i> )	CSC	This species inhabits open and dry sections of grasslands, shrub, and forest habitats with friable soil.	<b>Absent.</b> The project site provides unsuitable habitat for this species.

\* Explanation of Occurrence, Designations, and Status Codes

**Present:** Species observed on the site at time of field surveys or during recent past.

**Likely:** Species not observed on the site, but it may reasonably be expected to occur there on a regular basis.

**Possible:** Species not observed on the site, but it could occur there from time to time.

**Unlikely:** Species not observed on the site, and would not be expected to occur there except, perhaps, as a transient

**Absent:** Species not observed on the Site and precluded from occurring there because habitat requirements not met.

**STATUS CODES**

FE Federally Endangered

FT Federally Threatened

FPT Federally Proposed Threatened

FC Federal Candidate

FPD Federally (Proposed) Delisted

CE California Endangered

CT California Threatened

CSC California Species of Special Concern

CRPR California Rare Plant Ranking

CFP California Fully Protected

CCE California Candidate Endangered

**2.5 JURISDICTIONAL WATERS**

Jurisdictional waters include rivers, creeks, and drainages that have a defined bed and bank and which, at the very least, carry ephemeral flows. Jurisdictional waters also include lakes, ponds, reservoirs, and wetlands. Such waters may be subject to the regulatory authority of the USACE, the CDFW, and the Regional Water Quality Control Board (RWQCB). See Section 3.8 of this report for additional information.

Jurisdictional waters are absent from the site.

## **2.6 CALIFORNIA SENSITIVE NATURAL COMMUNITIES**

California Sensitive Natural Communities are natural communities designated by CDFW as those that are of limited distribution, distinguished by significant biological diversity, home to special status plant and animal species, of importance in maintaining water quality or sustaining flows, etc.

No habitats designated as a Sensitive Natural Community by CDFW or any other sensitive habitats are present on the site.

## **2.7 WILDLIFE MOVEMENT CORRIDORS**

Wildlife movement corridors are routes that animals regularly and predictably follow during seasonal migration, dispersal from native ranges, daily travel within home ranges, and inter-population movements. Movement corridors in California are typically associated with valleys, rivers and creeks supporting riparian vegetation, and ridgelines.

Wildlife movement corridors are absent from the project site.

## **2.8 DESIGNATED CRITICAL HABITAT**

The USFWS often designates areas of “critical habitat” when it lists species as threatened or endangered. Critical habitat is a specific geographic area(s) that contains features essential for the conservation of a threatened or endangered species and that may require special management and protection.

Designated critical habitat is absent from the project site and surrounding lands.

### **3.0 RELEVANT GOALS, POLICIES, AND LAWS**

#### **3.1 CEQA**

In California, any project carried out or approved by a public agency that will result in a direct or reasonably foreseeable indirect physical change in the environment must comply with CEQA. The purpose of CEQA is to ensure that a project's potential impacts on the environment are evaluated and methods for avoiding or reducing these impacts are considered before the project is allowed to move forward. A secondary aim of CEQA is to provide justification to the public for the approval of any projects involving significant impacts on the environment.

According to Section 15382 of the CEQA Guidelines, a significant effect on the environment means a "substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project, including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic interest." Although the lead agency may set its own CEQA significance thresholds, project impacts to biological resources are generally considered to be significant if they would meet any of the following criteria established in Appendix G of the CEQA Guidelines:

- Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by CDFW or USFWS.
- Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by CDFW or USFWS.
- Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means.
- 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.
- Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.
- Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

Furthermore, CEQA Guidelines Section 15065(a) requires the lead agency to make “mandatory findings of significance” if there is substantial evidence that a project may:

- Substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, or substantially reduce the number or restrict the range of an endangered, rare or threatened species.
- Achieve short-term environmental goals to the detriment of long-term environmental goals.
- Produce environmental effects that are individually limited but cumulatively considerable, meaning that the incremental effects of the project are significant when viewed in connection with the effects of past projects, other current projects, and probable future projects.

### **3.2 GENERAL PLAN POLICIES OF THE CITY OF CHOWCHILLA**

In compliance with CEQA, the lead agency must consider project conformance with applicable goals and policies of the City of Chowchilla General Plan. The City of Chowchilla General Plan includes goals and policies designed to protect significant biotic resources of the Planning Area, which have been identified as riparian and wetland areas associated with Ash Slough, Berenda Slough, and the Chowchilla River.

### **3.3 THREATENED AND ENDANGERED SPECIES**

In California, imperiled plants and animals may be afforded special legal protections under the California Endangered Species Act (CESA) and/or Federal Endangered Species Act (FESA). Species may be listed as “threatened” or “endangered” under one or both Acts, and/or as “rare” under CESA. Under both Acts, “endangered” means a species is in danger of extinction throughout all or a significant portion of its range, and “threatened” means a species is likely to become endangered within the foreseeable future. Under CESA, “rare” means a species may become endangered if their present environment worsens. Both Acts prohibit “take” of listed species, defined under CESA as “to hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture or kill” (California Fish and Game Code, Section 86), and more broadly defined under FESA to include “harm” (16 USC, Section 1532(19), 50 CFR, Section 17.3). The USFWS commonly interprets “take” to include the loss of habitat utilized by a listed species.

When state and federally listed species have the potential to be impacted by a project, the USFWS and CDFW must be included in the CEQA process. These agencies review the environmental document to determine the adequacy of its treatment of endangered species issues and to make project-specific recommendations for the protection of listed species. Projects that may result in the “take” of listed species must generally enter into consultation with the USFWS and/or CDFW pursuant to FESA and CESA, respectively. In some cases, incidental take authorization(s) from these agencies may be required before the project can be implemented.

### **3.4 CALIFORNIA FULLY PROTECTED SPECIES**

The classification of certain animal species as “fully protected” was the State of California’s initial effort in the 1960s, prior to the passage of the California Endangered Species Act, to identify and provide additional protection to those species that were rare or faced possible extinction. Following CESA enactment in 1970, many fully protected species were also listed as California threatened or endangered. The list of fully protected species is identified, and their protections stipulated, in California Fish and Game Code Sections 3511 (birds), 4700 (mammals), 5050 (reptiles and amphibians), and fish (5515). Fully protected species may not be taken or possessed at any time and no licenses or permits may be issued for their take, except in conjunction with necessary scientific research and protection of livestock.

### **3.5 MIGRATORY BIRDS**

The Federal Migratory Bird Treaty Act (FMBTA: 16 USC 703-712) prohibits killing, possessing, or trading in any bird species covered in one of four international conventions to which the United States is a party, except in accordance with regulations prescribed by the Secretary of the Interior. The name of the act is misleading, as it actually covers almost all bird’s native to the United States, even those that are non-migratory. The FMBTA encompasses whole birds, parts of birds, and bird nests and eggs.

Native birds are also protected under California state law. The California Fish and Game Code makes it unlawful to take or possess any non-game bird covered by the FMBTA (Section 3513), as well as any other native non-game bird (Section 3800), even if incidental to lawful activities.

### **3.6 BIRDS OF PREY**

Birds of prey are protected in California under provisions of the Fish and Game Code (Section 3503.5), which states that it is unlawful to take, possess, or destroy any birds in the order Falconiformes (hawks and eagles) or Strigiformes (owls), as well as their nests and eggs. The bald eagle and golden eagle are afforded additional protection under the federal Bald and Golden Eagle Protection Act (16 USC 668), which makes it unlawful to kill birds or their eggs.

### **3.7 NESTING BIRDS**

In California, protection is afforded to the nests and eggs of all birds. California Fish and Game Code (Section 3503) states that it is “unlawful to take, possess, or needlessly destroy the nest or eggs of any bird except as otherwise provided by this code or any regulation adopted pursuant thereto.” Breeding-season disturbance that causes nest abandonment and/or loss of reproductive effort is considered a form of “take” by the CDFW.

### **3.8 WETLANDS AND OTHER “JURISDICTIONAL WATERS”**

Section 404 of the federal Clean Water Act (CWA) regulates the discharge of dredged or fill material into “navigable waters” (33 U.S.C. §1344), defined in the CWA as “the waters of the United States, including the territorial seas” (33 U.S.C. §1362(7)). The CWA does not supply a definition for waters of the U.S., and that has been the subject of considerable debate since the CWA’s passage in 1972. A variety of regulatory definitions have been promulgated by the two federal agencies responsible for implementing the CWA, the Environmental Protection Agency (EPA) and USACE. These definitions have been interpreted, and in some cases, invalidated, by federal courts.

Waters of the U.S. are presently defined by the EPA and USACE’s joint 2023 Revised Definition of ‘Waters of the U.S.’ Rule (2023 WOTUS Rule), with certain interpretive modifications imposed by the U.S. Supreme Court’s May 25, 2023 decision in the case of *Sackett v. Environmental Protection Agency*. Generally speaking, these waters include:

- Waters which are currently used, or were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide.

- The territorial seas
- Interstate waters including interstate wetlands.
- Impoundments of waters otherwise defined as waters of the United States under the definition.
- Tributaries to other waters of the U.S. that are relatively permanent, standing or continuously flowing bodies of water
- Wetlands adjacent to other waters of the U.S. that have a continuous surface connection to those waters

The 2023 WOTUS Rule also defines a number of exclusions from the definition of waters of the U.S., many of which are longstanding exclusions from earlier regulatory regimes. These generally include:

- Waste treatment systems
- Prior converted cropland
- Ditches excavated wholly in and draining only dry land that do not carry a relatively permanent flow of water
- Certain artificial features, e.g. irrigation basins, swimming pools, borrow pits, and artificially irrigated areas
- Swales and erosional features characterized by low volume, infrequent, or short duration flow

All activities that involve the discharge of dredge or fill material into waters of the U.S. are subject to the permit requirements of the USACE. Such permits are typically issued on the condition that the applicant agrees to provide mitigation that result in no net loss of wetland functions or values.

Under the Porter-Cologne Water Quality Control Act of 1969, the State Water Resources Control Board has regulatory authority to protect the water quality of all surface water and groundwater in the State of California (“waters of the State”). Nine RWQCBs oversee water quality at the local and regional level. The RWQCB for a given region regulates discharges of fill or pollutants into waters of the State through the issuance of various permits and orders. Discharges into waters of the State that are also waters of the U.S. require a Section 401 Water Quality Certification from the RWQCB as a prerequisite to obtaining a Section 404 Clean Water Act permit. Discharges into

waters of the State that are not also waters of the U.S. require Waste Discharge Requirements (WDRs), or waivers of WDRs, from the RWQCB.

The RWQCB also administers the Construction Storm Water Program and the federal National Pollution Discharge Elimination System (NPDES) program. Projects that disturb one or more acres of soil must obtain a Construction General Permit under the Construction Storm Water Program. A prerequisite for this permit is the development of a Storm Water Pollution Prevention Plan (SWPPP) by a certified Qualified SWPPP Developer. Projects that discharge wastewater, storm water, or other pollutants into a water of the U.S. may require a NPDES permit.

CDFW has jurisdiction over the bed and bank of natural drainages and lakes according to provisions of Section 1601 and 1602 of the California Fish and Game Code. Activities that may substantially modify such waters through the diversion or obstruction of their natural flow, change or use of any material from their bed or bank, or the deposition of debris require a Notification of Lake or Streambed Alteration. If CDFW determines that the activity may adversely affect fish and wildlife resources, a Lake or Streambed Alteration Agreement will be prepared. Such an agreement typically stipulates that certain measures will be implemented to protect the habitat values of the lake or drainage in question.

## 4.0 IMPACTS AND MITIGATIONS

The project considered in this evaluation of impacts to biological resources is the proposed residential development of Madera County APN 026-233-008. This analysis assumes that all areas of the site will experience permanent impacts from proposed development.

### 4.1 POTENTIALLY SIGNIFICANT PROJECT IMPACTS

#### 4.1.1 Potential Project Impacts to Nesting Birds, Including the Tricolored Blackbird

**Potential Impacts.** The project site has the potential to be used for nesting by a variety of birds protected by state and federal law, including the tricolored blackbird, a state-listed bird species that could conceivably nest on the site when planted to wheat. A few other bird species could nest in the trees along the project boundary or on the ground. If project construction takes place during the nesting season, birds nesting on the site could be injured or killed by construction activities or disturbed such that they would abandon their nests. Significant construction-related disturbance is also a possibility for birds nesting adjacent to the project site. Construction-related mortality of nesting birds and disturbance leading to nest abandonment would violate state and federal laws and constitute significant impacts of the project.

**Mitigation.** To avoid and minimize the potential for construction-related mortality/disturbance of nesting birds, including the tricolored blackbird, the following measures will be implemented:

*Measure 4.1.1a (Construction Timing).* If feasible, the project will be implemented outside of the avian nesting season, typically defined as February 1 to August 31.

*Measure 4.1.1b (Preconstruction Surveys).* If construction must occur between February 1 and August 31, a qualified biologist will conduct pre-construction surveys for active bird nests within 10 days prior to the start of construction. The survey area will encompass the site and accessible surrounding lands within 250 feet for nesting migratory birds and 500 feet for raptors (i.e., birds of prey).

*Measure 4.1.1c (Avoidance of Active Nests).* Should any active nests be discovered in or near proposed construction zones, the biologist will identify a suitable construction-free buffer around the nest. This buffer will be identified on the ground with flagging or fencing and will be maintained until the biologist has determined that the young have fledged and are capable of foraging independently.

Implementation of the above measures will ensure that the project does not significantly impact nesting birds, including the tricolored blackbird, and that the project is in compliance with state and federal laws.

#### **4.1.2 Potential Project Impacts to the Swainson’s Hawk**

**Potential Impacts:** Swainson’s hawks, a state-listed bird species, are known to nest within the vicinity of the project site, primarily along water courses. In previous survey work, LOA has identified active Swainson’s hawk nests between 1.2 and 1.5 miles west of the site near Ash Slough, and the CNDDDB lists nesting occurrences of this species approximately 2.0 miles east and west of the site along Ash and Berenda Sloughs (CDFW 2023). Suitable nest trees are absent from the project site itself, but do occur on surrounding lands. The agricultural field occupying the site provides suitable foraging habitat for Swainson’s hawks. The loss of these 18 acres of potential foraging habitat is not considered a significant loss of foraging habitat due to the abundance of similar or higher value foraging habitat available in the vicinity.

Should project construction occur during the nesting season, project construction could impact the nesting success of Swainson’s hawks if they should be nesting nearby. The following mitigation measures would reduce impacts to nesting Swainson’s hawks to a less than significant level.

***Measure 4.1.2a (Construction Timing).*** To avoid impacts to nesting Swainson’s hawks, construction activities will occur, where possible, outside the nesting season, typically defined as March 1-September 15.

***Measure 4.1.2b (Preconstruction Surveys).*** If project-related activities must occur between March 1 and September 15, a qualified biologist will conduct surveys prior to the start of construction for active Swainson’s hawk nests within ½ mile of the site in accordance with the SHTAC (2000) guidelines. The guidelines define five survey periods for Swainson’s hawk: Period I: January 1-March 20; Period II: March 20-April 5; Period III: April 5-April 20; Period IV: April 21-June 10; and Period V: June 10-July 30. The guidelines prescribe a minimum of three surveys per survey period for at least the two survey periods immediately prior to a project’s initiation, and specifically recommend that surveys be completed in Periods II, III, and V.

***Measure 4.1.2c (Avoidance of Active Nests).*** Should any active Swainson’s hawk nests be discovered within the survey area, an appropriate disturbance-free buffer will be established based on local conditions and agency guidelines. Disturbance-free buffers will

be maintained until a qualified biologist has determined that the young have fledged and are capable of foraging independently.

Implementation of the above measures will ensure that the project does not significantly impact Swainson's hawks and is in compliance with state and federal laws.

## **4.2 LESS THAN SIGNIFICANT PROJECT IMPACTS**

### **4.2.1 Potential Project Impacts to Special Status Plants**

**Potential Impacts.** Sixteen (16) special status plant species have been documented in the project vicinity (see Table 2). While it is difficult to know if suitable habitat for special status plant species ever existing on the project site prior to farming activities visible on a 1946 aerial photo, decades of farming on the site have resulted in unsuitable habitat conditions for all 16 of these plant species.

Because these species have no appreciable potential to occur on the site, no project-related impacts are anticipated. Impacts to special status plants are considered less than significant under CEQA.

**Mitigation.** Mitigation measures are not warranted.

### **4.2.2 Potential Project Impacts to Special Status Animal Species Absent from or Unlikely to Occur Within the Project Site**

**Potential Impacts.** Of the 18 special status animal species that potentially occur in the general vicinity of the site, 15 are considered absent from or unlikely to occur within the project site due to the absence of suitable habitat and/or the project site's being situated outside of the species' known distribution (see Table 2). These include the conservancy fairy shrimp, vernal pool fairy shrimp, vernal pool tadpole shrimp, valley elderberry longhorn beetle, California tiger salamander, blunt-nosed leopard lizard, western pond turtle, giant garter snake, bald eagle, Fresno kangaroo rat, San Joaquin kit fox, western spadefoot, coast horned lizard, burrowing owl, and American badger (see Table 1). The project is expected to have an insignificant effect or no effect on these species through construction mortality/disturbance or loss of habitat because there is little or no likelihood that they are present.

**Mitigation.** Mitigation is not warranted.

#### **4.2.3 Potential Project Impacts to Special Status Animal Species that May Occur on the Project Site as Occasional or Regular Foragers but Breed Elsewhere**

**Potential Impacts.** One special status animal, the northern harrier, has the potential to forage on the site from time to time but would not breed on the site or near enough to the site that they could experience significant project-related disturbance at their nest sites (see Table 2). Foraging individuals of this species would not be vulnerable to construction-related injury or mortality because they are highly mobile and would be expected to simply avoid active work areas.

The project site does not offer any unique foraging habitat, with many square miles of similar to higher quality foraging habitat abundant in the region. Therefore, the project is not expected to adversely affect this species from loss of foraging habitat. Potential project impacts to the northern harrier are considered less than significant.

**Mitigation.** Mitigation is not warranted.

#### **4.2.4 Potential Project Impacts to Waters of the United States and California**

**Potential Impacts.** As noted in Section 2.5 of this report, the project site contains no aquatic features. As a result, the project would have no impact on waters of the State or U.S.

#### **4.2.5 Potential Project Impacts to Wildlife Movement Corridors**

**Potential Impacts.** The project site does not contain or adjoin any geographic features that could function as a wildlife movement corridor. Therefore, the project will have no impact on wildlife movement corridors.

**Mitigation.** Mitigation is not warranted.

#### **4.2.6 Project Impacts to Sensitive Natural Communities and Designated Critical Habitat**

**No Impact.** Sensitive Natural Communities and Designated Critical Habitat are absent from the project site and surrounding lands. Project development would have no impact on Sensitive Natural Communities or Designated Critical Habitat.

**Mitigation.** No mitigation is warranted.

#### **4.2.7 Consistency with Local Policies and Habitat Conservation Plans**

**Impact.** No Habitat Conservation Plans are in place in the project vicinity that would cover activities on the project site. The project area is outside sensitive biological resource areas identified in the City of Chowchilla General Plan. As such, the project appears to be in compliance with the General Plan policies pertaining to biological resources and is not subject to any local policies dealing with biological resource issues.

**Mitigation.** Mitigation is not warranted.

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**APPENDIX A: VASCULAR PLANTS OF THE PROJECT SITE**

**APPENDIX A  
VASCULAR PLANTS OF THE PROJECT SITE**

The plant species listed below have been observed within or adjacent to the project site during site surveys conducted by Live Oak Associates, Inc., on June 13, 2023. The Arid West U.S. Fish and Wildlife Service wetland indicator status for each plant has been shown following the common name of the plant species.

**OBL** - Obligate  
**FACW** - Facultative Wetland  
**FAC** - Facultative  
**FACU** - Facultative Upland  
**UPL** - Upland  
**+/-** - Higher/lower end of category  
**NR** - No review  
**NA** - No agreement  
**NI** - No investigation

<b>AMARANTHACEAE – Amaranth Family</b>		
<i>Amaranthus albus</i>	Pigweed Amaranth	FACU
<b>ASTERACEAE - Sunflower Family</b>		
<i>Ambrosia acanthicarpa</i>	Annual Burweed	UPL
<i>Erigeron bonariensis</i>	Asthmaweed	FACU
<i>Erigeron canadensis</i>	Canada Horseweed	FACU
<i>Helianthus annuus</i>	Annual Sunflower	FACU
<i>Lactuca serriola</i>	Prickly Lettuce	FACU
<b>BORAGINACEAE - Borage Family</b>		
<i>Amsinckia sp.</i>	Fiddleneck	UPL
<i>Heliotropium curassavicum</i>	Seaside Heliotrope	FACU
<b>BRASSICACEAE - Mustard Family</b>		
<i>Hirschfeldia incana</i>	Short-podded Mustard	UPL
<i>Raphanus sativus</i>	Wild Radish	UPL
<i>Sisymbrium irio</i>	London Rocket	UPL
<b>CARYOPHYLLACEAE - Pink Family</b>		
<i>Spergularia bocconi</i>	Boccone's Sand Spurry	FACW
<b>CONVOLVULACEAE – Morning Glory Family</b>		
<i>Convolvulus arvensis</i>	Field Bindweed	UPL
<b>EUPHORBIACEAE – Spurge Family</b>		
<i>Croton setigerus</i>	Doveweed	UPL
<b>FABACEAE - Pea Family</b>		
<i>Medicago sativa</i>	Alfalfa	UPL
<b>GERANIACEAE - Geranium Family</b>		
<i>Erodium cicutarium</i>	Red-stemmed Filaree	UPL
<b>JUNCACEAE - Rush Family</b>		
<i>Juncus bufonius</i>	Toad Rush	FACW
<b>LYTHRACEAE – Loosestrife Family</b>		
<i>Lythrum hyssopifolia</i>	Hyssop loosestrife	OBL
<b>MALVACEAE – Mallow Family</b>		
<i>Malva parviflora</i>	Cheeseweed	UPL

**MELIACEAE – Mahogany Family**

*Melia azedarach*

Chinaberrytree

UPL

**POACEAE - Grass Family**

*Avena sp.*

Wild Oat

UPL

*Bromus diandrus*

Ripgut

UPL

*Cynodon dactylon*

Bermuda Grass

FACU

*Echinochloa crus-galli*

Barnyard Grass

FACU

*Festuca myuros*

Rat-tail Fescue

FACU

*Festuca perrene*

Ryegrass

UPL

*Hordeum murinum ssp. leporinum*

Barley

FACU

**POLYGONACEAE - Buckwheat Family**

*Polygonum aviculare*

Prostrate Knotweed

FAC

**ROSACEAE—Rose Family**

*Cydonia oblonga*

Quince

UPL

*Prunus dulcis*

Almond

UPL

**SOLANACEAE – Nightshade Family**

*Datura wrightii*

Jimsonweed

UPL

**ZYGOPHYLLACEAE—Creosota-bush Family**

*Tribulus terrestris*

Puncturevine

UPL

**APPENDIX B: TERRESTRIAL VERTEBRATE SPECIES POTENTIALLY  
OCCURRING ON THE PROJECT SITE**

**APPENDIX B**  
**TERRESTRIAL VERTEBRATE SPECIES POTENTIALLY OCCURRING**  
**ON THE PROJECT SITE**

The species listed below are those that may reasonably be expected to use the habitats of the project site. The list was not intended to include birds that are vagrants or occasional transients. Its purpose was rather to include those species that may be expected to routinely and predictably use the project site during some or all of the year. An asterisk denotes a species observed within or adjacent to the site during surveys conducted on June 13, 2023.

**CLASS: REPTILIA**

**ORDER: SQUAMATA (Lizards and Snakes)**

**SUBORDER: SAURIA (Lizards)**

**FAMILY: IGUANIDAE (Iguanids)**

Side-Blotched Lizard (*Uta stansburiana*)

**SUBORDER: SERPENTES (Snakes)**

Gopher Snake (*Pituophis melanoleucus*)

Common Kingsnake (*Lampropeltis getulus*)

**FAMILY: VIPERIDAE**

Northern Pacific Rattlesnake (*Crotalus oreganus oreganus*)

**CLASS: AVES**

**ORDER: ANSERIFORMES (Screamers, Ducks and Relatives)**

**FAMILY: ANATIDAE (Swans, Geese and Ducks)**

Canada Goose (*Branta canadensis*)

**ORDER: FALCONIFORMES (Vultures, Hawks, and Falcons)**

**FAMILY: CATHARTIDAE (American Vultures)**

Turkey Vulture (*Cathartes aura*)

**FAMILY: ACCIPITRIDAE (Hawks, Old World Vultures, and Harriers)**

\*Red-shouldered Hawk (*Buteo lineatus*)

Red-tailed Hawk (*Buteo jamaicensis*)

Swainson's Hawk (*Buteo swainsoni*)

Northern Harrier (*Circus hudsonius*)

**FAMILY: FALCONIDAE (Caracaras and Falcons)**

American Kestrel (*Falco sparverius*)

**ORDER: COLUMBIFORMES (Pigeons and Doves)**

**FAMILY: COLUMBIDAE (Pigeons and Doves)**

\*Rock Pigeon (*Columba livia*)

Eurasian Collared-Dove (*Streptopelia decaocto*)

Mourning Dove (*Zenaida macroura*)

**ORDER: APODIFORMES (Swifts and Hummingbirds)**

**FAMILY: TROCHILIDAE (Hummingbirds)**

Black-chinned Hummingbird (*Archilochus alexandri*)

Anna's Hummingbird (*Calypte anna*)

Rufous Hummingbird (*Selasphorus rufus*)

**ORDER: CHARADRIIFORMES (Shorebirds, Gulls, and Relatives)**

**FAMILY: CHARADRIIDAE (Plovers and Lapwings)**

\*Killdeer (*Charadrius vociferus*)

**ORDER: PICIFORMES (Woodpeckers and relatives)**

**FAMILY: PICIDAE (Woodpecker and Wrynecks)**

Northern Flicker (*Colaptes chrysoides*)

\*Nuttall's Woodpecker (*Picoides nuttallii*)

**ORDER: PASSERIFORMES (Perching Birds)**

**FAMILY: TYRANNIDAE (Tyrant Flycatchers)**

Black Phoebe (*Sayornis nigricans*)

Say's Phoebe (*Sayornis saya*)

\*Western Kingbird (*Tyrannus verticalis*)

**FAMILY: HIRUNDINIDAE (Swallows)**

Cliff Swallow (*Hirundo pyrrhonota*)

**FAMILY: CORVIDAE (Jays, Magpies, and Crows)**

California Scrub Jay (*Aphelocoma californica*)

\*American Crow (*Corvus brachyrhynchos*)

Common Raven (*Corvus corax*)

**FAMILY: ALAUDIDAE (Larks)**

Horned Lark (*Eremophila alpestris*)

**FAMILY: TURDIDAE (Thrushes)**

American Robin (*Turdus migratorius*)

**FAMILY: MIMIDAE (Mockingbirds and Thrashers)**

\*Northern Mockingbird (*Mimus polyglottos*)

**FAMILY: STURNIDAE (Starlings)**

\*European Starling (*Sturnus vulgaris*)

**FAMILY: MOTACILLIDAE (Wagtails and Pipits)**

American Pipit (*Anthus rubescens*)

**FAMILY: PARULIDAE (Wood Warblers and Relatives)**

Yellow-rumped Warbler (*Dendroica coronata*)

**FAMILY: EMBERIZIDAE (Emberizines)**

Savannah Sparrow (*Passerculus sandwichensis*)

**FAMILY: ICTERIDAE (Blackbirds, Orioles and Allies)**

Red-Winged Blackbird (*Agelaius phoeniceus*)

Western Meadowlark (*Sturnella neglecta*)

Brewer's Blackbird (*Euphagus cyanocephalus*)

Brown-headed Cowbird (*Molothrus ater*)

**FAMILY: FRINGILLIDAE (Finches)**

\*House Finch (*Carpodacus mexicanus*)

Lesser Goldfinch (*Carduelis psaltria*)

**FAMILY: PASSERIDAE (Old World Sparrows)**

\*House Sparrow (*Passer domesticus*)

**CLASS: MAMMALIA (Mammals)**

**FAMILY: TALPIDAE (Moles)**

Broad-Footed Mole (*Scapanus latimanus*)

**ORDER: CHIROPTERA (Bats)**

**FAMILY: PHYLLOSTOMIDAE (Leaf-nosed Bats)**

Southern Long-nosed Bat (*Leptonycteris curasoae*)

**FAMILY: VESPERTILIONIDAE (Evening Bats)**

Yuma Myotis (*Myotis yumanensis*)

California Myotis (*Myotis californicus*)

Western Pipistrelle (*Pipistrellus hesperus*)

Big Brown Bat (*Eptesicus fuscus*)

**FAMILY: MOLOSSIDAE (Free-tailed Bat)**

Brazilian Free-Tailed Bat (*Tadarida brasiliensis*)

**ORDER: LAGOMORPHA (Rabbits, Hares, and Pikas)**

**FAMILY: LEPORIDAE (Rabbits and Hares)**

Audubon Cottontail Rabbit (*Sylvilagus audubonii*)

**ORDER: RODENTIA (Rodents)**

**FAMILY: SCIURIDAE (Squirrels, Chipmunks, and Marmots)**

California Ground Squirrel (*Otospermophilus beecheyi*)

**FAMILY: GEOMYIDAE (Pocket Gophers)**

Botta's Pocket Gopher (*Thomomys bottae*)

**FAMILY: MURIDAE (Old World Rats and Mice)**

Western Harvest Mouse (*Reithrodontomys megalotis*)

Deer Mouse (*Peromyscus maniculatus*)

California Vole (*Microtus californicus*)

**ORDER: CARNIVORA (Carnivores)**

**FAMILY: CANIDAE (Foxes, Wolves, and relatives)**

Coyote (*Canis latrans*)

Red Fox (*Vulpes vulpes*)

**FAMILY: PROCYONIDAE (Raccoons and relatives)**

Raccoon (*Procyon lotor*)

**FAMILY: MEPHITIDAE (Skunks)**

Striped Skunk (*Mephitis mephitis*)

**APPENDIX C:**  
**SELECT PHOTOGRAPHS OF THE PROJECT SITE**



**Photo 1:** Agricultural field on site. Adjacent residential use in the background.



**Photo 2:** Onsite metal building. Robertson Blvd in background.



**Photo 3:** Chinaberry tree along the margin of the site.



**Photo 4:** Garden vegetation and tree along field margin. Residential subdivision to left and adjacent almond orchard in background.