

# Appendix D

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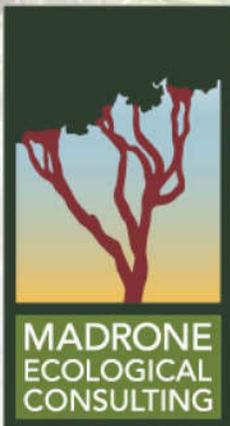
## Biological Resources Assessment



# **Biological Resources Assessment**

Avenida Folsom Senior Living

City of Folsom  
18 June 2020



**Prepared for:**

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## 1.0 INTRODUCTION

This report presents the results of a Biological Resources Assessment (BRA) conducted for the approximately 6.3-acre Avenida Folsom Senior Living project (Project Area). The Project Area is located at the northeast corner of Healthy Way and Serpa Way, south of Iron Point Road, and north of Highway 50 in the City of Folsom (City) in Sacramento County, California. The Project Area is located within Section 9 of Township 9 North, Range 8 East (MDB&M) of the "Clarksville, California" 7.5-minute quadrangle (USGS 2018) at an elevation of 530 to 570 feet above mean sea level (Figure 1).

### 1.1 Project Description

The Project Area is located at 115 Healthy Way. Known as Broadstone Crossing Parcel 6, the Project Area consists of APN 072-2270-006 and is owned by Elliott Homes, Inc. The Project Area is irregularly shaped, unoccupied, and consists of a previously-graded building pad with approximately 35-foot fill slopes on the west and southwest boundaries. In late 2002, the mass grading of a larger area, including the Project Area, occurred as part of the Broadstone Crossing Development project and additional fill construction occurred in 2007 with the creation of an earthen berm on the north edge of the Project Area, adjacent to City open space. An asphalt-paved area in the southeast portion of the Project Area was previously used to accommodate portable trailers associated with the construction of the LifeTime Fitness facility immediately to the south of the Project Area. For erosion control, the fill slopes and relatively-flat pad were vegetated with a grass seed mix. Underground improvements include irrigation and utilities at the southeast corner of the Project Area.

Surrounding land use consists of City open space south to the north and east, Green Acres Nursery & Supply, and Costco Wholesale are west and southwest, respectively. LifeTime Fitness Athletic Club is south across Healthy Way. There is a large apartment residential project (Pique Apartments) under construction within 300-feet of the Project Area to the northeast.

The proposed Project is a 154-unit, senior multi-family apartment community with a mix of one and two-bedroom residential units in a 201,798 square foot (sf), four-story building. The Project includes surface parking lots arranged around the building to accommodate 168 vehicles, landscaping, and indoor and outdoor amenities. See **Attachment A** for site plans, perspective view plan, and elevation plans.

The proposed building is E-shaped and will extend around two large courtyards that include recreation amenities and landscaping. On the south elevation, a grand porte-cochere will identify the building entry and two-story lobby. Apartment units are planned on each of the four levels of the building and will be accessible from interior hallway corridors.

On the east side of the building, the garden courtyard will feature an informal garden and natural landscape with a walkway, gazebo, ornamental fountain, and accent landscape plantings. The garden courtyard space will be used by residents for various activities, including relaxation, dog walking, and garden walks. The courtyard walkway will connect to the walking route planned on the perimeter of the site.

The building is designed in a simple form with Spanish-style architecture, including white stucco walls, terracotta-colored clay tile roofs, vertical tower elements, arch colonnades, black wrought-iron balconies and details, faux wood shutters, multi-paned windows, and cantilevered balconies. The body of the building will be white with black, crimson red, terracotta and dark brown on architectural accents, awnings, shutters, and balconies.

The maximum height of the building, at the roofline, will be 50 feet with a vertical architectural element at the center of the north and south elevations that is 56 feet in height. All building-attached mechanical equipment will be screened from public view.

The proposed landscape will feature California-native and low water-use ornamental plant selections. Natives will be emphasized next to the natural open space to complement the existing habitat and large trees will create shade in parking areas and on the access drive. Enhanced landscape areas are planned at the Project entry on Healthy Way, adjacent to the building, retaining walls, and around outdoor gathering spaces.

Landscaping will reduce the visual impact of the slopes on the west and south sides of the site, adjacent to Serpa Way and Healthy Way, respectively. At the bottom of the slope at street level, a monument sign will be incorporated into the design of an adjoining accent wall that wraps around and tapers on the Healthy Way frontage. In the southwest corner of the parking lot, a jewel-box gazebo with seating will provide a lookout point with views over the Sacramento Valley.

A four-foot tubular steel fence is planned at the tops of the slopes on the west and north sides of the site, and southwest edges of the parking areas. A six-foot tubular steel fence is planned around the pool and around the pickleball court.

The Project will be graded and constructed in a single phase and will move 6,500 cubic yards (cy) of cut and 5,000 cy of fill, with a net import of 1,500 cy of material. It will take approximately 18-20 months to complete. Construction will include minor demolition of an existing parking lot with curb and gutter, grading, utilities, foundations, and slab-on-grade activities. Vertical construction will consist of a Type V four-story, wood-framed structure with elements of stucco, siding, and architectural details.

The site is within the Broadstone Unit No. 3 Specific Plan (SP-95-1) (BSP) area and is designated C-2 (Community Commercial). Within the BSP, apartments, senior apartments, and senior housing are not permitted uses within the C-2 designation. The proposed senior multi-family project is considered a Senior Citizens Residential Complex and is a conditionally-permitted use with a conditional use permit to the Planning Commission (Zoning Code 17.22.030E). A text amendment to the BSP is proposed to add Senior Citizens Residential Complex as a conditionally-permitted use within the C-2 designation with a conditional use permit. The text amendment would modify the text of the BSP only; no change would occur to the C-2 designation. With the amendment, the proposed Project would be consistent with the BSP, with a conditional use permit. The following entitlements are requested to implement the proposed Project:

- Specific Plan Amendment to amend the Broadstone Specific Plan to include Senior Citizens Residential Complex as a conditionally-permitted use in the C-2 zone;
- Conditional Use Permit for a Senior Citizen Residential Complex in the C-2 zone; and
- Planned Development Permit for a Senior Citizen Residential Complex (154-unit multi-family residential project) in the C-2 zone.

### **1.1.1 Specific Project Type, Architectural, and Layout Considerations for Tricolored Blackbird**

A primary consideration for the Project is avoiding impacts an adjacent nesting colony of tricolored blackbirds (*Agelaius tricolor*) as further outlined in subsequent sections of this document. The Project and its design incorporates features that minimize impacts to tricolored blackbird. The site is zoned Commercial (C-2) and could be developed with retail, office, apartments, and commercial uses that could result in greater impacts the tricolored blackbird than the proposed Project. Instead, the Project proposes age-restricted senior apartments, which typically is a land use of lesser intensity as compared to conventional apartments and the other types of commercial uses permitted in the zone. As an age-restricted residential community, the Project will be a less intense land use, resulting in fewer vehicle trips, less light, and less noise than a typical commercial project on the site.

The Project is designed to minimize activity in the north part of the Project Area adjacent to the open space and the tricolored blackbird nesting colony by placing less intensive uses in that area. The north east corner of the building extends minimally within 100 feet of the nesting colony, but vast majority of the building is farther away. As shown on the plans contained in **Attachment A**, landscaping and a pedestrian walking path are proposed north of the building, adjacent to the open space. A drive aisle and landscaped area are planned for the portion of the Project between the building and the nesting colony. With the exception of the pickleball court (20 feet X 44 feet), which located greater than 100 feet from the nesting colony, activities are planned indoors and in the courtyards on the south side of the building. The pickleball court would have two to four players using wooden paddles and a perforated ball when residents are playing.

The architectural design of the building minimizes windows by including dark shutters adjacent to windows and using colonnades, and alcoves to recess windows. Black iron balcony railings screen larger windows from view. All of these design elements are intended to reduce the possibility that birds in general, and tricolored blackbirds in particular are able to mistake window reflections and fly into them resulting in injury or death. A perimeter fence and educational signage will educate residents about the importance of the tricolored blackbird habitat and preclude access to the nesting colony location from the Project site.

## **1.2 Construction Narrative and Schedule**

The construction of the 154-unit senior apartment community will take approximately 18 to 20 months to complete. Because start dates of construction projects are fluid and delays occur due to a variety of factors including: regulatory permitting, grading permits, contracting, weather, or material and supply chain issues, this narrative addresses periods of construction that do not depend on the date of the start of construction

(rough grade, utilities and grading for paving, curb and gutter, paving, and slab on grade). The narrative describes the implementation of mitigation measures for tricolored blackbird in each stage of construction.

### **1.2.1 Prior to Construction**

Prior to the start of construction, whichever comes first, the contractor shall install an Environmentally Sensitive Area (ESA) fence along that portion of the northern Project boundary. See **Figure 2** for the location of the ESA fence. The remainder of the boundary can be fenced with any type of fence designed to exclude access to the adjacent open space. The ESA fence shall be eight feet in height and constructed of solid plywood or oriented strand board. The fence shall be designed to be in place for the duration of the Project and to withstand moderate to strong winds. The ESA fence shall serve three purposes: (1) to delineate the Project boundary and keep workers from entering the open space near the blackbird nesting colony; (2) to attenuate construction-related noise and reduce noise impacts to the tricolored blackbird nesting colony; and (3) to act as a visual barrier for the tricolored blackbirds to cause them to fly up and over the Project or take a different route when they leave the colony to forage.

### **1.2.2 Construction Schedule**

#### *Month 1*

As the site has already been mass graded, the rough grading of the Project, fine grading of the building pad, and fine grading for paving is anticipated to take only three weeks. The rough and fine grading is anticipated to be the portion of the Project construction that generates the most noise, vibration, and activity; therefore, this work shall occur outside the nesting season (March 1<sup>st</sup> to July 31<sup>st</sup>) unless the biological monitor has determined in coordination with CDFW that the birds are not nesting during that year or has determined that the tricolored blackbirds have not begun or have completed nesting and left the nesting site.

#### *Month 2*

From late-March through the month of April, the contractor will install the site utilities and conduct fine grading for paving. The installation of utilities (water, sewer, electric, natural gas, and telecommunications) will last approximately four weeks for the entire site of which four days will entail operations within the 100 feet of the nesting colony. During those four weeks, one of each of the following pieces of equipment will be in operation: excavator, backhoe, fork lift boom, dump truck and water truck, and during one week, the contractor will grade for paving the parking lots and roads. During the week of fine grading for parking lots and roads, each of the following pieces of equipment will be in operation: blade, skip loader, dump truck, drum roller, and water truck. Again, a 15-mph speed limit shall be required for all equipment. A qualified biologist will continuously monitor all Month 2 work that occurs during the nesting season (March 1<sup>st</sup> to July 31<sup>st</sup>) unless the biological monitor has determined in coordination with CDFW that the birds are not nesting during that year or has determined that the tricolored blackbirds have completed nesting and left the nesting site.

### *Month 3*

In the third month, the contractor will be working on building the concrete curbs and gutters. Equipment onsite during this period will include concrete delivery trucks and concrete pumps. Additionally, personnel will be onsite building the forms, pouring concrete, stripping the forms, and finishing the concrete. It is anticipated that work within 100 feet of the colony will occur for only two days during this period. A qualified biological monitor will continuously monitor all work during the nesting season (March 1<sup>st</sup> to July 31<sup>st</sup>) unless the biological monitor has determined in coordination with CDFW that the birds are not nesting during that year or has determined that the tricolored blackbirds have completed nesting and left the nesting site.

### *Month 4*

In the fourth month the contractor will conduct the asphalt paving of the parking lots and roadways. Equipment onsite during this period will include a paver, roller, and dump trucks. The contractor will construct the concrete slab foundation. Equipment onsite during this period will include a backhoe, dump trucks, concrete pump, and concrete delivery trucks. It is anticipated that very little work will occur within 100 feet of the nesting colony during this period. A qualified biological monitor will continuously monitor all work during the nesting season (March 1<sup>st</sup> to July 31<sup>st</sup>) unless the biological monitor has determined in coordination with CDFW that the birds are not nesting during that year or has determined that the tricolored blackbirds have completed nesting and left the nesting site.

### *Month 5*

In the fifth month, the contractor will continue work on the concrete slab foundation. Equipment onsite during this period will include a backhoe, dump trucks, concrete pump, and concrete delivery trucks. It is anticipated that no work within 100 feet of the colony will occur during this period. A qualified biological monitor will continuously monitor all work during the nesting season (March 1<sup>st</sup> to July 31<sup>st</sup>) unless the biological monitor has determined in coordination with CDFW that the birds are not nesting during that year or has determined that the tricolored blackbirds have completed nesting and left the nesting site.

### *Completion of the Project (Month 6+)*

Upon completion of the concrete slab, work will begin on the apartment building itself and will consist of framing, utility installation, siding, roofing, painting, and finish work. Additionally, work to complete the grounds of the Project, including the installation of hardscaping, landscaping irrigation, permanent fencing, and pavement striping, will be conducted. This type of work was ongoing at the Pique Apartments with the arrival of the colony in 2020 and did not appear to be a deterrent to nesting. For Month 6+ work through to completion of the Project, ESA fencing and periodic monitoring (defined in the mitigation measures in Section 8.1) of the nesting colony by the biological monitor will be required for all work during the nesting period (March 1<sup>st</sup> to July 31<sup>st</sup>) unless the biological monitor has determined in coordination with CDFW that the birds are not nesting during that year or has determined that the tricolored blackbirds have completed nesting and left the nesting site.

## **2.0 REGULATORY SETTING**

This section describes federal, state and local laws and policies that are relevant to this assessment of biological resources.

### **2.1 Federal Regulations**

#### **2.1.1 Federal Endangered Species Act**

The Federal Endangered Species Act (FESA) of 1973 protects species that are federally listed as endangered or threatened with extinction. FESA prohibits the unauthorized “take” of listed species. Take includes harassing, harming, pursuing, hunting, shooting, wounding, killing, trapping, capturing, or collecting wildlife species or any attempt to engage in such activities. Harm includes significant modifications or degradations of habitats that may cause death or injury to protected species by impairing their behavioral patterns. Harassment includes disruption of normal behavior patterns that may result in injury to or mortality of protected species. Civil or criminal penalties can be levied against persons convicted of unauthorized “take.”

#### **2.1.2 Clean Water Act, Section 404**

Section 404 of the Federal Clean Water Act requires that a Department of the Army permit be issued prior to the discharge of any dredged or fill material into waters of the United States, including wetlands. The U. S. Army Corps of Engineers (Corps) administers this program, with oversight from the U. S. Environmental Protection Agency. Waters of the United States include all navigable waters; interstate waters and wetlands; all intrastate waters and wetlands that could affect interstate or foreign commerce; impoundments of the above; tributaries of the above; territorial seas; and wetlands adjacent to the above.

#### **2.1.3 Migratory Bird Treaty Act**

The Migratory Bird Treaty Act (MBTA) prohibits the take, possession, import, export, transport, selling, purchase, barter, or offering for sale, purchase or barter, any native migratory bird, their eggs, parts, and nests, except as authorized under a valid permit (50 CFR 21.11.). Likewise, Section 3513 of the California Fish & Game Code prohibits the “take or possession” of any migratory non-game bird identified under the MBTA. Therefore, activities that may result in the injury or mortality of native migratory birds, including eggs and nestlings, would be prohibited under the MBTA. To the extent that implementation of the Project would result in take as defined by State law of any species protected under the California Endangered Species Act (CESA), the Project may seek related take authorization as provided by the California Department of Fish and Wildlife Fish and Game code.

#### **2.1.4 Bald and Golden Eagle Protection Act**

The Bald and Golden Eagle Protection Act of 1940 (as amended) provides for the protection of bald eagle and golden eagle by prohibiting the take, possession, sale, purchase, barter, offer to sell, purchase or barter,

transport, export or import, of any bald or golden eagle, alive or dead, including any part, nest, or egg, unless allowed by permit [16 USC 668(a); 50 CFR 22]. The USFWS may authorize take of bald eagles and golden eagles for activities where the take is associated with, but not the purpose of, the activity and cannot practicably be avoided (50 CFR 22.26).

## **2.2 State Regulations**

### **2.2.1 California Environmental Quality Act**

The California Environmental Quality Act (CEQA) requires evaluations of project effects on biological resources. Determining the significance of those effects is guided by Appendix G of the CEQA guidelines. These evaluations must consider direct effects on a biological resource within the project site itself, indirect effects on adjacent resources, and cumulative effects within a larger area or region. Effects can be locally important but not significant according to CEQA if they would not substantially affect the regional population of the biological resource. Significant adverse impacts on biological resources would include the following:

- Substantial adverse effects on any species identified as candidate, sensitive, or special-status in local or regional plans, policies, or regulations or by the California Department of Fish and Wildlife (CDFW) or the U.S. Fish and Wildlife Service (USFWS) (these effects could be either direct or via habitat modification);
- Substantial adverse impacts to species designated by the California Department of Fish and Game (2009) as Species of Special Concern;
- Substantial adverse effects on riparian habitat or other sensitive habitat identified in local or regional plans, policies, or regulations or by CDFW and USFWS;
- Substantial adverse effects on federally protected wetlands defined under Section 404 of the Clean Water Act (these effects include direct removal, filling, or hydrologic interruption of marshes, vernal pools, coastal wetlands, or other wetland types);
- Substantial interference with movements of native resident or migratory fish or wildlife species population, or with use of native wildlife nursery sites;
- Conflicts with local policies or ordinances protecting biological resources (e.g. tree preservation policies); and
- Conflict with provisions of an adopted Habitat Conservation Plan (HCP), Natural Community Conservation Plan (NCCP), or other approved local, regional, or state habitat conservation plan.

### **2.2.2 State Endangered Species Act**

With limited exceptions, the California Endangered Species Act (CESA) of 1984 protects state-designated endangered and threatened species in a way similar to FESA. For projects on private property (i.e., that for which a state agency is not a lead agency), CESA enables CDFW to authorize take of a listed species that is incidental to carrying out an otherwise lawful project that has been approved under CEQA (Fish & Game Code Section 2081).

### **2.2.3 California Fully Protected Species**

The State of California first began to designate species as “fully protected” prior to the creation of the federal and California ESAs. Lists of fully protected species were initially developed to provide protection to those animals that were rare or faced possible extinction and included fish, amphibians and reptiles, birds, and mammals. Most fully protected species have since been listed as threatened or endangered under the federal and/or California ESAs. The regulations that implement the Fully Protected Species Statute (California Fish and Game Code, § 4700 for mammals, § 3511 for birds, § 5050 for reptiles and amphibians, and § 5515 for fish) provide that fully protected species may not be taken or possessed at any time. Furthermore, CDFW prohibits any state agency from issuing incidental take permits for fully protected species. CDFW will issue licenses or permits for take of these species for necessary scientific research or live capture and relocation pursuant to the permit.

### **2.2.4 California Species of Special Concern**

The Species of Special Concern (SSC) are defined by CDFW as a species, subspecies, or distinct population of an animal native to California that are not legally protected under the federal or California ESAs or the California Fish and Game Code, but currently satisfies one or more of the following criteria:

- The species has been completely extirpated from the state or, as in the case of birds, it has been extirpated from its primary seasonal or breeding role.
- The species is listed as federally (but not state) threatened or endangered, or meets the state definition of threatened or endangered but has not formally been listed.
- The species has or is experiencing serious (noncyclical) population declines or range retractions (not reversed) that, if continued or resumed, could qualify it for state threatened or endangered status.
- The species has naturally small populations that exhibit high susceptibility to risk from any factor that if realized, could lead to declines that would qualify it for state threatened or endangered status.

SSC are typically associated with habitats that are threatened. Project-related impacts to SSC, state-threatened or endangered species are considered “significant” under CEQA.

### **2.2.5 Native Plant Protection Act**

The Native Plant Protection Act (NPPA) was enacted in 1977 and allows the Fish and Game Commission to designate plants as rare or endangered. There are 64 species, subspecies, and varieties of plants that are protected as rare under the NPPA. The NPPA prohibits take of endangered or rare native plants, but includes some exceptions for agricultural and nursery operations; emergencies; and after properly notifying CDFW for vegetation removal from canals, roads, and other sites, changes in land use, and in certain other situations.

### **2.2.6 Clean Water Act, Section 401**

Section 401 of the Clean Water Act requires any applicant for a 404 permit in support of activities that may result in any discharge into waters of the United States to obtain a water quality certification with the Regional Water Quality Control Board (RWQCB). This program is meant to protect these waters and wetlands by ensuring that waste discharged into them meets state water quality standards. Because the water quality certification program is triggered by the need for a Section 404 permit (and both programs are a part of the Clean Water Act), the definition of waters of the United States under Section 401 is the same as that used by the Corps under Section 404.

### **2.2.7 California Water Code, Porter-Cologne Act**

The Porter Cologne Act, from Division 7 of the California Water Code, requires any person discharging waste or proposing to discharge waste that could affect the quality of waters of the state to file a report of waste discharge (RWD) with the RWQCB. The RWQCB can waive the filing of a report, but once a report is filed, the RWQCB must either waive or adopt water discharge requirements (WDRs). "Waters of the state" are defined as any surface water or groundwater, including saline waters, within the boundaries of the state.

### **2.2.8 California Fish and Game Code, Section 1600 – Lake and Streambed Alteration**

The CDFW is responsible for conserving, protecting, and managing California's fish, wildlife, and native plant resources. To meet this responsibility, the Fish and Game Code, Section 1602, requires notification to CDFW of any proposed activity that may substantially modify a river, stream, or lake. Notification is required by any person, business, state or local government agency, or public utility that proposes an activity that will:

- substantially divert or obstruct the natural flow of any river, stream or lake;
- substantially change or use any material from the bed, channel, or bank of any river, stream, or lake;  
or
- deposit or dispose of debris, waste, or other material containing crumbled, flaked, or ground pavement where it may pass into any river, stream, or lake.

For the purposes of Section 1602, rivers, streams and lakes must flow at least intermittently through a bed or channel.

The text above is based on how CDFW has historically asserted their jurisdiction; however during recent conversations with CDFW, Madrone has been provided the following guidance for determining the limits of their jurisdiction, which in almost all cases exceeds the area that would be mapped utilizing the definition above.

*CDFW needs to consider the following when determining jurisdiction: the fluvial geomorphology of the system, where water currently flows, or has flowed, over a given course during the historic hydrologic regime (can be subsurface flows), the maximal extent of the or expression of a stream on the landscape, the connectivity between the groundwater table and*

*surrounding landscape (may include springs, swales, surface runoff source areas that are a source of water to a stream), the nexus between the stream and all life associated with the streams.*

If notification is required and CDFW believes the proposed activity is likely to result in adverse harm to the natural environment, it will require that the parties enter into a Lake or Streambed Alteration Agreement (LSAA).

## **2.2.9 California Fish and Game Code, Section 3503.5 - Raptor Nests**

Section 3503.5 of the Fish and Game Code makes it unlawful to take, possess, or destroy hawks or owls, unless permitted to do so, or to destroy the nest or eggs of any hawk or owl.

## **2.3 Local Regulations**

### **2.3.1 City of Folsom General Plan**

The City of Folsom General Plan was adopted 28 August 2018 and provides a framework for the long-range physical development of Folsom, and it guides policy decision-making about land use, transportation improvements, public services, economic development, housing, and other important issues. It is a document required by the State of California that serves as a blueprint for how Folsom will grow and develop and sets a vision for goals and policies for the future of the community (City of Folsom 2018).

**NCR 1.1.1: Habitat Preservation.** Support State and Federal policies for preservation and enhancement of riparian and wetland habitats by incorporating, as deemed appropriate, standards published by the California Department of Fish and Wildlife and the U.S. Fish and Wildlife Service into site-specific development proposals.

**NCR 1.1.2 Preserve Natural Resources.** Require that a qualified biologist conduct a vegetative/wildlife field survey and analysis prior to consideration of development applications for projects located in sensitive habitat areas and potential habitats for sensitive wildlife and floral species.

**NCR 1.1.3 Wetland Preservation.** Require developers to prepare a wetland mitigation and monitoring plan that describes the habitats present within the proposed project site and establishes a plan for the long-term monitoring and mitigation of sensitive habitats.

**NCR 1.1.4 Native and Drought Tolerant Vegetation.** Encourage new developments to plant native vegetation, including those species important to Native American lifeways and values, and drought tolerant species and prohibit the use of invasive plants.

**NCR 1.1.5 New Open Space.** Continue to acquire strategically-located open space areas for passive and active recreational uses when such parcels of open space value become available and feasible funding sources are identified to sustain the ongoing maintenance expenses.

**NCR 1.1.6 Consolidate Parcels.** Encourage landowners to consolidate identified habitats, open space, and park lands between separately-owned development projects and individually-owned properties, when feasible.

**NCR 1.1.8 Planting in New Development.** Require the planting of street trees, parking lot canopy trees, screening trees, and other amenity trees and landscaping in all new development, consistent with City landscaping development guidelines, to minimize the heat island effect. Planting strips must be large enough to accommodate a large tree canopy and allow for healthy root growth.

**NCR 1.1.9 Public Awareness.** Encourage and support development projects and programs that enhance public appreciation and awareness of the natural environment.

**NCR 4.1.2: Community Education.** Consistent with requirements of stormwater quality permits, educate community members on the importance of water quality and the role streams and watersheds play in ensuring water quality.

**NCR 4.1.3: Protection.** Ensure the protection of riparian corridors, buffer zones, wetlands, and undeveloped open space areas to help protect water quality.

**NCR 4.1.4: Creek Clean-Up.** Sponsor a citywide volunteer creek clean-up day during "Creek Week."

**NCR 4.1.5: New Development.** Require new development to protect natural drainage systems through site design, runoff reduction measures, and on-site water treatment (e.g., bioswales).

**NCR 4.1.6: Low-Impact Development.** Require new development to protect the quality of water resources and natural drainage systems through site design, source controls, runoff reduction measures, best management practices (BMP), and Low-Impact Development (LID).

### **2.3.2 City of Folsom Ordinances**

**Tree Preservation (FMC Chapter 12.16).** Protects native oak trees (i.e., *Quercus lobata*, *Q. douglasii*, *Q. wislizenii*, and hybrids thereof) with a diameter at breast height (DBH) of 6 inches or greater for single trunk trees or an aggregate DBH of 20 inches or greater for multiple trunk trees; landmark trees, heritage trees, and street trees.

### **2.3.3 City of Folsom Standard Construction Specifications**

**Section 9: Grading, Trees and Shrubbery.** On underground construction of all sewer and water facilities and on construction of underground and open channel drainage facilities when construction is to be performed in the vicinity of trees, shrubbery, and lawns, the work shall be carried out in such a manner, which will cause minimum damage to public and private property.

**General Provisions Article 12: Protections of Existing Trees. Section 12.01. Protection of Trees.** Protection of existing trees not authorized for removal shall be given special attention. The Contractor shall comply with the provisions of the City's Tree Preservation Ordinance. Every reasonable effort shall be made to avoid creating conditions adverse to the tree's health. The natural ground within the dripline of saved and protected trees shall remain as undisturbed as possible.

## **3.0 METHODOLOGY**

### **3.1 Literature Review**

A list of special-status species with their potential to occur within the Project site was developed by conducting a query of the following databases:

- California Natural Diversity Database (CNDDDB) (CNDDDB 2020) query within five miles of the Project Area (**Figure 3**);
- USFWS Information for Planning and Conservation (IPaC) (USFWS 2020) query for the Project Area (**Attachment B**);
- California Native Plant Society (CNPS) Rare and Endangered Plant Inventory (CNPS 2020) query of the "Clarksville, California" USGS topo quadrangle, and the nine surrounding quadrangles (**Attachment C**); and
- Western Bat Working Group (WBWG) Species Matrix (WBWG 2020).

In addition, any special-status species that are known to occur in the region, but that were not identified in any of the above database searches were also analyzed for their potential to occur within the Project Area.

For the purposes of this Biological Resources Assessment, special-status species is defined as those species that are:

- listed as threatened or endangered, or proposed or candidates for listing by the USFWS or National Marine Fisheries Service;
- listed as threatened or endangered and candidates for listing by CDFW;
- identified as Fully Protected species or species of special concern by CDFW;
- identified as Medium or High priority species by the WBWG (WBWG 2020); and

- plant species considered to be rare, threatened, or endangered in California by the CNPS and CDFW [California Rare Plant Rank (CRPR) 1, 2, and 3]<sup>1</sup>:
  - CRPR 1A: Plants presumed extinct.
  - CRPR 1B: Plants rare, threatened, or endangered in California and elsewhere.
  - CRPR 2A: Plants extirpated in California, but common elsewhere.
  - CRPR 2B: Plants rare, threatened, or endangered in California, but more common elsewhere.
  - CRPR 3: Plants about which the CNPS needs more information – a review list.

### 3.2 Field Surveys

Madrone senior biologists Sarah VonderOhe and Dustin Brown conducted a biological survey of the Project Area on 7 February 2020. During the survey, the entire Project Area was surveyed by meandering transects on foot and the biologists assessed the suitability of habitats on-site to support special-status species. A cumulative list of all wildlife species observed during the survey is included as **Attachment D**. Vegetation communities were classified in accordance with *The Manual of California Vegetation, Second Edition* (Sawyer, Keeler-Wolf and Evens 2009) (MCV), and plant taxonomy was based on the nomenclature in the *Jepson Manual, Second Edition* (Baldwin, et al 2012) as accessed through the online Jepson Flora Project (eds.)(2020).

Mr. Brown conducted follow-up observation surveys of the existing tricolored blackbird colony located just northeast of the Project Area on 10 March and 10 April 2020. During the surveys, Mr. Brown observed the location of the nesting colony and typical foraging flight patterns as shown on **Figure 2**. Additionally, Mr. Brown surveyed the site for suitability of foraging habitat for the species.

Ms. VonderOhe visited the site on 12 June 2020 to observe the colony and status of construction surrounding the nesting colony.

### 3.3 Agency Correspondence and Coordination

CDFW provided two comment letters (25 April 2019 and 10 December 2019) to the City of Folsom regarding the proposed Project. The letters included comments and recommendations of measures to reduce potential impacts to tricolored blackbird. The Project Applicant, Avenida Partners, met with CDFW staff twice to discuss the proposed Project and potential mitigation measures.

## 4.0 GENERAL SITE CONDITIONS AND HABITAT

The Project Area is predominantly composed of previously graded, disturbed, flat terrain with sparse vegetation consisting of non-native ruderal and European annual grass species dominated by filaree

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<sup>1</sup> All of the plants constituting California Rare Plant Ranks 1 and 2 meet the definitions of the CESA, and are eligible for state listing. Many of the plants constituting California Rare Plant Rank 3 meet the definitions of the CESA, and are eligible for state listing. During the CEQA review process, public agencies must address plant species that may not be listed under CESA or the NPPA, but that are eligible for listing.

(*Erodium botrys*), soft-chess brome (*Bromus diandrus*), wild oat (*Avena fatua*), stinkwort (*Dittrichia graveolens*), medusa head grass (*Elymus caput-medusae*), short-podded mustard (*Hirschfeldia incana*). The Project Area is generally rocky and lacks fertile topsoil needed to support a traditional annual grassland. The flat graded portion of the Project Area appears from historic aerial photographs to be mowed annually for fire prevention. Additionally, during the 10 April 2020 site visit it was apparent that the entire Project Area had been sprayed with herbicide as part of normal vegetation maintenance. Due to these factors, the Project Area can be classified as disturbed land cover.

A linear ditch located along the northern boundary of the Project Area gathers sheet flow precipitation runoff and conveys it to two shallow water quality/detention basins. When these basins fill, water then is released into the open space through a steel culvert and armored outfall and overland flow. The ditch and basins were created during the grading of the site as water quality features to prevent sediment from running off the site into the open space. These engineered features are created either on fill in historical uplands and in our opinion are not jurisdictional Waters of the U.S. or Waters of the State.

The open space to the north contains a moderate- to high-gradient ephemeral stream. This stream generally flows from east to west, is level with the eastern Project boundary, and drops to approximately 30 feet below the elevation of the western Project boundary. Immediately north of the stream is a seep that supports a large Himalayan blackberry (*Rubus armeniacus*) bramble between 0.5 and 1.0 acre in size. This bramble supports a nesting colony of the California-threatened tricolored blackbird.

The Natural Resources Conservation Service has mapped one soil unit within the Project Area (**Figure 4**); (110) Auburn-Argonaut-Rock outcrop complex, 8 to 30 percent slopes.

## 5.0 RESULTS

Table 1 provides a list of special-status species that were evaluated, including their listing status, habitat associations, and their potential to occur in the Project Area. The following set of criteria was used to determine each species' potential for occurrence on the site:

- Present: Species was observed on the site during field surveys.
- Absent: Species was not observed during protocol-level targeted surveys, and the surveys are believed to be conclusive.
- High: The site is within the known range of the species and suitable habitat exists.
- Moderate: The site is within the known range of the species and very limited suitable habitat exists.
- Low: The site is within the known range of the species and there is marginally suitable habitat or the species was not observed during protocol-level surveys conducted on-site.
- No Habitat Present: The site does not contain suitable habitat for the species, or the site is outside the known range of the species.

Figure 3 is an exhibit displaying CNDDDB occurrences within five miles of the Project Area. Below is a discussion for all special-status plant and animal species with potential to occur on the site.

**Table 1. Special-Status Species with Potential to Occur within the Avenida Folsom Senior Living Study Area**

<b>Scientific Name (Common Name)</b>	<b>Federal Status</b>	<b>State Status</b>	<b>Habitat Requirements</b>	<b>Potential for Occurrence</b>	
<b>Plants</b>					
<i>Allium jepsonii</i> Jepson's onion	--	CRPR 1B.2	Prefers cismontane woodland or lower montane coniferous forests associated with serpentine soils or volcanic slopes.	<b>No Habitat Present.</b> Cismontane woodland, coniferous forests associated with serpentine soils are not present on-site.	
<i>Calstegia stebbinsii</i> Stebbin's morning glory	FE	CE, CRPR 1B.1	Openings in foothill chaparral associated with Gabbro soils of the Pine Hill formation.	<b>No Habitat Present.</b> Chaparral and Gabbro soils are not present on-site.	
<i>Carex xerophila</i> Chaparral sedge	--	CRPR 1B.2	Chaparral, cismontane woodland, or lower montane coniferous forests with serpentine or gabbroic soils at elevations between 440 and 770 meters. Blooms from March through June	<b>No Habitat Present.</b> Gabbro or serpentine soils are not present within the Study Area; Study Area is out of known elevation range.	
<i>Chlorogalum grandiflorum</i> Red Hills soaproot	--	CRPR 1B.2	Foothill chaparral, cismontane woodland, and lower montane coniferous forest. Sometimes found in serpentine and Gabbro soils.	<b>No Habitat Present.</b> Cismontane woodland, foothill chaparral, coniferous forests associated with serpentine soils are not present on-site.	
<i>Crocotanthemum suffrutescens</i> Bisbee Peak rush rose	--	CRPR 3.2	Burned or disturbed areas in chaparral, often on Gabbro or lone soils.	<b>No Habitat Present.</b> Chaparral is not present on-site.	
<i>Balsamorhiza macrolepis</i> Big-scale balsamroot	--	CRPR 1B.2	Prefers chaparral, cismontane woodland, and valley and foothill grasslands. Often associated with serpentine soils.	<b>No Habitat Present.</b> Cismontane woodland and valley foothill grassland are not present within on-site.	
<i>Ceanothus roderickii</i> Hill ceanothus	Pine	FE	CR, CRPR 1B.1	Foothill chaparral and cismontane woodland associated with Gabbro soils of the Pine Hill formation.	<b>No Habitat Present.</b> Gabbro soils are not present on-site.
<i>Downingia pusilla</i> Dwarf downingia	--	CRPR 2B.2	Vernal pools and other depressional wetlands	<b>No Habitat Present.</b> There are no vernal pools or other depressional wetlands that represent suitable habitat for the species located within the site.	
<i>Erigeron miser</i> Starved daisy	--	CRPR 1B.3	Rocky areas in upper montane coniferous forest.	<b>No Habitat Present.</b> Outside of the geographic range of the species.	
<i>Eryngium pinnatisectum</i> Tuolumne button-celery	--	CRPR 1B.2	Mesic areas in cismontane woodlands and lower montane coniferous forests, and vernal pools.	<b>No Habitat Present.</b> There are no vernal pools, cismontane woodland, or lower coniferous forests on-site.	
<i>Fremontodendron californicum</i> ssp. <i>decumbens</i> Pine Hill flannelbush	FE	CR, CRPR 1B.2	Foothill chaparral and cismontane woodland associated with rocky serpentine and Gabbro soils.	<b>No Habitat Present.</b> Gabbro soils are not present on-site.	
<i>Galium californicum</i> spp. <i>sierrae</i> Dorado Bedstraw	FE	CR, CRPR 1B.2	Foothill chaparral, cismontane woodland, and lower montane coniferous forest. Found on Gabbro soils.	<b>No Habitat Present.</b> Gabbro soils are not present on-site.	
<i>Gratiola heterosepala</i> Bogg's Lake hedge-hyssop	--	CE, CRPR 1B.2	Vernal pools and margins of lakes/ponds	<b>No Habitat Present.</b> There are no vernal pools or other depressional wetlands that represent suitable habitat for the species located within the site.	
<i>Horkelia parryi</i> Parry's horkelia	--	CRPR 1B.2	Chaparral and cismontane woodland on Lone Formation and limestone soils.	<b>No Habitat Present.</b> Lone Formation and limestone soils are absent.	

<b>Scientific Name (Common Name)</b>	<b>Federal Status</b>	<b>State Status</b>	<b>Habitat Requirements</b>	<b>Potential for Occurrence</b>
<i>Juncus leiospermus</i> var. <i>ahartii</i> Ahart's dwarf rush	--	CRPR 1B.2	Edges of vernal pools and other seasonally ponded features.	<b>No Habitat Present.</b> There are no vernal pools or other depressional wetlands that represent suitable habitat for the species located within the site.
<i>Legenere limosa</i> Legenere	--	CRPR 1B.1	Vernal pools	<b>No Habitat Present.</b> There are no vernal pools or other depressional wetlands that represent suitable habitat for the species located within the site.
<i>Navarretia myersii</i> ssp. <i>myersii</i> Pincushion navarretia	--	CRPR 1B.1	Vernal pools	<b>No Habitat Present.</b> There are no vernal pools or other depressional wetlands that represent suitable habitat for the species located within the site.
<i>Orcuttia tenuis</i> Slender Orcutt grass	FT	CE, CRPR 1B.1	Vernal pools and other seasonally ponded features.	<b>No Habitat Present.</b> There are no vernal pools or other depressional wetlands that represent suitable habitat for the species located within the site.
<i>Orcuttia viscida</i> Sacramento Orcutt grass	FE	CE, CRPR 1B.1	Vernal pools	<b>No Habitat Present.</b> There are no vernal pools or other depressional wetlands that represent suitable habitat for the species located within the site.
<i>Sagittaria sanfordii</i> Sanford's arrowhead	--	CRPR 1B.2	Emergent marsh habitat, typically associated with drainages, canals, or irrigation ditches.	<b>No Habitat Present.</b> There are no drainages, canals, or irrigation ditches with emergent marsh habitat located within the site.
<i>Senico layneae</i> Layne's butterweed	FT	CR, CRPR 1B.2	Foothill chaparral and cismontane woodland associated with rocky serpentine and Gabbro soils.	<b>No Habitat Present.</b> Gabbro soils are not present on-site.
<i>Wyethia reticulata</i> El Dorado County mule ears	--	CRPR 1B.2	Foothill chaparral, cismontane woodland, and lower montane coniferous forest. Found on Gabbro soils of the Pine Hill Formation.	<b>No Habitat Present.</b> Gabbro soils are not present on-site.
<b>Invertebrates</b>				
<i>Branchinecta lynchi</i> Vernal pool fairy shrimp	FT	--	Vernal pools.	<b>No Habitat Present.</b> There are no vernal pools located within the Study Area
<i>Desmocerus californicus dimorphus</i> Valley elderberry longhorn beetle	FT	--	Dependent upon elderberry ( <i>Sambucus</i> species) shrubs as primary host species.	<b>No Habitat Present.</b> No elderberry shrubs are present in the Study Area or within 165 feet of the Study Area.
<i>Lepidurus packardi</i> Vernal pool tadpole shrimp	FE	--	Vernal pools.	<b>No Habitat Present.</b> There are no vernal pools located within the Study Area
<b>Fish</b>				
<i>Hypomesus transpacificus</i> Delta smelt	FT	CE	Adults are found in the brackish open surface waters of the Delta and Suisun Bay. Though spawning has never been observed, it is believed to occur in tidally influenced sloughs and drainages on the freshwater side of the mixing zone.	<b>No Habitat Present.</b> No tidally influenced sloughs or drainages are present within the Study Area.

<b>Scientific Name (Common Name)</b>	<b>Federal Status</b>	<b>State Status</b>	<b>Habitat Requirements</b>	<b>Potential for Occurrence</b>
<b>Amphibians</b>				
<i>Ambystoma californiense</i> California tiger salamander	FT	CT, CSC	Breeds in ponds or other deeply ponded wetlands, and uses gopher holes and ground squirrel burrows in adjacent grasslands for upland refugia/foraging.	<b>No Habitat Present.</b> Outside of the known range of the species.
<i>Rana draytonii</i> California red-legged frog	FT	CSC	Breeds in permanent to semi-permanent aquatic habitats including lakes, ponds, marshes, creeks, and other drainages.	<b>No Habitat Present.</b> Outside of the known range of the species.
<i>Rana boylei</i> Foothill yellow-legged frog East/Sothern Sierra Genetic Clade	--	CE	Shallow tributaries and mainstems of perennial streams and rivers, typically associated with cobble or boulder substrate. Found from sea level to 5,000 feet in the Sierra Nevada (Stebbins 2012).	<b>No Habitat Present.</b> No drainages with a boulder or cobble substrate occur within the Study Area.
<i>Spea hammondi</i> Western spadefoot toad	--	CSC	Breeds in vernal pools, seasonal wetlands and associated swales. Forages and hibernates in adjacent grasslands.	<b>No Habitat Present.</b> There is no suitable aquatic breeding habitat for the species located within the vicinity of the Study Area.
<b>Reptiles</b>				
<i>Actinemys marmorata</i> Western pond turtle	--	CSC	Ponds, rivers, streams, wetlands, and irrigation ditches with associated marsh habitat.	<b>No Habitat Present.</b> The drainage to the north of the Study Area is too ephemeral in nature to support this species.
<i>Thamnophis gigas</i> Giant garter snake	FT	CT	Rivers, canals, irrigation ditches, rice fields, and other aquatic habitats with slow moving water and heavy emergent vegetation.	<b>No Habitat Present.</b> Outside of the known range of the species.
<b>Birds</b>				
<i>Agelaius tricolor</i> Tricolored blackbird	--	CT, CSC	Colonial nester in cattails, bulrush, or blackberries associated with marsh habitats.	<b>Present.</b> Blackberry brambles immediately northeast of the Study Area within the City of Folsom Open Space contains a long term nesting colony of tricolored blackbird. The species was observed foraging within the Study Area. However, there is no nesting habitat for tricolored blackbird within the Study Area.
<i>Aquila chrysaetos</i> Golden eagle	--	CFP	Forages in open areas including grasslands, savannahs, deserts, and early successional stages of shrub and forest communities. Nests in large trees and cliffs.	<b>No Habitat Present.</b> The highly maintained nature of the site precludes this species from being present.
<i>Athene cunicularia</i> Burrowing owl	--	CSC	Nests in abandoned ground squirrel burrows, culverts, and debris piles associated with open grassland habitats.	<b>Low.</b> No ground squirrel burrows were observed, there is very limited debris within the Study Area that could provide surrogate burrows. The highly maintained nature of the site reduces the potential for this species to be present.

<b>Scientific Name (Common Name)</b>	<b>Federal Status</b>	<b>State Status</b>	<b>Habitat Requirements</b>	<b>Potential for Occurrence</b>
<i>Buteo swainsoni</i> Swainson's hawk	--	CT	Nests in large trees, preferably in riparian areas. Forages in fields, cropland, irrigated pasture, and grassland near large riparian corridors.	<b>No Habitat Present.</b> The species requires large areas of open areas for foraging (CDFW 2016). The graded and maintained nature of the site precludes a suitable prey base (voles and other small rodents) for this species from being present. There is no suitable nesting habitat within the vicinity of the Project Area.
<i>Eromophila alpestris actia</i> (California horned lark)	--	CSC	Forages and breeds in open grasslands and fields.	<b>Present.</b> Species observed foraging within the Study Area. May nest within the Study Area.
<i>Elanus leucurus</i> White-tailed kite	--	CFP	Open grasslands, fields, and meadows are used for foraging. Isolated trees in close proximity to foraging habitat are used for perching and nesting.	<b>Moderate.</b> The Study Area represents low quality foraging habitat for white-tailed kite, and the trees and shrubs adjacent to the Study Area provide suitable nesting habitat.
<i>Haliaeetus leucocephalus</i> Bald eagle	Delisted	CE/CFP	In California, breeding habitats are mainly in montane and foothill forests and woodlands near reservoirs, lakes, and rivers.	<b>No Habitat Present.</b> The highly maintained nature of the site precludes this species from being present.
<i>Lanius ludovicianus</i> Loggerhead shrike	--	CSC	Occurs in open areas with sparse trees, shrubs, and other perches.	<b>Low.</b> The Study Area represent suitable foraging habitat for loggerhead shrike. There is no suitable nesting habitat within the Study Area.
<i>Laterallus jamaicensis coturniculus</i> California black rail	--	CT	Nests and forages in salt, brackish, and fresh marshes with abundant vegetative cover.	<b>No Habitat Present.</b> Densely vegetated marshes are not present on-site.
<b>Mammals</b>				
<i>Antrozous pallidus</i> Pallid bat	--	CSC, WBWG H	Roosts in crevices in rocky outcrops and cliffs, caves, mines, trees (e.g., basal hollows of coast redwoods and giant sequoias, bole cavities of oaks, exfoliating bark, deciduous trees in riparian areas, and fruit trees in orchards), bridges, barns, porches, bat boxes, and human-occupied as well as vacant buildings (WBWG 2020).	<b>No Habitat Present.</b> Suitable roosting habitat for this species including caves, rocky outcrops, mines, cliffs, and tree hollows and under exfoliating bark on trees is not present on-site.
<i>Taxidea taxus</i> American badger	--	CSC	This species prefers dry open fields, grasslands, and pastures away from human development and activity.	<b>No Habitat Present.</b> The Study Area is surrounded by development and does not represent suitable habitat for the species.
<i>Corynorhinus townsendii townsendii</i> Townsend's big-eared bat	--	CC, WBWG H	Roosts in caves and cave analogues, such as abandoned mines, buildings, bridges, rock crevices and large basal hollows of coast redwoods and giant sequoias. Extremely sensitive to human disturbance. (WBWG 2020).	<b>No Habitat Present.</b> No caves or cave analogues present on-site.

<b>Scientific Name (Common Name)</b>	<b>Federal Status</b>	<b>State Status</b>	<b>Habitat Requirements</b>	<b>Potential for Occurrence</b>
<i>Lasionycteris noctivagans</i> Silver-haired bat	--	WBWG M	Roosts in abandoned woodpecker holes, under bark, and occasionally in rock crevices. It forages in open wooded areas near water features.	<b>No Habitat Present.</b> Suitable roosting habitat for this species including rock crevices, tree hollows, exfoliating bark on trees is not present on-site.
<i>Lasiurus blossevillii</i> Western red bat	--	CSC, WBWG H	Roosts primarily in the foliage of trees or shrubs (WBWG 2020). Day roosts are commonly in edge habitats adjacent to streams or open fields, in orchards, and sometimes in urban areas. There may be an association with intact riparian habitat (particularly willows, cottonwoods, and sycamores) (WBWG 2020).	<b>No Habitat Present.</b> Suitable roosting habitat for this species including trees, tree hollows, exfoliating bark on trees is not present on-site.
<i>Lasiurus cinereus</i> Hoary bat	--	WBWG M	Roosts primarily in foliage of both coniferous and deciduous trees at the edges of clearings (WBWG 2020).	<b>No Habitat Present.</b> Suitable roosting habitat for this species including trees, tree hollows, exfoliating bark on trees is not present on-site.

Status Codes:

CC - CDFW Candidate for Listing  
CE - CDFW Endangered  
CFP - CDFW Fully Protected  
CRPR - California Rare Plant Rank  
CSC - CDFW Species of Concern

CT - CDFW Threatened  
FE - Federally Endangered  
FT - Federally Threatened  
WBWG M - Western Bat Working Group Medium Threat Rank  
WBWG H - Western Bat Working Group High Threat Rank

## **5.1 Birds**

### **5.1.1 Tricolored Blackbird**

Tricolored blackbird is not federally listed but is state listed as threatened. In addition, tricolored blackbird is listed by CDFW as a species of special concern.

#### *5.1.1.1 Statewide Tricolored Blackbird Context*

The majority of the tricolored blackbird's breeding range is composed of two disjunct regions of California and Baja California, separated by the Transverse Ranges of southern California (CDFW 2018). The larger of the two areas includes the lowlands west of the Sierra Nevada, extending west across the Central Valley to the coast from Sonoma County south to Santa Barbara County. The second area includes the lowlands west of the deserts in southern California, extending south into northwestern Baja California. Small numbers of birds extend the range to the north in isolated low-lying areas on the northern California coast and to isolated areas in northeastern California, Oregon, and eastern Washington. Similarly, the range extends east from the southern Central Valley to small areas in the Mojave Desert (CDFW 2018).

The majority of birds breed below an elevation of about 300 feet in the Central Valley (CDFW 2018). In southern California, breeding colonies are located mainly in the western portions of Riverside and San Bernardino Counties, south through the interior of San Diego County (Feenstra 2009 as cited in CDFW 2018). Colonies are patchily distributed throughout the rest of the species' range in California, particularly in the Coast Ranges and on the coastal slope. Currently, no more than about 1% of the species' population is believed to breed outside of California (CDFW 2018).

Individual Tricolored Blackbirds often occupy and breed at two or more sites during the breeding season, a phenomenon known as itinerant breeding (Hamilton 1998 as cited in CDFW 2018). Itinerant breeding is a very rare trait among birds and occurs exclusively in species that move between breeding attempts to locate or follow locally abundant food sources (Jaeger et al. 1986 as cited in CDFW 2018). During the breeding season, Central Valley birds often move north to the Sacramento Valley after first nesting efforts (March–April) in the San Joaquin Valley and Sacramento County, with small numbers apparently moving further north to northeastern California and southern Oregon (Beedy and Hamilton 1997, Hamilton 1998 as cited in CDFW 2018). On the floor of the Sacramento Valley north of Sacramento County, the largest colonies are typically not settled until May or early June (Beedy and Hamilton 1997, Beedy et al. 2017 as cited in CDFW 2018).

Most Central Valley birds move into the Sacramento Valley at the end of the breeding season and remain there until mid-September or later, apparently attracted to ripening and recently harvested rice (DeHaven et al. 1975a as cited in CDFW 2018). From mid-September through mid-November, most move south into the Sacramento-San Joaquin Delta, Merced County, and coastal locations (Beedy and Hamilton 1997, Beedy et al. 2017 as cited in CDFW 2018). In winter, numbers decline in the Sacramento Valley and increase in the Sacramento-San Joaquin Delta and northern San Joaquin Valley (Neff 1942, Orians 1961a, Payne 1969, and

DeHaven et al. 1975a as cited in CDFW 2018). Large foraging flocks have traditionally occurred in pasturelands in southern Solano County by late October and often joined large flocks of several blackbird species to roost on islands in the eastern part of Suisun Marsh (Beedy and Hamilton 1997, Beedy et al. 2017 as cited in CDFW 2018).

The most recent state-wide survey effort (Meese 2017 as cited in CDFW 2018) documented 168 breeding colonies, and a total of approximately 177,700 birds.

#### *5.1.1.2 Local Tricolored Blackbird Context*

The CNDDDB contains 14 active and inactive tricolored blackbirds breeding locations within five miles of the Project Area, in addition to the adjacent colony. Of these locations, 12 are located in the open grasslands south of White Rock Road, and the habitat appears to have been extirpated for the remaining two north of Highway 50.

#### *5.1.1.3 Adjacent Tricolored Blackbird Colony*

The adjacent nesting colony of tricolored blackbirds frequently utilizes the large Himalayan blackberry bramble northeast of the Project Area (CNDDDB Occurrence Number 452). This bramble is located within 100-feet of the Project area at approximately the same elevation. This nesting colony has been monitored since at least 2011 when 1,000 birds were observed. Subsequent observations from 2013-2016 observed between 0 and 3,500 birds (CNDDDB 2020). At the beginning of the nesting season (20 March 2020), Madrone observed approximately 800 birds at the colony location. Most commonly it appears the nesting colony is between 1,000 and 1,500 birds. This represents less than one percent of the statewide population. Approximately 200 birds were observed landing on the western portion of the Study Area during the site visit for brief moments and potentially feeding on seeds. Due to the possibility of itinerant breeding, this nesting location may be a first or second breeding location for the birds that nest there. This means that the birds that nest adjacent to the Project Area may nest again after they leave.

Although unlikely, outside of the nesting season an occasional tricolored blackbird may be present in the adjacent open space, but the majority of the tricolored blackbirds congregate in the agricultural lands of the Central Valley as the grain crops ripen as an abundant food source (DeHaven et al. 1975a as cited in CDFW 2018).

Construction near the nesting colony has occurred on and off since the area was originally grading for development between 2002 and 2003. Costco and the building that Green Acres Nursery now occupies were constructed in 2002 and 2008 respectively. More recently, LifeTime Fitness, which is located immediately adjacent to the Project Area to the south and east, was constructed in 2016 when the CNDDDB indicates the number of individuals seen at the colony during the nesting season was approximately 1,000. This is consistent with the numbers that Madrone observed at the beginning of the nesting season in 2020. Additionally, the Pique Apartments project, located immediately adjacent to the nesting colony on the north side of the open space was under construction starting in 2018 and still under construction in March 2020

and June 2020 when Madrone conducted site visits. Over nearly a decade of construction, the number of tricolored blackbird individuals present at the nesting colony during nesting season appears to have remained reasonably consistent and the birds continue to return to nest. The first record in the CNDDDB (2011) lists 1,000 individuals.

#### Status of Colony's Nesting Requirements

There are three requirements for successful tricolored blackbird nesting locations (CDFW 2018). The following discusses the specific status of each of the nesting requirements for the colony adjacent to the Project.

#### *Nesting Substrate*

The nesting colony's current nesting substrate consists primarily of Himalayan blackberry bramble. Project impacts to the nesting substrate can be avoided because the substrate is located within a 1.46 acre preserve that was set aside as mitigation for the Pique Apartments. A declaration of covenants and restrictions has been placed over the preserve in order to protect the ability of the nesting colony to utilize the site in perpetuity. The proposed Project will not impact the nesting substrate.

#### *Water Source*

The nesting colony's primary water source is assumed to be the ephemeral stream that also provides the hydrology to support the nesting substrate. The proposed Project will not impact these water source.

#### *Foraging Habitat*

Foraging habitat immediately adjacent to the nesting colony is limited to the open space corridor that surrounds the ephemeral drainage. Foraging in these areas is likely to be opportunistic as birds fly to more desirable foraging opportunities. Due to its small size and degraded nature, the Project Area does not support the high-protein insect forage needed by nesting females and successful growth and development of chicks. The proposed Project will not impact foraging habitat.

Commonly, tricolored blackbirds do not have high-quality forage immediately adjacent to appropriate nesting substrate and the birds regularly fly three miles (farther distances have been documented) in order to obtain appropriate forage (CDFW 2018). Madrone and others have observed that the tricolored blackbirds within the nesting colony fly to the annual grasslands south of Highway 50 in order to obtain the insect forage they require for nesting. South of Highway 50, nesting habitat is found in riparian habitat and blackberry brambles along Alder Creek and grasslands provide foraging habitat for the tricolored blackbird. In the Folsom Plan Area Specific Plan (FPASP), impacts to grasslands and tricolored blackbird nesting colonies have been addressed in the FPASP EIR (2010). Mitigation Measure 3A.3-2e addresses avoidance and minimization measures for tricolored blackbird nesting colonies that reduce impacts to less than significant. The FPASP EIR/EIS also includes measures to address loss of grassland habitat within the FPASP that provides foraging habitat for the tricolored blackbird.

Additional undeveloped grasslands are present within three miles of the nesting colony that currently represent appropriate foraging opportunities. There have also been incidental observations of tricolored

blackbirds likely from the adjacent nesting colony foraging within the local urban environment, but this is likely supplemental to a largely natural diet. On balance, the proposed Project will not impact the colony's foraging habitat because no such habitat is located within the Project Area and because the tricolored blackbirds currently forage off-site and in some instances three miles or more away from the Project Area.

#### 5.1.1.4 Summary

The area south of Highway 50 contains agricultural lands and grasslands suitable for tricolored blackbird foraging and nesting of which a portion will be impacted by the FPASP project. Mitigation Measure 3A.3-2c of the FPASP EIR/EIS addresses avoidance and minimization of impacts to tricolored blackbird nesting colonies to reduce potential impacts to less than significant.

The nesting colony has continued utilizing the nesting site adjacent to the Project site over multiple years of construction and development activities for the Costco, Green Acres Nursery, Pique Apartments, and LifeTime Fitness projects. To reduce impacts to the nesting colony, the Pique Apartments and LifeTime Fitness projects included measures requiring pre-construction surveys measures. In addition to pre-construction surveys, the LifeTime Fitness project implemented post-construction measures (avian protection plan, bird safety film on windows, monitoring) to further reduce impacts. Mitigation measures related to the tricolored blackbird that have been implemented for the Pique Apartments, LifeTime Fitness, and FPASP projects are included in the proposed mitigation in Section 8.1.

During construction and operations of urban uses in the area, the numbers of birds nesting at the site has remained stable. Because the Project does not support foraging habitat, development of the proposed Project will not result impacts to tricolored blackbird foraging habitat. As described above, the proposed Project will not result in impacts to the required nesting elements for the colony.

#### 5.1.2 Burrowing Owl

Burrowing owl (*Athene cunicularia*) is not listed pursuant to either the California or federal Endangered Species Acts; however, it is designated as a species of special concern by the CDFW. They typically inhabit dry open rolling hills, grasslands, desert floors, and open bare ground with gullies and arroyos. This species typically uses burrows created by fossorial mammals, most notably the California ground squirrel, but may also use man-made structures such as culverts; cement, asphalt, or wood debris piles; or openings beneath cement or asphalt pavement (CDFG 1995). The breeding season extends from February 1 through August 31 (CBOC 1993, CDFG 1995).

Madrone biologists did not observe any potential burrowing owl nesting habitat within the Project Area during the February and March 2020 site visits. No California ground squirrel burrows are present within the Project Area. There are two documented occurrences of burrowing owl within five miles of the Project Area (CNDDDB 2020). The Project Area does not provide suitable nesting habitat or foraging as it does not contain a suitable prey base (vole and other rodent populations). However, burrowing owls may nest in the

adjacent open space parcel to the north and east of the site. There is a low potential for burrowing owl to be present with in the Project Area.

### **5.1.3 White-Tailed Kite**

White-tailed kite (*Elanus leucurus*) is not federally or state listed, but is a CDFW fully protected species. This species is a yearlong resident in the Central Valley and is primarily found in or near foraging areas such as open grasslands, meadows, farmlands, savannahs, and emergent wetlands (Shuford and Gardali 2008). White-tailed kites typically nest from March through June in trees within riparian, oak woodland, and savannah habitats of the Central Valley and Coast Range (Shuford and Gardali 2008).

There are four documented occurrences of white-tailed kite within five miles of the Project Area (CNDDDB 2020). The Project Area does not contain a suitable prey base (vole and other rodent populations) for the species and represents low quality potential foraging habitat for white-tailed kite. However, the species may forage and nest within the adjacent open space parcel north and east of the Project Area. There is a moderate potential for white-tailed kite to be present within the Project Area.

### **5.1.4 Loggerhead Shrike**

The loggerhead shrike (*Lanius ludovicianus*) is not listed and protected pursuant to either the California or federal Endangered Species Acts; but is a CDFW species of special concern. Loggerhead shrikes nest in small trees and shrubs in woodland and savannah vegetation communities, and forage in open habitats throughout California (Shuford and Gardali 2008). The nesting season ranges from March through June.

There are no documented occurrences of loggerhead shrike within five miles of the Project Area (CNDDDB 2020). The Project Area represents foraging habitat for loggerhead shrike. However, the species may forage and nest within the adjacent open space parcel north and east of the Project Area. There is a low potential for loggerhead shrike to be present within the Project Area.

## **6.0 WILDLIFE MOVEMENT/CORRIDORS**

The Project Area lies within the currently preferred, but not the only tricolored blackbird flight path from the nesting colony to foraging habitat located south of Highway 50 (Figure 2). The Project Area does not represent suitable wildlife/movement corridor for species other than tricolored blackbird. The Project Area is surrounded on three sides by existing roads and developments and the Project Area itself has been previously graded and has very low biological value.

## **7.0 IMPACTS TO SENSITIVE BIOLOGICAL RESOURCES**

This section details potential impacts to the biological resources discussed above within the Project Area. The Project Area is previously disturbed and does not contain any Waters of the U.S. or natural vegetation

communities. Additionally, there is no potential for special-status plant species to be found within the Project Area.

## **7.1 Tricolored Blackbird**

There are several temporally distributed activities that could result in impacts to the adjacent tricolored blackbird nesting colony and individual birds.

### **7.1.1 Potential Impacts to Required Nesting Resources**

Although not proposed, the primary and most significant potential impact to the nesting colony would occur if the Project resulted in the removal or elimination of required nesting resources.

### **7.1.2 Potential Impacts Related to Construction Activities**

Without mitigation, impacts to the tricolored blackbird nesting colony may occur during the nesting season as a result of construction from noise, vibration, dust, lighting, collision with equipment (individual birds), and increased human activity which may lead to nest failure, nest abandonment, and the death of tricolored blackbird chicks.

### **7.1.3 Potential Impacts Related to Project Operations (Long-Term)**

Without mitigation, impacts to tricolored blackbird may occur after the Project is operational by individual tricolored birds flying into the north-facing windows of the building. Occupancy of the Project could result in impacts to nesting tricolored blackbird from noise, dust, human presence, trash/food containers, domestic cats, and/or night lighting.

After the construction of the Project, the flight path through the Project area by birds within the nesting colony may be modified but would not be precluded. In addition, there are other open flight paths that exist that can continue to be used by nesting tricolored blackbirds including to the south east along the ephemeral drainage where the nesting colony resides, and between the LifeTime Fitness and the Project building. Moreover, the birds can continue to fly over the buildings as needed to travel to foraging habitat.

## **7.2 Burrowing Owl**

The Project Area does not contain suitable nesting or foraging habitat for the species. However, the species may inhabit the adjacent open space parcel. Impacts to burrowing owl may occur during construction from noise, vibration, and increased human activity which may lead to nest failure and abandonment and the death of burrowing owl chicks in the open space.

### 7.3 White-Tailed Kite

The Project Area does not contain suitable nesting or foraging habitat for the species. However, the species may inhabit the adjacent open space parcel. Impacts to white-tailed kite may occur during construction from noise, vibration, and increased human activity which may lead to nest failure and abandonment and the death of white-tailed kite chicks.

### 7.4 Loggerhead Shrike

The Project Area does not contain suitable nesting habitat for the species. However, the species may inhabit the adjacent open space parcel. Impacts to loggerhead shrike may occur during construction from noise, vibration, and increased human activity which may lead to nest failure and abandonment and the death of loggerhead shrike chicks.

### 7.5 Nesting Songbirds

Ground nesting songbirds including killdeer (*Charadrius vociferous*), western meadowlark (*Sturnella neglecta*), savanna sparrow (*Passerculus sandwichensis*), mourning dove (*Zenaidura macroura*), and horned lark (*Eremophila alpestris*), among others have the potential to nest within the Project Area. The initial grading of the Project may cause direct mortality to songbirds and/or their nests.

## 8.0 MITIGATION FOR IMPACTS TO SENSITIVE BIOLOGICAL RESOURCES

The following are suggested mitigation measures for impacts to sensitive biological resources associated with construction and operation of the Project. The following mitigation measures are proposed to reduce potential impacts to sensitive biological resources to a less than significant.

### 8.1 Tricolored Blackbird

#### Pre-Construction Measures:

- **Avian Protection Plan:** Prior to the start of construction, an avian protection plan shall be developed and submitted to the City of Folsom outlining the protective measures to be taken during construction, long-term operational measures, monitoring plan, adaptive management actions, and reporting requirements. These protective measures shall include for example, installation of a visual and sound barrier between the Project and the nesting colony and having all trash containers stored inside the planned building during the operation of the facility. The monitoring plan shall describe monitoring methods, reporting, and procedures required of monitor in response to observations on the site. The avian protection plan shall also include performance standards associated with each protective measure such as making repairs to the visual/sound barrier if needed within 24 hours or having an employee tasked with routinely ensuring trash receptacles are within the building except during trash collection periods.

- **Worker Environmental Awareness Training:** Before any ground-disturbing or vegetation-removal activities, a Worker Environmental Awareness Training (WEAT) shall be prepared and administered to the construction workers. The WEAT shall include the following: discussion of the state Endangered Species Act, CEQA mitigation measures; consequences and penalties for violation or noncompliance with these laws and regulations; identification of special-status wildlife including tricolored blackbird; and the contact person (biological monitor) in the event of the discovery of a special-status wildlife species within the Project Area. The WEAT shall also discuss the different habitats used by the species' different life stages and the annual timing of these life stages. A handout summarizing the WEAT information shall be provided to workers to keep on-site for future reference. Upon completion of the WEAT training, workers shall sign a form stating that they attended the training, understand the information presented and shall comply with the regulations discussed. Workers shall be familiarized with "avoidance areas" from which workers shall be restricted to minimize the potential for inadvertent impacts to the tricolored blackbird nesting colony.
  
- **Environmentally Sensitive Area Fence for Noise Barrier:** Prior to the start of construction, the contractor shall install an Environmentally Sensitive Area (ESA) fence along the portion of the northern Project boundary. See **Figure 2** for the location of the ESA fence. The ESA fence shall be eight feet in height and constructed of solid plywood or oriented strand board and shall be designed to withstand moderate to strong winds. The fence shall be in place from March 1<sup>st</sup> through July 31<sup>st</sup> during each year of construction. The ESA fence shall serve three purposes:
  - Delineate the Project boundary and prevent workers from entering the open space near the nesting colony;
  - Minimize construction-related noise from impacting the nesting colony by providing a solid rather than open fence; and
  - Create a visual barrier for the blackbirds to cause them to fly up and over the Project activities or choose a different route when they leave the colony to forage.

The location of the required ESA fence is shown on **Figure 2**.

Construction Measures:

- **Pre-Nesting Season Surveys:** Two weeks prior and one week prior to the defined start of the nesting season (March 1<sup>st</sup>), a qualified biologist shall visit the tricolored blackbird nesting colony to in order to detect unanticipated early nesting activity. If the qualified biologist documents nesting activities are occurring during either survey, mitigation measures that apply as of March 1<sup>st</sup> would be implemented. If birds are present, but not exhibiting nesting behavior then nesting season mitigation measures would not apply until nesting behavior is observed or March 1<sup>st</sup>, whichever is sooner.
  
- **Determination of No Nesting Activity:** If construction activities are underway prior to the tricolored blackbird nesting season, but will continue after March 1<sup>st</sup>, a qualified biologist shall survey the nesting location once between March 1<sup>st</sup> and March 15<sup>th</sup>. If nesting is found during any of the surveys,

then mitigation measures that apply as of March 1<sup>st</sup> would be implemented. If the surveys are negative, the qualified biologist shall conduct follow up surveys every 48 hours until April 15<sup>th</sup>. If no nests have been established by April 15<sup>th</sup>, the biologist shall coordinate with CDFW to determine if nesting is likely to occur. If the nesting location is determined, in coordination with CDFW, to be inactive for the year, construction may proceed as allowed outside the nesting season.

- **Limits on Grading During the Nesting Season:** No rough grading will occur during the nesting season (March 1<sup>st</sup> to July 31<sup>st</sup>) unless the biological monitor has determined in coordination CDFW that the birds are not nesting during that year or the biological monitor has determined that the tricolored blackbirds have not begun or have completed nesting and left the nesting site.
- **Continuous Biological Monitoring for Work During the Nesting Season:** From March 1<sup>st</sup> to July 31<sup>st</sup> continuous monitoring by a qualified biological monitor shall occur. Continuous biological monitoring is defined as having a biological monitor present at all times when work is taking place within the Project Area. No monitoring is required on days when no work is occurring.

During each visit, the biological monitor shall record basic survey data including date, biologist name, time of survey, weather conditions, approximate number of birds observed at the nesting colony, general behavior characteristics (time and approximate number of foraging group departures and arrivals), construction activity description, and a discussion of any disturbances and or recommendations for the prevention of construction-related disturbances to the nesting colony. Monitoring reports shall be submitted weekly to the Project Proponent, the City of Folsom, and CDFW.

Continuous biological monitoring shall not be required 1) between August 1<sup>st</sup> and February 28<sup>th</sup>, 2) if nesting is determined in coordination with CDFW to have been skipped for the year, 3) when it is determined by a qualified biologist that the nesting colony is no longer active, 4) when construction has moved into Month 6 activities as outlined under Periodic Biological Monitoring, or 5) when it is determined by a qualified biologist that all of the young of the year birds are no longer dependent on their nest or parents.

- **Periodic Biological Monitoring During Construction Month 6 Activities and Beyond:** Construction activities in Month 6 and later include work on apartment building itself, consisting of framing, utility installation, siding, roofing, painting, finish work, work to complete the grounds of the Project, including the installation of hardscaping, landscaping irrigation, permanent fencing, and pavement striping. If these activities take place during March 1<sup>st</sup> to July 31<sup>st</sup>, a qualified biological monitor shall conduct monitoring visits three times per week. The monitoring site visits shall be timed during the peak activity of the species (dawn to 10 am). During each visit, the biological monitor shall record basic survey data including date, biologist name, time of survey, weather conditions, approximate number of birds observed at the nesting colony, general behavior characteristics (time and number of foraging group departures and arrivals), construction activity description, and a discussion of any disturbances and or recommendations for the prevention of

construction-related disturbances to the nesting colony. Monitoring reports shall be submitted weekly to the Project Proponent, the City of Folsom, and CDFW.

Periodic biological monitoring shall not be required 1) between August 1<sup>st</sup> and February 28<sup>th</sup>, 2) if nesting is determined in coordination with CDFW to have been skipped for the year, 3) when it is determined by a qualified biologist that the nesting colony is no longer active, or 4) when it is determined by a qualified biologist that all of the young of the year birds are no longer dependent on their nest or parents.

- **Restricted Speed Limit:** A speed limit of 15 miles per hour shall be enforced throughout the length of the Project.
- **Manage Outdoor Food:** Eating areas for construction workers shall be restricted to the inside of construction trailers and a designated area adjacent to Healthy Way. All food-related material and trash shall be secured in trash receptacles to prevent attracting potential predators and providing an onsite food source for the blackbird. Mobile food vendors shall be prohibited on the site.

Post-Construction/Operational Measures:

- **Bird Safety Film:** To minimize potential future bird mortality due to window collisions, install horizontal bird safety film (SOLYX film or similar product) on exterior window surfaces on the north building elevation. Applicant shall routinely inspect the bird safety film and replace the film as needed, approximately every 5-7 years.
- **Barrier on North Property Line:** On the north property line of the Project, a four-foot tubular steel open fence shall be designed and installed to create a barrier between the Project and the adjacent open space area to prevent humans and dogs from entering the open space and the tricolored blackbird nesting colony.
- **Educational Signage:** signage informing and sensitizing the public to the tricolored blackbird colony shall be posted on the fence.
- **Contain Lighting Onsite:** All Project lighting shall be directed downward and away from the tricolored blackbird nesting colony and shall be designed to minimize overspill into the area between the Project boundary and the tricolored blackbird nesting colony.
- **Staff and Resident Awareness Information:** Information about the presence of the tricolored blackbird colony and measures to reduce impacts and coexist with the birds shall be provided to staff and residents. The information shall address:
  - Information about the colony;
  - Keeping house cats indoors;
  - Keeping the facility outdoors clean of all trash and food debris;

- Securing all trash receptacles to prevent attracting potential predators and providing food sources to the blackbird;
  - Prohibitions on bird feeding;
  - Restrictions on loud outdoor events during nesting season (March 1<sup>st</sup> through July 31<sup>st</sup>);
  - Prohibition of staff and resident access to adjacent open space parcel;
  - and
  - Speed limit restrictions.
- **Restrict Speed Limit:** The speed limit on the site shall be limited to 15 miles per hour.
  - **Manage Outdoor Food and Trash:** All outdoor eating areas shall include trash receptacles and trash shall be secured in trash receptacles to prevent attracting potential predators and providing an onsite food source for the blackbird. Mobile food vendors shall be prohibited on the site.
  - **Store Trash Dumpsters Indoors:** Refuse (trash, recycling, organic waste) dumpsters for the Project shall be stored in indoor trash rooms rather than in outdoor trash enclosures. Dumpsters shall be moved from the trash rooms outdoors one day per week for refuse collection. Following collection, the dumpsters shall be promptly returned to the indoor trash rooms.
  - **Restrict Domestic Cats to Indoors:** Domestic cats belonging to tenants shall be restricted to indoors. Tenant leases shall require that cats be kept indoors.

## 8.2 Burrowing Owl

Implementation of the following mitigation measures would reduce potential Project impacts to burrowing owl to less than significant:

- **Prior to the start of construction,** a take avoidance pre-construction survey shall be conducted for burrowing owl. The survey shall follow the CDFG 2012 Staff Report on Burrowing Owl Mitigation (Staff Report). If no active burrowing owl burrows are identified during the take avoidance pre-construction survey, no further mitigation is required.
- **During Breeding Season:** If the start of construction occurs during the burrowing owl breeding season (February 1<sup>st</sup> through August 31<sup>st</sup>) and the qualified biologist finds evidence of burrowing owls nesting within the Study Area or the 500-foot survey buffer specified by the Staff Report, all Project-related activities shall avoid nest sites during the remainder of the breeding season or while the active burrow remains occupied by adults with young or young (nest occupation includes individuals or family groups foraging on or near the site following fledging). A qualified biologist in coordination with the City shall establish a no-disturbance buffer around the active burrow. The buffer distance shall be determined based upon the location of the burrow in relation to construction activity and may be reduced in coordination with the City if visual and noise-attenuation barriers are installed in conjunction with biological monitoring. Construction and other Project-related activities

may occur outside of the buffer zone. Construction and other Project-related activities may be allowed inside of the non-disturbance buffer during the breeding season if the biological monitor determines that those activities do not disturb the owls and the Project activities are monitored daily by a qualified biological monitor.

If monitoring by a qualified biologist indicates that the nest is abandoned prior to the end of nesting season and the burrow is no longer in use, the non-disturbance buffer zone may be removed if approved by the City. After receiving approval from CDFW, the qualified biologist may excavate the burrow in accordance with the latest CDFW guidelines for burrowing owl to prevent reoccupation.

- **During Non-Breeding Season:** If the start of construction occurs during the non-breeding season (September 1<sup>st</sup> through January 31<sup>st</sup>) and the qualified biologist finds evidence of burrowing owls residing within the Study Area or the 500-foot survey buffer specified by the Staff Report, the qualified biologist shall establish an appropriate non-disturbance buffer around the occupied burrow(s) in coordination with the City. Construction activities outside of this buffer shall be allowed.

If construction activities require that the occupied burrow be disturbed, then exclusion of the owl(s) is allowed if the following criteria are met:

- A burrowing owl exclusion plan shall be developed for the Project and approved by the CDFW. This plan shall include the results of the preconstruction surveys and proposed methods for the installation and monitoring of one-way doors and the exclusion of burrowing owls;
- Upon approval by the CDFW, a qualified biologist shall install one-way door at the entrance of each occupied burrow. The Project shall then be monitored twice daily for 48 hours to ensure that the owls have vacated the burrow. After the burrows have been vacated at the end of the 48-hour monitoring period, the one-way doors shall be removed, and the burrow shall be hand-excavated to its terminus and completely backfilled. The Project Area and survey buffer shall be monitored daily for one week to ensure that the burrowing owls have not returned prior to construction.

### **8.3 Nesting Migratory Birds Including Raptors and Songbirds**

Implementation of the following mitigation measures reduce potential Project impacts to nesting migratory birds, including raptors and songbirds, to less than significant:

- If ground disturbance, vegetation thinning, or other construction activities are proposed during the migratory bird nesting season (February 1<sup>st</sup> – August 31<sup>st</sup>), a preconstruction survey for nesting raptors and migratory bird nests shall be conducted by a qualified biologist within 15 days prior to the beginning of construction activities in order to identify active nests. This survey shall be conducted within the proposed construction area and all accessible areas within 500 feet of the construction area; and

- If active nests are found, a qualified biologist in coordination with the City shall establish a no-disturbance buffer around the active nest. The buffer distance shall be determined based upon the bird species and the location of the nest in relation to construction activity and may be reduced if visual and noise-attenuation barriers are installed. Construction and other Project-related activities may occur outside of the buffer zone. Construction and other Project-related activities may be allowed inside of the non-disturbance buffer during the nesting season if the monitoring biologist determines that those activities do not disturb the nesting birds, and the Project activities are monitored continuously by a qualified biological monitor. The no-disturbance buffer shall remain in place until the young have fledged or the nest is no longer active. The perimeter of the buffer area shall be staked in the field by the contractor. No construction activities or personnel shall enter the buffer area, except with approval of the biological monitor. If no active nests are found during the preconstruction survey, no further mitigation shall be required. If a lapse in construction work of 15 days or longer occurs during the nesting season, additional nest surveys shall be required before construction may be reinitiated.

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# Figures

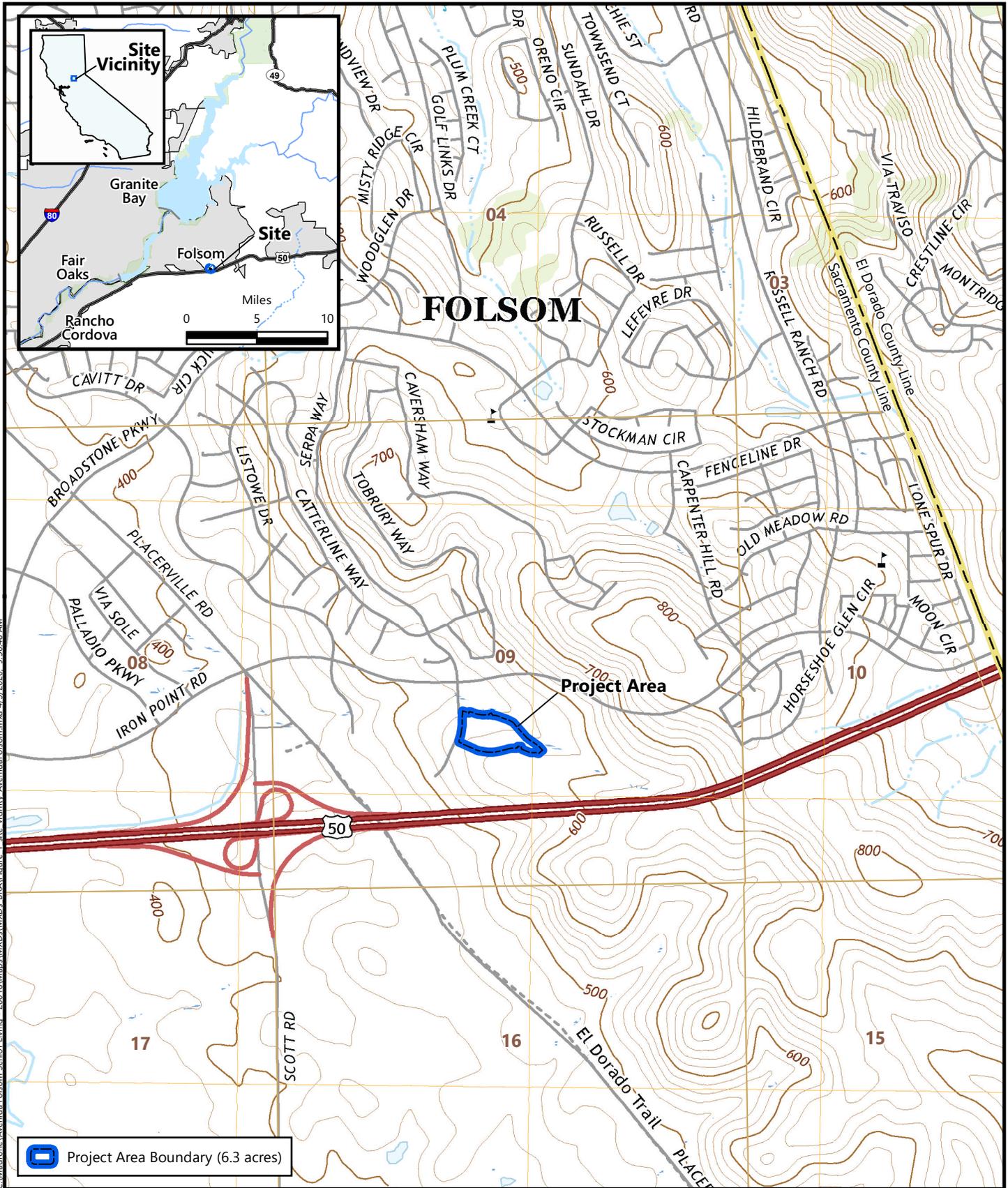
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Figure 1. Vicinity Map

Figure 2. Tricolored Blackbird Nesting Colony and ESA Fence Location

Figure 3. California Natural Diversity Database Occurrences

Figure 4. Natural Resources Conservation Service Soils



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**Figure 1**  
**Site and Vicinity**

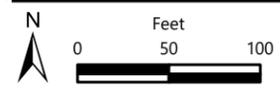
Source: United States Geologic Survey, 2018.  
 Section 9, Township 9 North, Range 8 East, MDB&M  
 "Clarksville, California" 7.5-Minute Topographic Quadrangle  
 Longitude -121.105531, Latitude 38646125

Avenida Folsom Senior Living  
 Folsom, Sacramento County, California





C:\Madrone\Avenida Folsom Senior Living - 200181\Map\Aerial\MXDs - BRA\Figure 2 - TRBL - Avenida Folsom v7.mxd 6/18/2020 1:45:08 PM



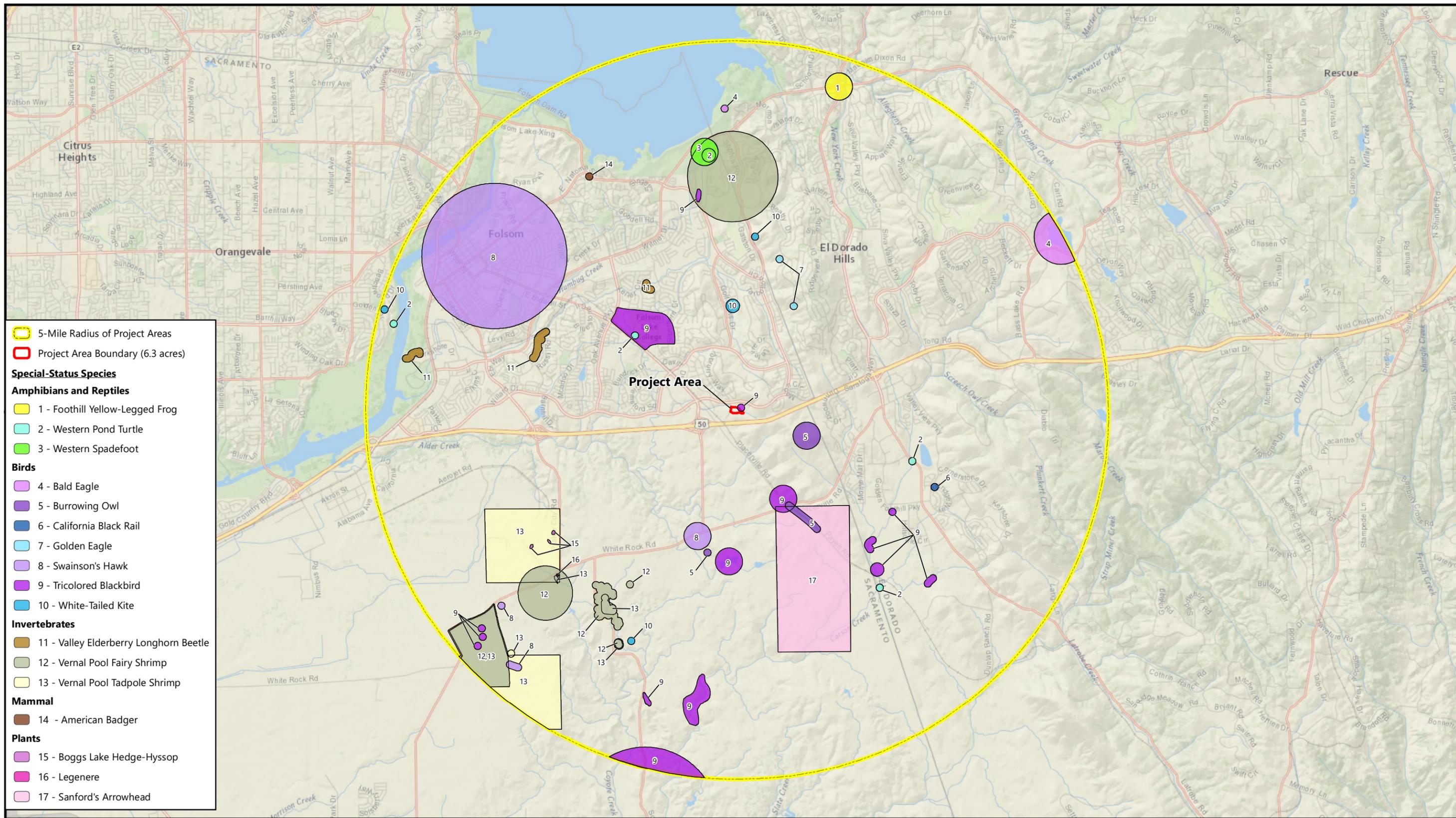
**Figure 2**  
**Tricolored Blackbird Nesting Colony**  
**and ESA Fence Location**

Avenida Folsom Senior Living  
 Folsom, Sacramento County, California



Survey Source: Madrone, 20 March 2020  
 Aerial Source: Google Earth, September 2019

C:\Madrone\Avenida Folsom Senior Living - 2018\Maps\WXDs\WXDs\_BRA\Figure\_3\_CNDDB\_SSS\_AvenidaFolsom.mxd 4/2/2020, 9:37:49 AM

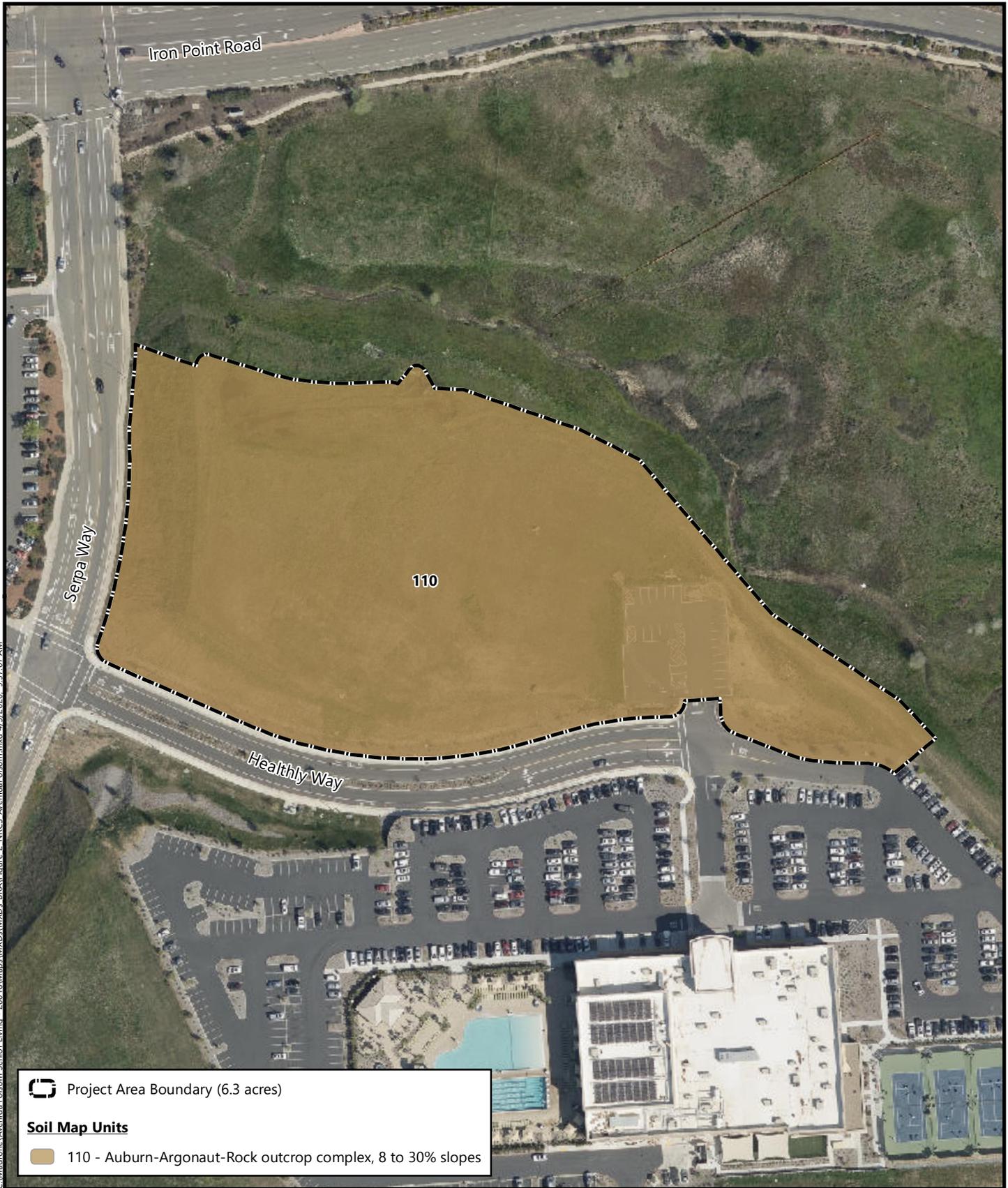


**Figure 3**  
**California Natural Diversity Database**  
**Occurrences of Special-Status Species**

Source: California Department of Fish and Wildlife, March 2020.  
 Basemap Source: National Geographic and ESRI

Avenida Folsom Senior Living  
 Folsom, Sacramento County, California





C:\Madrone\Avenida Folsom Senior Living - 20018\Map\MXDs\BRA\Figure 2\_NIRCS\_AvenidaFolsom.mxd, 4/3/2020, 9:37:07 AM

**Figure 4**  
**Natural Resources Conservation**  
**Service Soils**

Soil Survey Source: *USDA, Soil Conservation Service.*  
*Soil Survey Geographic (SSURGO) database for Sacramento County, California*  
 Aerial Source: Sac Regional GIS Coop, 26 March 2018

*Avenida Folsom Senior Living*  
*Folsom, Sacramento County, California*



# Attachments

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Attachment A. Avenida Folsom Site Plan, Perspective Layout, and Elevations

Attachment B. IPaC Trust Resource Report for the Avenida Folsom Senior Living Project Area

Attachment C. CNPS Inventory of Rare and Endangered Plants Query for the "Clarksville,  
California" Quadrangle and 9 Surrounding Quadrangles

Attachment D. Wildlife Species Observed within the Avenida Folsom Senior Living Project Area

# Attachment A

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**Avenida Folsom Site Plan,  
Perspective Layout, and Elevations**

# PRELIMINARY SITE PLAN AVENIDA FOLSOM SENIOR LIVING 115 HEALTHY WAY, FOLSOM, CA

### AVENIDA FOLSOM SENIOR LIVING PRELIMINARY DEVELOPMENT SUMMARY

APN:	072-2270-006-0000	UNIT DISTRIBUTION:	
SITE AREA:	±6.291 ACRES	(93) 1-BEDROOM	60 %
		(61) 2-BEDROOM	40 %
		<b>154 TOTAL UNITS</b>	<b>100 %</b>

### EXISTING

PERVIOUS AREA (VACANT):	5.954 ACRES	94.64 %
IMPERVIOUS SURFACE (PAVEMENT):	0.337 ACRES	5.36 %
TOTAL AREA:	6.291 ACRES	100 %

### PROPOSED

PERVIOUS AREA (LANDSCAPE):	2.416 ACRES	38.41 %
PERVIOUS AREA (BIORETENTION):	0.101 ACRES	1.61 %
IMPERVIOUS SURFACE (PARKING LOT):	1.625 ACRES	25.83 %
IMPERVIOUS SURFACE (HARDSCAPE):	1.016 ACRES	16.15 %
IMPERVIOUS SURFACE (BUILDINGS):	1.133 ACRES	18.00 %
TOTAL AREA:	6.291 ACRES	100 %

### PRELIMINARY PARKING SUMMARY

#### PARKING SUMMARY

STANDARD PARKING (9x17 w/ 2 BUMPER OVERHANG)	100
COMPACT PARKING (8x14 MINIMUM)	5
(4) ACCESSIBLE* UNCOVERED SPACES (3.8%)	
CARPORIT (COVERED)	63
(2) ACCESSIBLE* COVERED SPACES (6.2%)	
TOTAL PROPOSED	168
(6) ACCESSIBLE* SPACES TOTAL (3.6%)	
*ACCESSIBLE STALLS (9x19 MIN.)	
RATIO (SPACES PER UNIT)	1.09:1

#### CALGREEN REQUIREMENTS (4.106.4.2)

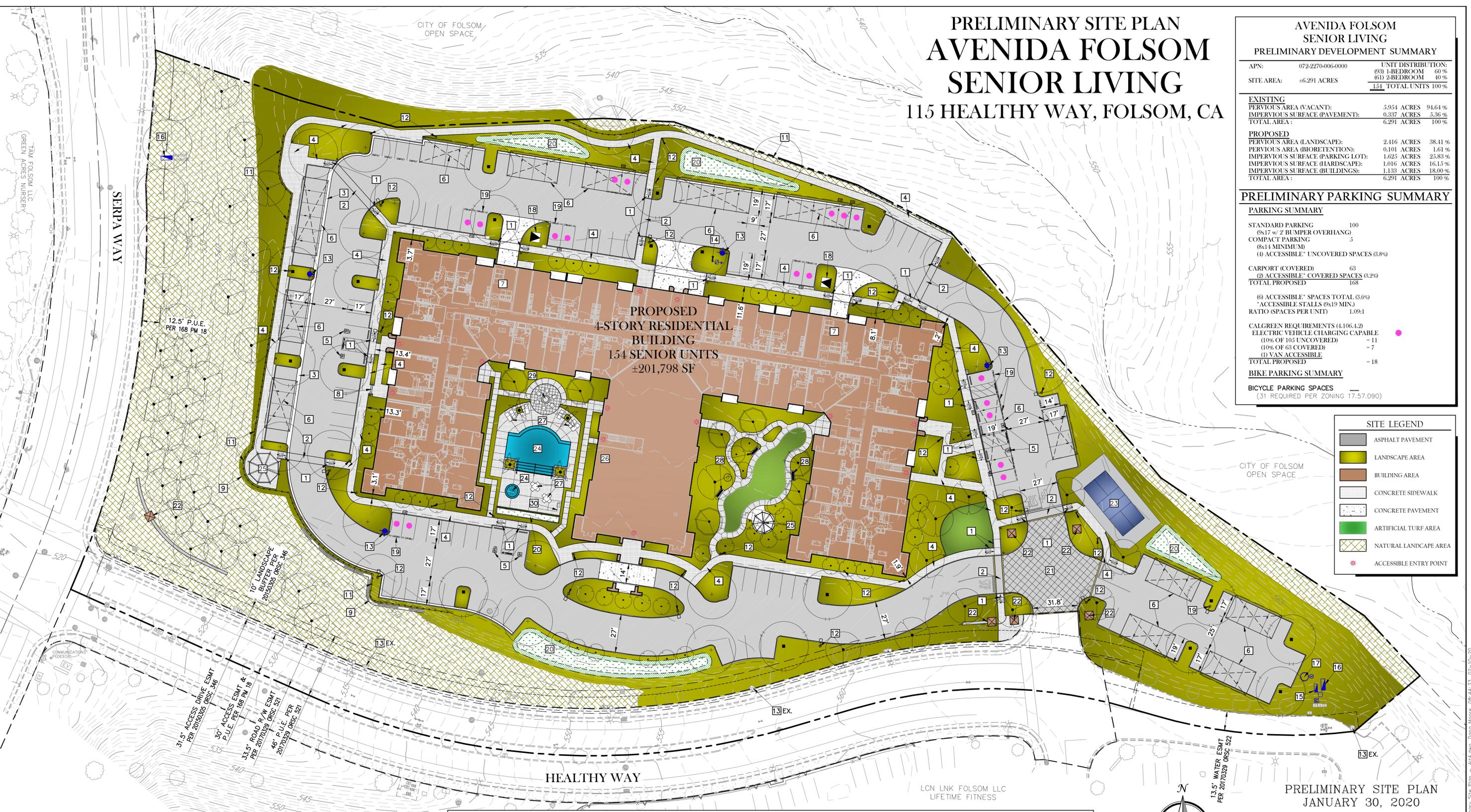
ELECTRIC VEHICLE CHARGING CAPABLE (10% OF 105 UNCOVERED)	- 11
(10% OF 63 COVERED)	- 7
(1) VAN ACCESSIBLE	- 1
TOTAL PROPOSED	- 18

#### BIKE PARKING SUMMARY

BICYCLE PARKING SPACES (31 REQUIRED PER ZONING 17.57.090)	
---	--

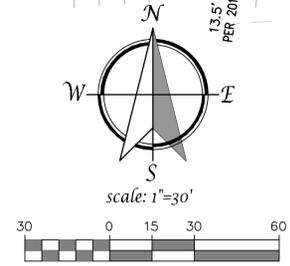
### SITE LEGEND

- ASPHALT PAVEMENT
- LANDSCAPE AREA
- BUILDING AREA
- CONCRETE SIDEWALK
- CONCRETE PAVEMENT
- ARTIFICIAL TURF AREA
- NATURAL LANDSCAPE AREA
- ACCESSIBLE ENTRY POINT



### CONSTRUCTION NOTES

1 CURB RAMP	7 TRASH ROOM	14 FIRE DEPARTMENT CONNECTION	21 ENHANCED ENTRY PAVEMENT	28 BENCH
2 CROSSWALK (ENHANCED PAVEMENT)	8 STAIRS	15 WATER METER & BACKFLOW DEVICE	22 ENTRY MONUMENTATION	29 FIRE PIT
3 VALLEY GUTTER	9 MEGA TANDEM RETAINING WALL	16 DOUBLE DETECTOR CHECK ASSEMBLY	23 PICKLE BALL COURT	30 OUTDOOR KITCHEN
4 SIDEWALK	10 KEYSTONE RETAINING WALL	17 WATER PUMP	24 OUTDOOR POOL/SPA	
5 ACCESSIBLE PARKING	11 4' HIGH STEEL TUBE FENCE	18 TRANSFORMER PAD	25 GAZEBO/TRELLIS	
6 CARPORT	12 SITE LIGHT	19 ELECTRIC VEHICLE CHARGING STATION	26 POOL EQUIPMENT/MAINT. ROOM	
	13 FIRE HYDRANT	20 WATER QUALITY BASIN	27 POOL DECK AND AMENITIES	



**AVENIDA FOLSOM**  
FOLSOM, CA  
**AVENIDA SENIOR LIVING, LLC**  
130 NEWPORT CENTER DRIVE, SUITE 220 | NEWPORT BEACH, CA 92660  
(949) 386-7302

PRELIMINARY SITE PLAN  
JANUARY 30, 2020

**TSD ENGINEERING, INC.**  
expect more.  
785 Orchard Drive, Suite #110  
Folsom, CA 95630  
Phone: (916) 608-0707  
Fax: (916) 608-0701

**SP-1**

P:\Projects\447-001\02 DWG\3- Planning\Y6\SP-1 Preliminary Site Plan - A14.dwg, Date: 08/14/20, 08:44:33, 02-10-20



**SHEET INDEX**

SHEET	DESCRIPTION
	ARCHITECTURE
G1.0	COVER SHEET
G1.1	PROJECT INFORMATION
A1.0	SITE PLAN
A1.1	FIRE ACCESS PLAN
A2.0	BUILDING PLAN 1ST LEVEL
A2.1	BUILDING PLAN 2ND LEVEL
A2.3	BUILDING PLAN 3RD LEVEL
A2.4	BUILDING PLAN 4TH LEVEL
A2.5	BUILDING PLAN ROOF LEVEL
A3.0	PERSPECTIVE VIEWS
A3.1	NORTH & SOUTH ELEVATIONS
A3.2	EAST & WEST ELEVATIONS
A4.0	UNIT PLANS
A4.1	PARKING, CARPORT & BUILDING SECTION (TYP.)
A5.0	COLOR MATERIALS
	CIVIL
SP-1	PRELIMINARY SITE PLAN
SP-2	PRELIMINARY UTILITY PLAN
SP-3	PRELIMINARY GRADING & DRAINAGE PLAN
SP-4	PRELIMINARY GRADING DETAILS
SP-4A	PRELIMINARY SITE DETAILS
SP-5	SITE PHOTOGRAPHIC EXHIBIT
SP-6	PRELIMINARY ACCESS & CIRCULATION PLAN
SP-7	PRELIMINARY PHOTOMETRIC PLAN
ALTA	ALTA SURVEY
	LANDSCAPE
L-1	PRELIMINARY LANDSCAPE PLAN
L-2	PRELIMINARY LANDSCAPE LEGEND & FENCE DETAILS
L-3	ENTRY ELEVATION
L-4	COURTYARD ENLARGEMENTS
L-5	GAZEBO OVERLOOK
L-6	PRELIMINARY IRRIGATION PLAN
L-7	PRELIMINARY IRRIGATION CALCULATIONS

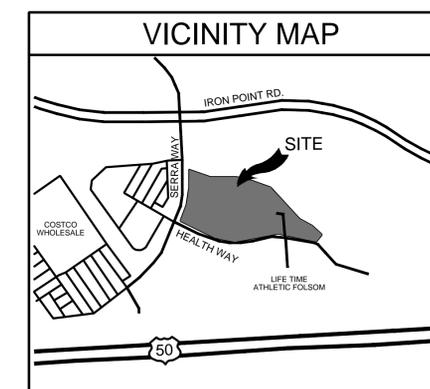
**Project Team**

**APPLICANT / OWNER**  
AVENIDA SENIOR LIVING  
130 NEWPORT CENTER DR, SUITE 220  
NEWPORT BEACH, CA 92660  
(949)-386-7302  
Contact: MATTHEW H. MAY  
mmay@avenidapartners.com

**RESIDENTIAL ARCHITECT**  
ARCHITECTS ORANGE  
144 N. Orange Street  
Orange, CA 92866  
(714) 639-9860  
Contact: SERAFIN MARANAN  
serafinm@aoarchitects.com

**LANDSCAPE ARCHITECT**  
WILSON DESIGN STUDIO  
1631 ALHAMBRA BLVD, SUITE 100  
SACRAMENTO, CA 95816  
(916)-524-5614  
Contact: KEITH WILSON, ASLA, CRLA 4728  
keith@wdsia.com

**CIVIL ENGINEER**  
TSD ENGINEERING, INC.  
785 ORCHARD DRIVE; SUITE 110  
FOLSOM, CA 95630  
(916) 608-0707 X 104  
Contact: DANA J. MOORE  
dmoore@tsdeng.com



**AVENIDA FOLSOM**

AVENIDA SENIOR LIVING, LLC

130 NEWPORT CENTER DR. SUITE 220 | NEWPORT BEACH, CA 92660  
(949) 386-7302

FOLSOM, CA

DATE: 01-30-20  
JOB NO.: 2019-443

**AO ARCHITECTS**  
144 NORTH ORANGE ST., ORANGE, CA 92866  
(714) 639-9860

G1.0



**GENERAL NOTES**

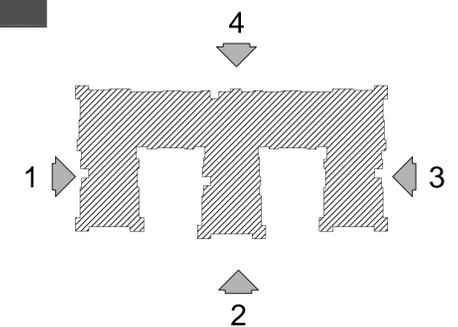
REFER TO SHEETS A5.0 FOR ENLARGED ELEVATIONS WITH MATERIALS KEYNOTED



**SOUTH ELEVATION 2**



**NORTH ELEVATION 4**



CONCEPTUAL BUILDING ELEVATIONS

**A3.1**

**AVENIDA FOLSOM**

FOLSOM, CA

**AVENIDA SENIOR LIVING, LLC**

130 NEWPORT CENTER DR. SUITE 220 | NEWPORT BEACH, CA 92660  
(949) 386-7302

DATE: 01-30-20  
JOB NO.: 2019-443

**AO ARCHITECTS**

144 NORTH ORANGE ST., ORANGE, CA 92866  
(714) 639-9860



Friday, February 07, 2020 1:16:57 PM R:\2019\2019-443 AVENIDA PARTNERS HEALTHY WAY FOLSOM\03 DESIGN\DESIGN\19-443\_A3.0 - A3.1 BUILDING ELEVATIONS.DWG

**GENERAL NOTES**

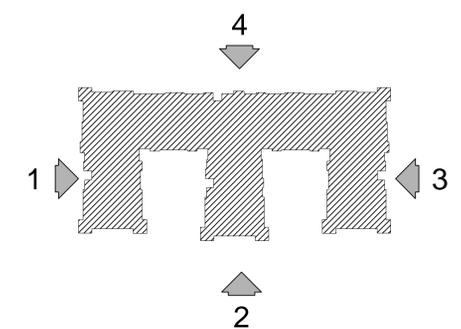
REFER TO SHEETS A5.0 FOR ENLARGED ELEVATIONS WITH MATERIALS KEYNOTED



WEST ELEVATION 1



EAST ELEVATION 3



CONCEPTUAL BUILDING ELEVATIONS

**A3.2**

**AVENIDA FOLSOM**

FOLSOM, CA

AVENIDA SENIOR LIVING, LLC

130 NEWPORT CENTER DR. SUITE 220 | NEWPORT BEACH, CA 92660  
(949) 386-7302

DATE: 01-30-20  
JOB NO.: 2019-443

**AO ARCHITECTS**

144 NORTH ORANGE ST., ORANGE, CA 92866  
(714) 639-9860



# Attachment B

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**IPaC Trust Resource Report for the  
Avenida Folsom Senior Living  
Project Area**



# United States Department of the Interior



FISH AND WILDLIFE SERVICE  
Sacramento Fish And Wildlife Office  
Federal Building  
2800 Cottage Way, Room W-2605  
Sacramento, CA 95825-1846  
Phone: (916) 414-6600 Fax: (916) 414-6713

In Reply Refer To:

March 25, 2020

Consultation Code: 08ESMF00-2020-SLI-1419

Event Code: 08ESMF00-2020-E-04499

Project Name: Avenida Folsom Senior Living

Subject: List of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, under the jurisdiction of the U.S. Fish and Wildlife Service (Service) that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the Service under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

Please follow the link below to see if your proposed project has the potential to affect other species or their habitats under the jurisdiction of the National Marine Fisheries Service:

[http://www.nwr.noaa.gov/protected\\_species/species\\_list/species\\_lists.html](http://www.nwr.noaa.gov/protected_species/species_list/species_lists.html)

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2) (c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

<http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF>

Please be aware that bald and golden eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 *et seq.*), and projects affecting these species may require development of an eagle conservation plan ([http://www.fws.gov/windenergy/eagle\\_guidance.html](http://www.fws.gov/windenergy/eagle_guidance.html)). Additionally, wind energy projects should follow the wind energy guidelines (<http://www.fws.gov/windenergy/>) for minimizing impacts to migratory birds and bats.

Guidance for minimizing impacts to migratory birds for projects including communications towers (e.g., cellular, digital television, radio, and emergency broadcast) can be found at: <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/towers.htm>; <http://www.towerkill.com>; and <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html>.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

---

Attachment(s):

- Official Species List

## Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

**Sacramento Fish And Wildlife Office**

Federal Building

2800 Cottage Way, Room W-2605

Sacramento, CA 95825-1846

(916) 414-6600

---

## Project Summary

Consultation Code: 08ESMF00-2020-SLI-1419

Event Code: 08ESMF00-2020-E-04499

Project Name: Avenida Folsom Senior Living

Project Type: DEVELOPMENT

Project Description: development

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/place/38.64633836366657N121.10571710996544W>



Counties: Sacramento, CA

---

## Endangered Species Act Species

There is a total of 12 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries<sup>1</sup>, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

- 
1. [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.

## Reptiles

NAME	STATUS
Giant Garter Snake <i>Thamnophis gigas</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/4482">https://ecos.fws.gov/ecp/species/4482</a>	Threatened

## Amphibians

NAME	STATUS
California Red-legged Frog <i>Rana draytonii</i> There is <b>final</b> critical habitat for this species. Your location is outside the critical habitat. Species profile: <a href="https://ecos.fws.gov/ecp/species/2891">https://ecos.fws.gov/ecp/species/2891</a> Species survey guidelines: <a href="https://ecos.fws.gov/ipac/guideline/survey/population/205/office/11420.pdf">https://ecos.fws.gov/ipac/guideline/survey/population/205/office/11420.pdf</a>	Threatened
California Tiger Salamander <i>Ambystoma californiense</i> Population: U.S.A. (Central CA DPS) There is <b>final</b> critical habitat for this species. Your location is outside the critical habitat. Species profile: <a href="https://ecos.fws.gov/ecp/species/2076">https://ecos.fws.gov/ecp/species/2076</a>	Threatened

---

## Fishes

NAME	STATUS
Delta Smelt <i>Hypomesus transpacificus</i> There is <b>final</b> critical habitat for this species. Your location is outside the critical habitat. Species profile: <a href="https://ecos.fws.gov/ecp/species/321">https://ecos.fws.gov/ecp/species/321</a>	Threatened

## Insects

NAME	STATUS
Valley Elderberry Longhorn Beetle <i>Desmocerus californicus dimorphus</i> There is <b>final</b> critical habitat for this species. Your location is outside the critical habitat. Species profile: <a href="https://ecos.fws.gov/ecp/species/7850">https://ecos.fws.gov/ecp/species/7850</a> Habitat assessment guidelines: <a href="https://ecos.fws.gov/ipac/guideline/assessment/population/436/office/11420.pdf">https://ecos.fws.gov/ipac/guideline/assessment/population/436/office/11420.pdf</a>	Threatened

## Crustaceans

NAME	STATUS
Vernal Pool Fairy Shrimp <i>Branchinecta lynchi</i> There is <b>final</b> critical habitat for this species. Your location is outside the critical habitat. Species profile: <a href="https://ecos.fws.gov/ecp/species/498">https://ecos.fws.gov/ecp/species/498</a>	Threatened
Vernal Pool Tadpole Shrimp <i>Lepidurus packardii</i> There is <b>final</b> critical habitat for this species. Your location is outside the critical habitat. Species profile: <a href="https://ecos.fws.gov/ecp/species/2246">https://ecos.fws.gov/ecp/species/2246</a>	Endangered

## Flowering Plants

NAME	STATUS
<p>El Dorado Bedstraw <i>Galium californicum ssp. sierrae</i>            No critical habitat has been designated for this species.            Species profile: <a href="https://ecos.fws.gov/ecp/species/5209">https://ecos.fws.gov/ecp/species/5209</a></p>	Endangered
<p>Layne's Butterweed <i>Senecio layneae</i>            No critical habitat has been designated for this species.            Species profile: <a href="https://ecos.fws.gov/ecp/species/4062">https://ecos.fws.gov/ecp/species/4062</a></p>	Threatened
<p>Pine Hill Ceanothus <i>Ceanothus roderickii</i>            No critical habitat has been designated for this species.            Species profile: <a href="https://ecos.fws.gov/ecp/species/3293">https://ecos.fws.gov/ecp/species/3293</a></p>	Endangered
<p>Pine Hill Flannelbush <i>Fremontodendron californicum ssp. decumbens</i>            No critical habitat has been designated for this species.            Species profile: <a href="https://ecos.fws.gov/ecp/species/4818">https://ecos.fws.gov/ecp/species/4818</a></p>	Endangered
<p>Stebbins' Morning-glory <i>Calystegia stebbinsii</i>            No critical habitat has been designated for this species.            Species profile: <a href="https://ecos.fws.gov/ecp/species/3991">https://ecos.fws.gov/ecp/species/3991</a></p>	Endangered

## Critical habitats

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

# Attachment C

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**CNPS Inventory of  
Rare and Endangered Plants Query for the  
"Clarksville, California" Quadrangle and  
9 Surrounding Quadrangles**

\*The database used to provide updates to the Online Inventory is under construction. [View updates and changes made since May 2019 here.](#)

## Plant List

31 matches found. [Click on scientific name for details](#)

### Search Criteria

Found in Quads 3812172, 3812171, 3812078, 3812162, 3812161, 3812068, 3812152 3812151 and 3812058;

[Modify Search Criteria](#)
[Export to Excel](#)
[Modify Columns](#)
[Modify Sort](#)
[Display Photos](#)

Scientific Name	Common Name	Family	Lifeform	Blooming Period	CA Rare Plant Rank	State Rank	Global Rank
<a href="#">Allium jepsonii</a>	Jepson's onion	Alliaceae	perennial bulbiferous herb	Apr-Aug	1B.2	S2	G2
<a href="#">Allium sanbornii var. sanbornii</a>	Sanborn's onion	Alliaceae	perennial bulbiferous herb	May-Sep	4.2	S3S4	G4T3T4
<a href="#">Balsamorhiza macrolepis</a>	big-scale balsamroot	Asteraceae	perennial herb	Mar-Jun	1B.2	S2	G2
<a href="#">Brodiaea rosea ssp. vallicola</a>	valley brodiaea	Themidaceae	perennial bulbiferous herb	Apr-May(Jun)	4.2	S3	G5T3
<a href="#">Calandrinia breweri</a>	Brewer's calandrinia	Montiaceae	annual herb	(Jan)Mar-Jun	4.2	S4	G4
<a href="#">Calystegia stebbinsii</a>	Stebbins' morning-glory	Convolvulaceae	perennial rhizomatous herb	Apr-Jul	1B.1	S1	G1
<a href="#">Carex xerophila</a>	chaparral sedge	Cyperaceae	perennial herb	Mar-Jun	1B.2	S2	G2
<a href="#">Ceanothus fresnensis</a>	Fresno ceanothus	Rhamnaceae	perennial evergreen shrub	May-Jul	4.3	S4	G4
<a href="#">Ceanothus roderickii</a>	Pine Hill ceanothus	Rhamnaceae	perennial evergreen shrub	Apr-Jun	1B.1	S1	G1
<a href="#">Chlorogalum grandiflorum</a>	Red Hills soaproot	Agavaceae	perennial bulbiferous herb	May-Jun	1B.2	S3	G3
<a href="#">Clarkia biloba ssp. brandegeae</a>	Brandegee's clarkia	Onagraceae	annual herb	May-Jul	4.2	S4	G4G5T4
<a href="#">Claytonia parviflora ssp. grandiflora</a>	streambank spring beauty	Montiaceae	annual herb	Feb-May	4.2	S3	G5T3
<a href="#">Crocanthemum suffrutescens</a>	Bisbee Peak rush-rose	Cistaceae	perennial evergreen shrub	Apr-Aug	3.2	S2?	G2?Q

<a href="#"><u>Downingia pusilla</u></a>	dwarf downingia	Campanulaceae	annual herb	Mar-May	2B.2	S2	GU
<a href="#"><u>Erigeron miser</u></a>	starved daisy	Asteraceae	perennial herb	Jun-Oct	1B.3	S3?	G3?
<a href="#"><u>Eriophyllum jepsonii</u></a>	Jepson's woolly sunflower	Asteraceae	perennial herb	Apr-Jun	4.3	S3	G3
<a href="#"><u>Eryngium pinnatisectum</u></a>	Tuolumne button-celery	Apiaceae	annual / perennial herb	May-Aug	1B.2	S2	G2
<a href="#"><u>Fremontodendron decumbens</u></a>	Pine Hill flannelbush	Malvaceae	perennial evergreen shrub	Apr-Jul	1B.2	S1	G1
<a href="#"><u>Galium californicum ssp. sierrae</u></a>	El Dorado bedstraw	Rubiaceae	perennial herb	May-Jun	1B.2	S1	G5T1
<a href="#"><u>Gratiola heterosepala</u></a>	Boggs Lake hedge-hyssop	Plantaginaceae	annual herb	Apr-Aug	1B.2	S2	G2
<a href="#"><u>Horkelia parryi</u></a>	Parry's horkelia	Rosaceae	perennial herb	Apr-Sep	1B.2	S2	G2
<a href="#"><u>Juncus leiospermus var. ahartii</u></a>	Ahart's dwarf rush	Juncaceae	annual herb	Mar-May	1B.2	S1	G2T1
<a href="#"><u>Legenere limosa</u></a>	legenere	Campanulaceae	annual herb	Apr-Jun	1B.1	S2	G2
<a href="#"><u>Lilium humboldtii ssp. humboldtii</u></a>	Humboldt lily	Liliaceae	perennial bulbiferous herb	May-Jul(Aug)	4.2	S3	G4T3
<a href="#"><u>Navarretia myersii ssp. myersii</u></a>	pincushion navarretia	Polemoniaceae	annual herb	Apr-May	1B.1	S2	G2T2
<a href="#"><u>Orcuttia tenuis</u></a>	slender Orcutt grass	Poaceae	annual herb	May-Sep(Oct)	1B.1	S2	G2
<a href="#"><u>Orcuttia viscida</u></a>	Sacramento Orcutt grass	Poaceae	annual herb	Apr-Jul(Sep)	1B.1	S1	G1
<a href="#"><u>Packera layneae</u></a>	Layne's ragwort	Asteraceae	perennial herb	Apr-Aug	1B.2	S2	G2
<a href="#"><u>Sagittaria sanfordii</u></a>	Sanford's arrowhead	Alismataceae	perennial rhizomatous herb (emergent)	May-Oct(Nov)	1B.2	S3	G3
<a href="#"><u>Trichostema rubisepalum</u></a>	Hernandez bluecurls	Lamiaceae	annual herb	Jun-Aug	4.3	S4	G4
<a href="#"><u>Wyethia reticulata</u></a>	El Dorado County mule ears	Asteraceae	perennial herb	Apr-Aug	1B.2	S2	G2

### Suggested Citation

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**Questions and Comments**

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# Attachment D

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**Wildlife Species  
Observed within the  
Avenida Folsom Senior Living  
Project Area**

Wildlife Species Observed within the Avenida Folsom Senior Living Project Area  
7 February, 20 March, and 10 April 2020

<b>Species Name</b>	<b>Common name</b>
<b>Amphibians</b>	
<i>Pseudacris sierrae</i>	Sierran treefrog
<b>Reptiles</b>	
<i>Sceloporus occidentalis</i>	Western fence lizard
<b>Birds</b>	
<i>Gallinago delicata</i>	Wilson's snipe
<i>Cathartes aura</i>	Turkey vulture
<i>Buteo jamaicensis</i>	Red-tailed hawk
<i>Agelaius phoeniceus</i>	Red-winged blackbird
<i>Euphagus cyanocephalus</i>	Brewer's blackbird
<i>Agelaius tricolor</i>	Tricolored blackbird
<i>Charadrius vociferus</i>	Killdeer
<i>Passerculus sandwichensis</i>	Savannah sparrow
<i>Zonotrichia leucophrys</i>	White-crowned sparrow
<i>Zonotrichia atricapilla</i>	Gold-crowned sparrow
<i>Aimophila ruficeps</i>	Rufous-crowned sparrow
<i>Callipepla californica</i>	California quail
<i>Columba livia</i>	Rock pigeon
<i>Zenaida macroura</i>	Mourning dove
<i>Calypte anna</i>	Anna's hummingbird
<i>Tyrannus verticalis</i>	Western kingbird
<i>Corvus brachyrhynchos</i>	American crow
<i>Eremophila alpestris</i>	Horned lark
<i>Carduelis psaltria</i>	Lesser goldfinch
<b>Mammals</b>	
<i>Lepus californicus</i>	Black-tailed jackrabbit