APPENDIX E
BIOLOGICAL RESOURCES EVALUATION

Biological Resources Evaluation

7-Eleven Convenience Store and Fuel Station, Power Inn Road and Elder Creek Road

City of Sacramento, California



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EXECUTIVE SUMMARY

This report presents the results of a Biological Resources Evaluation (BRE) prepared for the 7-Eleven Convenience Store and Fuel Station, Power Inn Road and Elder Creek Road Project. The Study Area (hereafter referred to as "Study Area") is an approximately 8.5-acre parcel [Assessor's Parcel Numbers (APNs) 040-0101-003, 012, 013, 020] located at the southeast corner of the intersection of Power Inn Road and Elder Creek Road in the City of Sacramento, California. The proposed project includes a lot line adjustment to create a 6-acre parcel directly adjacent to the intersection of Power Inn Road and Elder Creek Road that would be developed under the proposed project, which includes the development of a gasoline station, convenience store, electric vehicle charging stations, and associated parking and landscaping. A total of 2.45 of the remaining acres would be retained by the property owner for future development under separate entitlement. A cross-access easement agreement would be recorded on the development parcel between the two parties to memorialize traffic circulation and ingress/egress rights. Approximately 7,620 square feet along Elder Creek Road would be dedicated to the City.

The purpose of this BRE is to provide the project applicant, the City of Sacramento and resource agencies with information on the current site conditions, habitat types present, and potential for impacts to special-status species and their habitats that could occur as a result of the proposed project. This BRE describes the general biological resources in the Study Area, assesses the suitability of the site to support special-status species and sensitive vegetation communities or habitats, discusses potential impacts to special-status species and/or protected biological communities, and provides recommended avoidance and minimization measures.

In its current state, the Study Area is best characterized as disturbed land. The Study Area is currently undeveloped, but historically supported a warehouse, parking areas, and a residence with outbuildings in the northern portion. The last structures were demolished prior to July of 2008 based on Google Earth imagery. The southern portion of the Study Area has been subjected to various disturbances in the past and appears to have been scraped/graded within the last five years; artificial seasonal wetlands have formed in areas of compacted soil. Two large valley oak (*Quercus lobata*) in fair condition are present adjacent to Elder Creek Road in the northern portion of the Study Area. Habitats/land covers in the Study Area include ruderal/disturbed (7.89 acres) and artificial seasonal wetland (0.61 acres).

The artificial seasonal wetlands are artificial features that resulted from the prior construction disturbance in the Study Area and are subject to ongoing disturbance. The features are not believed to be "Waters of the U.S." because they are isolated wetlands that are not adjacent to traditional navigable waters, the territorial seas, interstate waters, or impoundments of ''Waters of the United States''. The features are also not believed to be "Waters of the State" because they are artificially-created seasonal wetlands that resulted from historic human activity, are subject to ongoing operation such as disking, driving of equipment, and other site maintenance, and have not become a relatively permanent part of the natural landscape.

Known or potential biological constraints in the Study Area include:

- Potential nesting and foraging habitat for burrowing owl;
- Nesting habitat for migratory birds and raptors; and,
- Protected trees.

Table of Contents

EXECUTIVE SUMMARY i
1.0 INTRODUCTION 1
1.1 Project Location and Description 1
2.0 METHODS: 2
2.1 Biological Studies 2
Special-Status Species Evaluation 2
Biological Reconnaissance Survey 3
Wetland Assessment 3
Arborist Survey 3
Plant Nomenclature 4
2.2 Surveyor Qualifications 4
2.3 Determination of Potential Impacts 4
3.0 RESULTS: ENVIRONMENTAL SETTING 5
3.1 Existing Conditions 5
Topography and Soils 5
Habitat Types in the Project Area 6
General Wildlife Use of the Site 7
3.2 Problems Encountered and Limitations that may Influence the Results 8
4.0 RESULTS: SPECIAL-STATUS SPECIES AND OTHER PROTECTED BIOLOGICAL RESOURCES 8
4.1 Special-Status Species 8
Special-Status Plants 8
Special-Status Animals 9
4.2 Raptors, Migratory Birds, and Other Nesting Birds 11
4.3 Sensitive Natural Communities 11
4.4 Wildlife Movement Corridors 12
4.5 Jurisdictional Waters 12
4.6 Local Policies/Ordinances: Protected Trees 13
4.7 Habitat Conservation Plan, Natural Community Conservation Plan, or Other Local Habitat Conservation Measures 13
5.0 RECOMMENDED BIOLOGICAL MITIGATION MEASURES 13
5.1 Burrowing Owl 13

5.2 Nesting Raptors and Migratory Birds 14
5.3 Protected Trees 14
6.0 SUMMARY/CONCLUSION 15
7.0 REFERENCES 16

Table

Table 1. Protected Trees in the Study Area 13

Attachments

Attachment A: Figures
Attachment B: Regulatory Context
Attachment C: Results of Database Queries
Attachment D: Species Observed in the Study Area
Attachment E: Site Photos
Attachment F: Potential for Regionally-Occurring Special-Status Species and Sensitive Natural Communities to Occur in the Study Area

1.0 INTRODUCTION

Stringer Biological Consulting, Inc. (SBC) has prepared this Biological Resources Evaluation Report (report) for the 7-Eleven Convenience Store and Fuel Station, Power Inn Road and Elder Creek Road Project. The purpose of this BRE is to provide the project applicant, the City of Sacramento and resource agencies with information on the current site conditions, habitat types present, and potential for impacts to special-status species and their habitats that could occur as a result of the proposed project. This BRE describes the general biological resources in the Study Area, assesses the suitability of the site to support special-status species and sensitive vegetation communities or habitats, discusses potential impacts to special-status species and/or protected biological communities, and provides recommended avoidance and minimization measures.

1.1 Project Location and Description

The Study Area is located in the southeast corner of the intersection of Power Inn Road and Elder Creek Road in the City of Sacramento, California (Attachment A, Figure 1). State Route 99 is approximately 2.7 miles west of the Study Area. The project is located in Section 35 of Township 08 North and Range 05 East, Mount Diablo Principal Meridian, and is depicted on the U.S. Geological Survey (USGS) "Sacramento East, CA", 7.5-minute topographic quadrangle map (Attachment A, Figure 2). The approximate center of the Study Area is at latitude 38°30'34.62"N and longitude 121°24'28.40"W, NAD 83.

The Study Area totals approximately 8.6 acres. The proposed project includes a lot line adjustment to create a 6-acre parcel (development parcel) directly adjacent to the intersection of Elder Creek Road and Power Inn Road which would be developed under the proposed project. A total of 2.45 of the remaining acres would be retained by the property owner (seller's retained area) for future development under separate entitlement. A cross-access easement agreement would be recorded on the development parcel between the two parties to memorialize traffic circulation and ingress/egress rights. Approximately 7,620 square feet along Elder Creek Road would be dedicated to the City. The latest available conceptual site plan for the project is included as Figure 7 Attachment A.

The proposed project includes a gasoline station with an approximately 4,816-square-foot convenience store, conventional and commercial truck fueling positions, electric vehicle charging stations, and parking for standard vehicles and commercial trucks on the development parcel. Landscaping, lighting, and detention basins would be installed.

Access to the Study Area would be provided by driveways accessing Power Inn Road and Elder Creek Road. Off-site roadway improvements along Power Inn Road and Elder Creek Road would be constructed to improve traffic circulation and pedestrian access.

The proposed project includes construction of all project components on the development parcel, the area to be dedicated to the City, and off-site improvements in Power Inn Road and Elder Creek Road.

No construction or development of the seller's retained area is currently planned under the proposed project, but minor improvements may be included in response to City requirements, such as grading, water and sewer connections, and/or minimal stormwater and erosion control improvements and gravel applied as ground cover. For the purposes of this analysis, it is conservatively assumed that ground disturbing activities in the seller's retained area would occur during construction of the proposed project.

2.0 METHODS:

2.1 Biological Studies

Biological studies conducted in support of this report include a special-status species evaluation, a biological reconnaissance survey that includes a wetland assessment, and an arborist survey. The special-status species evaluation was conducted in order to assemble a list of regionally-occurring special-status species with the potential to occur in the project region and/or be impacted by proposed projects in the region. The biological reconnaissance survey was conducted to document the special-status species, habitats, and landcover types in the Study Area and to determine which of the special-status species or habitats have the potential to be impacted by the proposed project activities. The wetland assessment was conducted to identify and map any wetlands or other aquatic resources in the Study Area. The arborist survey was conducted to document and assess trees in the Study Area.

Special-Status Species Evaluation

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

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

The species meeting the criteria above are collectively referred to as special-status species for the purposes of this report.

The special-status species evaluation included obtaining lists of special-status species and sensitive natural communities with the potential to occur in the project region from the following sources: the

U.S. Fish and Wildlife Service (USFWS) online list of federally-listed special-status species with the potential to occur in, or be affected by projects in the site and the list of reported occurrences of special-status species in the California Natural Diversity Database (CNDDB) and the California Native Plant Society (CNPS) database for the "Carmichael, Clarksburg, Elk Grove, Florin, Sacramento East, and Sacramento West, CA" USGS 7.5-minute topographic quadrangles (quads). Results of these queries are included in Attachment C. Special status species with the potential to occur in the project vicinity were compared with the habitats on site and other factors such as soil types on the Study Area and elevational and geographic ranges of the special-status species to determine if a species has the potential to occur within the Study Area.

Biological Reconnaissance Survey

SBC Principal Biologist Stephen Stringer, M.S., and a SBC Biological Technician conducted a biological reconnaissance survey on May 16, 2025 in order to characterize and map the biological habitats and document existing biological resources within the Study Area. The survey was conducted between 09:00 am and 2:00 pm. The weather was sunny with a high of 97 degrees Fahrenheit. The biological reconnaissance survey area consisted of walking pedestrian transects of the entire approximately 8.5-acre Study Area. An additional biological survey was conducted on July 24, 2025, to verify site conditions and take additional photos. Site conditions and habitats were assessed, and the site was searched for the presence of special-status species, habitats for special-status species, and sensitive natural communities. Trees in and adjacent to the Study Area were searched for bird nests or sign of nesting birds. The Study Area was also searched for the presence of mammal burrows, burrowing owls, or burrowing owl sign (pellets, feathers, whitewash) near mammal burrow openings. Additionally, a complete inventory of vascular plants identifiable at the time of the survey was conducted and all plant and animal species observed in the Study Area were documented. Attachment D is a list of species observed on the site during the survey. Following the field survey, the potential for each species identified in the database query to occur within the Study Area was determined based on the site survey, soils, habitats present within the Study Area, and species-specific information, as documented in Appendix C.

Wetland Assessment

The Study Area was searched for the presence of potential wetlands or other aquatic resources during the biological reconnaissance survey. Vegetation, soils, and hydrologic characteristics were visually assessed by walking meandering transects through the Study Area. Areas that were observed to have a predominance of hydrophytic vegetation, evidence of hydric soils, and evidence of wetland hydrology were conservatively assumed to be wetlands following U.S. Army Corps of Engineers (USACE) methodology (USACE 2008). The boundaries of wetland areas were mapped in the field with a Samsung tablet running the ArcGIS Online Field Maps application wirelessly connected to an Arrow 100® GNSS receiver with sub-meter accuracy. These data were exported into ArcMap 10.7.1® and used to produce the artificial seasonal wetland polygons depicted on the habitat map (Figure 5). A formal wetland delineation was not conducted.

Arborist Survey

Mr. Stringer [International Society of Arboriculture (ISA) Certified Arborist WE-7129A] conducted an arborist survey of the Study Area on May 16, 2025, in conjunction with the biological reconnaissance

survey. All trees in the Study Area with a trunk diameter-at-standard-height (i.e., 54 inches above grade; DSH) of four inches or greater were inventoried and assessed. The following data was collected for each tree: species, DSH, dripline radius, estimated height, and overall health/vigor of the tree. Comments such as number of trunks, irregularities, scars or other growth characteristics or vigor indicators were recorded for each tree. The location of each tree was recorded using an Arrow 100 GNSS receiver with sub-meter accuracy wirelessly paired to a Samsung tablet running the ArcGIS Online Field Maps application software. The results of the arborist inventory (separately bound) are summarized in the *Results* section under *Protected Trees*.

Plant Nomenclature

Plant nomenclature in this report is based on the Jepson eFlora available at: https://ucjeps.berkeley.edu/eflora.

2.2 Surveyor Qualifications

Mr. Stringer holds a B.S. and M.S. in Biological Sciences with a focus in Biological Conservation from California State University, Sacramento and has more than 22 years of experience conducting biological and wetland studies in northern and central California. Mr. Stringer holds a U.S. Fish and Wildlife Service Section 10(a)(1)(A) Recovery Permit (ES-141359-4) for federally-listed vernal pool branchiopods and California tiger salamander (Central DPS), a CDFW Specific Use Scientific Collecting Permit (S-230460010-23048-001) for California tiger salamander, special-status vernal pool branchiopods, western spadefoot, and common reptiles and amphibians, a Memorandum of Understanding (MOU) from CDFW for California tiger salamander, a CDFW Rare Plant Voucher Collecting Permit (No. 2081(a)-22-093-V), is an International Society of Arboriculture, Certified Arborist (WE-7129A), and is an instructor for wetland delineation and plant identification courses for the Wetland Training Institute.

2.3 Determination of Potential Impacts

The following thresholds of significance are based on CEQA guidelines. Based on the CEQA guidelines, the proposed project would have a significant impact on biological resources if it would result in any of the following:

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

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

3.0 RESULTS: ENVIRONMENTAL SETTING

3.1 Existing Conditions

The Study Area is located in the Fruitridge/Broadway Community Plan area. The zoning designation of the project parcels is Light Industrial (M-1), and the General Plan land use designation is Low-Rise Employment Center. Residential development borders the Study Area to the west and northwest, and commercial and light industrial land uses border it to the north, east, and south. Two residential properties are adjacent to the northeast corner of the Study Area.

Currently, the Study Area is undeveloped and vegetated primarily with non-native grasses and forbs typically associated with disturbed areas, as well as a few scattered trees. Some asphalt pads and areas with deteriorated pavement remain along the northern border of the Study Area along Elder Creek Road. Disturbed areas of compacted dirt and gravel in the southern portion of the Study Area showed evidence of ponded water. The northwest corner of the Study Area adjacent to the intersection of Elder Creek Road and Power Inn Road had gravelly, rocky fill at the surface throughout. Attachment A, Figure 3 is a recent aerial photograph of the Study Area and vicinity.

Google Earth aerial imagery dating from August 1998 to June 2003 shows a warehouse, parking lot, and what appears to be a residence with sheds and other structures occupying roughly 3 acres in the northern half of the Study Area. The warehouse is no longer present in aerial imagery dated June 2004, and the residence and other structures are no longer present in aerial imagery dated July 2008. There is no evidence of development in the southern half of the Study Area dating back to May of 1993 but there is evidence of disking and possible agricultural use (grain/hay crops) starting in summer of 2020 and the southern portion of the Study Area appears to have been scraped/graded in summer of 2021. Since 2021, it appears that the southern portion of the site has been disked, potentially again for agricultural uses such as dry farming of grain/hay crops. There was evidence of recent disking in the southern portion of the Study Area at the time of the biological survey.

Topography and Soils

The Study Area has an elevation of approximately 36 to 40 feet above mean sea level (amsl). Terrain in the Study Area is generally flat, with the highest points in the northwest corner and the lowest points along the southern boundary.

According to the Natural Resources Conservation Service (NRCS) Soil Survey Database, there are two soil types mapped within the Study Area: San Joaquin silt loam, leveled, 0 to 1 percent slopes, and Xerarents-Urban land- San Joaquin complex, 0 to 5 percent slopes (NRCS 2025). These soils are discussed below. A soil map is included as Figure 4 in Attachment A.

San Joaquin silt loam, leveled, 0 to 1 percent slopes, occurs within approximately 66.5% of the Study Area, which is roughly the southern two-thirds of the Study Area. This soil series occurs on terraces between 20 and 500 ft. amsl and consists of alluvium derived from granite parent material. This soil series is comprised of 85% San Joaquin and similar soils and 15% minor components. A typical soil

profile is silt loam from 0 to 15 inches, clay loam from 15 to 20 inches, indurated from 20 to 46 inches, and stratified sandy loam to loam from 46 to 60 inches. San Joaquin silt loam, leveled, 0 to 1 percent slopes is a moderately well drained soil with a frequency of flooding of "none" and a frequency of ponding of "none" and a depth to water table of more than 80 inches (NRCS 2025). In this soil series, the San Joaquin soil and the majority of the minor components are not rated as hydric. Only Galt soils, which occur on basin floors on fan remnants and comprise 2% of this soil series, have a hydric rating (NRCS 2025).

Xerarents- Urban land- San Joaquin complex, 0 to 5 percent slopes, occurs within approximately 33.5% of the Study Area, which is the northern one-third of the Study Area. This soil series occurs on fan remnants between 0 and 2,500 ft. amsl and consists of alluvium derived from granite parent material. This soil series is comprised of 45% Xerarents and similar soils, 25% Urban land, 15% San Joaquin and similar soils, and 15% minor components. A typical soil profile for Xerarents and similar soils is variable from 0 to 60 inches. This soil type is well drained with a frequency of flooding of "none" and ponding of "none" and a depth to water table of more than 80 inches (NRCS 2025). A typical profile for Urban land is variable from 0 to 6 inches. A typical profile for San Joaquin and similar soils is fine sandy loam from 0 to 13 inches, loam from 13 to 30 inches, clay loam from 30 to 35 inches, indurated from 35 to 60 inches, and stratified loamy coarse sand to loam from 60 to 67 inches. This soil type is moderately well drained with a frequency of flooding of "none" and ponding of "none" and a depth to water table of more than 80 inches. Xerarents and similar soils, Urban land, and San Joaquin and similar soils do not have a hydric rating. Minor components Clear lake soils, which occur on basin floors and comprise 3% of this soil series, and Galt soils, which occur on basin floors on fan remnants and comprise 3% of this soil series, do have a hydric rating (NRCS 2025).

Habitat Types in the Project Area

Biological habitats in the Study Area include ruderal/disturbed and artificial seasonal wetland. Figure 5 in Attachment A is a map of the habitats present in the Study Area. Representative digital photos of the Study Area are included in Attachment E.

Ruderal/Disturbed

The majority of the Study Area (7.89 acres) is classified as ruderal/disturbed habitat, which is a land cover that occurs in areas subject to past and/or ongoing anthropogenic disturbances and as a result lacks a recognizable plant species assemblage. Ruderal/disturbed areas tend to be dominated by non-native weedy species that rapidly colonize areas of recent disturbance or bare ground. As described in Section 3.1, the majority of the northern half of the Study Area historically contained industrial and residential development and still has remnant concrete pads and paved areas as well as gravel on the soil surface. A berm constructed from soil and rubble surrounds the area of former development in the northern half of the Study Area. The southern half of the Study Area has been scraped or graded in the last five years (circa 2021/2022) and also has been routinely disked and potentially used for production of grain/hay crops. Species commonly observed in the ruderal/disturbed habitat at the time of the biological survey include wild oat (*Avena fatua*), Italian ryegrass (*Festuca perennis*), Bermuda grass (*Cynodon dactylon*), stinkwort (*Dittrichia graveolens*), milkweed (*Silybum marianum*), field bindweed (*Convolvulus arvensis*), and filaree (*Erodium* spp.).

Artificial Seasonal Wetland

Four artificial seasonal wetland areas totaling 0.61 acre are present in the southern half of the Study Area. None of the features look natural in shape or depth (nearly uniform shallow depth) and appear to be the result of soil disturbance (scraping/grading/driving of heavy equipment) from prior construction activities and also have evidence of recent disturbance by heavy equipment (see Photos 4 and 6 in Attachment E). The mapped soil units on the site are not classified as hydric soils (see *Topography and Soils*). Based on a review of aerial imagery, the southern half of the Study Area was disturbed by construction activities circa 2021/2022. A wall was also constructed adjacent to the southern Study Area boundary (on the parcel to the south) between June and October of 2020. Water ponds up against soil at the base of the wall, which has contributed to ponding in the two seasonal wetlands along the southern property boundary. SBC conducted a review of historical aerial imagery of the Study Area and surrounding parcels using Google Earth. More than 50 aerial images of the Study Area taken at different times dating from May 1993 to April 2025 were reviewed for aerial signatures indicative of wetlands or evidence of saturation or ponding. We did not see any evidence of wetlands or areas of saturation or ponding in aerial imagery of the Study Area dating from May 1993 to June 2021. The first evidence we saw of seasonal wetlands in aerial imagery is from February 15, 2022, where ponding is evident within areas where the soil was scraped/graded in the southern half of the Study Area circa 2021/2022. Aerial imagery dated April 1, 2025, contains aerial signatures indicative of wetlands in the four areas we identified in the field as artificial seasonal wetlands.

The artificial seasonal wetlands are depressional areas that pond water within compacted soil areas caused by construction activities that contain gravel and other construction debris in places. The areas are considered to be seasonal wetlands because the identifiable vegetation was predominantly hydrophytic and consisted of common pigmyweed (*Crassula aquatica*), Hyssop loosestrife (*Lythrum hyssopifolia*), tall flatsedge (*Cyperus eragrostis*), purslane speedwell (*Veronica peregrina*), prostrate knotweed (*Polygonum aviculare*), low manna grass (*Glyceria declinata*), white goosefoot (*Chenopodium album*), and toad rush (*Juncus bufonius*). The soil surface had indicators of wetland hydrology including soil cracks and biotic crust that would meet the wetland hydrology parameter in the USACE three-parameter test for wetlands and the surface soil layers had abundant redox concentrations that would meet the hydric soil parameter in the USACE three-parameter test for wetlands (redox depressions). A small area of surface water was present in Artificial Seasonal Wetland A on July 24, 2025, indicating that it is fed at least partially by urban runoff that appeared to be originating on the adjacent property.

General Wildlife Use of the Site

The Study Area represents relatively low quality habitat for wildlife due to the historic site disturbances and its location within a developed area of the City of Sacramento. Wildlife use of the site is expected to be limited to species adapted to areas with a high level of human disturbance, such as the urban areas surrounding the Study Area. A few bird species typical of urban areas were observed in the Study Area including killdeer (*Charadrius vociferus*), northern mockingbird (*Mimus polyglottos*), European starling (*Sturnus vulgaris*), and black phoebe (*Sayornis nigricans*). Several species of birds would be expected to forage and/or nest in the Study Area on the ground or in trees. Ground squirrels and ground squirrel burrows were also present in the Study Area, mostly associated with vegetated mounds of soil and rubble around the perimeter of the former warehouse and parking areas in the northeast portion of the

Study Area. Ground squirrel burrows provide potential habitat for burrowing owl (*Athene cunicularia*), which is a state candidate for listing as an endangered species and is discussed below in Section 4.1.

3.2 Problems Encountered and Limitations that may Influence the Results

The biological survey was conducted within the recognized blooming period of the regionally-occurring special-status plants with the potential to occur in the Study Area. However, portions of the site had been previously disked at the time of the survey and the artificial wetlands appeared to have been dry for several weeks prior to the survey, rendering some of the upland and wetland plant species on the site unidentifiable. Due to the historic site disturbances and the overall lack of habitat for special-status plants on the site, it is our professional opinion that the site lacks suitable habitat for special-status plants and no further botanical surveys are necessary.

4.0 RESULTS: SPECIAL-STATUS SPECIES AND OTHER PROTECTED BIOLOGICAL RESOURCES

4.1 Special-Status Species

Based on the results of the background review and database searches, there are a total of 17 special-status plant species, 32 special-status animal species, and three sensitive natural communities as defined in this report that are either documented as occurring or having the potential to occur or be impacted by projects within the "Carmichael, Clarksburg, Elk Grove, Florin, Sacramento East, and Sacramento West, CA" USGS quads (referred to as regionally-occurring special-status species and habitats). All of these regionally-occurring special-status species and habitats were evaluated for the potential to occur within the Study Area and/or be impacted by the project. The evaluation, which was based on factors such as habitat requirements, known elevational and geographic ranges, and soil requirements, is documented in Attachment F.

Special-Status Plants

No special-status plant species or suitable habitats for special-status plants were observed in the Study Area during the biological reconnaissance survey, and no special-status plant species have been reported in the Study Area or within a one-mile radius in the CNDDB (CDFW 2025). Based on the evaluation of the potential for regionally-occurring special-status plant species to occur in the Study Areaa that is described above and documented in Attachment F, no special-status plant species are considered to have the potential to occur in the Study Area or be impacted by the proposed project. The Study Area is highly disturbed and lacks any habitat or specialized soils to support special-status plants. The majority of the Study Area has been previously developed, disked, and/or scraped/graded and the site lacks a native or naturalized plant community. A total of 44 species of vascular plants were documented in the Study Area during the biological survey, only 7 of which are native species. The other 37 species are non-native species and most of them are weedy species typical of disturbed habitats. In summary, special-status plants are presumed to be absent from the Study Area based on the results of the biological survey, which included a complete inventory of vascular plants identifiable at the time of the survey, and historic site disturbances. No impacts to special-status plant species or their habitats are anticipated as a result of the proposed project.

Special-Status Animals

No special-status animal species were observed in the Study Area during the biological reconnaissance survey. Based on field observations, published information, and literature review, the only special-status species with the potential to occur in the Study Area and/or be impacted by the proposed project is burrowing owl (*Athene cunicularia*). This species is discussed in more detail below. Additionally, other migratory birds and raptors protected under federal, State, and local laws/policies have potential to occur within the Study Area and are discussed below. Although not expected to occur in the Study Area, vernal pool fairy shrimp (*Branchinecta lynchi*) and vernal pool tadpole shrimp (*Lepidurus packardi*) are discussed due to the presence of disturbed, artificially-created seasonal wetlands on the site. The rest of the regionally-occurring special-status wildlife species that were determined to have no potential to occur in the Study Area or be impacted by the proposed project (see Attachment F) are not discussed further in this document.

Burrowing Owl (State Candidate Endangered; CDFW Species of Special Concern)

Burrowing owls are often found in open, dry grasslands, agricultural and range lands, and desert habitats. They can also inhabit grass, forb, and shrub stages of pinyon and ponderosa pine habitats. Burrowing owls occur at elevations ranging from 200 feet below mean sea level to over 9,000 feet amsl. In California, the highest elevation where burrowing owls are known to occur is 5,300 feet amsl in Lassen County. In addition to natural habitats, burrowing owls can be found in urban habitats such as at the margins of airports and golf courses and in vacant urban lots. Burrowing owls forage in adjacent grasslands and other suitable habitats primarily for insects and small mammals, and less often for reptiles, amphibians, and other small birds (Shuford and Gardali 2008). Burrowing owls nest in burrows in the ground and commonly perch on fence posts or mounds near the burrow. The owls often use ground squirrel burrows or badger dens or artificial burrows such as abandoned pipes or culverts. Although the more northern burrowing owl populations migrate seasonally, burrowing owls are year-round residents of the Sacramento Valley. In the Sacramento Valley, the nesting season for burrowing owl can begin as early as February 1 and continues through August 31.

No burrowing owls or sign (pellets, feathers, whitewash) were observed in the Study Area during the biological reconnaissance surveys, and routine disking renders portions of the site less hospitable to burrowing owls. However, numerous ground squirrel burrows are present in berms around the perimeter of the previous development in the northern portion of the Study Area that represent potential nesting habitat and burrowing owls could forage in the ruderal/disturbed habitat. There are at least nine reported locations of nesting burrowing owls in the CNDDB within a one-mile radius of the Study Area with the closest reported occurrence approximately 0.25 mile to the east. All nine reported locations are along the Morrison Creek channel where burrowing owls were documented nesting in berms along the banks of the creek in 2006 (CDFW 2025). The CNDDB does not report whether any recent surveys have been conducted and does not include any documentation of any more recent sightings since 2006, so it is unknown whether burrowing owls are still present. A site visit on July 24, 2025, confirmed that burrowing owl habitat is still present along the Morrison Creek channel with numerous ground squirrel burrows present in the banks of the creek although no burrowing owls were observed. Burrowing owl could still be present in the vicinity of the Study Area and could utilize the Study Area for foraging, temporary refugia, overwintering or nesting.

Potential impacts to burrowing owls as a result of the proposed project include loss of marginal foraging habitat if this species is present in the Study Area or vicinity and potential disturbance of occupied burrows. If burrowing owls were to occupy ground squirrel burrows in the Study Area, construction activities could result in displacement of owls from their burrows or impacts to nesting owls. Project activities such as clearing and grubbing, grading, or other earthwork during the breeding season (February 1 through August 31) could result in injury or mortality of eggs and chicks directly through destruction or indirectly through forced nest abandonment due to noise and other disturbance.

Vernal Pool Fairy Shrimp (Federal Threatened) and Vernal Pool Tadpole Shrimp (Federal Endangered)

Vernal Pool Fairy Shrimp occur in the Central Valley of California and southern California (USFWS 2005). Populations are known from Stillwater Plain in Shasta County through most of the length of the Central Valley to Pixley in Tulare County (additional disjunct populations exist at various locations throughout the state). Vernal pool fairy shrimp occur mostly in vernal pools, however it is also found in a variety of both natural and artificial wetland habitats, such as alkali pools, ephemeral drainages, stock ponds, roadside ditches, vernal swales, and rock outcrop pools (Helm 1997). Occupied wetlands are typically small (ranging from 0.1 to 0.05 acres in size), and pond for a relatively short duration (3-4 weeks) (Eriksen and Belk 1999). Soil types associated with vernal pool fairy shrimp vary greatly with geography and influence the ecology of the species. This fairy shrimp occurs in pools with 48 to 481 parts per million salinity, and pH from 6.3 to 8.5 (Eriksen and Belk 1999).

Although there are numerous reported occurrences of this species within a five mile radius of the Study Area, there are no recent records of vernal pool fairy shrimp (within the last 30+ years) in the CNDDB that are considered extant within a roughly 2 mile radius of the Study Area. There is a reported occurrence of this species approximately 0.25 mile east of the Study Area where this species was detected in a railroad ditch in 1992. The CNDDB does not report any more recent surveys since 1992 to confirm whether this species was still present, so the status of this occurrence is unknown. A site visit on July 24, 2025, confirmed that depressional areas are still present adjacent to the railroad that pond water, although there has been some construction disturbance in the area (photo withheld due to confidentiality of CNDDB data). There is another reported occurrence roughly 0.5 mile east at the Sacramento Army Depot from 2011 that is considered possibly extirpated by the CNDDB due to site development. Follow up surveys were conducted of this site at the Sacramento Army Depot in 2011 and no vernal pool fairy shrimp were found (CDFW 2025).

Vernal Pool Tadpole Shrimp occurs within the Central Valley of California and in the San Francisco Bay area (USFWS 2005), with the majority of the populations occurring in the Sacramento Valley. This species has also been reported from the Sacramento River Delta to the east side of San Francisco Bay, and from a few scattered localities in the San Joaquin Valley from San Joaquin County to Madera County (Rogers 2001). Suitable habitats vary considerably, including vernal pools, clay flats, alkaline pools, ephemeral stock tanks, roadside ditches, and road ruts (Rogers 2001). Vernal pools may range in size from small, clear, and well-vegetated to highly turbid, alkali scald pools to large winter lakes (Rogers 2001) ranging in size from 54 square feet to 89 acres (USFWS 2005), containing clear- to highly-turbid water. They may be seasonal or ephemeral and may exhibit a wide range of salinity levels. However, VPTS survival requires that water bodies be deeper than 5 inches, pond for 40 days or more, and not

experience wide daily temperature fluctuations (Rogers 2001). VPTS cysts (resting eggs) also must have the opportunity to dry out before they can hatch.

Although there are numerous reported occurrences of this species within a five mile radius of the Study Area, there are no recent records of vernal pool tadpole shrimp (within the last 30+ years) in the CNDDB within a roughly 1.5 mile radius of the Study Area. There is a reported occurrence of this species approximately 0.25 mile east of the Study Area where this species was detected in a railroad ditch in 1992. Subsequent surveys were conducted for this species in 2011 in the vicinity of the prior detection and none were found in a nearby pool (CDFW 2025).

The potential for vernal pool fairy shrimp and vernal pool tadpole shrimp to occur in the Study Area, specifically in the disturbed seasonal wetlands, was evaluated based on historic and current site conditions as well as known occurrences in the project region documented in the CNDDB. The disturbed seasonal wetlands in the Study Area occur in shallow depressions in areas of compacted soil that appear to have formed as a result of soil disturbance (scraping/grading/driving of heavy equipment) that occurred circa 2021/2022 as well as alteration of hydrology due to construction of a wall adjacent to the southern boundary of the Study Area as discussed under the discussion of *Artificial Seasonal Wetland* in Section 3.1. Vernal pool fairy shrimp and vernal pool tadpole shrimp are not expected to occur in the Study Area or be impacted by the proposed project for the following reasons: 1) the seasonal wetlands appear to have formed as a result of recent construction activity and alterations to site hydrology as observed in the field and corroborated by an extensive review of historic aerial imagery; 2) the Study Area is comprised of ruderal/disturbed habitat in an urban area, which is atypical habitat for these species; and, 3) documented occurrences of these species in the vicinity of the Study Area are more than 30 years old with no recent documented occurrences within roughly 1.5 miles of the Study Area.

4.2 Raptors, Migratory Birds, and Other Nesting Birds

Nesting habitat for common raptors, migratory birds and other nesting birds is present in the ruderal/disturbed habitat on the ground and in trees. Nesting habitat is also present in trees directly adjacent to the Study Area. Common bird species such as mourning dove (*Zenaida macroura*), killdeer (*Charadrius vociferous*), or a variety of other songbirds could nest in the Study Area in trees or on the ground in bare areas or in herbaceous vegetation. There is also a low possibility that common raptors such as red-shouldered hawk and red-tailed hawk could nest in trees in and adjacent to the Study Area. Project activities conducted during the typical bird nesting season (February 1 to August 31) in the vicinity of active bird nests could lead to destruction of nests, abandonment of eggs or young or forced fledging, which would be a violation of Fish and Game Code.

4.3 Sensitive Natural Communities

Plant communities are considered sensitive biological resources if they have limited distributions, have high wildlife value, include sensitive species, and/or are particularly susceptible to disturbance. CDFW ranks sensitive communities as "threatened" or "very threatened" and keeps records of their occurrences in CNDDB. CNDDB vegetation alliances are ranked 1 through 5, with those alliances ranked globally (G) or statewide (S) as 1 through 3 considered sensitive. Some alliances with the rank of 4 and 5 have also been included in the 2020 sensitive natural communities list under CDFW's revised ranking methodology (CDFW 2025). Wetland or non-wetland "Waters of the U.S" and "Waters of the State", as

well as habitats subject to a CDFW Lake and Streambed Alteration Agreement are also often considered to be sensitive natural communities.

The ruderal/disturbed land cover is not considered a natural community and the artificial seasonal wetlands in the Study Area do not contain vegetation alliances ranked by CDFW as sensitive as described above and are not limited in distribution or of high wildlife value. Therefore, no sensitive natural communities occur in the Study Area and no impacts to sensitive natural communities would occur as a result of the proposed project.

4.4 Wildlife Movement Corridors

Wildlife movement corridors, or habitat linkages, are connections between patches of habitat, generally native vegetation, which join two or more larger areas of similar wildlife habitat and allow for physical and genetic exchange between animal populations that could otherwise be isolated. Habitat linkages are typically contiguous strips of natural areas such as riparian corridors, oak woodlands, or drainages. Wildlife movement corridors are critical for the maintenance of ecological processes including facilitating the movement of animals and the continuation of viable populations. Movement corridors may serve to provide a more local linkage such as between foraging and denning areas, or they may be regional in nature providing larger scale migration corridors such as between wintering and summering habitat. Habitat linkages may also serve to allow animals to periodically move away from an area and then subsequently return. Other corridors may be important as dispersal corridors for young animals. A group of habitat linkages in an area can form a wildlife corridor network.

The Study Area is a small patch of disturbed habitat that is surrounded on all four sides by developed parcels and busy roadways (Elder Creek Rd. and Power Inn Rd.). As a result, it is not considered a wildlife movement corridor. Therefore, no impacts to wildlife movement corridors would occur as a result of the proposed project.

4.5 Jurisdictional Waters

Based on the results of a wetland assessment conducted in support of this report, four artificial seasonal wetlands totaling 0.61 acre are present in the Study Area. The features do not qualify as "Waters of the U.S." according to the current definition because they are isolated wetlands that are not adjacent to traditional navigable waters, the territorial seas, interstate waters, or impoundments of ''Waters of the United States'' (see definition of "Waters of the U.S." in Attachment B). The features are also not believed to qualify as "Waters of the State" according to the *State Wetland Definition and Procedures for Discharges of Dredged or Fill Material to Waters of the State* (SWRCB 2019) because they are artificially-created seasonal wetlands that resulted from historic human activity, are subject to ongoing operation such as disking, driving of equipment, and other site maintenance, and have not become a relatively permanent part of the natural landscape (see definition of "Waters of the State" in Attachment B).

4.6 Local Policies/Ordinances: Protected Trees

Two valley oak (*Quercus lobata*) trees (tree #s 2180 and 2181) protected by the City of Sacramento under Chapter 12.56 of the Sacramento City Code are present in the Study Area. Tree locations are depicted on the Tree Location Map (Figure 6 in Attachment A) and Table 1 below includes data on the protected trees in the Study Area. Based on the conceptual site plan (Figure 7 in Attachment A), both valley oak trees would likely need to be removed. The results of the arborist survey are discussed further in the arborist report (SBC 2025). Impacts to protected trees will be mitigated according to City requirements. Therefore, the proposed project will not conflict with any local policies or ordinances related to tree protection.

Table 1. Protected Trees in the Study Area

Tag #	Species	DSH (in)	Height (ft)	Dripline (ft)	Health/ Vigor	Comments
2180	Valley oak	18, 21	40	23.5	F	Concrete rubble in dripline, broken branches with possible decay, old trunk wounds, minor dieback in crown, berm in dripline
2181	Valley oak	17.5, 23	35	16	F	Trunk wounds, crown dieback, large trunk wound at prior lateral limb with decay. Some debris around base, many old screws and bolts in tree, asphalt under half of dripline

4.7 Habitat Conservation Plan, Natural Community Conservation Plan, or Other Local Habitat Conservation Measures

The Study Area is not located within a Habitat Conservation Plan or Natural Community Conservation Plan and will comply with any habitat conservation measures required by the City of Sacramento during the CEQA process. Therefore, the proposed project would not conflict with any Habitat Conservation Plans, Natural Community Conservation Plans, or local habitat conservation measures.

5.0 RECOMMENDED BIOLOGICAL MITIGATION MEASURES

The proposed project would have the potential to impact burrowing owls, nesting raptors and migratory birds and/or other nesting birds, and protected trees. Recommended measures are included below to avoid, minimize, and mitigate impacts to biological resources that would occur as a result of the proposed project.

5.1 Burrowing Owl

The following measures are recommended to avoid impacts to burrowing owl:

- Prior to the commencement of construction activities (which includes clearing, grubbing, or grading), focused surveys for burrowing owl should be conducted in accordance with Appendix D of the California Fish and Wildlife "*Staff Report on Burrowing Owl Mitigation*" (CDFW 2012). This consists of a minimum of four site visits conducted on four separate days between February 15 and July 15, which must also be consistent with the *Survey Method*, *Weather Conditions*, and *Time of Day* sections of the Staff Report. Upon completion of the surveys, a survey report shall be prepared which is consistent with the *Survey Report* section of Appendix D of the Staff Report.
- If occupied burrows or burrowing owls are found the applicant shall contact the City and consult with CDFW prior to construction and will be required to submit a Burrowing Owl Mitigation Plan (subject to the approval of the City and in consultation with California Fish and Wildlife). This plan must document all proposed measures, including avoidance, minimization, exclusion, relocation, or other measures, and include a plan to monitor mitigation success. Appendices E and F of the CDFW "*Staff Report on Burrowing Owl Mitigation*" (CDFW 2012) should be used in the development of the mitigation plan.

5.2 Nesting Raptors and Migratory Birds

The following measures are recommended to avoid impacts to nesting raptors and migratory birds:

- Any vegetation clearing or ground disturbing activities should take place outside of the typical avian nesting season (e.g., February 15 through August 31), if feasible. If construction needs to commence between February 15 and August 31, a pre-construction survey for nesting birds should be conducted within 14 days prior to commencement of construction. If a lapse in Project activity occurs for 14 days or more during the bird nesting season, then the nesting bird surveys should be re-conducted. If no nesting birds are observed no further mitigation is required.
- If active bird nests are observed during the pre-construction survey, a buffer zone should be established around the nest tree(s) until the young have fledged or are no longer dependent on the nest, as determined by a qualified biologist. The radius of the required buffer zone can vary depending on the species, (i.e., 25-100 feet for passerines and 200-300 feet for common raptors), with the dimensions of any required buffer zones to be determined by a qualified biologist. Buffer zones could be reduced if the nest is monitored by a qualified biologist.
- The buffer zone around a nesting tree should be demarcated with high visibility orange construction fencing (or similar highly visible material) and no construction activities or personnel should be allowed within the buffer zone.

5.3 Protected Trees

If either of the two protected valley oak trees in the Study Area are proposed for removal, a tree permit application would need to be submitted to the City of Sacramento Department of Public Works urban forestry division and a tree permit would need to be obtained. Mitigation would be required by the City to offset tree loss. Mitigation could include payment of fees or planting and maintaining replacement trees.

6.0 SUMMARY/CONCLUSION

SBC prepared this Biological Resources Evaluation Report for the 7-Eleven Convenience Store and Fuel Station, Power Inn Road and Elder Creek Road Project. The Study Area (hereafter referred to as "Study Area") is an approximately 8.5-acre parcel [Assessor's Parcel Numbers (APNs) 040-0101-003, 012, 013, 020] located at the southeast corner of the intersection of Power Inn Road and Elder Creek Road in the City of Sacramento, California. The proposed project includes a lot line adjustment to create a 6-acre parcel directly adjacent to the intersection of Power Inn Road and Elder Creek Road that would be developed under the proposed project, which includes the development of a gasoline station, convenience store, electric vehicle charging stations, and associated parking and landscaping. A total of 2.45 of the remaining acres would be retained by the property owner for future development under separate entitlement.

The Study Area is located within an urban area, and the entire property is disturbed. Two large valley oak trees are present in the northern portion of the Study Area adjacent to Elder Creek Road. The majority of the northern half of the Study Area historically contained industrial and residential development and the southern half of the Study Area has been scraped or graded in the last five years (circa 2021/2022) and also has been routinely disked and potentially used for production of grain/hay crops. Habitats/land covers in the Study Area include ruderal/disturbed (7.89 acres) and artificial seasonal wetland (0.61 acres).

The artificial seasonal wetlands are unnatural features that resulted from the prior construction disturbance in the Study Area and are subject to ongoing disturbance. The features are not believed to be "Waters of the U.S." because they are isolated wetlands that are not adjacent to traditional navigable waters, the territorial seas, interstate waters, or impoundments of ''Waters of the United States''. The features are also not believed to be "Waters of the State" because they are artificially-created seasonal wetlands that resulted from historic human activity, are subject to ongoing operation such as disking, driving of equipment, and other site maintenance, and have not become a relatively permanent part of the natural landscape.

The proposed project has the potential to result in impacts to the following special-status species and other biological resources: burrowing owl, nesting raptors and migratory birds, and protected trees. Recommended biological mitigation measures are included to avoid and minimize impacts to special-status species, nesting birds, and protected trees. With the implementation of the proposed mitigation measures, impacts to biological resources would be less than significant.

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Attachment A: Figures



Figure 1 - Regional Location and Vicinity

7-Eleven Convenience Store and Fuel Station,
Power Inn Road and Elder Creek Road

Sacramento, CA

0 500 1,000

Feet

N

Stringer Biological Consulting

Basemap Source: ESRI (2025)

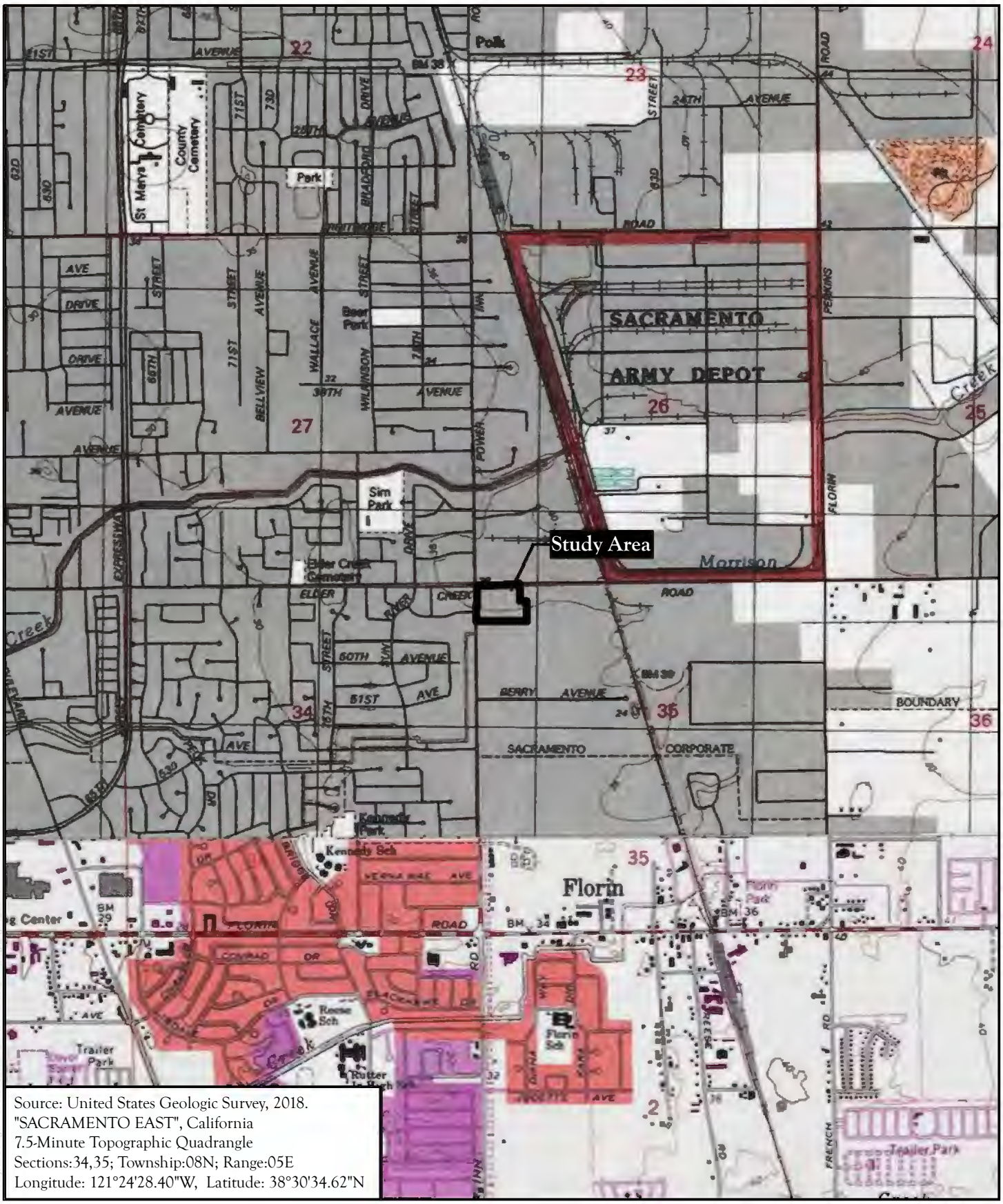


Figure 2 - USGS

7-Eleven Convenience Store and Fuel Station,
Power Inn Road and Elder Creek Road

Sacramento, CA

Stringer Biological Consulting



Figure 3 - Aerial Photo

7-Eleven Convenience Store and Fuel Station,
Power Inn Road and Elder Creek Road

Sacramento, CA

Stringer Biological Consulting

Imagery Source: Google Earth (11/2023)

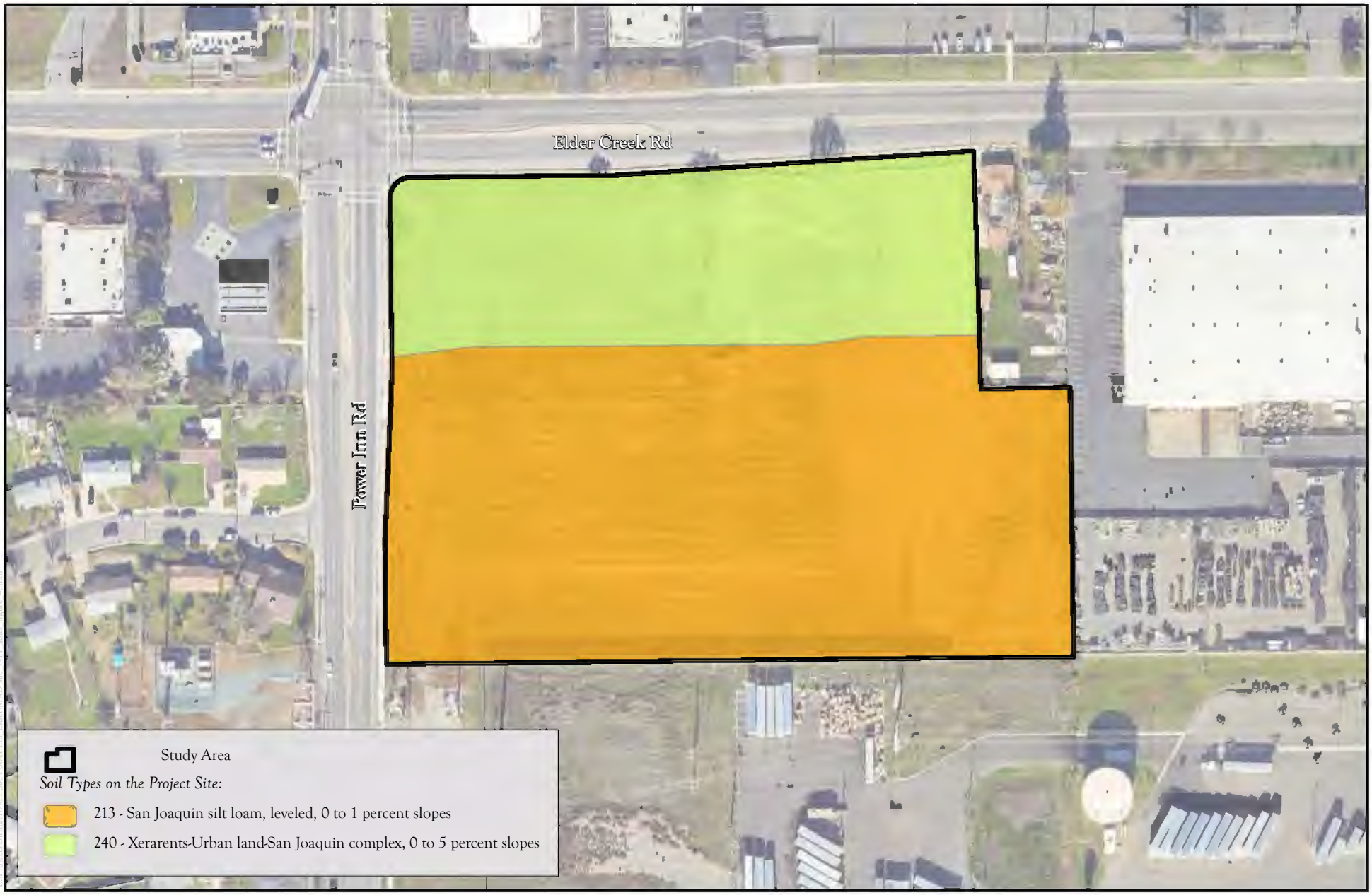


Figure 4 - Soils Map

7-Eleven Convenience Store and Fuel Station,
Power Inn Road and Elder Creek Road

Sacramento, CA

Stringer Biological Consulting

Imagery Source: Google Earth (11/2023); Data Source: Natural Resources Conservation Service (NRCS; 2025)

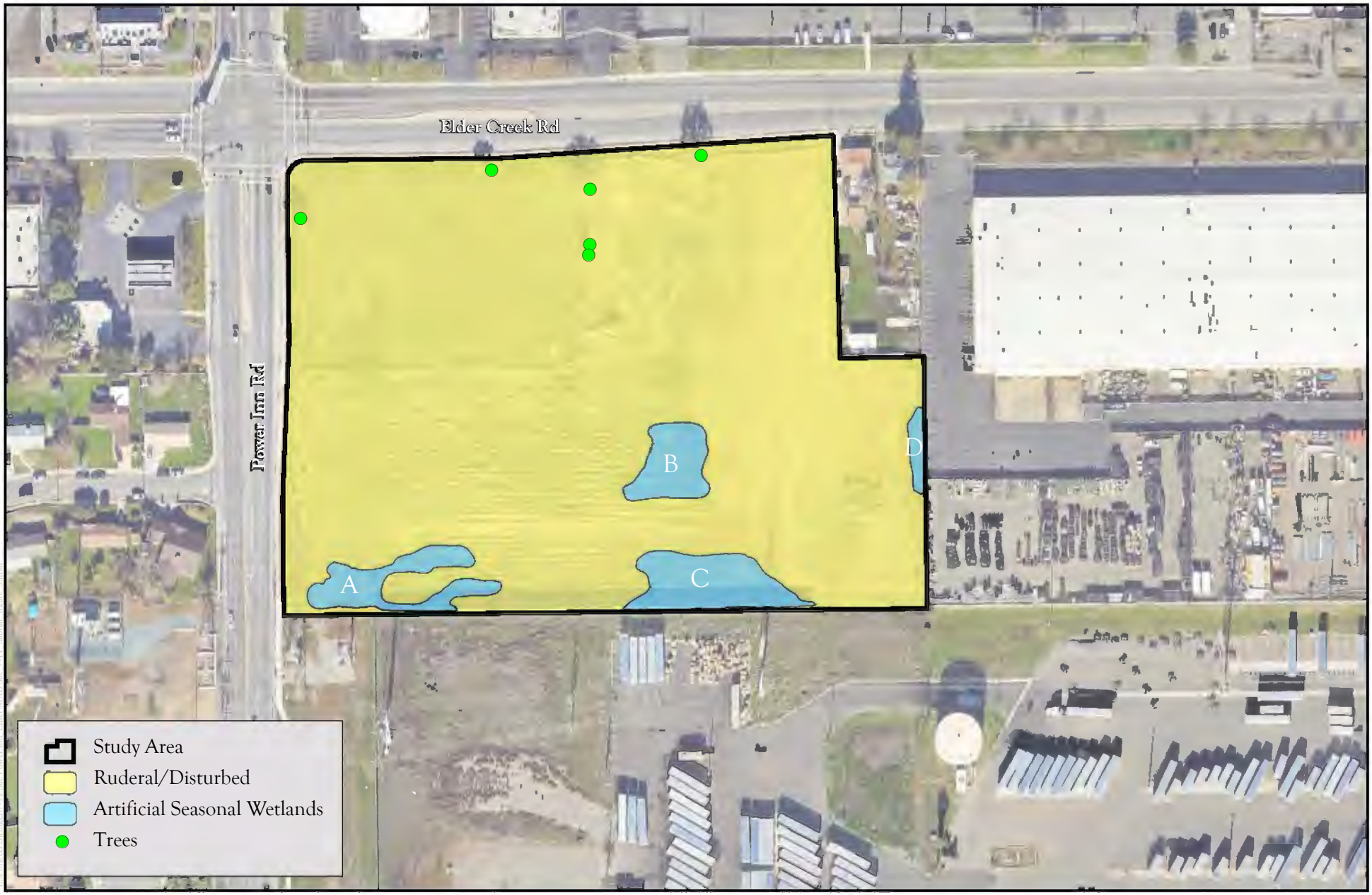


Figure 5 - Habitat Map

7-Eleven Convenience Store and Fuel Station,
Power Inn Road and Elder Creek Road

Sacramento, CA

Stringer Biological Consulting

Imagery Source: Google Earth (11/2023)



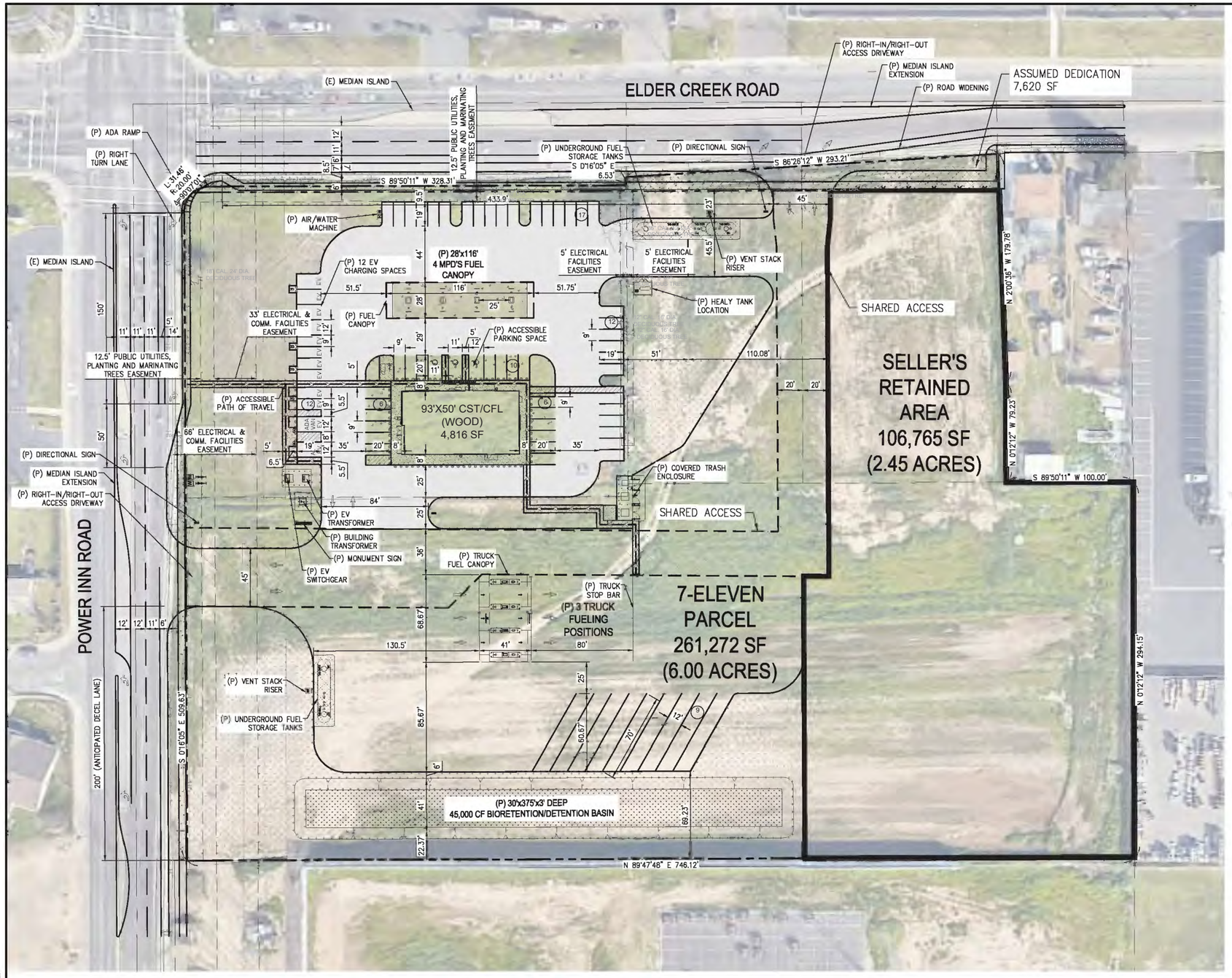
Figure 6 - Tree Location Map

7-Eleven Convenience Store and Fuel Station,
Power Inn Road and Elder Creek Road

Sacramento, CA

Stringer Biological Consulting

Imagery Source: Google Earth (11/2023)



VICINITY MAP



LEGEND

- (E) EXISTING
- (P) PROPOSED
- EXISTING FIRE HYDRANT
- EXISTING GRATED INLET (GI)
- EXISTING LIGHT
- EXISTING SEWER & STORM DRAIN MANHOLE
- EXISTING SIGN POLE
- EXISTING TELEPHONE PULL BOX
- EXISTING UTILITY VAULT
- EXISTING WATER METER
- EXISTING WATER VALVE
- PROPOSED BACKFLOW PREVENTER
- PROPOSED CATCH BASIN
- PROPOSED SANITARY SEWER CLEANOUT
- PROPOSED SANITARY SEWER MANHOLE
- PROPOSED STORM DRAIN MANHOLE
- PROPOSED WATER METER

- EXISTING FENCE LINE
- EXISTING OVER HEAD LINES
- ACCESSIBLE PATH OF TRAVEL
- CENTER LINE
- EASEMENT LINE
- PROPERTY LINE
- ASSUMED DEDICATION LINE
- SECURED FENCE
- PROPOSED STANDARD DUTY ASPHALT PAVING
- PROPOSED STANDARD DUTY CONCRETE PAVING
- PROPOSED HEAVY DUTY CONCRETE PAVING
- PROPOSED CONCRETE SIDEWALK
- PROPOSED TANK SLAB
- PROPOSED LANDSCAPE AREA
- PROPOSED DETENTION POND

SITE DATA

PROJECT INFORMATION:	
PARCEL ID	040-0101-003, 012, 013 & 020
EXISTING PARCEL SIZE:	±301,610 SF (±6.92 ACRES)
PROPOSED PARCEL SIZE:	±261,272 SF (±6.00 ACRES)
ADDRESS:	POWER INN ROAD & ELDER CREEK ROAD SACRAMENTO, CA
PROJECT DESCRIPTION:	NEW CONSTRUCTION – GROUND UP 7-ELEVEN CONVENIENCE STORE AND FUEL STATION
EXISTING LAND USE:	VACANT LOT
PROPOSED LAND USE:	CONVENIENCE STORE WITH FUELING
EXISTING ZONING:	M-1 LIGHT INDUSTRIAL
PROPOSED ZONING:	M-1 LIGHT INDUSTRIAL
ADJACENT ZONING:	
NORTH	M-1 LIGHTINDUSTRIAL
SOUTH	M-1 LIGHT INDUSTRIAL
EAST	M-2 HEAVY INDUSTRIAL
WEST	C-2 GENERAL COMMERCIAL/R-1 STANDARD SINGLE FAMILY
BUILDING INFORMATION:	
PROPOSED BUILDING AREA:	±4,816 SF
PROPOSED BUILDING COVERAGE:	±2.2%
PROPOSED FUEL CANOPY:	±5,278 SF (8.0%)
PROPOSED PAVED AREA:	±161,536
PROPOSED LANDSCAPE AREA:	±84,276
BUILDING HEIGHT:	70 FT
SETBACKS:	
FRONT	25'
SIDE (INTERIOR)	0'
SIDE	25'
REAR	0'
PARKING REQUIREMENTS:	1 PER 500 SF OF BUILDING = 10 SPACES
TOTAL PARKING PROPOSED:	72 SPACES
STANDARD PARKING PROPOSED:	48 SPACES
TRUCK PARKING PROPOSED:	9 SPACES
ACCESSIBLE PARKING PROPOSED:	3 SPACES
EV PARKING PROPOSED:	12 SPACES

N

GRAPHIC SCALE

40 0 20 40

(IN FEET)
1 inch = 40 feet

Rev. #	Date	Description

7-ELEVEN, INC.
3200 HACKBERRY ROAD, IRVING, TEXAS 75063

7-11 #SE1377
APN 04-0101-012 & 13
POWER INN & ELDER CREEK, SACRAMENTO, CA 95828

PRELIMINARY SITE PLAN

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Job#: SE1377
Scale: 1"=40'-0"
Date: 07/02/2025
Drawn By: JMP
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Attachment B: Regulatory Context

Attachment B
Regulatory Context

Regulatory Setting

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

Federal Regulations

Federal Endangered Species Act

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

Migratory Bird Treaty Act

The Migratory Bird Treaty Act (MBTA) of 1918 established federal responsibilities for the protection of nearly all species of birds, their eggs, and nests. The Migratory Bird Treaty Reform Act of 2004 further defined species protected under the act and excluded all non-native species. Section 16 U.S.C. 703–712 of the Act states “unless and except as permitted by regulations, it shall be unlawful at any time, by any means or in any manner, to pursue, hunt, take, capture, kill, attempt to take, capture, or kill” a migratory bird. A migratory bird is any species or family of birds that live, reproduce, or migrate within or across international borders at some point during their annual life cycle. Currently, there are 836 migratory birds protected nationwide by the Migratory Bird Treaty Act, of which 58 are legal to hunt.

State Regulations

California Endangered Species Act

The California Endangered Species Act (CESA) (California Fish and Game Code Sections 2050 to 2097) is similar to the FESA. The California Fish and Wildlife Commission is responsible for maintaining lists of threatened and endangered species under CESA. CESA prohibits the take of listed and candidate (petitioned to be listed) species. “Take” under California law means to hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch capture, or kill (California Fish and Game Code, Section 86). The California Department of Fish and Wildlife (CDFW) can authorize take of a state-listed species under Section 2081 of the California Fish and Game Code if the take is incidental to an otherwise lawful activity, the impacts are minimized and fully mitigated, funding is ensured to implement and monitor mitigation measures, and CDFW determines that issuance would not jeopardize the continued existence of the species. A CESA permit must be obtained if a project will result in the “take” of listed species,

either during construction or over the life of the project. For species listed under both FESA and CESA requiring a Biological Opinion under Section 7 of the FESA, CDFW may also authorize impacts to CESA species by issuing a Consistency Determination under Section 2080.1 of the Fish and Game Code.

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

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

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

California Environmental Quality Act

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

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

Native Plant Protection Act

The California Native Plant Protection Act of 1977 (California Fish and Game Code Sections 1900-1913) empowers the Fish and Game Commission to list native plant species, subspecies, or varieties as endangered or rare following a public hearing. To the extent that the location of such plants is known, CDFW must notify property owners that a listed plant is known to occur on their property. Where a property owner has been so notified by CDFW, the owner must notify CDFW at least 10 days in advance

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

of any change in land use (other than changing from one agricultural use to another), in order that CDFW may salvage listed plants that would otherwise be destroyed. Currently, 64 taxa of native plants have been listed as rare under the act.

Nesting Birds

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

California Environmental Quality Act Significance Thresholds

Section 15064.7 of the State CEQA Guidelines encourages local agencies to develop and publish the thresholds that the agency uses in determining the significance of environmental effects caused by projects under its review. However, agencies may also rely upon the guidance provided by the expanded Initial Study Checklist included in Appendix G of the State CEQA Guidelines. Appendix G provides examples of impacts that would normally be considered significant. Based on these examples, impacts to biological resources would normally be considered significant if the project would:

- 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 or USFWS;

- Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the 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; and

- Conflict with the provisions of an adopted Habitat Conservation Plan (HCP), Natural Community Conservation Plan (NCCP), or other approved local, regional, or state habitat conservation plan.

An evaluation of whether or not an impact on biological resources would be substantial must consider both the resource itself and how that resource fits into a regional or local context. Substantial impacts would be those that would diminish or result in the loss of an important biological resource, or those

that would obviously conflict with local, State, or federal resource conservation plans, goals, or regulations. Impacts are sometimes locally important but not significant according to CEQA. The reason for this is that although the impacts would result in an adverse alteration of existing conditions, they would not substantially diminish, or result in the permanent loss of, an important resource on a population-wide or region-wide basis.

California Native Plant Society

The CNPS maintains a rank of plant species native to California that have low population numbers, limited distribution, or are otherwise threatened with extinction. This information is published in the *Inventory of Rare and Endangered Vascular Plants of California*. Potential impacts to populations of CNPS-ranked plants receive consideration under CEQA review. The following identifies the definitions of the CNPS Rare Plant Ranking System:

Rank 1A: Plants presumed Extinct in California and either rare or extinct elsewhere

Rank 1B: Plants Rare, Threatened, or Endangered in California and elsewhere

Rank 2A: Plants presumed extirpated in California but common elsewhere

Rank 2B: Plants Rare, Threatened, or Endangered in California, but more common elsewhere

Rank 3: Plants about which we need more information – A Review List

Rank 4: Plants of limited distribution – A Watch List

All plants appearing on CNPS Rank 1 or 2 are considered to meet CEQA Guidelines Section 15380 criteria. While only some of the plants ranked 3 and 4 meet the definitions of threatened or endangered species, the CNPS recommends that all Rank 3 and Rank 4 plants be evaluated for consideration under CEQA. Furthermore, the CNPS Rare Plant Rankings include levels of threat for each species. These threat ranks include the following:

0.1 - Seriously threatened in California (over 80% of occurrences threatened/high degree and immediacy of threat);

0.2 - Moderately threatened in California (20-80% occurrences threatened/moderate degree and immediacy of threat); and

0.3 - Not very threatened in California (less than 20% of occurrences threatened/low degree and immediacy of threat or no current threats known).

Threat ranks do not designate a change of environmental protections, so that each species (i.e., CRPR 1B.1, CRPR 1B.2, CRPR 1B.3, etc.) be fully considered during preparation of environmental documents under CEQA.

Jurisdictional Waters

Waters of the U.S.

Discharge of dredged or fill material into “Waters of the U.S.” requires authorization from the USACE under Section 404 of the Clean Water Act (CWA) (33 United States Code [USC] 1344). Section 10 of the

Attachment B
Regulatory Context

Rivers and Harbors Act of 1899 prohibits the obstruction or alteration of navigable waters of the U.S. without a permit from the USACE (33 USC 403).

The U.S. EPA and the USACE revised the prior definition of "Waters of the U.S." (referred to as the "pre-2015 regulatory regime") on December 30, 2022, when they announced the final "*Revised Definition of 'Waters of the United States*'" rule (referred to as the "January 2023 Rule). On January 18, 2023, the rule was published in the Federal Register; the rule became effective on March 20, 2023 [88 FR 3004; 3004-3144 (141 pages) (33 CFR 328) (40 CFR 120)]. As a result of subsequent litigation in spring of 2023 in Texas, North Dakota, and Kentucky, the January 2023 Rule was implemented by the U.S. EPA and the USACE in 23 states (including California), the District of Columbia, and the U.S. Territories, while the remaining 27 states were subject to the pre-2015 regulatory regime. On August 29, 2023, the U.S. EPA and the USACE issued a pre-publication version of the *Revised Definition of "Waters of the United States"; Conforming* (referred to as the "Conforming Rule") to amend the January 2023 Rule. The Conforming Rule was published in the Federal Register and became effective on September 8, 2023. This Conforming Rule conforms the definition of "Waters of the United States" to the U.S. Supreme Court's May 25, 2023, decision in the case of *Sackett v. Environmental Protection Agency*. Parts of the January 2023 Rule are invalid under the Supreme Court's interpretation of the Clean Water Act in the *Sackett* decision. Therefore, the agencies have amended key aspects of the regulatory text to conform to the Court's decision. As a result of ongoing litigation on the January 2023 Rule, the U.S. EPA and the USACE are implementing the January 2023 Rule, as amended by the Conforming Rule, in 23 states (including California), the District of Columbia, and the U.S. Territories.

According to the Conforming Rule, the following categories of aquatic features are considered ''Waters of the United States'':

- traditional navigable waters, the territorial seas, and interstate waters (''paragraph (a)(1) waters'');
- impoundments of ''Waters of the United States'' ("paragraph (a)(2) impoundments");
- tributaries to traditional navigable waters, the territorial seas, interstate waters, or "paragraph (a)(2) impoundments" when the tributaries meet the relatively permanent standard (relatively permanent, standing, or continuously flowing bodies of water) ("paragraph (a)(3) waters");
- wetlands adjacent to paragraph (a)(1) waters; wetlands adjacent to and with a continuous surface connection to relatively permanent paragraph (a)(2) impoundments or to jurisdictional tributaries when the jurisdictional tributaries meet the relatively permanent standard (collectively referred to as "paragraph (a)(4) waters"); and,
- intrastate lakes and ponds not identified in paragraphs (a)(1) through (4) that meet the relatively permanent standard and have a continuous surface connection to the waters identified in paragraph (a)(1) or (a)(3 ("paragraph (a)(5) waters").

Additionally, according to the Conforming Rule, the following features are not considered "Waters of the U.S":

- Waste treatment systems, including treatment ponds or lagoons, designed to meet the requirements of the Clean Water Act;
- Prior converted cropland designated by the Secretary of Agriculture. The exclusion would cease upon a change of use, which means that the area is no longer available for the production of agricultural commodities. Notwithstanding the determination of an area's status as prior converted cropland by any other Federal agency, for the purposes of the

Clean Water Act, the final authority regarding Clean Water Act jurisdiction remains with EPA;

- Ditches (including roadside ditches) excavated wholly in and draining only dry land and that do not carry a relatively permanent flow of water;
- Artificially irrigated areas that would revert to dry land if the irrigation ceased;
- Artificial lakes or ponds created by excavating or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing;
- Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating or diking dry land to retain water for primarily aesthetic reasons;
- Waterfilled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States; and
- Swales and erosional features (e.g., gullies, small washes) characterized by low volume, infrequent, or short duration flow.

Wetlands are defined under CFR Part 328.3 as:

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

According to the National Wetland Plant List Indicator Rating Definitions (Lichvar et. al., 2012):

- OBL (Obligate Wetland Plants)—Almost always occur in wetlands (occur in wetlands 99% of the time).
- FACW (Facultative Wetland Plants)—Usually occur in wetlands but may occur in non-wetlands (occur in wetlands 67% to 99% of the time).
- FAC (Facultative Wetland Plants)—Occur in wetlands and non-wetlands (occur in wetlands 34% to 66% of the time).
- FACU (Facultative Upland Plants)—Usually occur in non-wetlands but may occur in wetlands (occur in wetlands 1% to 33% of the time.
- UPL (Upland Plants)—Almost never occur in wetlands (occur in wetlands 1% of the time).

In the absence of wetlands, the limit of CWA jurisdiction in non-tidal waters is the ordinary high water mark (OHWM), which is defined in 33 CFR Part 328.3 as:

"the line on the shore established by fluctuations of water and indicated by physical characteristics such as a clear, natural line impressed on the bank, shelving, changes in the character of the soil, destruction of terrestrial vegetation, or the presence of litter and debris."

Waters of the State

Whenever a federal CWA Section 404 permit or a Rivers and Harbors Act Section 10 permit is required for an action, a CWA Section 401 Water Quality Certification or waiver of certification must be obtained from the RWQCB for impacts to "Waters of the State." If a CWA Section 404 permit or a Rivers and

Attachment B
Regulatory Context

Harbors Act Section 10 permit is not required but "Waters of the State" would be impacted, an application must still be filed with the Regional Water Quality Control Board and Waste Discharge Requirements must be obtained.

On May 28, 2020, the SWRCB implemented the *State Wetland Definition and Procedures for Discharges of Dredged or Fill Material to Waters of the State* (SWRCB 2019). "Waters of the State" are defined as:

"any surface water or groundwater, including saline waters, within the boundaries of the state."

"Waters of the State" also include all "Waters of the U.S." The State defines a wetland as:

"*An area is wetland if, under normal circumstances, (1) the area has continuous or recurrent saturation of the upper substrate caused by groundwater, or shallow surface water, or both; (2) the duration of such saturation is sufficient to cause anaerobic conditions in the upper substrate; and (3) the area's vegetation is dominated by hydrophytes or the area lacks vegetation*" (SWRCB 2019).

Wetland "Waters of the state" are defined as any of the following:

1. Natural wetlands;
2. Wetlands created by modification of a surface water of the state;
3. Artificial wetlands that meet any of the following criteria:

    - Approved by an agency as compensatory mitigation for impacts to other waters of the state;
    - Specifically identified in a water quality control plan as a wetland or other water of the state;
    - Resulted from historic human activity, is not subject to ongoing operation and maintenance, and has become a relatively permanent part of the natural landscape;
    - Greater than or equal to 1 acre in size unless constructed and currently used and maintained primarily for one or more of the following purposes:

        - Industrial or municipal wastewater treatment or disposal,
        - Settling of sediment,
        - Detention, retention, infiltration, or treatment of stormwater runoff and other pollutants or runoff subject to regulation under a municipal, construction, or industrial stormwater permitting program,
        - Treatment of surface waters,
        - Agricultural crop irrigation or stock watering,
        - Fire suppression,
        - Industrial processing or cooling,
        - Active surface mining – even if the site is managed for interim wetlands functions and values,
        - Log storage,
        - Treatment, storage, or distribution of recycled water,
        - Maximizing groundwater recharge,
        - Fields flooded for rice growing.

Attachment B
Regulatory Context

Fish and Game Code Section 1602

Fish and Game Code Section 1600 et seq., administered by the California Department of Fish and Wildlife under the Lake and Streambed Alteration Program, requires any person, state or local governmental agency, or public utility to notify CDFW prior to beginning any activity that may do one or more of the following under Sections 1602 and 1603:

- Divert or obstruct the natural flow of any river, stream, or lake;
- Change the bed, channel, or bank of any river, stream, or lake;
- Use material from any river, stream, or lake;
- Deposit or dispose of material into any river, stream, or lake; or
- Substantially adversely affect associated fish and wildlife resources.

If an existing fish or wildlife resource may be substantially adversely affected by the activity, CDFW may propose reasonable measures that will allow protection of those resources. If these measures are agreeable to the parties involved, they may enter into an agreement with CDFW identifying the approved activities and associated mitigation measures. Generally, CDFW recommends submitting an application for a Streambed Alteration Agreement (SAA) for any work done within the lateral limit of water flow or the edge of riparian vegetation, whichever is greater.

Local Regulations

Protected Trees

The City of Sacramento protects trees under Chapter 12.56 of the Sacramento City Code. A permit is required to impact or remove native oaks (*Quercus* spp.), buckeyes (*Aesculus californicus*), or sycamores (*Platanus racemosa*) having a diameter at standard height (i.e., 54 inches above grade; DSH) of 12 inches or more, or any tree having a DSH of 24 inches or more, on undeveloped private parcels inside the City limits or any other type of property such as commercial, industrial, and apartments, or any tree with a DSH of 32 inches or greater on a property with an existing single family or duplex dwelling. For a tree with a common root system that branches at the ground, DSH means the sum of the diameter of the largest trunk and one-half the cumulative diameter of the remaining trunks at 4.5 feet above natural grade. Applications for a tree permit shall be in writing and shall be filed with the Director upon forms provided by the city.

Attachment C: Results of Database Queries

IPaC **U.S. Fish & Wildlife Service**

IPaC resource list

This report is an automatically generated list of species and other resources such as critical habitat (collectively referred to as *trust resources*) under the U.S. Fish and Wildlife Service's (USFWS) jurisdiction that are known or expected to be on or near the project area referenced below. The list may also include trust resources that occur outside of the project area, but that could potentially be directly or indirectly affected by activities in the project area. However, determining the likelihood and extent of effects a project may have on trust resources typically requires gathering additional site-specific (e.g., vegetation/species surveys) and project-specific (e.g., magnitude and timing of proposed activities) information.

Below is a summary of the project information you provided and contact information for the USFWS office(s) with jurisdiction in the defined project area. Please read the introduction to each section that follows (Endangered Species, Migratory Birds, USFWS Facilities, and NWI Wetlands) for additional information applicable to the trust resources addressed in that section.

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Location

Sacramento County, California



Local office

Sacramento Fish And Wildlife Office

(916) 414-6600
(916) 414-6713

Federal Building

2800 Cottage Way, Room W-2605
Sacramento, CA 95825-1846

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Endangered species

This resource list is for informational purposes only and does not constitute an analysis of project level impacts.

The primary information used to generate this list is the known or expected range of each species. Additional areas of influence (AOI) for species are also considered. An AOI includes areas outside of the species range if the species could be indirectly affected by activities in that area (e.g., placing a dam upstream of a fish population even if that fish does not occur at the dam site, may indirectly impact the species by reducing or eliminating water flow downstream). Because species can move, and site conditions can change, the species on this list are not guaranteed to be found on or near the project area. To fully determine any potential effects to species, additional site-specific and project-specific information is often required.

Section 7 of the Endangered Species Act **requires** Federal agencies to "request of the Secretary information whether any species which is listed or proposed to be listed may be present in the area of such proposed action" for any project that is conducted, permitted, funded, or licensed by any Federal agency. A letter from the local office and a species list which fulfills this requirement can **only** be obtained by requesting an official species list from either the Regulatory Review section in IPaC (see directions below) or from the local field office directly.

For project evaluations that require USFWS concurrence/review, please return to the IPaC website and request an official species list by doing the following:

1. Draw the project location and click CONTINUE.
2. Click DEFINE PROJECT.
3. Log in (if directed to do so).
4. Provide a name and description for your project.
5. Click REQUEST SPECIES LIST.

Listed species[1] and their critical habitats are managed by the Ecological Services Program of the U.S. Fish and Wildlife Service (USFWS) and the fisheries division of the National Oceanic and Atmospheric Administration (NOAA Fisheries[2]).

Species and critical habitats under the sole responsibility of NOAA Fisheries are **not** shown on this list. Please contact NOAA Fisheries for species under their jurisdiction.

1. Species listed under the Endangered Species Act are threatened or endangered; IPaC also shows species that are candidates, or proposed, for listing. See the listing status page for more information. IPaC only shows species that are regulated by USFWS (see FAQ).
2. NOAA Fisheries, also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

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The following species are potentially affected by activities in this location:

Reptiles

NAME	STATUS
Northwestern Pond Turtle Actinemys marmorata Wherever found No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/1111	Proposed Threatened

Amphibians

NAME	STATUS
Western Spadefoot Spea hammondii No critical habitat has been designated for this species.	Proposed Threatened

Insects

NAME	STATUS
Monarch Butterfly Danaus plexippus Wherever found There is **proposed** critical habitat for this species. Your location does not overlap the critical habitat. https://ecos.fws.gov/ecp/species/9743	Proposed Threatened
Valley Elderberry Longhorn Beetle Desmocerus californicus dimorphus Wherever found There is **final** critical habitat for this species. Your location does not overlap the critical habitat. https://ecos.fws.gov/ecp/species/7850	Threatened

Crustaceans

NAME	STATUS
Vernal Pool Fairy Shrimp Branchinecta lynchi Wherever found There is **final** critical habitat for this species. Your location does not overlap the critical habitat. https://ecos.fws.gov/ecp/species/498	Threatened

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Vernal Pool Tadpole Shrimp Lepidurus packardi Endangered
Wherever found

There is **final** critical habitat for this species. Your location does not overlap the critical habitat.
https://ecos.fws.gov/ecp/species/2246

Critical habitats

Potential effects to critical habitat(s) in this location must be analyzed along with the endangered species themselves.

There are no critical habitats at this location.

You are still required to determine if your project(s) may have effects on all above listed species.

Bald & Golden Eagles

Bald and Golden Eagles are protected under the Bald and Golden Eagle Protection Act [2] and the Migratory Bird Treaty Act (MBTA) [1]. Any person or organization who plans or conducts activities that may result in impacts to Bald or Golden Eagles, or their habitats, should follow appropriate regulations and consider implementing appropriate avoidance and minimization measures, as described in the various links on this page.

Additional information can be found using the following links:

- Eagle Management https://www.fws.gov/program/eagle-management
- Measures for avoiding and minimizing impacts to birds https://www.fws.gov/library/collections/avoiding-and-minimizing-incidental-take-migratory-birds
- Nationwide avoidance and minimization measures for birds https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf
- Supplemental Information for Migratory Birds and Eagles in IPaC https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action

There are Bald Eagles and/or Golden Eagles in your project area.

Measures for Proactively Minimizing Eagle Impacts

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For information on how to best avoid and minimize disturbance to nesting bald eagles, please review the National Bald Eagle Management Guidelines. You may employ the timing and activity-specific distance recommendations in this document when designing your project/activity to avoid and minimize eagle impacts. For bald eagle information specific to Alaska, please refer to Bald Eagle Nesting and Sensitivity to Human Activity.

The FWS does not currently have guidelines for avoiding and minimizing disturbance to nesting Golden Eagles. For site-specific recommendations regarding nesting Golden Eagles, please consult with the appropriate Regional Migratory Bird Office or Ecological Services Field Office.

If disturbance or take of eagles cannot be avoided, an incidental take permit may be available to authorize any take that results from, but is not the purpose of, an otherwise lawful activity. For assistance making this determination for Bald Eagles, visit the Do I Need A Permit Tool. For assistance making this determination for golden eagles, please consult with the appropriate Regional Migratory Bird Office or Ecological Services Field Office.

Ensure Your Eagle List is Accurate and Complete

If your project area is in a poorly surveyed area in IPaC, your list may not be complete and you may need to rely on other resources to determine what species may be present (e.g. your local FWS field office, state surveys, your own surveys). Please review the Supplemental Information on Migratory Birds and Eagles, to help you properly interpret the report for your specified location, including determining if there is sufficient data to ensure your list is accurate.

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to bald or golden eagles on your list, see the "Probability of Presence Summary" below to see when these bald or golden eagles are most likely to be present and breeding in your project area.

Review the FAQs

The FAQs below provide important additional information and resources.

NAME	BREEDING SEASON
Bald Eagle Haliaeetus leucocephalus This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/1626	Breeds Jan 1 to Aug 31
Golden Eagle Aquila chrysaetos This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/1680	Breeds Jan 1 to Aug 31

NOT FOR CONSULTATION

Probability of Presence Summary

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read "Supplemental Information on Migratory Birds and Eagles", specifically the FAQ section titled "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

Probability of Presence (■)

Each green bar represents the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during a particular week of the year. (A year is represented as 12 4-week months.) A taller bar indicates a higher probability of species presence. The survey effort (see below) can be used to establish a level of confidence in the presence score. One can have higher confidence in the presence score if the corresponding survey effort is also high.

How is the probability of presence score calculated? The calculation is done in three steps:

1. The probability of presence for each week is calculated as the number of survey events in the week where the species was detected divided by the total number of survey events for that week. For example, if in week 12 there were 20 survey events and the Spotted Towhee was found in 5 of them, the probability of presence of the Spotted Towhee in week 12 is 0.25.
2. To properly present the pattern of presence across the year, the relative probability of presence is calculated. This is the probability of presence divided by the maximum probability of presence across all weeks. For example, imagine the probability of presence in week 20 for the Spotted Towhee is 0.05, and that the probability of presence at week 12 (0.25) is the maximum of any week of the year. The relative probability of presence on week 12 is 0.25/0.25 = 1; at week 20 it is 0.05/0.25 = 0.2.
3. The relative probability of presence calculated in the previous step undergoes a statistical conversion so that all possible values fall between 0 and 10, inclusive. This is the probability of presence score.

To see a bar's probability of presence score, simply hover your mouse cursor over the bar.

Breeding Season (■)

Yellow bars denote a very liberal estimate of the time-frame inside which the bird breeds across its entire range. If there are no yellow bars shown for a bird, it does not breed in your project area.

Survey Effort (|)

Vertical black lines superimposed on probability of presence bars indicate the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps. The number of surveys is expressed as a range, for example, 33 to 64 surveys.

To see a bar's survey effort range, simply hover your mouse cursor over the bar.

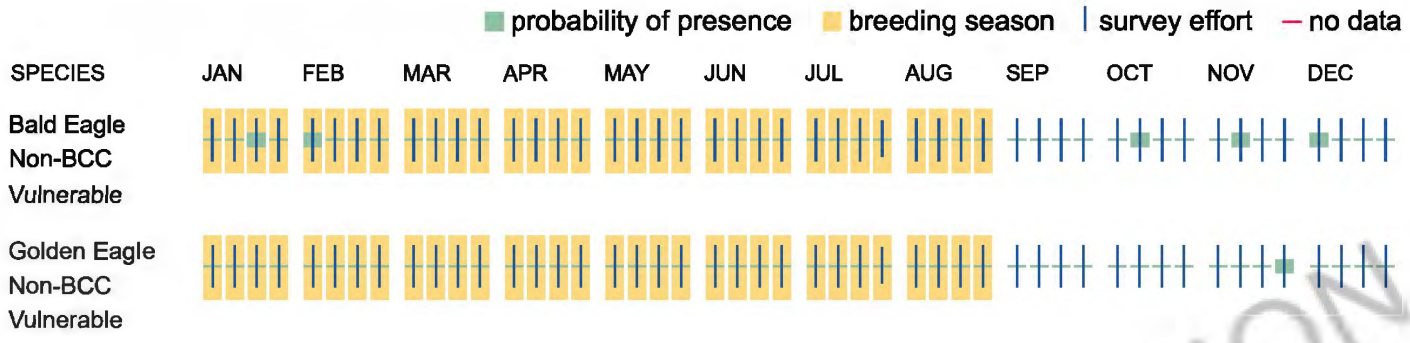
No Data (–)

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A week is marked as having no data if there were no survey events for that week.

Survey Timeframe

Surveys from only the last 10 years are used in order to ensure delivery of currently relevant information. The exception to this is areas off the Atlantic coast, where bird returns are based on all years of available data, since data in these areas is currently much more sparse.



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Bald & Golden Eagles FAQs

What does IPaC use to generate the potential presence of bald and golden eagles in my specified location?

The potential for eagle presence is derived from data provided by the Avian Knowledge Network (AKN). The AKN data is based on a growing collection of survey, banding, and citizen science datasets and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are an eagle (Bald and Golden Eagle Protection Act requirements may apply).

Proper interpretation and use of your eagle report

On the graphs provided, please look carefully at the survey effort (indicated by the black vertical line) and for the existence of the "no data" indicator (a red horizontal line). A high survey effort is the key component. If the survey effort is high, then the probability of presence score can be viewed as more dependable. In contrast, a low survey effort line or no data line (red horizontal) means a lack of data and, therefore, a lack of certainty about presence of the species. This list is not perfect; it is simply a starting point for identifying what birds have the potential to be in your project area, when they might be there, and if they might be breeding (which means nests might be present). The list and associated information help you know what to look for to confirm presence and helps guide you in knowing when to implement avoidance and minimization measures to eliminate or reduce potential impacts from your project activities or get the appropriate permits should presence be confirmed.

How do I know if eagles are breeding, wintering, or migrating in my area?

To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating, or resident), you may query your location using the RAIL Tool and view the range maps provided for birds in your area at the bottom of the profiles provided for each bird in your results. If an eagle on your IPaC migratory bird species list has a breeding season associated with it (indicated by yellow vertical bars on the phenology graph in your "IPaC PROBABILITY OF PRESENCE SUMMARY" at the top of your results list), there may be nests present at some point within the timeframe specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

Interpreting the Probability of Presence Graphs

Each green bar represents the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during a particular week of the year. A taller bar indicates a higher probability of species presence. The survey effort can be used to establish a level of confidence in the presence score.

How is the probability of presence score calculated? The calculation is done in three steps:
The probability of presence for each week is calculated as the number of survey events in the week where the species was detected divided by the total number of survey events for that week. For example, if in week 12 there were 20 survey events and the Spotted Towhee was found in 5 of them, the probability of presence of the Spotted Towhee in week 12 is 0.25.

To properly present the pattern of presence across the year, the relative probability of presence is calculated. This is the probability of presence divided by the maximum probability of presence across all weeks. For example, imagine the probability of presence in week 20 for the Spotted Towhee is 0.05, and that the probability of presence at week 12 (0.25) is the maximum of any week of the year. The relative probability of presence on week 12 is 0.25/0.25 = 1; at week 20 it is 0.05/0.25 = 0.2.

The relative probability of presence calculated in the previous step undergoes a statistical conversion so that all possible values fall between 0 and 10, inclusive. This is the probability of presence score.

Breeding Season ()
Yellow bars denote a very liberal estimate of the time-frame inside which the bird breeds across its entire range. If there are no yellow bars shown for a bird, it does not breed in your project area.

Survey Effort ()
Vertical black lines superimposed on probability of presence bars indicate the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps.

No Data ()
A week is marked as having no data if there were no survey events for that week.

Survey Timeframe
Surveys from only the last 10 years are used in order to ensure delivery of currently relevant information. The exception to this is areas off the Atlantic coast, where bird returns are based on all years of available data, since data in these areas is currently much more sparse.

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Migratory birds

The Migratory Bird Treaty Act (MBTA) [1] prohibits the take (including killing, capturing, selling, trading, and transport) of protected migratory bird species without prior authorization by the Department of Interior U.S. Fish and Wildlife Service (Service).

1. The Migratory Birds Treaty Act of 1918.
2. The Bald and Golden Eagle Protection Act of 1940.

Additional information can be found using the following links:

- Eagle Management https://www.fws.gov/program/eagle-management
- Measures for avoiding and minimizing impacts to birds https://www.fws.gov/library/collections/avoiding-and-minimizing-incidental-take-migratory-birds

- Nationwide avoidance and minimization measures for birds
- Supplemental Information for Migratory Birds and Eagles in IPaC https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action

Measures for Proactively Minimizing Migratory Bird Impacts

Your IPaC Migratory Bird list showcases birds of concern, including Birds of Conservation Concern (BCC), in your project location. This is not a comprehensive list of all birds found in your project area. However, you can help proactively minimize significant impacts to all birds at your project location by implementing the measures in the Nationwide avoidance and minimization measures for birds document, and any other project-specific avoidance and minimization measures suggested at the link Measures for avoiding and minimizing impacts to birds for the birds of concern on your list below.

Ensure Your Migratory Bird List is Accurate and Complete

If your project area is in a poorly surveyed area, your list may not be complete and you may need to rely on other resources to determine what species may be present (e.g. your local FWS field office, state surveys, your own surveys). Please review the Supplemental Information on Migratory Birds and Eagles document, to help you properly interpret the report for your specified location, including determining if there is sufficient data to ensure your list is accurate.

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, see the "Probability of Presence Summary" below to see when these birds are most likely to be present and breeding in your project area.

Review the FAQs

The FAQs below provide important additional information and resources.

NAME	BREEDING SEASON
Bald Eagle Haliaeetus leucocephalus This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/1626	Breeds Jan 1 to Aug 31
Belding's Savannah Sparrow Passerculus sandwichensis beldingi This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA https://ecos.fws.gov/ecp/species/8	Breeds Apr 1 to Aug 15

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Bullock's Oriole Icterus bullockii — Breeds Mar 21 to Jul 25
This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA

California Gull Larus californicus — Breeds Mar 1 to Jul 31
This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

California Thrasher Toxostoma redivivum — Breeds Jan 1 to Jul 31
This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Clark's Grebe Aechmophorus clarkii — Breeds Jun 1 to Aug 31
This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Common Yellowthroat Geothlypis trichas sinuosa — Breeds May 20 to Jul 31
This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA
https://ecos.fws.gov/ecp/species/2084

Golden Eagle Aquila chrysaetos — Breeds Jan 1 to Aug 31
This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities.
https://ecos.fws.gov/ecp/species/1680

Lawrence's Goldfinch Spinus lawrencei — Breeds Mar 20 to Sep 20
This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.
https://ecos.fws.gov/ecp/species/9464

Northern Harrier Circus hudsonius — Breeds Apr 1 to Sep 15
This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA
https://ecos.fws.gov/ecp/species/8350

Nuttall's Woodpecker Dryobates nuttallii — Breeds Apr 1 to Jul 20
This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA
https://ecos.fws.gov/ecp/species/9410

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Oak Titmouse Baeolophus inornatus — Breeds Mar 15 to Jul 15
This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.
https://ecos.fws.gov/ecp/species/9656

Olive-sided Flycatcher Contopus cooperi — Breeds May 20 to Aug 31
This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.
https://ecos.fws.gov/ecp/species/3914

Santa Barbara Song Sparrow Melospiza melodia graminea — Breeds Mar 1 to Sep 5
This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA
https://ecos.fws.gov/ecp/species/5513

Tricolored Blackbird Agelaius tricolor — Breeds Mar 15 to Aug 10
This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.
https://ecos.fws.gov/ecp/species/3910

Western Grebe aechmophorus occidentalis — Breeds Jun 1 to Aug 31
This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.
https://ecos.fws.gov/ecp/species/6743

Western Screech-owl Megascops kennicottii cardonensis — Breeds Mar 1 to Jun 30
This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA

Wrentit Chamaea fasciata — Breeds Mar 15 to Aug 10
This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Yellow-billed Magpie Pica nuttalli — Breeds Apr 1 to Jul 31
This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.
https://ecos.fws.gov/ecp/species/9726

Probability of Presence Summary

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read "Supplemental

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Information on Migratory Birds and Eagles", specifically the FAQ section titled "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

Probability of Presence (■)

Each green bar represents the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during a particular week of the year. (A year is represented as 12 4-week months.) A taller bar indicates a higher probability of species presence. The survey effort (see below) can be used to establish a level of confidence in the presence score. One can have higher confidence in the presence score if the corresponding survey effort is also high.

How is the probability of presence score calculated? The calculation is done in three steps:

1. The probability of presence for each week is calculated as the number of survey events in the week where the species was detected divided by the total number of survey events for that week. For example, if in week 12 there were 20 survey events and the Spotted Towhee was found in 5 of them, the probability of presence of the Spotted Towhee in week 12 is 0.25.
2. To properly present the pattern of presence across the year, the relative probability of presence is calculated. This is the probability of presence divided by the maximum probability of presence across all weeks. For example, imagine the probability of presence in week 20 for the Spotted Towhee is 0.05, and that the probability of presence at week 12 (0.25) is the maximum of any week of the year. The relative probability of presence on week 12 is 0.25/0.25 = 1; at week 20 it is 0.05/0.25 = 0.2.
3. The relative probability of presence calculated in the previous step undergoes a statistical conversion so that all possible values fall between 0 and 10, inclusive. This is the probability of presence score.

To see a bar's probability of presence score, simply hover your mouse cursor over the bar.

Breeding Season (■)

Yellow bars denote a very liberal estimate of the time-frame inside which the bird breeds across its entire range. If there are no yellow bars shown for a bird, it does not breed in your project area.

Survey Effort (|)

Vertical black lines superimposed on probability of presence bars indicate the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps. The number of surveys is expressed as a range, for example, 33 to 64 surveys.

To see a bar's survey effort range, simply hover your mouse cursor over the bar.

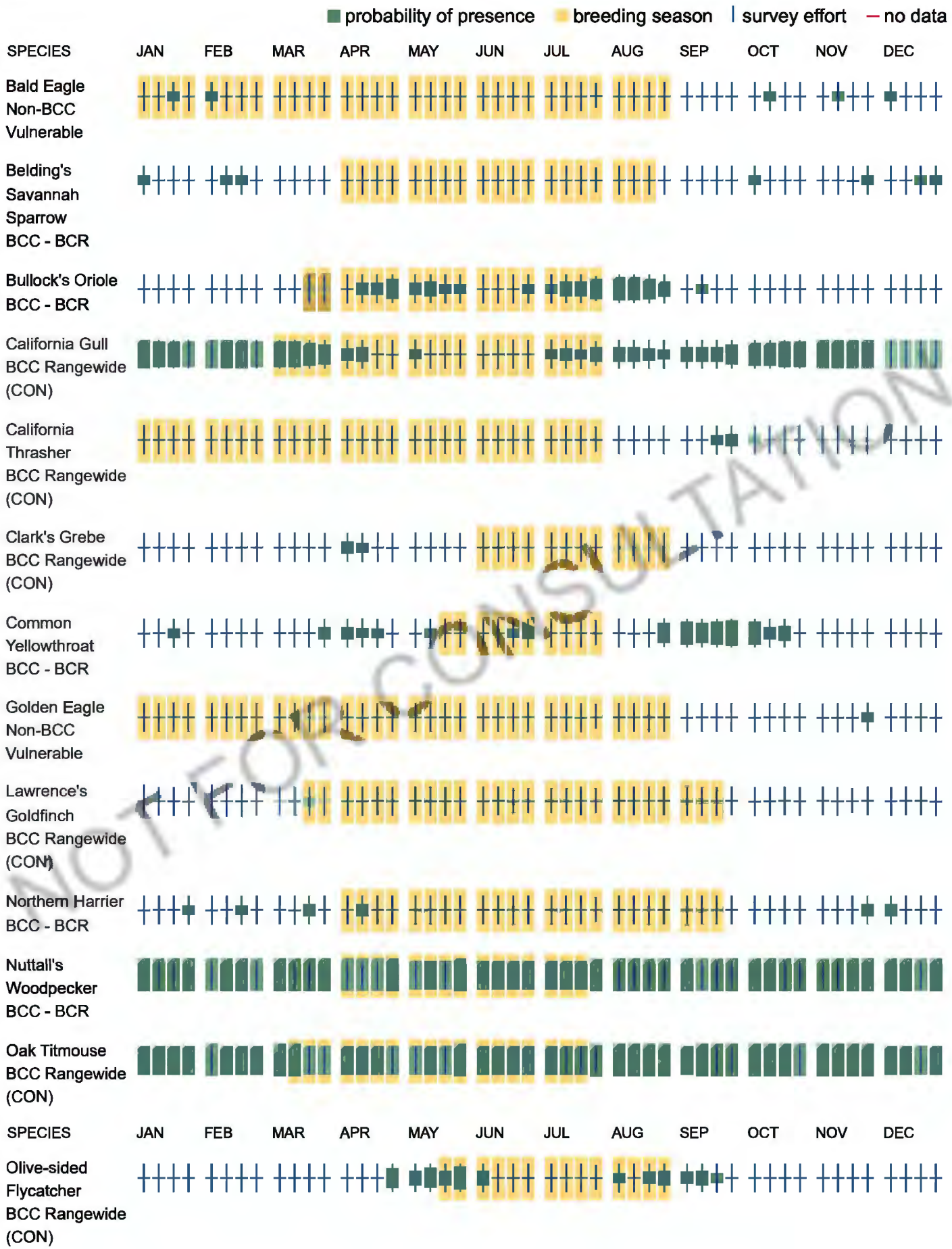
No Data (–)

A week is marked as having no data if there were no survey events for that week.

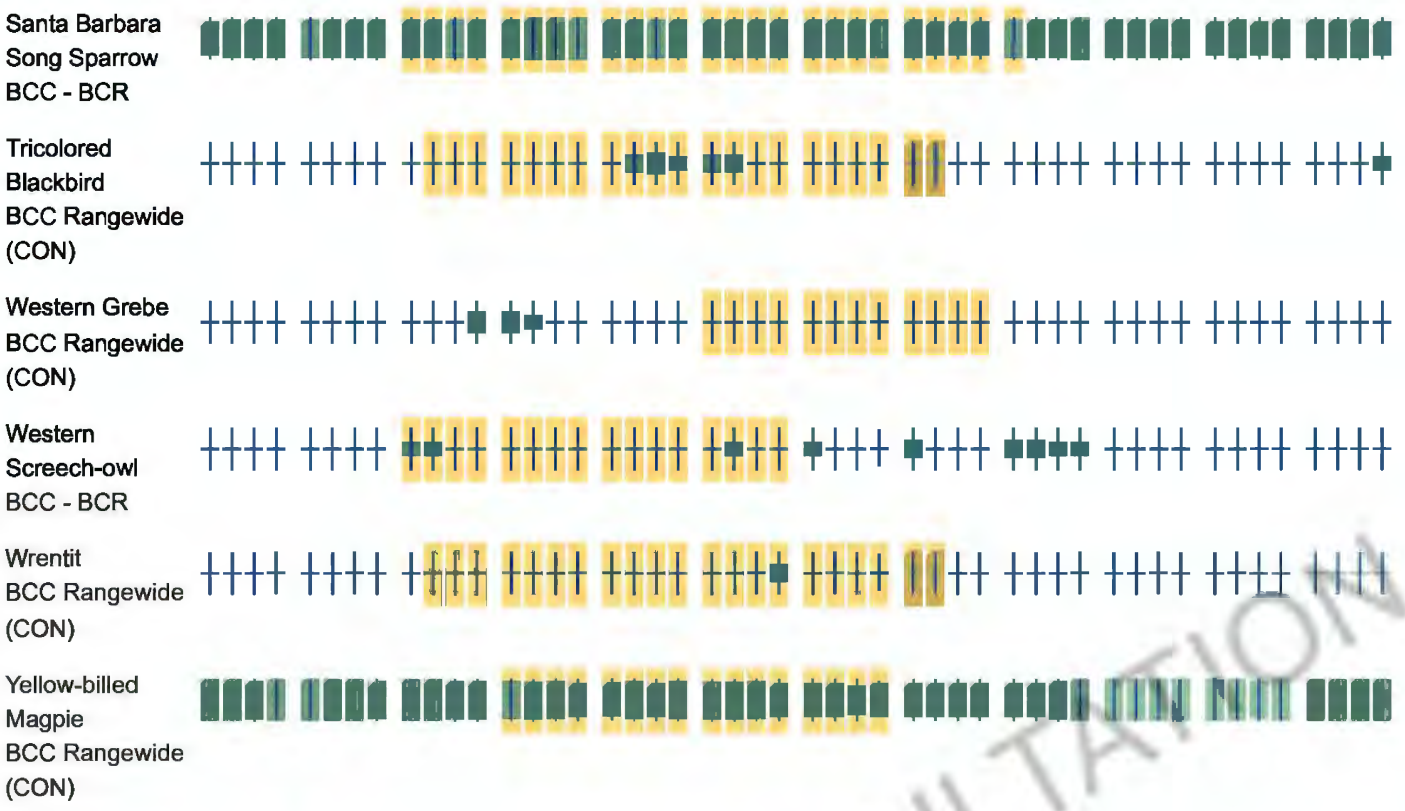
Survey Timeframe

Surveys from only the last 10 years are used in order to ensure delivery of currently relevant information. The exception to this is areas off the Atlantic coast, where bird returns are based on all years of available data, since data in these areas is currently much more sparse.

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Migratory Bird FAQs

Tell me more about avoidance and minimization measures I can implement to avoid or minimize impacts to migratory birds.

Nationwide Avoidance & Minimization Measures for Birds describes measures that can help avoid and minimize impacts to all birds at any location year-round. When birds may be breeding in the area, identifying the locations of any active nests and avoiding their destruction is one of the most effective ways to minimize impacts. To see when birds are most likely to occur and breed in your project area, view the Probability of Presence Summary. Additional measures or permits may be advisable depending on the type of activity you are conducting and the type of infrastructure or bird species present on your project site.

What does IPaC use to generate the list of migratory birds that potentially occur in my specified location?

The Migratory Bird Resource List is comprised of Birds of Conservation Concern (BCC) and other species that may warrant special attention in your project location, such as those listed under the Endangered Species Act or the Bald and Golden Eagle Protection Act and those species marked as "Vulnerable". See the FAQ "What are the levels of concern for migratory birds?" for more information on the levels of concern covered in the IPaC migratory bird species list.

The migratory bird list generated for your project is derived from data provided by the Avian Knowledge Network (AKN). The AKN data is based on a growing collection of survey, banding, and citizen science datasets and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) with which your project intersects. These species have been identified as warranting special attention because they are BCC species in that area, an eagle (Bald and Golden Eagle Protection Act requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, and to verify survey effort when no results present, please visit the Rapid Avian Information Locator (RAIL) Tool.

Why are subspecies showing up on my list?

Subspecies profiles are included on the list of species present in your project area because observations in the AKN for **the species** are being detected. If the species are present, that means that the subspecies may also be present. If a subspecies shows up on your list, you may need to rely on other resources to determine if that subspecies may be present (e.g. your local FWS field office, state surveys, your own surveys).

What does IPaC use to generate the probability of presence graphs for the migratory birds potentially occurring in my specified location?

The probability of presence graphs associated with your migratory bird list are based on data provided by the Avian Knowledge Network (AKN). This data is derived from a growing collection of survey, banding, and citizen science datasets.

Probability of presence data is continuously being updated as new and better information becomes available. To learn more about how the probability of presence graphs are produced and how to interpret them, go to the Probability of Presence Summary and then click on the "Tell me about these graphs" link.

How do I know if a bird is breeding, wintering, or migrating in my area?

To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating, or resident), you may query your location using the RAIL Tool and view the range maps provided for birds in your area at the bottom of the profiles provided for each bird in your results. If a bird on your IPaC migratory bird species list has a breeding season associated with it (indicated by yellow vertical bars on the phenology graph in your "IPaC PROBABILITY OF PRESENCE SUMMARY" at the top of your results list), there may be nests present at some point within the timeframe specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

What are the levels of concern for migratory birds?

Migratory birds delivered through IPaC fall into the following distinct categories of concern:

1. "BCC Rangewide" birds are Birds of Conservation Concern (BCC) that are of concern throughout their range anywhere within the USA (including Hawaii, the Pacific Islands, Puerto Rico, and the Virgin Islands);
2. "BCC - BCR" birds are BCCs that are of concern only in particular Bird Conservation Regions (BCRs) in the continental USA; and
3. "Non-BCC - Vulnerable" birds are not BCC species in your project area, but appear on your list either because of the Bald and Golden Eagle Protection Act requirements (for eagles) or (for non-eagles) potential susceptibilities in offshore areas from certain types of development or activities (e.g. offshore energy development or longline fishing).

Although it is important to avoid and minimize impacts to all birds, efforts should be made, in particular, to avoid and minimize impacts to the birds on this list, especially BCC species. For more information on avoidance and minimization measures you can implement to help avoid and minimize migratory bird impacts, please see the FAQ "Tell me more about avoidance and minimization measures I can implement to avoid or minimize impacts to migratory birds".

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Details about birds that are potentially affected by offshore projects

For additional details about the relative occurrence and abundance of both individual bird species and groups of bird species within your project area off the Atlantic Coast, please visit the Northeast Ocean Data Portal. The Portal also offers data and information about other taxa besides birds that may be helpful to you in your project review. Alternately, you may download the bird model results files underlying the portal maps through the NOAA NCCOS Integrative Statistical Modeling and Predictive Mapping of Marine Bird Distributions and Abundance on the Atlantic Outer Continental Shelf project webpage.

Proper interpretation and use of your migratory bird report

The migratory bird list generated is not a list of all birds in your project area, only a subset of birds of priority concern. To learn more about how your list is generated and see options for identifying what other birds may be in your project area, please see the FAQ "What does IPaC use to generate the migratory birds potentially occurring in my specified location". Please be aware this report provides the "probability of presence" of birds within the 10 km grid cell(s) that overlap your project; not your exact project footprint. On the graphs provided, please look carefully at the survey effort (indicated by the black vertical line) and for the existence of the "no data" indicator (a red horizontal line). A high survey effort is the key component. If the survey effort is high, then the probability of presence score can be viewed as more dependable. In contrast, a low survey effort bar or no data bar means a lack of data and, therefore, a lack of certainty about presence of the species. This list does not represent all birds present in your project area. It is simply a starting point for identifying what birds of concern have the potential to be in your project area, when they might be there, and if they might be breeding (which means nests might be present). The list and associated information help you know what to look for to confirm presence and helps guide implementation of avoidance and minimization measures to eliminate or reduce potential impacts from your project activities, should presence be confirmed. To learn more about avoidance and minimization measures, visit the FAQ "Tell me about avoidance and minimization measures I can implement to avoid or minimize impacts to migratory birds".

Interpreting the Probability of Presence Graphs
Each green bar represents the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during a particular week of the year. A taller bar indicates a higher probability of species presence. The survey effort can be used to establish a level of confidence in the presence score.

How is the probability of presence score calculated? The calculation is done in three steps:
The probability of presence for each week is calculated as the number of survey events in the week where the species was detected divided by the total number of survey events for that week. For example, if in week 12 there were 20 survey events and the Spotted Towhee was found in 5 of them, the probability of presence of the Spotted Towhee in week 12 is 0.25.

To properly present the pattern of presence across the year, the relative probability of presence is calculated. This is the probability of presence divided by the maximum probability of presence across all weeks. For example, imagine the probability of presence in week 20 for the Spotted Towhee is 0.05, and that the probability of presence at week 12 (0.25) is the maximum of any week of the year. The relative probability of presence on week 12 is 0.25/0.25 = 1; at week 20 it is 0.05/0.25 = 0.2.

The relative probability of presence calculated in the previous step undergoes a statistical conversion so that all possible values fall between 0 and 10, inclusive. This is the probability of presence score.

Breeding Season ()
Yellow bars denote a very liberal estimate of the time-frame inside which the bird breeds across its entire range. If there are no yellow bars shown for a bird, it does not breed in your project area.

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Survey Effort ()
Vertical black lines superimposed on probability of presence bars indicate the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps.

No Data ()
A week is marked as having no data if there were no survey events for that week.

Survey Timeframe
Surveys from only the last 10 years are used in order to ensure delivery of currently relevant information. The exception to this is areas off the Atlantic coast, where bird returns are based on all years of available data, since data in these areas is currently much more sparse.

Facilities

National Wildlife Refuge lands

Any activity proposed on lands managed by the National Wildlife Refuge system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

There are no refuge lands at this location.

Fish hatcheries

There are no fish hatcheries at this location.

Wetlands in the National Wetlands Inventory (NWI)

Impacts to NWI wetlands and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local U.S. Army Corps of Engineers District.

This location did not intersect any wetlands mapped by NWI.

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NOTE: This initial screening does **not** replace an on-site delineation to determine whether wetlands occur. Additional information on the NWI data is provided below.

Data limitations

The Service's objective of mapping wetlands and deepwater habitats is to produce reconnaissance level information on the location, type and size of these resources. The maps are prepared from the analysis of high altitude imagery. Wetlands are identified based on vegetation, visible hydrology and geography. A margin of error is inherent in the use of imagery; thus, detailed on-the-ground inspection of any particular site may result in revision of the wetland boundaries or classification established through image analysis.

The accuracy of image interpretation depends on the quality of the imagery, the experience of the image analysts, the amount and quality of the collateral data and the amount of ground truth verification work conducted. Metadata should be consulted to determine the date of the source imagery used and any mapping problems.

Wetlands or other mapped features may have changed since the date of the imagery or field work. There may be occasional differences in polygon boundaries or classifications between the information depicted on the map and the actual conditions on site.

Data exclusions

Certain wetland habitats are excluded from the National mapping program because of the limitations of aerial imagery as the primary data source used to detect wetlands. These habitats include seagrasses or submerged aquatic vegetation that are found in the intertidal and subtidal zones of estuaries and nearshore coastal waters. Some deepwater reef communities (coral or tuberficid worm reefs) have also been excluded from the inventory. These habitats, because of their depth, go undetected by aerial imagery.

Data precautions

Federal, state, and local regulatory agencies with jurisdiction over wetlands may define and describe wetlands in a different manner than that used in this inventory. There is no attempt, in either the design or products of this inventory, to define the limits of proprietary jurisdiction of any Federal, state, or local government or to establish the geographical scope of the regulatory programs of government agencies. Persons intending to engage in activities involving modifications within or adjacent to wetland areas should seek the advice of appropriate Federal, state, or local agencies concerning specified agency regulatory programs and proprietary jurisdictions that may affect such activities.

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Selected Elements by Scientific Name

California Department of Fish and Wildlife

California Natural Diversity Database

Query Criteria: Quad IS (Carmichael (3812153) OR Clarksburg (3812145) OR Elk Grove (3812143) OR Florin (3812144) OR Sacramento East (3812154) OR Sacramento West (3812155))

Species	Element Code	Federal Status	State Status	Global Rank	State Rank	Rare Plant Rank/CDFW SSC or FP
Accipiter cooperii Cooper's hawk	ABNKC12040	None	None	G5	S4	WL
Acipenser medirostris pop. 1 green sturgeon - southern DPS	AFCAA01031	Threatened	None	G2T1	S1	SSC
Actinemys marmorata northwestern pond turtle	ARAAD02031	Proposed Threatened	None	G2	SNR	SSC
Agelaius tricolor tricolored blackbird	ABPBXB0020	None	Threatened	G1G2	S2	SSC
Aquila chrysaetos golden eagle	ABNKC22010	None	None	G5	S3	FP
Archoplites interruptus Sacramento perch	AFCQB07010	None	None	G1	S1	SSC
Ardea alba great egret	ABNGA04040	None	None	G5	S4	
Ardea herodias great blue heron	ABNGA04010	None	None	G5	S4	
Astragalus tener var. ferrisiae Ferris' milk-vetch	PDFAB0F8R3	None	None	G2T1	S1	1B.1
Athene cunicularia burrowing owl	ABNSB10010	None	Candidate Endangered	G4	S2	SSC
Bombus pensylvanicus American bumble bee	IIHYM24260	None	None	G3G4	S2	
Branchinecta lynchi vernal pool fairy shrimp	ICBRA03030	Threatened	None	G3	S3	
Branchinecta mesovallensis midvalley fairy shrimp	ICBRA03150	None	None	G2	S2S3	
Buteo regalis ferruginous hawk	ABNKC19120	None	None	G4	S3S4	WL
Buteo swainsoni Swainson's hawk	ABNKC19070	None	Threatened	G5	S4	
Carex comosa bristly sedge	PMCYP032Y0	None	None	G5	S2	2B.1
Centromadia parryi ssp. parryi pappose tarplant	PDAST4R0P2	None	None	G3T2	S2	1B.2
Cicindela hirticollis abrupta Sacramento Valley tiger beetle	IICOL02106	None	None	G5TH	SH	
Coccyzus americanus occidentalis western yellow-billed cuckoo	ABNRB02022	Threatened	Endangered	G5T2T3	S1	

Species	Element Code	Federal Status	State Status	Global Rank	State Rank	Rare Plant Rank/CDFW SSC or FP
Cuscuta obtusiflora var. glandulosa Peruvian dodder	PDCUS01111	None	None	G5T4?	SH	2B.2
Desmocerus californicus dimorphus valley elderberry longhorn beetle	IICOL48011	Threatened	None	G3T3	S3	
Downingia pusilla dwarf downingia	PDCAM060C0	None	None	GU	S2	2B.2
Dumontia oregonensis hairy water flea	ICBRA23010	None	None	G1G3	S1	
Elanus leucurus white-tailed kite	ABNKC06010	None	None	G5	S3S4	FP
Elderberry Savanna Elderberry Savanna	CTT63440CA	None	None	G2	S2.1	
Falco columbarius merlin	ABNKD06030	None	None	G5	S3S4	WL
Gonidea angulata western ridged mussel	IMBIV19010	None	None	G3	S2	
Gratiola heterosepala Boggs Lake hedge-hyssop	PDSCR0R060	None	Endangered	G2	S2	1B.2
Great Valley Cottonwood Riparian Forest Great Valley Cottonwood Riparian Forest	CTT61410CA	None	None	G2	S2.1	
Great Valley Valley Oak Riparian Forest Great Valley Valley Oak Riparian Forest	CTT61430CA	None	None	G1	S1.1	
Hibiscus lasiocarpos var. occidentalis woolly rose-mallow	PDMAL0H0R3	None	None	G5T3	S3	1B.2
Hydrochara rickseckeri Ricksecker's water scavenger beetle	IICOL5V010	None	None	G2?	S2?	
Hypomesus transpacificus Delta smelt	AFCHB01040	Threatened	Endangered	G1	S1	
Juncus leiospermus var. ahartii Ahart's dwarf rush	PMJUN011L1	None	None	G2T1	S1	1B.2
Lasiurus cinereus hoary bat	AMACC05032	None	None	G3G4	S4	
Lasthenia chrysantha alkali-sink goldfields	PDAST5L030	None	None	G2	S2	1B.1
Laterallus jamaicensis coturniculus California black rail	ABNME03041	None	Threatened	G3T1	S2	FP
Legenere limosa legenere	PDCAM0C010	None	None	G2	S2	1B.1
Lepidium latipes var. heckardii Heckard's pepper-grass	PDBRA1M0K1	None	None	G4T1	S1	1B.2
Lepidurus packardi vernal pool tadpole shrimp	ICBRA10010	Endangered	None	G3	S3	

Species	Element Code	Federal Status	State Status	Global Rank	State Rank	Rare Plant Rank/CDFW SSC or FP
Lilaeopsis masonii Mason's lilaeopsis	PDAPI19030	None	Rare	G2	S2	1B.1
Linderiella occidentalis California linderiella	ICBRA06010	None	None	G2G3	S2S3	
Melospiza melodia pop. 1 song sparrow ("Modesto" population)	ABPBXA3013	None	None	G5T3?Q	S3?	SSC
Nannopterum auritum double-crested cormorant	ABNFD01020	None	None	G5	S4	WL
Northern Hardpan Vernal Pool Northern Hardpan Vernal Pool	CTT44110CA	None	None	G3	S3.1	
Nycticorax nycticorax black-crowned night heron	ABNGA11010	None	None	G5	S4	
Oncorhynchus mykiss irideus pop. 11 steelhead - Central Valley DPS	AFCHA0209K	Threatened	None	G5T2Q	S2	SSC
Oncorhynchus tshawytscha pop. 11 chinook salmon - Central Valley spring-run ESU	AFCHA0205L	Threatened	Threatened	G5T2Q	S2	
Oncorhynchus tshawytscha pop. 7 chinook salmon - Sacramento River winter-run ESU	AFCHA0205B	Endangered	Endangered	G5T1Q	S2	
Orcuttia tenuis slender Orcutt grass	PMPOA4G050	Threatened	Endangered	G2	S2	1B.1
Orcuttia viscida Sacramento Orcutt grass	PMPOA4G070	Endangered	Endangered	G1	S1	1B.1
Pogonichthys macrolepidotus Sacramento splittail	AFCJB34020	None	None	G3	S3	SSC
Progne subis purple martin	ABPAU01010	None	None	G5	S3	SSC
Riparia riparia bank swallow	ABPAU08010	None	Threatened	G5	S3	
Sagittaria sanfordii Sanford's arrowhead	PMALI040Q0	None	None	G3	S3	1B.2
Spea hammondii western spadefoot	AAABF02020	Proposed Threatened	None	G2G3	S3S4	SSC
Spirinchus thaleichthys pop. 2 longfin smelt - San Francisco Bay-Delta DPS	AFCHB03040	Endangered	Threatened	G5TNRQ	S1	
Symphyotrichum lentum Suisun Marsh aster	PDASTE8470	None	None	G2	S2	1B.2
Taxidea taxus American badger	AMAJF04010	None	None	G5	S3	SSC
Thamnophis gigas giant gartersnake	ARADB36150	Threatened	Threatened	G2	S2	
Trifolium hydrophilum saline clover	PDFAB400R5	None	None	G2	S2	1B.2

Species	Element Code	Federal Status	State Status	Global Rank	State Rank	Rare Plant Rank/CDFW SSC or FP
Vireo bellii pusillus least Bell's vireo	ABPBW01114	Endangered	Endangered	G5T2	S3	
Xanthocephalus xanthocephalus yellow-headed blackbird	ABPBXB3010	None	None	G5	S3	SSC

Record Count: 63

CALIFORNIA NATIVE PLANT SOCIETY

CNPS Rare Plant Inventory

Search Results

17 matches found. Click on scientific name for details

Search Criteria: , CRPR is one of [**1A:1B:2A:2B:3**] , Quad is one of [**3812153:3812145:3812143:3812144:3812154:3812155**]

SCIENTIFIC NAME	COMMON NAME	FED LIST	STATE LIST	GLOBAL RANK	STATE RANK	CA RARE PLANT RANK
Symphyotrichum lentum	Suisun Marsh aster	None	None	G2	S2	1B.2
Gratiola heterosepala	Boggs Lake hedge-hyssop	None	CE	G2	S2	1B.2
Orcuttia viscida	Sacramento Orcutt grass	FE	CE	G1	S1	1B.1
Legenere limosa	legenere	None	None	G2	S2	1B.1
Trifolium hydrophilum	saline clover	None	None	G2	S2	1B.2
Astragalus tener var. *ferrisiae*	Ferris' milk-vetch	None	None	G2T1	S1	1B.1
Lilaeopsis masonii	Mason's lilaeopsis	None	CR	G2	S2	1B.1
Lasthenia chrysantha	alkali-sink goldfields	None	None	G2	S2	1B.1
Cuscuta obtusiflora var. *glandulosa*	Peruvian dodder	None	None	G5T4?	SH	2B.2
Hibiscus lasiocarpos var. *occidentalis*	woolly rose-mallow	None	None	G5T3	S3	1B.2

Downingia pusilla	dwarf downingia	None	None	GU	S2	2B.2
Juncus leiospermus var. *ahartii*	Ahart's dwarf rush	None	None	G2T1	S1	1B.2
Lepidium latipes var. *heckardii*	Heckard's pepper-grass	None	None	G4T1	S1	1B.2
Centromadia parryi ssp. *parryi*	pappose tarplant	None	None	G3T2	S2	1B.2
Sagittaria sanfordii	Sanford's arrowhead	None	None	G3	S3	1B.2
Carex comosa	bristly sedge	None	None	G5	S2	2B.1
Orcuttia tenuis	slender Orcutt grass	FT	CE	G2	S2	1B.1

Showing 1 to 17 of 17 entries

Go to top

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Attachment D: Species Observed in the Study Area

Attachment D
Species Observed in the Study Area

Table D-1. Plant Species

Family	Species Name	Common Name
Native		
Apiaceae	*Matricaria discoidea*	Pineapple weed
Brassicaceae	*Lepidium nitidum*	Shining pepperwort
Crassulaceae	*Crassula aquatica*	Common pigmyweed
Cyperaceae	*Cyperus eragrostis*	tall flatsedge
Fagaceae	*Quercus lobata*	Valley oak
Juncaceae	*Juncus bufonius*	Toad rush
Onagraceae	*Epilobium brachycarpum*	Annual fireweed
Non-native		
Anacardiaceae	*Pistacia chinensis*	Chinese pistache
Asteraceae	*Carduus pycnocephalus*	Italian thistle
	Centaurea solsticialis	Yellow star-thistle
	Cichorium intybus	
	Dittrichia graveolens	Stinkwort
	Hypochaeris radicata	Rough cat's-ear
	Lactuca serriola	Prickly lettuce
	Sonchus asper	Prickly sow thistle
	Silybum marianum	milkweed
Brassicaceae	*Brassica nigra*	black mustard
	Lepidium latifolium	Broad-leaved pepperweed
	Raphanus raphanistrum	Jointed charlock
Caryophyllaceae	*Spergularia* sp.	Sand-spurrey
Chenopodiaceae	*Chenopodium album*	Lamb's quarters
Convolvulaceae	*Convolvulus arvensis*	Field bindweed
Fabaceae	*Medicago polymorpha*	Bur clover
	Melilotus sp.	Sweetclover
	Robinia pseudoacacia	Black locust
	Vicia sativa	Spring vetch
Geraniaceae	*Erodium botrys*	Big heron bill
	Erodium moschatum	White stemmed filaree
	Erodium sp.	Filaree
Lythraceae	*Lythrum hyssopifolia*	hyssop loosestrife
Malvaceae	*Malva parviflora*	Cheeseweed
Pinaceae	*Pinus pinea*	Stone pine
Plantaginaceae	*Plantago lanceolata*	English plantain
	Veronica peregrina subsp. *xalapensis*	Purslane speedwell
Poaceae	*Avena fatua*	Wild oat
	Bromus diandrus	common ripgut grass
	Cynodon dactylon	Bermuda grass
	Festuca perennis	Italian ryegrass
	Glyceria declinata	Low manna grass
	Hordeum marinum ssp. *gussoneanum*	Mediterranean barley
	Hordeum murinum	foxtail barley
	Polypogon monspeliensis	Annual beard grass
Polygonaceae	*Polygonum aviculare*	prostrate knotweed
	Rumex crispus	curly dock

Attachment D (cont.)
Species Observed in the Study Area

Table D-2. Wildlife Species

Order/Family	Species Name	Common Name
Birds		
Charadriiformes		
Charadriidae	*Charadrius vociferus*	Killdeer
Columbiformes		
Columbidae	*Columba livia*	Rock dove
	Streptopelia decaocto	Eurasian collared dove
Passeriformes		
Hirundidae	*Petrochelidon pyrrhonota*	Cliff swallow
Mimidae	*Mimus polyglottos*	Northern mockingbird
Sturnidae	*Sturnus vulgaris*	European starling
Tyrannidae	*Sayornis nigricans*	Black phoebe
Mammals		
Rodentia		
Sciuridae	*Otospermophilus beecheyi*	California ground squirrel

Attachment E: Site Photos

Attachment E. Representative Site Photos


4

Photo 1. View of the ruderal/disturbed habitat in the northeastern portion of the Study Area. Tree# 2180, a large valley oak, is visible in the background. Photo taken May 16, 2025.



Photo 2. View of the ruderal/disturbed habitat in the southern portion of the Study Area. Photo taken May 16, 2025.

Attachment E. Representative Site Photos



Photo 3. View of Seasonal Wetland B in the south central portion of the Study Area. It is a very shallow wetland that is the result of scraping/grading. Photo taken July 24, 2025.



Photo 4. View of Seasonal Wetland C along the south side of the Study Area. Historic and recent tracks from heavy equipment are visible in the wetland. Photo taken July 24, 2025.

Attachment E. Representative Site Photos



Photo 5. View of Seasonal Wetland D along the eastern boundary of the Study Area. Photo taken July 24, 2025.



Photo 6. View of Seasonal Wetland A in the southwest portion of the Study Area. Historic and recent ground disturbance from vehicles/equipment is visible in the wetland. Photo taken July 24, 2025.

Attachment E. Representative Site Photos



Photo 7. View of a line of planted trees in the northern portion of the Study Area between the locations of the former industrial property and residence. Tree# 2181 is visible in the background (white arrow). Photo taken May 16, 2025.



Photo 8. View of a berm that surrounds the former industrial development in the northern portion of the Study Area. Ground squirrel burrows are abundant along the berm. The white arrow points to an active ground squirrel burrow. Photo taken July 24, 2025.

Attachment F: Potential for Regionally-Occurring Special-Status Species and Sensitive Natural Communities to Occur in the Study Area

Attachment F
Potential for Regionally-Occurring Special-Status Species and/or Sensitive Natural Communities to Occur in the Study Area

Species Name/ Common Name[1]	Status[2]	Habit, Ecology and Life History	Potential to Occur
Plants			
Astragalus tener var. *ferrisiae* Ferris' milk-vetch	--/--/1B.1	An annual herb found in vernally mesic meadows and seeps, and subalkaline flats in valley and foothill grassland, from 2 – 75 meters elevation. Previously thought extinct and rediscovered in 1989; currently known from 13 locations in the Sacramento Valley. Blooms April – May (CNPS 2025).	**Will not occur/Presumed Absent.** There is no suitable habitat for this species in the Study Area, and it was not observed during the biological survey on May 16, 2025, during the blooming season. Seasonal wetlands on the site occur in areas that have been historically disturbed by agricultural uses and more recently have been subjected to construction-related disturbances and are not suitable habitat for special-status plant species.
Carex comosa bristly sedge	--/--/2B.1	A perennial rhizomatous herb found in coastal prairie, lake margins, and valley and foothill grassland from 0 – 625 meters elevation. Blooms May – September (CNPS 2025).	**Will not occur/Presumed Absent.** There is no suitable habitat for this species in the Study Area, and it was not observed during the biological survey conducted on May 16, 2025, during the blooming season.
Centromadia parryi ssp. *parryi* pappose tarplant	--/--/1B.2	An annual herb found in chaparral, coastal prairie, meadows, seeps, coastal salt marshes, and vernally mesic valley and foothill grassland from 0 – 420 meters elevation, often in alkaline microsites. Blooms May – November (CNPS 2025).	**Will not occur/Presumed Absent.** There is no suitable habitat for this species in the Study Area, and it was not observed during the biological survey on May 16, 2025, during the blooming season.
Cuscuta obtusiflora var. *glandulosa* Peruvian dodder	--/--/2B.2	An annual parasitic vine found in freshwater marshes and swamps from 15 – 280 meters elevation. Known from 5 locations; last seen in 1948 in Merced County. Blooms July – October (CNPS 2025).	**Will not occur.** There is no suitable habitat for this species in the Study Area.
Downingia pusilla dwarf downingia	--/--/2B.2	Annual herb. Grows in vernal pools, seasonal wetlands and mesic areas within grassland. Flowering period Mar – May (CNPS 2025).	**Will not occur/Presumed Absent.** There is no suitable habitat for this species in the Study Area, and it was not observed during the biological survey on May 16, 2025, during the blooming season. Seasonal wetlands on the site occur in areas that have been historically disturbed by agricultural uses and more recently have been subjected to construction-related

Attachment F
Potential for Regionally-Occurring Special-Status Species and/or Sensitive Natural Communities to Occur in the Study Area

Species Name/ Common Name[1]	Status[2]	Habit, Ecology and Life History	Potential to Occur
			disturbances and are not suitable habitat for special-status plant species.
Gratiola heterosepala Boggs Lake hedge-hyssop	--/SE/1B.2	Annual herb. Grows in clay soils around the margins of marshes and swamps, and in vernal pools. Flowering period Apr – August (CNPS 2025).	**Will not occur/Presumed Absent.** There is no suitable habitat for this species in the Study Area, and it was not observed during the biological survey on May 16, 2025, during the blooming season. Seasonal wetlands on the site occur in areas that have been historically disturbed by agricultural uses and more recently have been subjected to construction-related disturbances and are not suitable habitat for special-status plant species.
Hibiscus lasiocarpos var. *occidentalis* woolly rose-mallow	--/--/1B.2	Perennial, rhizomatous herb. Grows in freshwater marshes and swamps, often in rip rap on the sides of levees. Flowering period Jun – Sep (CNPS 2025).	**Will not occur.** There is no suitable habitat for this species in the Study Area.
Juncus leiospermus var. *ahartii* Ahart's dwarf rush	--/--/1B.2	An annual herb found in vernal pools in the eastern Sacramento Valley from 30 – 229 meters elevation. Blooms March – May (CNPS 2025).	**Will not occur/Presumed Absent.** There is no suitable habitat for this species in the Study Area, and it was not observed during the biological survey on May 16, 2025, during the blooming season. Seasonal wetlands on the site occur in areas that have been historically disturbed by agricultural uses and more recently have been subjected to construction-related disturbances and are not suitable habitat for special-status plant species.
Lasthenia chrysantha Alkali-sink goldfields	--/--/1B.1	An annual herb found in vernal pools and wet saline flats from below 100 meters elevation. Blooms February – April (CNPS 2025).	**Will not occur.** There is no suitable habitat for this species in the Study Area. Seasonal wetlands on the site occur in areas that have been historically disturbed by agricultural uses and more recently have been subjected to construction-related disturbances and are not suitable habitat for special-status plant species.

Attachment F
Potential for Regionally-Occurring Special-Status Species and/or Sensitive Natural Communities to Occur in the Study Area

Species Name/ Common Name[1]	Status[2]	Habit, Ecology and Life History	Potential to Occur
Legenere limosa Legenere	--/--/1B.1	Annual herb. Grows in vernal pools and ephemeral wetland habitats. Flowering period Apr – June (CNPS 2025).	**Will not occur/Presumed Absent.** There is no suitable habitat for this species in the Study Area, and it was not observed during the biological survey on May 16, 2025, during the blooming season. Seasonal wetlands on the site occur in areas that have been historically disturbed by agricultural uses and more recently have been subjected to construction-related disturbances and are not suitable habitat for special-status plant species.
Lepidium latipes var. *heckardii* Heckard's pepper-grass	--/--/1B.2	An annual herb found on alkaline flats in valley and foothill grasslands from 2 – 200 meters elevation. Blooms March – May (CNPS 2025).	**Will not occur.** There is no suitable habitat for this species in the Study Area.
Lilaeopsis masonii Mason's lilaeopsis	--/SR/1B.1	A perennial rhizomatous herb found in marshes, swamps, and riparian scrub from 0 – 10 meters elevation. Range is restricted to the Delta, Suisun Bay, and San Pablo Bay. Blooms April – November (CNPS 2025).	**Will not occur.** There is no suitable habitat for this species in the Study Area.
Orcuttia tenuis slender Orcutt grass	FT/SE/1B.1	An annual herb found in vernal pools from 35 – 1,760 meters elevation. Blooms May to October (CNPS 2025).	**Will not occur/Presumed Absent.** There is no suitable habitat for this species in the Study Area, and it was not observed during the biological survey on May 16, 2025, during the blooming season. Seasonal wetlands on the site occur in areas that have been historically disturbed by agricultural uses and more recently have been subjected to construction-related disturbances and are not suitable habitat for special-status plant species.
Orcuttia viscida Sacramento Orcutt grass	FE/SE/1B.1	An annual herb found in vernal pools from 30 to 100 meters in elevation. Currently known to occur in Sacramento County from 30 – 100 meters elevation. Blooms April – July (September) (CNPS 2025).	**Will not occur/Presumed Absent.** There is no suitable habitat for this species in the Study Area, and it was not observed during the biological survey on May 16, 2025, during the blooming season. Seasonal wetlands on the site

Attachment F
Potential for Regionally-Occurring Special-Status Species and/or Sensitive Natural Communities to Occur in the Study Area

Species Name/ Common Name[1]	Status[2]	Habit, Ecology and Life History	Potential to Occur
			occur in areas that have been historically disturbed by agricultural uses and more recently have been subjected to construction-related disturbances and are not suitable habitat for special-status plant species.
Sagittaria sanfordii Sanford's arrowhead	--/--/1B.2	Perennial, rhizomatous aquatic herb. Occurs in freshwater marsh habitats, often in channelized drainages with slow moving segments. Flowering period May – Oct (CNPS 2025).	**Will not occur.** There is no suitable habitat for this species in the Study Area.
Symphyotrichum lentum Suisun Marsh aster	--/--/1B.2	A perennial rhizomatous herb found in freshwater and brackish marsh from 0 – 3 meters elevation. Blooms May – November (CNPS 2025).	**Will not occur.** There is no suitable habitat for this species in the Study Area.
Trifolium hydrophilum saline clover	--/--/1B.2	An annual herb found in marshes, swamps, mesic alkaline valley and foothill grassland, and vernal pools from 0—- 300 meters elevation. Blooms April – June (CNPS 2025).	**Will not occur/Presumed Absent.** There is no suitable habitat for this species in the Study Area, and it was not observed during the biological survey on May 16, 2025, during the blooming season. Seasonal wetlands on the site occur in areas that have been historically disturbed by agricultural uses and more recently have been subjected to construction-related disturbances and are not suitable habitat for special-status plant species.
Animals			
Invertebrates			
Danaus plexippus pop. 1 monarch - California overwintering population	FPT/--/--	The federal listing on December 17, 2020 was for overwintering populations of Monarch butterflies that roost in wind protected tree groves, especially with *Eucalyptus* sp., and species of pine or cypress with nectar and water sources nearby. Winter roost sites extend along the coast from Mendocino County to Baja California. As caterpillars, monarchs feed exclusively on the leaves of milkweed (*Asclepias* sp.) (Nial et al. 2019, USFWS 2020). Monarch butterfly	**Will not occur.** The Study Area lacks suitable roosting sites of tree groves or suitable foraging habitat (*Asclepias* sp. is not present) for this species.

Attachment F
Potential for Regionally-Occurring Special-Status Species and/or Sensitive Natural Communities to Occur in the Study Area

Species Name/ Common Name[1]	Status[2]	Habit, Ecology and Life History	Potential to Occur
		migration routes pass east over the Sierra Nevada in the fall and back to the California coast in the spring (USFWS 2020). The overwintering population is located along the Coast while summer breeding areas occur in interior California and North America with spring breeding areas located further east (USFWS 2020).	
Branchinecta lynchi vernal pool fairy shrimp	FT/--/--	Occupies vernal pools ranging from small, clear, sandstone rock pools to large, turbid, alkaline, grassland valley floor pools as well as constructed seasonal ponds and lakes. It is most frequently found in pools measuring less than 0.05 acre, although it has been collected from vernal pools exceeding 25 acres. The known range within California includes the Central Valley and southern California. (USFWS 2005).	**Will not occur**. Seasonal wetlands on the site occur in areas that have been historically disturbed by agricultural uses and more recently have been subjected to construction-related disturbances and are not considered to be suitable habitat for this species. See report for further discussion.
Desmocerus californicus californicus valley elderberry longhorn beetle	FT/--/--	Endemic to elderberry shrubs (*Sambucus* spp.) occurring in riparian habitat in the Sacramento and San Joaquin Valleys, and less common throughout riparian forests of the Central Valley from Redding to Fresno County (USFWS 2014) typically below 152 meters elevation (USFWS 2017a).	**Will not occur.** There are no elderberry shrubs in the Study Area.
Lepidurus packardi vernal pool tadpole shrimp	FE/--/--	Vernal pool tadpole shrimp is found in vernal pools ranging from 54 square feet to 89 acres, containing clear- to highly-turbid water. This species is also found in other fishless water bodies such as ponds, ditches and seasonal wetlands that fill up in the winter/spring and dry up by late summer. Its known range is within the Central Valley of California and in the San Francisco Bay area (USFWS 2005).	**Will not occur**. Seasonal wetlands on the site occur in areas that have been historically disturbed by agricultural uses and more recently have been subjected to construction-related disturbances and are not considered to be suitable habitat for this species. See report for further discussion.

Attachment F
Potential for Regionally-Occurring Special-Status Species and/or Sensitive Natural Communities to Occur in the Study Area

Species Name/ Common Name[1]	Status[2]	Habit, Ecology and Life History	Potential to Occur
Fishes			
Acipenser medirostris pop. 1 Green Sturgeon Southern DPS	FT/--/SSC	Spawn in freshwater streams, in fast, deep water, over gravel, cobble, or boulders. Juveniles inhabit estuarine waters for 1-4 years until dispersing into coastal marine waters as adults. Adults return to spawn in fresh water every 6-10 years. Sacramento River watershed, including the Feather River, is the only known historical and present spawning areas for green sturgeon (NMFS 2018).	**Will not occur.** There is no suitable aquatic habitat in the Study Area.
Archoplites interruptus Sacramento perch	--/--/SSC	Extinct in its native range, all known populations of this species are the result of introductions. The species is adapted for life in sloughs, slow moving rivers, and large lakes in the Central Valley, and can tolerate high temperatures and salinities as well as high pH (alkalinity). Extant populations are in reservoirs; the species has been replaced in its native range by introduced game fishes (Crain and Moyle 2011).	**Will not occur.** There is no suitable aquatic habitat in the Study Area.
Hypomesus transpacificus Delta smelt	FT/SE/--	Delta smelt are tolerant of a wide salinity range. They have been collected from estuarine waters up to 14 ppt (parts per thousand) salinity. For a large part of their one-year life span, delta smelt live along the freshwater edge of the mixing zone (saltwater-freshwater interface), where the salinity is approximately 2 ppt. Shortly before spawning, adults migrate upstream from the brackish-water habitat associated with the mixing zone and disperse into river channels and tidally-influenced backwater sloughs. They spawn in shallow, fresh or slightly brackish water upstream of the mixing zone. Most spawning happens in tidally-influenced backwater sloughs and channel edge-waters. Although spawning has not been observed in the wild, the eggs are	**Will not occur.** There is no suitable aquatic habitat in the Study Area.

Attachment F
Potential for Regionally-Occurring Special-Status Species and/or Sensitive Natural Communities to Occur in the Study Area

Species Name/ Common Name[1]	Status[2]	Habit, Ecology and Life History	Potential to Occur
		thought to attach to substrates such as cattails, bulrush, tree roots and submerged branches. Delta smelt are found only from the Suisun Bay upstream through the Delta in Contra Costa, Sacramento, San Joaquin, Solano and Yolo counties (USFWS 2016).	
Oncorhynchus mykiss Central Valley Steelhead DPS	FT/--/--	This distinct population segment includes all naturally spawned anadromous steelhead populations below natural and manmade impassable barriers in the Sacramento and San Joaquin Rivers and their tributaries, excluding steelhead from San Francisco and San Pablo Bays and their tributaries, as well as two artificial propagation programs: the Coleman NFH, and Feather River Hatchery steelhead hatchery programs (NMFS 2016). Steelhead spawn in rivers and streams with cool, clear, water and suitable silt free substrate (NMFS 2016).	**Will not occur.** There is no suitable aquatic habitat in the Study Area.
Oncorhynchus tshawytscha Central Valley Chinook salmon spring-run ESU	FT/ST/--	Central Valley spring-run Chinook salmon spawn in rivers and streams with cool, clear, water and suitable cobble and gravel substrate. Historically occurred in all major rivers and tributaries of the Central Valley. Spawning is currently located in tributary streams of the Sacramento River (NMFS 2014). Immigration of adults through the Delta and lower Sacramento River occurs from March through September. Spawning occurs late August to October (NMFS 2014).	**Will not occur.** There is no suitable aquatic habitat in the Study Area.
Oncorhynchus tshawytscha Sacramento River Chinook salmon winter-run ESU	FE/SE/--	Chinook salmon spawn in rivers and streams with cool, clear, water and suitable cobble and gravel substrate. Immigration of adults through the Delta and lower Sacramento River occurs from December through July. Spawning is currently limited to the Sacramento River downstream of Keswick Dam and upstream of the Red Bluff Diversion and the lower	**Will not occur.** There is no suitable aquatic habitat in the Study Area.

Attachment F
Potential for Regionally-Occurring Special-Status Species and/or Sensitive Natural Communities to Occur in the Study Area

Species Name/ Common Name[1]	Status[2]	Habit, Ecology and Life History	Potential to Occur
		reaches of Battle Creek (NMFS 2014). Spawning occurs between late-April through mid-August (NMFS 2014).	
Pogonichthys macrolepidotus Sacramento splittail	--/--/SSC	Endemic to the Central Valley. They occur below the Red Bluff Diversion Dam in Tehama County to the downstream reaches of the Sacramento and American Rivers (Moyle *et al.* 2015). They also occur in the lower reaches of the Feather, Merced, Tuolumne River and the San Joaquin Rivers (Moyle *et al.* 2015). This species is largely confined to the Delta, Suisun Bay, Suisun Marsh, Napa River, Petaluma River, and Sacramento-San Joaquin estuary. This species occurs predominantly in freshwater estuarine systems and prefers low-salinity, shallow-water habitats. Occurs in slow-moving sections of rivers, sloughs, and marshes. Species abundance is strongly tied to outflows because spawning occurs over flooded vegetation (Moyle *et al.* 2015).	**Will not occur.** There is no suitable aquatic habitat in the Study Area.
Spirinchus thaleichthys longfin smelt	FC/ST/SSC	The longfin smelt is a pelagic estuarine fish that spawns in freshwater and then moves downstream to brackish water to rear. They usually live for 2 years, spawn, and then die, although some individuals may spawn as 1- or 3-year-old fish before dying. Longfin smelt in the Bay-Delta may spawn as early as November and as late as June, although spawning typically occurs from January to April. The known range of the longfin smelt extends from the San Francisco Bay-Delta in California northward to the Cook Inlet in Alaska. Longfin smelt have been observed as far upstream as Isleton in the Sacramento River, Santa Clara shoal in the San Joaquin system, Hog Slough off the South-Fork	**Will not occur.** There is no suitable aquatic habitat in the Study Area.

Attachment F
Potential for Regionally-Occurring Special-Status Species and/or Sensitive Natural Communities to Occur in the Study Area

Species Name/ Common Name[1]	Status[2]	Habit, Ecology and Life History	Potential to Occur
		Mokelumne River, and in Old River south of Indian Slough (USFWS 2016).	
Amphibians			
Spea hammondii western spadefoot	FPT/--/SSC	Amphibian that breeds in vernal pools and seasonal ponds or slow portions of streams in grasslands and woodlands. Adults spend most of their time in underground burrows in grasslands surrounding breeding pools (Jennings and Hayes 1994). Breeding is typically finished by the end of March. Tadpoles mature through late-spring and disperse as pools dry (Zeiner *et al.* 1988-1990).	**Will not occur.** There is no suitable breeding habitat for spadefoot in or adjacent to the Study Area. The seasonal wetlands in the Study Area are too shallow to provide breeding habitat for this species, which requires pools that are inundated into late spring or early summer. There is only one reported occurrence of this species in the CNDDB within 5 miles of the Study Area, and it is a reported occurrence approximately 3.75 miles east of the Study Area from 1925 (CDFW 2025).
Reptiles			
Actinemys marmorata western pond turtle	FPT/--/SSC	Inhabits slow-moving water with dense submerged vegetation, abundant basking sites, gently sloping banks, and dry clay or silt soils in nearby uplands. Turtles will lay eggs up to 0.25-mile from water but typically go no more than 600 feet (Jennings and Hayes 1994).	**Will not occur.** There is no suitable aquatic habitat in the Study Area.
Thamnophis gigas giant garter snake	FT/SE/--	Endemic to the San Joaquin and Sacramento Valley floors. Inhabits agricultural wetlands and other waterways such as irrigation and drainage canals, sloughs, ponds, small lakes, low gradient streams, and adjacent uplands. Requires adequate water during its active season (early spring through mid-fall) to provide food and cover, emergent, herbaceous wetland vegetation for foraging and cover, grassy banks and openings in waterside vegetation for basking, and higher elevation uplands for cover and	**Will not occur.** There is no suitable aquatic habitat in the Study Area.

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Species Name/ Common Name[1]	Status[2]	Habit, Ecology and Life History	Potential to Occur
		refuge from flood waters during its dormant season (winter). Inhabits small mammal burrows and other soil crevices with sunny exposure along south and west facing slopes, above prevailing flood elevations when dormant. Primarily found in marshes and sloughs as well as slow-moving creeks but absent from large rivers (USFWS 2017b).	
Birds			
Accipiter cooperii Cooper's hawk	--/--/CDFW WL	Cooper's hawks are found in mature forest, open woodlands, woodland edges, and in tree groves in urban areas with openings or edge habitat nearby. This species nests in woodlands and urban trees. Preys on medium-sized birds and small mammals. Forages in open woodland and habitat edges (Zeiner *et al.* 1990).	**Will not occur.** There is no suitable nesting habitat in the Study Area and no raptor nests were observed during the biological survey.
Agelaius tricolor tricolored blackbird	--/ST/--	Tricolored blackbird nests and seeks cover in emergent wetland vegetation and thorny vegetation such as Himalayan blackberry (*Rubus armeniacus*) as well as cattails (*Typha* spp.), willows (*Salix* spp.), and tules. The nesting habitat must be large enough to support a minimum colony of 50 pairs as they are a highly colonial species. Forages on ground in croplands, grassy fields, flooded land, and edges of ponds for insects (Shuford and Gardali 2008).	**Will not occur.** There is no suitable nesting habitat for this species in or adjacent to the Study Area.
Aquila chrysaetos Golden eagle	--/--/FP	Typically occurs in rolling foothills, mountain areas, deserts and other open habitats up to 3,822 m amsl. Typically nests on cliff ledges or large trees in open areas in canyons. Will occasionally use other tall structures for nesting, such as electrical transmission towers. Prey consists mostly of rodents, carrion, birds, reptiles and occasionally small livestock (Zeiner et al. 1990).	**Will not occur.** There is no suitable nesting habitat for this species in the Study Area or surrounding areas.

Attachment F
Potential for Regionally-Occurring Special-Status Species and/or Sensitive Natural Communities to Occur in the Study Area

Species Name/ Common Name[1]	Status[2]	Habit, Ecology and Life History	Potential to Occur
Athene cunicularia burrowing owl	--/SCE/SSC	Forages in grasslands, agricultural fields, and disturbed places where burrowing mammals are abundant. Nests in burrows, especially those of California ground squirrel (*Otospermophilus beecheyi*; Shuford and Gardali 2008).	**May occur**. Ground squirrel burrows are present in the ruderal/disturbed habitat that represent potential nesting habitat for burrowing owls. There are several reported occurrences of this species in the CNDDB within a one-mile radius of the Study Area.
Buteo regalis ferruginous hawk	--/--/WL	Found in arid and semi-arid open grasslands, sagebrush flats, desert scrub, low foothills and areas of pinyon and juniper habitat. Ferruginous hawks' nest in trees, large shrubs, utility poles and occasionally on the ground near river cut banks. Preys upon ground squirrels, rabbits, mice, and gophers. (Dechant et al. 1999)	**Will not occur.** There is no suitable nesting habitat for this species in the Study Area or surrounding areas.
Buteo swainsoni Swainson's hawk	--/ST/--	Swainson's hawks forage in grasslands, suitable grain or alfalfa fields, or livestock pastures adjacent to nesting habitat and nest in large trees in open areas in close proximity to foraging habitat (CDFW 1994).	**Will not occur.** The Study Area lacks suitable nest trees and suitable open foraging areas are not present in the Study Area and vicinity. The Study Area is too small to provide any significant foraging habitat for Swainson's hawk and the surrounding area is dominated by residential and commercial development, which does not provide suitable foraging habitat for this species. There is one reported occurrence of a nesting Swainson's hawk in a Eucalyptus in the backyard of a residence roughly 2.5 miles southwest of the Study Area. The next closest reported occurrence is roughly 3.5 miles north of the Study Area along the American River (CDFW 2025).
Coccyzus americanus Western yellow-billed cuckoo	FT/SE/--	Occurs at isolated sites in Sacramento Valley in northern California, and along Kern and Colorado River systems in southern California. Frequents valley foothill and desert riparian habitats. Inhabits open woodlands with clearings, and riparian habitats with	**Will not occur.** There is no suitable riparian habitat for this species in the Study Area and vicinity.

Attachment F
Potential for Regionally-Occurring Special-Status Species and/or Sensitive Natural Communities to Occur in the Study Area

Species Name/ Common Name[1]	Status[2]	Habit, Ecology and Life History	Potential to Occur
		dense understory foliage along slow-moving drainages, backwaters, or seeps. Prefers dense willows for roosting but will use adjacent orchard in the Sacramento Valley (CDFW 2005).	
Elanus leucurus white-tailed kite	--/--/FP	Inhabits rolling foothills and valley margins with scattered oaks, as well as river bottomlands or marshes next to deciduous woodland. Nests in isolated, dense-topped trees in open areas as well as tall trees in urban areas. Forages in a variety of habitats including grassland, marshes, and agricultural fields (Zeiner *et al.* 1988 - 1990).	**Not expected.** The Study Area does not provide suitable nesting habitat for this species although it could occasionally forage in the Study Area.
Falco columbarius merlin	--/WL/--	An uncommon winter migrant in California; breeds in Alaska and Canada. Uses a variety of habitats but requires trees close to water for cover and is usually found near coastlines, lakeshores, and wetlands (Zeiner *et al.* 1990).	**Will not occur.** There is no suitable nesting habitat for this species in the Study Area or surrounding areas.
Laterallus jamaicensis coturniculus California black rail	--/ST/FP	Inhabits brackish marsh, primarily in the upper marsh zone dominated by alkali heath (*Frankenia salina*), cattail, and rush (*Juncus* spp.); prefers lower salinity environments. In the Sierra Nevada foothills, black rail is a year-round resident along wetland edges where water is 1.2 inches or less (Richmond et al. 2010). Black rail is typically associated with perennial wetlands associated with flowing water such as irrigation canals, perennial streams and springs with dense vegetation in the Sierra Nevada foothills (Richmond et al. 2010). Forages on the ground, under cover of dense vegetation (Richmond et al. 2010).	**Will not occur.** There is no suitable habitat for this species in the Study Area or surrounding areas.

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Species Name/ Common Name[1]	Status[2]	Habit, Ecology and Life History	Potential to Occur
Melospiza melodia Song sparrow ("Modesto" population)	--/--/SSC	Restricted to California, where it is locally numerous in the Sacramento Valley, Sacramento–San Joaquin River Delta, and northern San Joaquin Valley. Resides in emergent freshwater marshes dominated by tules (*Scirpus* spp.) and cattails (*Typha* spp.) as well as riparian willow (*Salix* spp.) thickets. These Song Sparrows also nest in riparian forests of Valley Oak (*Quercus lobata*) with a sufficient understory of blackberry (*Rubus* spp.), along vegetated irrigation canals and levees, and in recently planted Valley Oak restoration sites (Shuford and Gardali 2008).	**Will not occur.** There is no suitable nesting habitat for this species in the Study Area or surrounding areas.
Phalacrocorax auritus double-crested cormorant	--/--/WL	A yearlong resident along the entire coast of California and on inland lakes, in fresh, salt and estuarine waters. Rests in daytime and roosts overnight beside water on offshore rocks, islands, steep cliffs, dead branches of tall trees, wharfs, jetties, or even transmission lines (Zeiner *et al.* 1998).	**Will not occur.** There is no suitable habitat for this species in the Study Area or surrounding areas.
Progne subis Purple martin	--/--/SSC	Occurs as a summer resident and migrant, primarily from mid-March to late September. Breeds from May (rarely late Apr) to mid-August. Purple Martins are widely but locally distributed in forest and woodland areas at low to intermediate elevations throughout much of the state. Martins use a wide variety of nest substrates (e.g., tree cavities, bridges, utility poles, lava tubes, and, formerly, buildings), but nonetheless are very selective of habitat conditions nearby. Martins are most abundant in mesic regions, near large wetlands and other water bodies, and at upper	**Will not occur.** There is no suitable habitat for this species in the Study Area or surrounding areas.

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Species Name/ Common Name[1]	Status[2]	Habit, Ecology and Life History	Potential to Occur
		slopes and ridges, which likely concentrate aerial insects (Shuford and Gardali 2008).	
Riparia riparia bank swallow	--/ST/--	Found primarily in riparian and lowland habitat in California. Nests in colonies along cliffs or steep river banks in holes. In California, a majority of the population is situated along the Sacramento River and the Feather River. Other smaller populations persist near Monterey and north of Shasta counties (Zeiner *et al.* 1988-1990).	**Will not occur.** There is no suitable nesting habitat for this species in the Study Area or surrounding areas.
Vireo bellii pusillus Least bell's vireo	FE/SE/--	Is an obligate riparian species during the breeding season that prefers early successional habitat (USFWS 1998). Typically found in structurally diverse habitat such as cottonwood-willow forests, oak woodlands, and mule fat scrub (USFWS 1998) that generally contains both canopy and shrub layers and includes some associated upland habitat. This species will winter in arroyos that contain mesquite scrub habitat and are not limited to willow dominated habitats. Previously considered to be limited to southern California, recent account of this species with successful breeding in Salinas Valley and in Yolo county show that this species is expanding back into its former range (NatureServe 2025; CDFW 2025).	**Will not occur.** There is no suitable nesting habitat for this species in the Study Area or surrounding areas.
Xanthocephalus xanthocephalus yellow-headed blackbird	--/--/SSC	Occurs in California mainly as a summer migrant, but small numbers over-winter in the southern San Joaquin Valley and deserts. Breeds in marshes with tall emergent vegetation, generally along edges over deep water. Usually forages on seeds and aquatic insects within individual territories but may use nearby agricultural fields if resources are scarce (Shuford and Gardali 2008).	**Will not occur.** There is no suitable nesting habitat for this species in the Study Area or surrounding areas.

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Potential for Regionally-Occurring Special-Status Species and/or Sensitive Natural Communities to Occur in the Study Area

Species Name/ Common Name[1]	Status[2]	Habit, Ecology and Life History	Potential to Occur
Mammals			
Taxidea taxus American badger	--/--/SSC	Inhabits drier open stages of most shrub, forest, and herbaceous habitats with loose, friable soils. Preys on a wide variety of mammals, reptiles, birds, and carrion, and hunts mostly by digging out fossorial prey. Not tolerant of cultivation. No longer occur in the Central Valley except in the extreme western edge (Williams 1986).	**Will not occur.** There is no suitable habitat for this species in the Study Area or surrounding areas.
Sensitive Natural Communities			
Elderberry savannah	--/--/--; S2.1	Open area of grassland with scattered elderberry (*Sambucus* spp.) shrubs.	**Not present.** This habitat is not present in the Study area.
Great Valley Cottonwood Riparian Forest	--/--/--	Riparian forest in the Great Valley dominated by cottonwood (*Populus* spp.), primarily Fremont cottonwood (*Populus fremontii ssp. fremontii*).	**Not present.** This habitat is not present in the Study area.
Great Valley Valley Oak Riparian Forest	---/--/G3; S3.1	A riparian forest in the Great Valley dominated by Valley Oak (*Quercus lobata*).	**Not present.** This habitat is not present in the Study area.

[1]Sensitive species reported in CNDDB or CNPS lists on the "Carmichael, Clarksburg, Elk Grove, Florin, Sacramento East, and Sacramento West, CA" USGS quads or in the USFWS IPaC list of special-status species potentially present in the project site.

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

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

Global Rank: G1 = Critically imperiled; G2 = Imperiled; G3 = Vulnerable; G4 = Apparently secure; G5 = Secure

State Rank: S1 = Critically imperiled; S2 = Imperiled; S3 = Vulnerable; S4 = Apparently secure; S5 = Secure

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