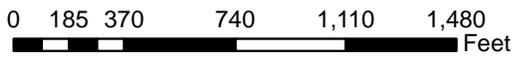
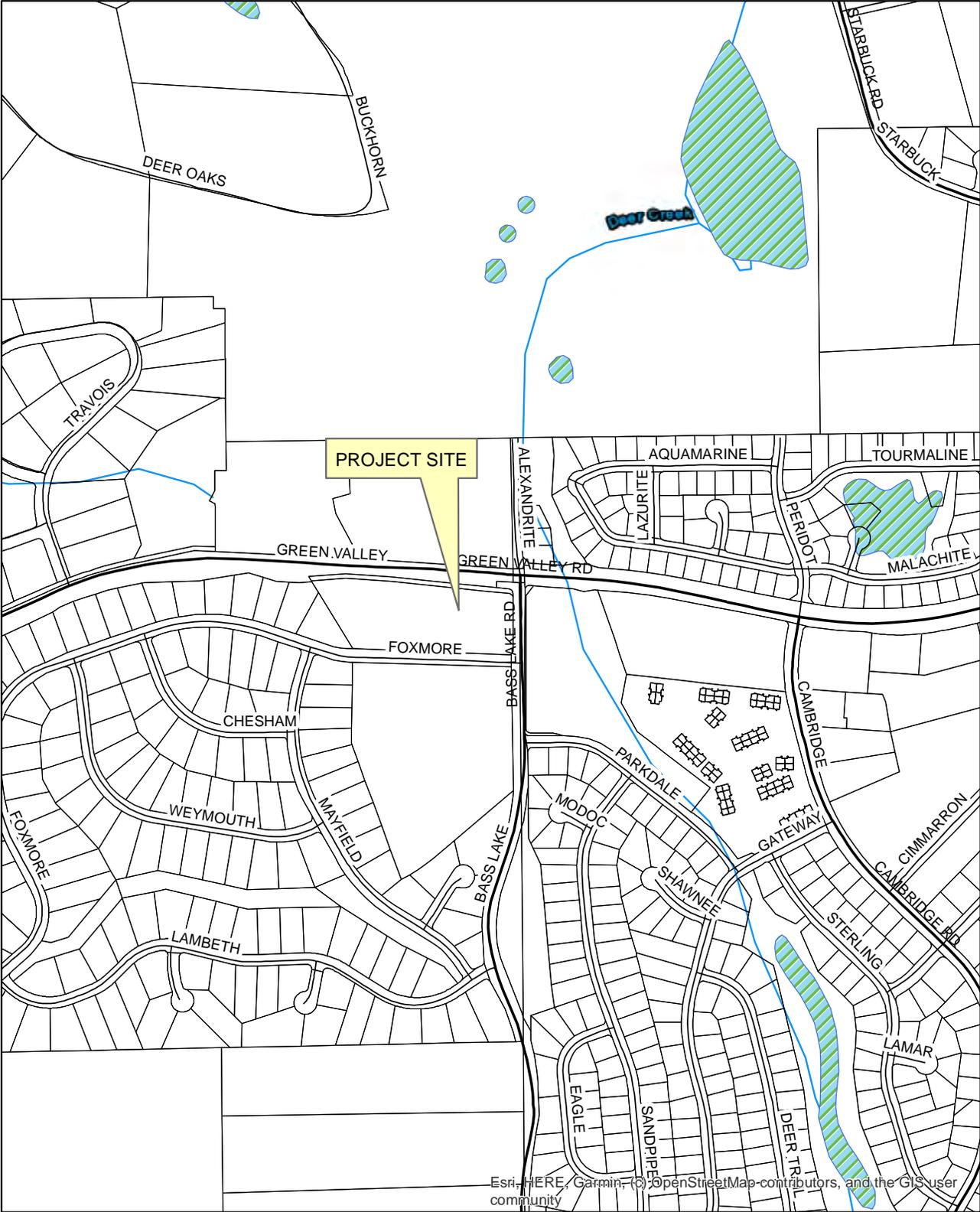


P24-0009 BASS LAKE FAMILY APARTMENTS
EXHIBIT A - LOCATION MAP

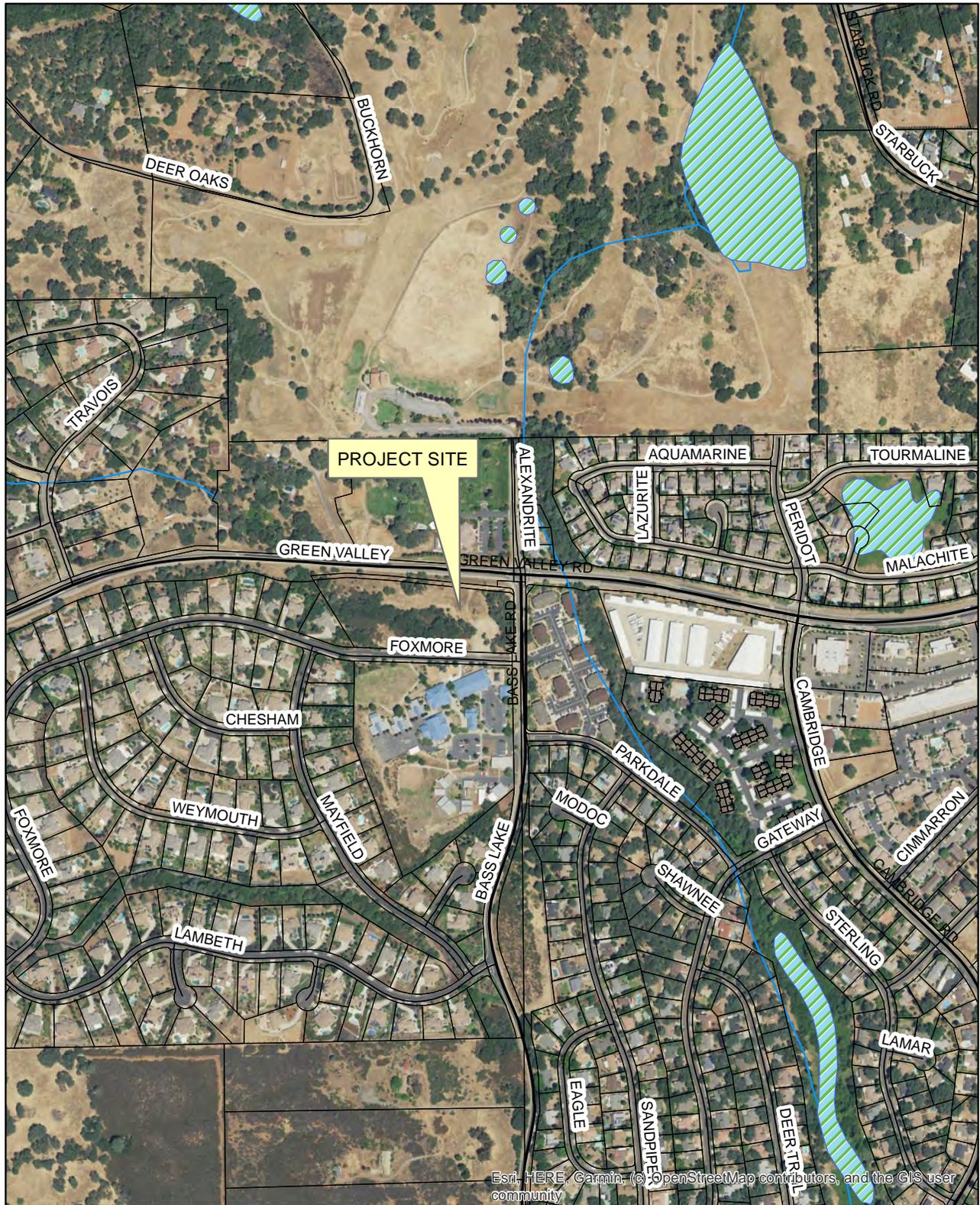


Scale

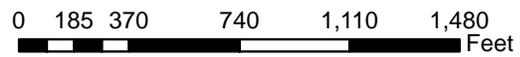
N



P24-0009 BASS LAKE FAMILY APARTMENTS
EXHIBIT B - AERIAL MAP



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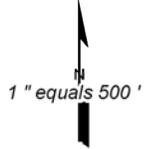
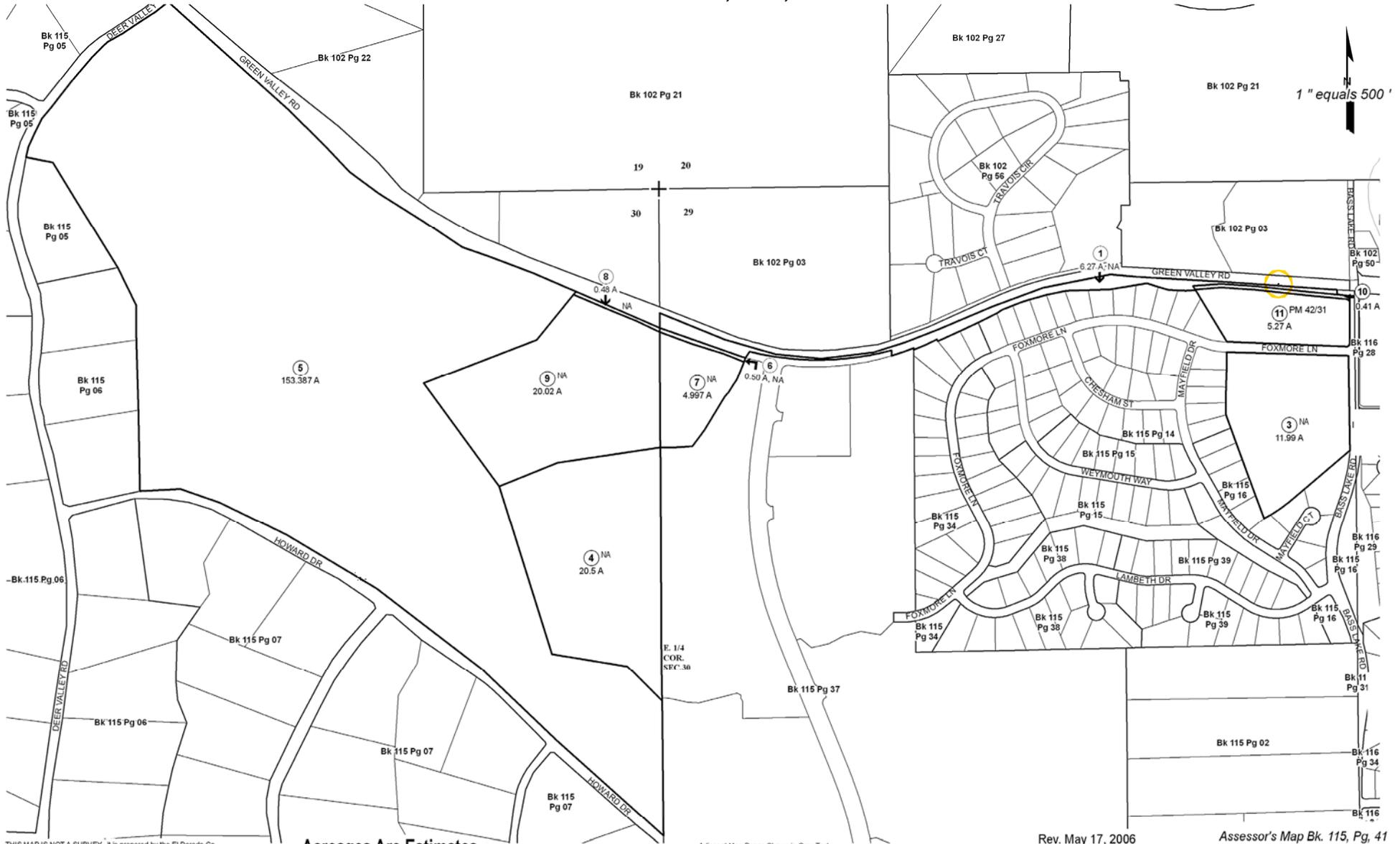
Scale



P24-0009 BASS LAKE FAMILY APARTMENTS EXHIBIT C - ASSESSORS PARCEL PAGE

SECS. 29 & 30 T.10N., R.9E., M.D.M.

115:41



THIS MAP IS NOT A SURVEY, it is prepared by the El Dorado Co. Assessor's office for assessment purposes only.

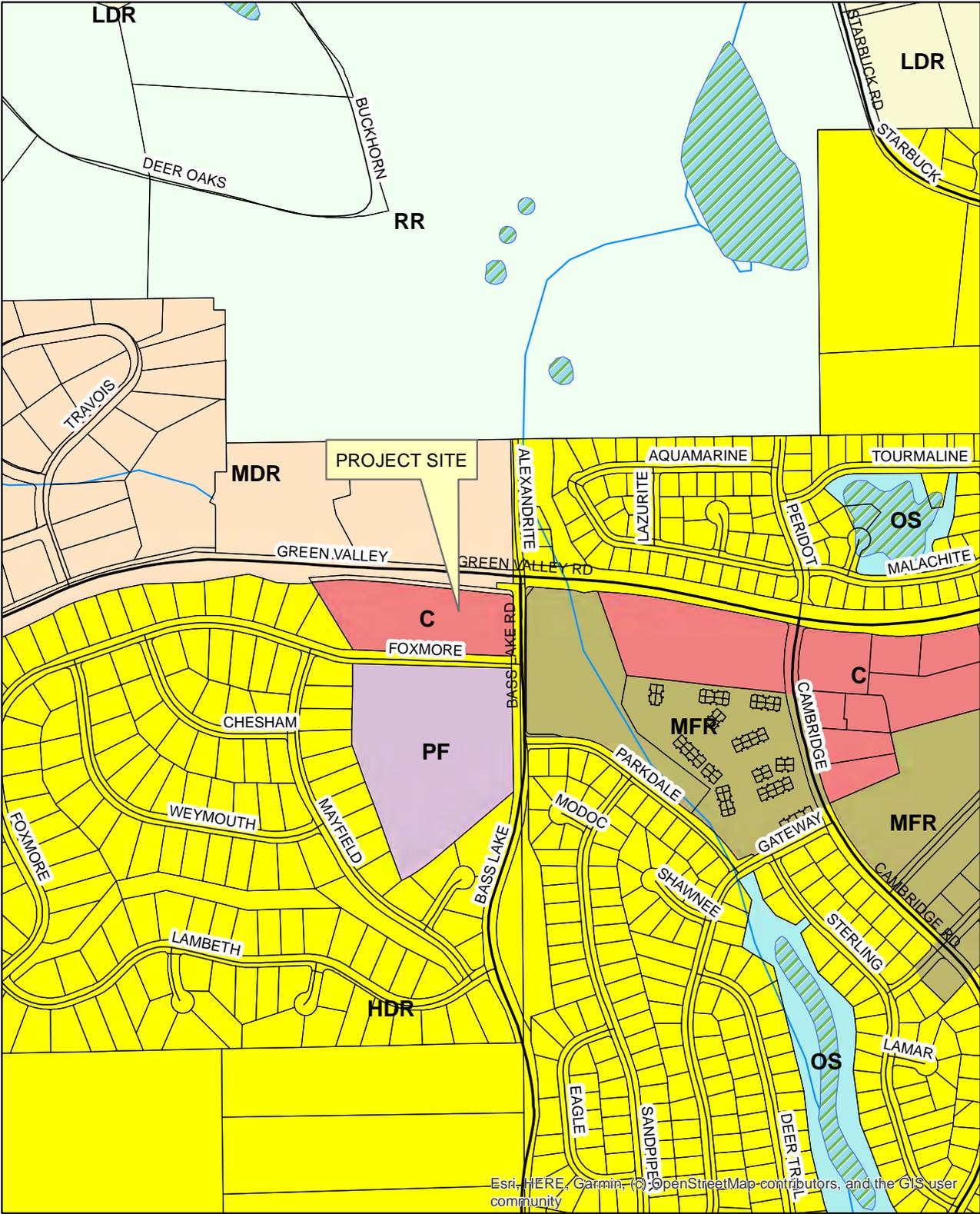
Acreages Are Estimates

Adjacent Map Pages Shown in Grey Text
Assessor's Parcel Numbers Shown in Circles

Rev. May 17, 2006

Assessor's Map Bk. 115, Pg. 41
County of El Dorado, CA

P24-0009 BASS LAKE FAMILY APARTMENTS
 EXHIBIT D - GENERAL PLAN LAND USE MAP



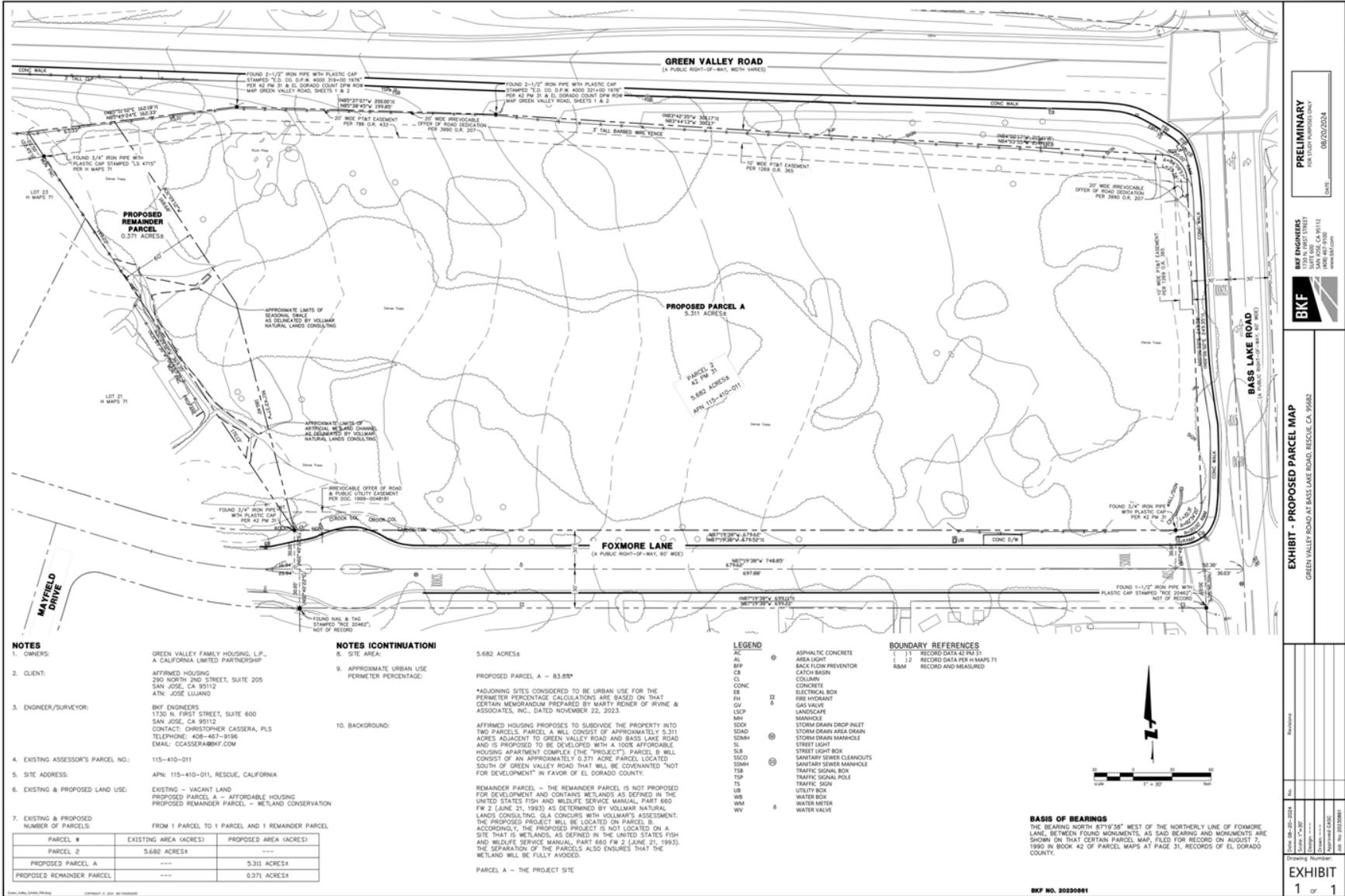
Esri, HERE, Garmin, © OpenStreetMap contributors, and the GIS user community

0 185 370 740 1,110 1,480 Feet

Scale



P24-0009 BASS LAKE FAMILY APARTMENTS EXHIBIT F - TENTATIVE PARCEL MAP P24-0009



NOTES

1. OWNERS: GREEN VALLEY FAMILY HOUSING, L.P., A CALIFORNIA LIMITED PARTNERSHIP
2. CLIENT: AFFIRMED HOUSING, 290 NORTH 2ND STREET, SUITE 205, SAN JOSE, CA 95112, ATN: JOSE LUJANO
3. ENGINEER/SURVEYOR: BKF ENGINEERS, 1730 N. FIRST STREET, SUITE 600, SAN JOSE, CA 95112. CONTACT: CHRISTOPHER CASSERA, PLS. TELEPHONE: 408-467-9196. EMAIL: CCASSERA@BKF.COM
4. EXISTING ASSESSOR'S PARCEL NO.: 115-410-011
5. SITE ADDRESS: APR: 115-410-011, RESCUE, CALIFORNIA
6. EXISTING & PROPOSED LAND USE: EXISTING - VACANT LAND. PROPOSED PARCEL A - AFFORDABLE HOUSING. PROPOSED REMAINDER PARCEL - WETLAND CONSERVATION
7. EXISTING & PROPOSED NUMBER OF PARCELS:

PARCEL #	EXISTING AREA (ACRES)	PROPOSED AREA (ACRES)
PARCEL 2	5.682 ACRES±	---
PROPOSED PARCEL A	---	5.311 ACRES±
PROPOSED REMAINDER PARCEL	---	0.371 ACRES±

NOTES (CONTINUATION)

8. SITE AREA: 5.682 ACRES. PROPOSED PARCEL A - 5.311 ACRES.
9. APPROXIMATE URBAN USE PERMETER PERCENTAGE: *ADJOINING SITES CONSIDERED TO BE URBAN USE FOR THE PERMETER PERCENTAGE CALCULATIONS ARE BASED ON THAT CERTAIN MEMORANDUM PREPARED BY MARTY REINER OF IRVINE & ASSOCIATES, INC., DATED NOVEMBER 22, 2023.
10. BACKGROUND: AFFIRMED HOUSING PROPOSES TO SUBDIVIDE THE PROPERTY INTO TWO PARCELS. PARCEL A WILL CONSIST OF APPROXIMATELY 5.311 ACRES ADJACENT TO GREEN VALLEY ROAD AND BASS LAKE ROAD AND IS PROPOSED TO BE DEVELOPED WITH A 100% AFFORDABLE HOUSING APARTMENT COMPLEX (THE "PROJECT"). PARCEL B WILL CONSIST OF AN APPROXIMATELY 0.371 ACRE PARCEL LOCATED SOUTH OF GREEN VALLEY ROAD THAT WILL BE COVENANTED "NOT FOR DEVELOPMENT" IN FAVOR OF EL DORADO COUNTY. REMAINDER PARCEL - THE REMAINDER PARCEL IS NOT PROPOSED FOR DEVELOPMENT AND CONTAINS WETLANDS AS DEFINED IN THE UNITED STATES FISH AND WILDLIFE SERVICE MANUAL, PART 660 FW 2 (LAKE 21, 1993) AS DETERMINED BY VOLLMAR NATURAL LANDS CONSULTING. GLA CONCURS WITH VOLLMAR'S ASSESSMENT. ACCORDINGLY, THE PROPOSED PROJECT IS NOT LOCATED ON A SITE THAT IS WETLANDS AS DEFINED IN THE UNITED STATES FISH AND WILDLIFE SERVICE MANUAL, PART 660 FW 2 (LAKE 21, 1993). THE SEPARATION OF THE PARCELS ALSO ENSURES THAT THE WETLAND WILL BE FULLY AVOIDED.

PARCEL A - THE PROJECT SITE

LEGEND

- AC ASPHALTIC CONCRETE
- AL AREA LIGHT
- BFP BACK FLOW PREVENTOR
- CB CATCH BASIN
- CL COLLAR
- CONC CONCRETE
- EB ELECTRICAL BOX
- FR FIBRE INSULANT
- GV GAS VALVE
- LANDCARE LANDSCAPE MANHOLE
- SDOI STORM DRAIN DROP INLET
- SDOAI STORM DRAIN AREA DRAIN
- SDMH STORM DRAIN MANHOLE
- SL STREET LIGHT
- SLB STREET LIGHT BOX
- SSCO SANITARY SEWER CLEANOUTS
- SSMH SANITARY SEWER MANHOLE
- TSB TRAFFIC SIGNAL BOX
- TSI TRAFFIC SIGNAL POLE
- TSI TRAFFIC SIGNAL
- UB UTILITY BOX
- WB WATER BOX
- WM WATER METER
- WV WATER VALVE

BOUNDARY REFERENCES

- (1) RECORD DATA 42 FM 31
- (2) RECORD DATA PER MAPS 71
- RAM RECORD AND MEASURED

BASIS OF BEARINGS
THE BEARING NORTH 87°13'38" WEST OF THE NORTHERLY LINE OF FOXMORE LANE, BETWEEN FOUND MONUMENTS, AS SAID BEARINGS AND MONUMENTS ARE SHOWN ON THAT CERTAIN PARCEL MAP, FILED FOR RECORD ON AUGUST 7, 1990 IN BOOK 42 OF PARCEL MAPS AT PAGE 31, RECORDS OF EL DORADO COUNTY.

BKF NO. 20230861

PRELIMINARY
FOR STUDY PURPOSES ONLY
DATE: 08/20/2024

BKF ENGINEERS
SUITE 600
1730 N. FIRST STREET
SAN JOSE, CA 95112
PHONE: 408-467-9196
WWW.BKF.COM

EXHIBIT - PROPOSED PARCEL MAP
GREEN VALLEY ROAD AT BASS LAKE ROAD, RESCUE, CA 95082

DATE	BY	DESCRIPTION
08/20/2024	CHC	ISSUED FOR PUBLIC COMMENT
08/20/2024	CHC	ISSUED FOR PUBLIC COMMENT

EXHIBIT
1 of 1



RECEIVED

AUG - 1 2023

EL DORADO COUNTY
PLANNING AND BUILDING DEPARTMENT

SACRAMENTO OFFICE
2401 Capitol Avenue
Sacramento, CA 95816
Phone: 916/758-6928
Fax: 510/559-9605
www.vollmarconsulting.com

Biological Resources Evaluation Report



Green Valley and Bass Lake Road Parcel, Town of Skinners, El Dorado County, California

Prepared for:

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Vista, CA 92085
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(760) 712-2199

Prepared by:

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Sacramento, CA 95691
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(916) 758 -6928

June 2023
J-556-02

PA23-0009

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1.0 INTRODUCTION

This report presents the methods and results of a Biological Resource Evaluation conducted by Vollmar Natural Lands Consulting, Inc. (VNLC) for the parcel at the corner of Green Valley Road and Bass Road Project ('project') in the Town of Skinners, El Dorado County, California. The parcel of interest is zoned as commercial and may be utilized for commercial development.

This biological resource evaluation was conducted to identify and characterize existing conditions, as well as to assess the potential for special-status species and sensitive habitats to occur within the project disturbance areas. In the absence of avoidance and minimization measures, the project could result in disturbance to the regulated biological resources listed below. Based on habitat requirements and occurrence distributions, there are a total of five non-listed special-status wildlife species with some potential to occur within the immediate proximity of the Study Area. These include:

- One non-listed State Fully Protected Species: white-tailed kite (*Elanus leucurus*),
- Four non-listed Birds of Conservation Concern: oak titmouse (*Baeolophus inornatus*), Bullock's oriole (*Icterus bullocki*), yellow-billed magpie (*Pica nuttalli*); Nuttall's woodpecker (*Dryobates nuttalli*); and
- Other active nests of bird species protected by the Migratory Bird Treaty Act and California Fish and Game Code.

Special-status plants were not observed during the field survey. Due to the moderately disturbed nature of the Study Area and limited habitat types, such as lack of unique soil types and significant wetlands, no special-status plant species known from the region are expected to occur within the Study Area.

Mixed species oak woodland stands occur in the Study Area that are protected under El Dorado County Ordinance No. 5061 (Oak Resource Conservation Ordinance). As such, mitigation of oak tree removal is likely to be required.

The implementation of recommended avoidance and minimization measures would reduce potential impacts to non-listed special-status species to less-than-significant levels. Mitigation of oaks following removal is likely to be required to offset project impacts.

2.0 EXTENT AND LOCATION OF THE STUDY AREA

The Study Area is located along Green Valley Road within a 5.27-acre parcel in the Town of Skinners, El Dorado County, California (**Figure 1**). The Study Area was selected to cover the entirety of the 5.27-acre parcel (**Figure 4**).

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The Study Area occurs in El Dorado County Assessor's Parcel Number 115-410-011. The Study Area is mapped within the Clarksville U.S. Geological Survey (USGS) 7.5-minute topographic quadrangle, and lies entirely within Section 29 of Township 10 North, Range 09 East of the Mount Diablo Principal Meridian (**Figure 2**). The Study Area centroid is located at 38° 41' 52.9057" N", -121° 0' 33.5025" W.

3.0 METHODS

3.1 Preliminary Review

Prior to conducting field surveys, the project ecologists compiled and reviewed existing information pertaining to the Study Area, including the latest version of the California Natural Diversity Database (CNDDB) (CDFW 2023), the California Native Plant Society (CNPS) Inventory of Rare Plants (2023), and a U.S. Fish and Wildlife Service (USFWS) Information Planning and Consultation System (IPaC) list (2023).

3.2 Targeted Sensitive Biological Resources

Special-status animal species targeted and analyzed in this report include those listed by the USFWS and/or California Department of Fish and Wildlife (CDFW) as threatened or endangered, as well as those proposed for listing or that are candidates for listing as threatened or endangered. The listing of "Endangered, Rare, or Threatened" is defined in Section 15380 of the *California Environmental Quality Act (CEQA) Guidelines*. Section 15380(b) states that a species of animal or plant is "endangered" when its survival and reproduction in the wild are in immediate jeopardy from one or more causes, including loss of habitat, change in habitat, overexploitation, predation, competition, disease, or other factors. A species is "rare" when either "(A) although not presently threatened with extinction, the species is existing in such small numbers throughout all or a significant portion of its range that it may become endangered if its environment worsens; or (B) the species is likely to become endangered within the foreseeable future throughout all or a portion of its range and may be considered 'threatened' as that term is used in the Federal Endangered Species Act" (ESA).

Animal species that are designated as "Fully Protected," "Species of Special Concern," or "Watch List" by the CDFW are also considered to be of special-status. Although these species have no legal status under the California Endangered Species Act (CESA), the CDFW recommends their protection as their populations are generally declining and they could be listed as threatened or endangered (under CESA) in the future. "Fully Protected" species generally may not be taken or possessed at any time. The CDFW may only authorize take for necessary scientific research and may authorize live capture and relocation of "fully protected" species in certain circumstances. The "Species of Special Concern" designation is meant to call attention to the plight of the species and address the issues of concern early enough to secure their long-term viability. "Watch List" species were previously designated as "Species of Special Concern" but no longer meet that status, or do not yet meet that status but there is concern and need for more information to clarify status.

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Birds that are designated by the USFWS as “Birds of Conservation Concern” are also considered of special-status. Although these species have no legal status under the ESA, the USFWS recommends their protection as their populations are generally declining, and they could be listed as threatened or endangered (under ESA) in the future.

Special-status plants include species that are designated rare, threatened, or endangered as well as candidate species for listing by the USFWS. Special-status plants also include species considered rare or endangered under the conditions of Section 15380 of the CEQA Guidelines, such as those plant species identified by the CNPS as California Rare Plant Rank (CRPR) 1A, 1B, and 2 in the Inventory of Rare and Endangered Vascular Plants of California. Finally, special-status plants may include other species that are considered sensitive or of special concern due to limited distribution or lack of adequate information to permit listing or rejection for federal or state status, such as those included as CRPR List 3 in the CNPS Inventory.

For the purposes of this report, ‘sensitive plant communities’ include those designated as such by the CDFW, either in the CNDDDB, the list of California Sensitive Natural Communities (CDFW 2020), or as sensitive alliances classified in the Manual of California Vegetation (MCV) (Sawyer et al. 2009). Alliances included within the MCV that are designated as global or state rank (“G” or “S”) 1-3 are considered “rare or threatened” at the global and/or state level and are therefore considered sensitive.

In addition, wetland and riparian habitats, regardless of MCV status, are considered sensitive. Wetlands, streams, and permanent and intermittent drainages are subject to the jurisdiction of the U.S. Army Corps of Engineers (ACOE) under Section 404 of the Federal Clean Water Act (CWA). The CDFW also generally has jurisdiction over these resources, together with other aquatic features that provide an existing fish and wildlife resource pursuant to Sections 1602-1603 of the California Fish and Game Code. The CDFW asserts jurisdiction to the outer edge of vegetation associated with a riparian corridor. The Regional Water Quality Control Board (RWQCB) also generally has jurisdiction over streams and wetlands. Any grading, excavation, or filling of jurisdictional drainage corridors or wetlands would require a Section 404 permit, a 401 Water Quality Certification, and a CDFW Streambed Alteration Agreement.

Oak trees in El Dorado County are subject to the County’s Oak Resources Conservation Ordinance (Ordinance No. 5061). This ordinance requires one or more oak woodland mitigation alternatives to mitigate the significant effect of the conservation of oak woodlands (El Dorado County 2023).

Figure 5 shows the distribution of special-status species documented in CNDDDB in the surrounding area. These and other special-status species known from the project region are listed in **Table 1** and **2** of **Appendix B**, along with their regulatory status, habitat requirements, and an evaluation of their potential to occur on or near the Study Area.

3.3 Field Survey

A biological resource assessment survey was conducted within the Study Area on May 10th, 2023. The survey was conducted by VNLC Ecologist Chris Jasper. During the survey, the ecologist traversed the entire Study Area and recorded all dominant plant taxa and commonly observed animal species, along with general ecological conditions and notable habitat features. An effort was made to find any special-status plants identifiable at the time of year (i.e., late-spring and early-summer blooming species along with woody perennial species). In addition, the survey involved a search for signs of special-status animals as well as habitat with potential to support special-status species (i.e., nesting potential, mammal burrows).

Photographs detailing representative site conditions and habitats were also collected from across the Study Area. The photographs are presented in **Appendix A**.

4.0 RESULTS

4.1 Existing Conditions

The Study Area encompasses predominately mixed oak and pine woodland habitat with a moderately disturbed annual grassland understory (**Figure 4**). At the western side of the parcel, there is a narrow ephemeral swale which connects to a riprap armored stormwater drainage along the fence line of the neighboring property to the west. There are several stands of coyote brush (*Baccharis pilularis*) scrub along with mixed stands of coyote brush and chamise (*Adenostoma fasciculatum*) throughout the parcel as well. Plant communities are described further in **Section 4.1.4**.

The Study Area is bounded by Green Valley Road to the north, Bass Lake Road to the east, Green Valley Elementary School to the south, and residential homes to the west. The Study Area occurs on a moderate slope of 5-15%, which slopes from east to west, increasing in steepness from Bass Lake Road to the west perimeter. A two track dirt road runs through the center of the parcel from east to west.

4.1.1 Climate

The climate in the region is characterized as “Mediterranean,” with cool, wet winters and warm, fairly dry summers as well as high inter- and intra-annual variability in precipitation. Mean annual precipitation and temperature in the vicinity of the Study Area are 32 inches and 60 degrees Fahrenheit (°F), respectively (PRISM 2023). More than 98 percent of annual precipitation occurs during the “wet season,” which extends from October to May. The 2022 to 2023 wet season has been notably wetter than average, with nearly 45 inches of precipitation recorded from October 2022 to May 2023 (ibid).

4.1.2 Topography

The Study Area is located in the Sierra Nevada foothills. Elevation within the Study Area is approximately 1,300 feet above sea level (NOAA 2019). Slope within the Study Area ranges from 5 to 15 percent (ibid).

than 10% absolute tree cover (CNPS 2023). Within the Study Area, the coyote brush shrubland is comprised of coyote brush shrubs along with mixed shrub of coyote brush and chamise, with an herbaceous understory dominated by soft brome and common oat. There are also several isolated occurrences of common manzanita (*Arcotostaphylos manzanita*) along the edges of the coyote brush. This alliance has a ranking of G5 S5 and is not considered sensitive (CDFW 2023).

Seasonal Swale

There is a narrow seasonal swale drainage feature that drains to the west boundary of the Study Area. This feature was dominated by species found in the annual grassland and did not contain any notable vegetative indicators of wetland conditions though did have a semi-defined channel margin. The swale likely collects and diverts water during significant storm events but is unlikely to hold water for a considerable time period, if at all. This swale connects with an armored storm drain type feature along the western edge of the Study Area.

4.1.5 Wildlife

An effort was made to document commonly occurring animal species within the Study Area, though the survey was reconnaissance in nature and not intended to prove absence of any species within the Study Area. Weather conditions were moderately warm and the beginning of the survey and steadily warmed into the early afternoon (65 to 80° F), with a partly cloudy sky and low windspeeds (approximately 1 to 5 miles per hour). Animals observed include 21 bird species, one reptile species, and evidence of deer.

Bird species observed were noted according to habitat type. Within the scrub and annual grassland habitat were California scrub-jay (*Aphelocoma californica*), California quail (*Callipepla californica*), Anna's hummingbird (*Calypte anna*), house finch (*Haemorhous mexicanus*), northern mockingbird (*Mimus polyglottos*), lesser goldfinch (*Spinus psaltria*), and mourning dove (*Zenaidura macroura*). There were a variety of bird species utilizing the oak woodland within and just outside of the Study Area such as oak titmouse, Nuttall's woodpecker, Bullock's oriole, acorn woodpecker (*Melanerpes formicivorus*), western tanager (*Piranga ludoviciana*), bushtit (*Psaltiriparus minimus*), and white-breasted nuthatch (*Sitta carolinensis*). Several species were observed flying over the Study Area which include turkey vulture (*Cathartes aura*), red-tailed hawk (*Buteo jamaicensis*), red-shouldered hawk (*Buteo lineatus*), rock pigeon (*Columba livia*), American crow (*Corvus brachyrhynchos*), Eurasian collared-dove (*Streptopelia decaocto*), and European starling (*Sturnus vulgaris*).

Western fence lizards (*Sceloporus occidentalis*) were observed throughout the Study Area, particularly within the coyote brush and fallen branches beneath trees. There were also hoof prints from deer (*Cervidae* sp.) observed within the Study Area.

4.2 Protected Habitats

4.2.1 Wetlands or Waters of the U.S. and State of California

A formal wetland delineation was not conducted as part of this field survey. Geomorphic indicators of potential seasonal wetland habitat were observed during the site reconnaissance visit within the season swale that drains towards the western edge of the Study Area. While these features are unlikely to fall under federal jurisdiction by the ACOE through Section 404 of the Clean Water Act they may be subject to State jurisdiction by the Regional Water Quality Control Board (RWQCB), and/or the California Department of Fish and Wildlife (CDFW) through State regulations.

4.2.2 Sensitive Plant Communities

Sensitive plant communities within the Study Area include oak woodlands and individual oak trees which are considered sensitive at the state level and are protected under the California Oak Woodlands Conservation Law. No other sensitive plant communities are present within the Study Area.

5.0 SPECIAL-STATUS SPECIES AND AVOIDANCE MEASURES

This section provides background information and lists recommended avoidance and minimization measures to reduce the potential for the project to impact special-status species and sensitive habitats within the Study Area. Only listed species and/or special-status species with the greatest potential to occur within the Study Area are addressed here.

In addition to species-specific avoidance measures listed below, the following general avoidance and minimization measures are recommended:

- Measure 1: All construction personnel involved in the project shall attend environmental awareness training prior to the commencement of potential project disturbance activities. The training shall be conducted by a qualified biologist and shall involve the presentation of sensitive species and habitats documented or potentially occurring in the Study Area. The training should include handouts that describe each resource with respect to listing status, habitat preferences, distinguishing physical characteristics, causes of its decline, and potential protection and avoidance measures. The handout shall be distributed among construction personnel and shall include photographs of the resources in order to facilitate identification by the personnel.
- Measure 2: Silt fencing or other sediment control measures should be utilized to minimize potential construction related pollution to any waterways that drain to downstream waterbodies. To prevent impacts from spills, construction equipment should be staged away from wetlands or sensitive habitat, and a spill prevention plan shall be in place to prevent runoff and contamination into the surrounding wetlands and drainage ditches. Excavated materials will be stockpiled away from sensitive

habitat, in areas that are relatively level, and relatively free of vegetation. Stockpiles will be located as far as reasonably feasible from the limits of sensitive habitat avoidance habitat, and runoff control measures as described above will be used to prevent delivery of sediment into wetlands and watercourses. If wattles are used, they will consist of certified sterile, weed-free materials. Any excavated materials not reused on site will be promptly removed to appropriate permanent disposal locations at the end of project construction. All avoided wetlands and sensitive habitat will be flagged or fenced by a qualified biologist prior to the commencement of ground disturbing activities.

5.1 Listed Animal Species

The Study Area does not support potential habitat for Federal and/or State listed animal species. Overall, many of the listed species in the project vicinity require vernal pools, cold freshwater waterbodies, or chaparral habitats with highly acidic soil types. None of the above are present in the Study Area.

5.1.1 Designated Critical Habitat

As shown in **Figure 5**, the Study Area is not located within USFWS designated critical habitat for any species and there is no critical habitat within a five-mile buffer surrounding the Study Area.

5.2 Non-listed Special-Status Animal species

There are five non-listed bird species that may or are known to utilize the habitat present in the Study Area. White-tailed kite readily use trees such as oaks and pines to nest and prefer to forage in grasslands as one of their primary foraging grounds, both of which occur in the Study Area. The oak titmouse, Bullock's oriole, yellow-billed magpie, and Nuttall's woodpecker are all known to readily nest and forage within oak woodlands. Oak titmouse, Bullock's oriole, and Nuttall's woodpecker were observed during the time of the survey.

These species are not state or federally listed as endangered or threatened. However, their designation as either State Fully Protected by CDFW and/or Bird of Conservation Concern by USFWS warrants consideration, and avoidance and minimization measures are recommended.

5.2.1 White-tailed Kite

White-tailed kite is listed as CDFW Fully Protected. White-tailed kites are endemic to west of the Sierra Nevada Mountain Range, where their range extends into Oregon and Washington, though the majority of the population occurs throughout California (Eisenmann 1971).

White-tailed kite is a medium sized raptor that forages in grasslands, meadows, wetlands, agricultural areas, and other open areas with high small mammal prey abundances. Their name is derived from their hunting style, as white-tailed kite fly into a headwind and hover in place, similar to a kite, before executing a steep dive onto unexpected prey (Warner and Rudd 1975). They nest in a variety of tree species, anywhere from 6-100 feet tall, close to their preferred foraging habitats

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(Niemela 2007). White-tailed kite often forage within half a square mile around their nest and their home ranges outside of the nesting season are often less than 3 square miles (Hawbecker 1942).

White-tailed kite populations were threatened with extinction in the early 20th century due to shooting and egg collecting (Eisenmann 1971). The species has recovered since then, and year-round irrigation of agricultural land produces consistent food sources such as small mammals (Niemela 2007). Land development threatens the species through removal of trees preferred for nesting. Additionally, modern farming techniques and crop rotation can alter prey availability in the nesting season, which can be problematic for white-tailed kite requiring a constant food source to feed their young (Dunk 1995).

White-tailed kite are known to forage and nest near Bass Lake, a small lake approximately 1.4 miles to the southwest of the Study Area (eBird 2023.)

Potential Project Impacts

The trees present within the Study Area provides suitable nesting habitat for white-tailed kite. Therefore, it is possible that white-tailed kite may be present in the Study Area during construction activities, and could be harmed in the absence of avoidance and minimization measures.

Recommended Avoidance and Minimization Measures

Measure 3: If construction activities would commence anytime during the nesting/breeding season of Birds of Conservation Concern, raptors, or other migratory birds (typically February 1 through August 31) a pre-construction survey for nesting birds should be conducted by a qualified biologist within two weeks of the commencement of construction activities. If there is a two week or longer lapse in construction activities within the Study Area, the pre-construction survey will be repeated.

If active nests are found in areas that could be directly affected or are within 500 feet of construction and would be subject to prolonged construction-related noise, a no-disturbance buffer zone should be created around active nests during the breeding season or until a qualified biologist determines that all young have fledged. The size of the buffer zone and types of construction activities restricted within it should be determined through coordination with the CDFW, taking into account factors such as the following:

- Noise and human disturbance levels at the construction site at the time of the survey and the noise and disturbance expected during the construction activity;
- Distance and amount of vegetation or other screening between the construction site and the nest; and
- Sensitivity of individual nesting species and behaviors of the nesting birds.

5.2.2 Oak Titmouse

The oak titmouse is listed as a Bird of Conservation Concern by USFWS. A small nonmigratory bird, oak titmouse occur along the Pacific Coast of North America from southwest Oregon to the northwest Baja California peninsula at elevations less than 2,500 feet (Cicero 2000). The oak titmouse is a gray insectivorous bird that is characterized by its crest atop its head and shrill territorial calls. Oak titmice prefer oak woodlands and oak woodlands mixed with pines where they nest in natural cavities, vacant woodpecker cavities, or dense foliage that forms a cavity like structure (Milligan and Dickinson 2016). Pairs bond in their first year and mate for life, and pairs fiercely defend their relatively small territories from other oak titmouse pairs. Though oak titmouse are one of the most common birds in oak woodlands throughout California, their population has experienced nearly a 50% decline, coinciding with the increase in human population through the twentieth century and subsequent destruction of oak woodlands for timber harvest, clearing for agriculture, and removal for urban development (NACBI 2014).

The Study Area provides high quality habitat for oak titmouse, as a significant portion of the Study Area is made up of oak woodland and mixed oak and pine woodlands. At least one oak titmouse pair was present within the Study Area during the time of the survey.

Potential Project Impacts

The oak woodland present within the Study Area provides ideal nesting and foraging habitat for oak titmouse. Oak titmice were abundant over the course of the survey and were displaying territorial calls, indicating that there are resident pairs which occupy the habitat present within the Study Area. Therefore, it is possible that individual oak titmouse may be present in the Study Area during construction activities, and could be harmed in the absence of avoidance and minimization measures.

Recommended Avoidance and Minimization Measures

See Measure 3.

5.2.3 Bullock's Oriole

The Bullock's oriole is listed as a Bird of Conservation Concern by USFWS. Bullock's oriole is a vibrant migratory species, with a bright yellowish-orange front and jet-black hooded face, that overwinter in Southern Mexico and breed throughout the western United States as far north as southwest Canada (Flood et al. 2016). They breed in riparian and open woodlands, with a preference for woodlands that have relatively large, isolated trees or distinct stands of trees. Bullock's orioles prefer large riparian trees, such as sycamores and cottonwoods, though will also readily use large oaks such as valley oaks. A highly omnivorous species, they will feed on a variety of insects, nectar from flowers, and juicy fruits such where they pry open the fruit with their beak and drink the fruit juice. Bullock's oriole nest between 10-25 feet off the ground along the outer edge of the canopy, making intricately woven nests. Where the proper habitat occurs within their range, Bullock's orioles can be relatively common, though populations declined by nearly 27%

from 1966 to 2019 (Sauer et al. 2019). Threats to Bullock's oriole include loss of preferred nesting habitat and likely forage contamination by pesticide use (Flood et al. 2016).

There were several Bullock's orioles observed foraging throughout the Study Area. While nesting was not observed at the time of the survey, there is potential nesting habitat present in the form of oak trees.

Potential Project Impacts

The oak woodland present within the Study Area provides nesting and foraging habitat for Bullock's oriole. Therefore, it is possible that individual Bullock's oriole may be present in the Study Area during construction activities, and could be harmed in the absence of avoidance and minimization measures.

Recommended Avoidance and Minimization Measures

See Measure 3.

5.2.4 Yellow-billed Magpie

The yellow-billed magpie is listed as a Bird of Conservation Concern by USFWS and is highly studied due to the dramatic effect West Nile virus had on the population in the early 2000s (Crosbie et al. 2008). The yellow-billed magpie is a medium sized bird with a long tail, iridescent blue-black wings, a striking contrast of a black breast and white belly, and as the name suggests a distinctly yellow bill. As a non-migratory endemic species to California, the yellow-billed magpie can be found in open oak woodlands and oak savannas in the Central Valley, Coast Ranges, and the Sierra Nevada Foothills (Koenig and Walter 2016). Yellow-billed magpie feed predominately on insects found on the ground and as with other members of the Corvid family (e.g., crows, ravens, magpies, and jays) they are clever foragers, often observed flipping objects for food and scavenging for food in unique places. The yellow-billed magpie creates large, domed nests made of twigs near the middle and tops of tall trees, typically over 30 feet off the ground. They will nest in loose colonies, where several pairs will create nests in the same tree. Such colonies are generally conspicuous, as individuals regularly vocalize between the colony members and other nearby colonies. Yellow-billed magpies have experienced a dramatic population decline since the 1960s, as a combination of habitat destruction, rodenticides, and more recently the West Nile virus has caused the population to drop by almost 76% (Sauer et al. 2019). It is estimated that half of the yellow-billed magpie population perished from the West Nile virus in the early 2000s (Crosbie et al. 2008).

Potential Project Impacts

The oak woodland present, and especially the largest of the valley oaks, within the Study Area provides nesting and foraging habitat for yellow-billed magpie. Therefore, it is possible that individual yellow-billed magpie may be present in the Study Area during construction activities, and could be harmed in the absence of avoidance and minimization measures.

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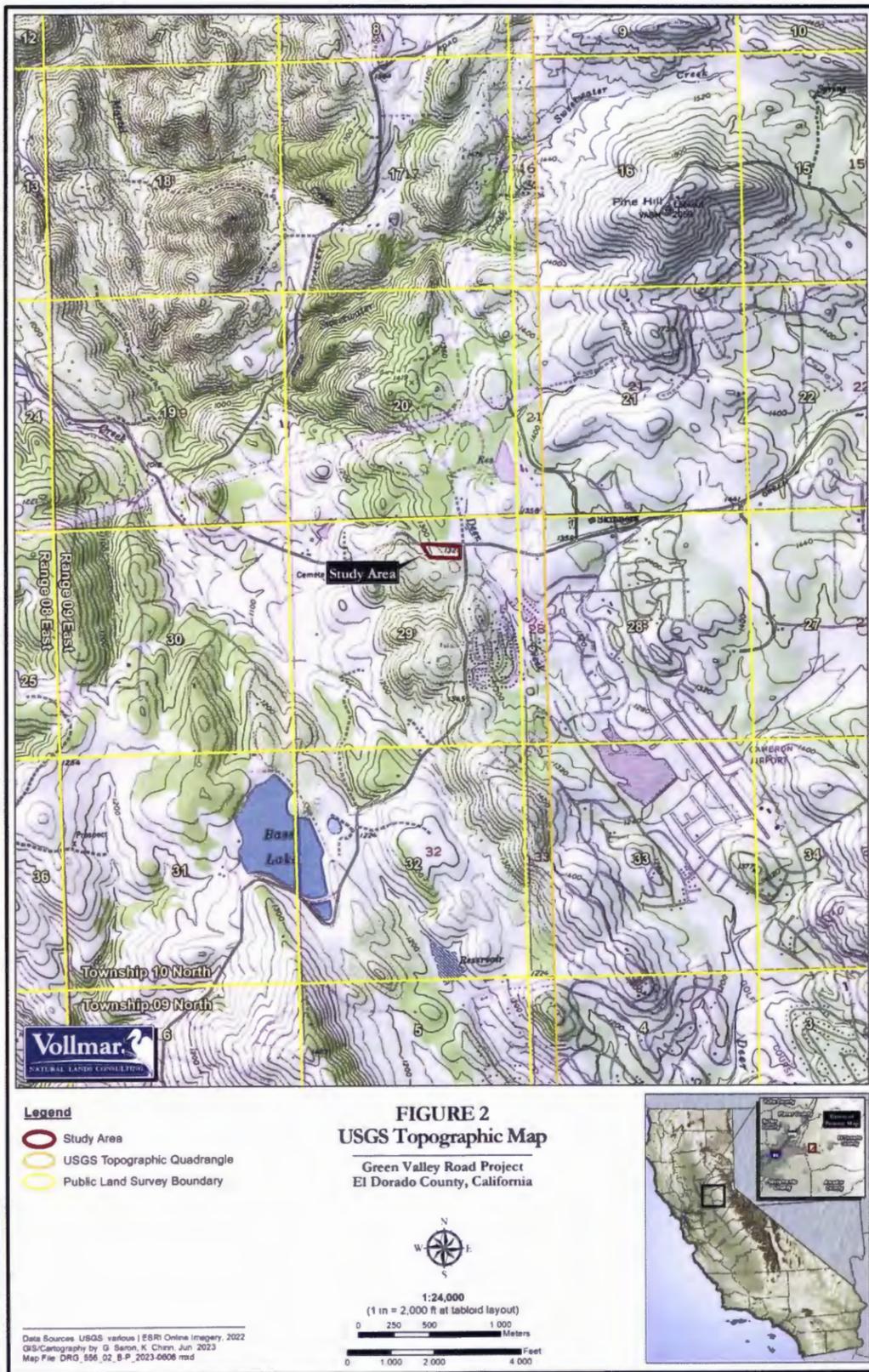
FIGURES

**REGIONAL VICINITY MAP, USGS TOPOGRAPHIC MAP,
SOIL MAP, SITE BIOLOGICAL RESOURCES MAP,
SPECIAL-STATUS SPECIES MAP**

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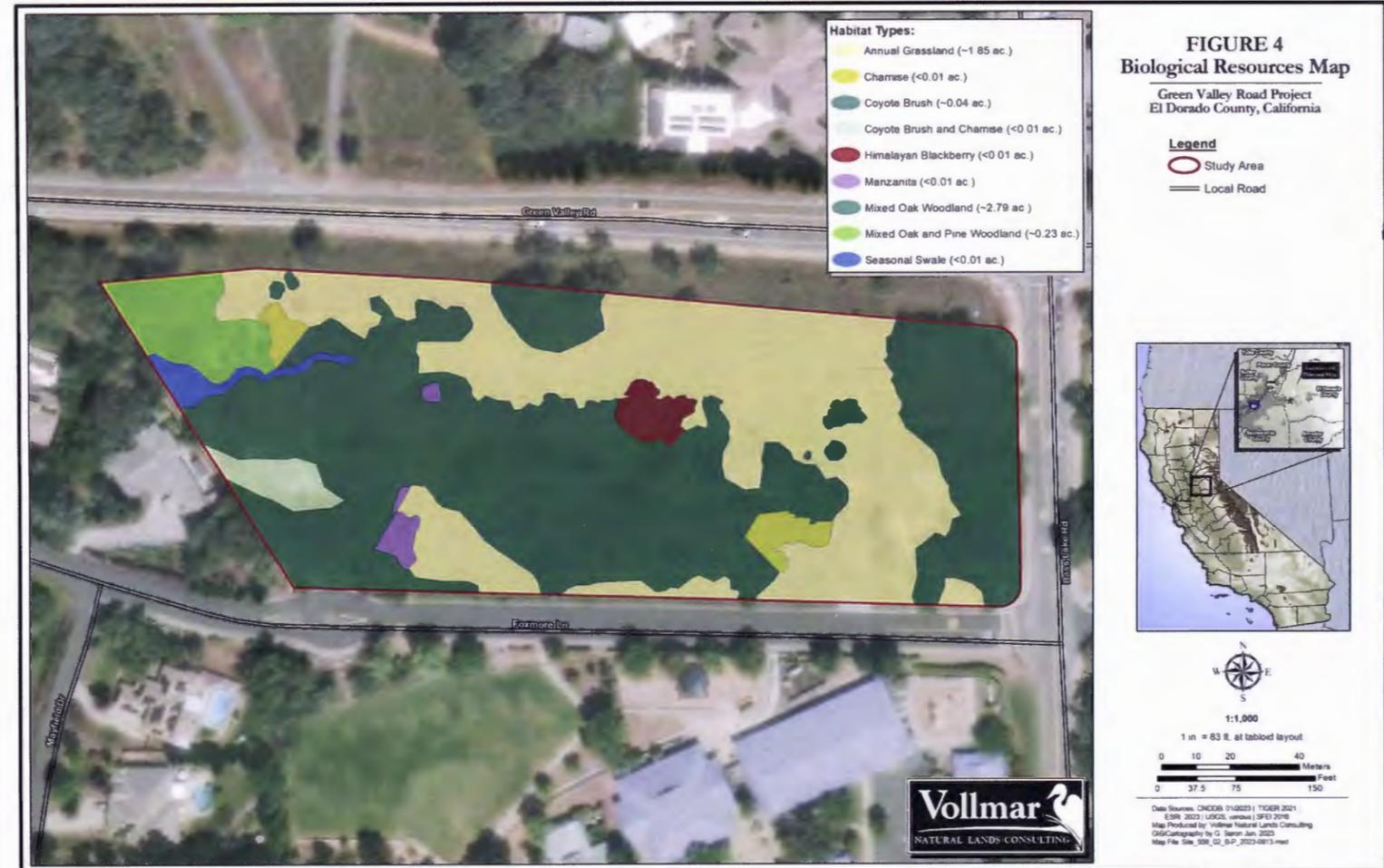
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APPENDIX A
REPRESENTATIVE SITE PHOTOGRAPHS



Photo 1. Ruderal grassland and mixed oak forest woodland facing southeast. (5/10/23)



Photo 2. Coyote brush along mixed oak forest woodland facing south. (5/10/23)



Photo 3. Ruderal undergrowth of dense mixed oak facing west. (5/10/23)



Photo 4. Seasonal swale facing west. (5/10/23)



Photo 5. Armored stormwater drainage along western edge of parcel. (5/10/23)



Photo 6. Isolated manzanita occurrence along coyote brush and mixed oak forest edge facing south. (5/10/23)

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Photo 7. Ruderal grassland and mixed oak forest facing northwest. (5/10/23)



Photo 8. Two track road through center of parcel facing west. (5/10/23)

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Photo 9. Ruderal grassland facing northeast. (5/10/23)



Photo 10. Mixed oak forest along edge of parcel facing northwest. (5/10/23)