

Table 2 – La Mineta Ranch Project Site Species Summary

Scientific Name	Common Name	Status	Habitat Requirement	Occurrence Potential	Comments
<i>Phacelia ciliata</i> var. <i>opaca</i>	Merced phacelia	CNPS 1B.2	Occurs in valley and foothill grasslands between 200-1640 ft; blooms April-May	None	No suitable habitat on site; project site is higher than standard elevation requirement; no observation of the species during any surveys.
<i>Pica nuttallii</i>	Yellow-billed magpie	BCC	Central Valley and Coastal Mountain ranges; utilizes open oak and riparian woodland, farm, ranchlands, or urban areas with tall trees near grasslands, pasture or cropland	None	No requisite habitat on site.
<i>Picoides albolarvatus</i>	White headed woodpecker	BCC	Nests in open montane conifer forests; prefers semi-open areas and excavates nesting cavity in large snags at least 2 ft in diameter.	None	No requisite habitat on site.
<i>Picoides nuttallii</i>	Nuttall's woodpecker	BCC	Prefers oak forest and woodlands; requires standing snag or hollow tree for nesting	Moderate	Habitat is on site; species not observed during surveys.
<i>Pipilo chlorurus</i>	Green-tailed Towhee	BCC	Found in dense brush in chaparral and montane habitats and high plateaus	Moderate	Dense shrub habitat on site, site is lower in elevation than typical.
<i>Rana boylei</i>	Foothill yellow-legged frog	SSC	Occurs in partly shaded, shallow streams & riffles requiring a minimum of 15 weeks to attain metamorphosis.	Low	The ephemeral stream does not flow for requisite time for life cycle during normal rainfall years.
<i>Rana draytonii</i>	California red-legged frog	FT	Requires permanent source of deep water with dense, shrubby or emergent vegetation; requires 11-20 weeks of permanent water for larval development	None	The ephemeral creek does not provide the requisite habitat during normal rainfall years.
<i>Rana sierra</i>	Sierra Nevada yellow-legged frog	FE; ST	Tadpoles require 2-4 years to complete metamorphosis	None	Ephemeral creek does not provide requisite habitat.
<i>Sagittaria sanfordii</i>	Sanford's arrowhead	CNPS 1B.2	A perennial rhizomatous herb that blooms from May - October in marshes, swamps and assorted shallow freshwaters.	Low	Suitable habitat may be present on site but no observation of the species during any surveys.

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Scientific Name	Common Name	Status	Habitat Requirement	Occurrence Potential	Comments
<i>Sphyrapicus thyroideus</i>	Williamson's sapsucker	BCC	Fairly common in dry, piney forests of western mountains.	Moderate	Project site provides moderate habitat.
<i>Strix occidentalis occidentalis</i>	California spotted owl	SSC; BCC	Prefers mixed conifer forest, often an understory of Black oak and other deciduous hardwoods with >40% canopy coverage; most often found in deep-shaded canyons, north facing slopes and within 300 m of water.	None	Requisite habitat not on site.
<i>Tuctoria greenei</i>	Greene's tuctoria	TE; SR; CNPS 1B.1	Dry bottoms of vernal pools in open grasslands. 30 – 70 m. Blooms May to September.	None	No suitable habitat on site.

Occurrence Potential for species has been classified as None, Low, or Moderate. Species listed as having a "None" potential for occurrence on the Project site are those species for which:

- There are no known occurrences near the Project site (within 8 kilometers or 5 miles); and
- There is no suitable habitat on the Project site.

Species listed as having a "Low" potential for occurrence on the Project site are those species for which:

- There are no known occurrences near the Project site (within 8 kilometers or 5 miles); and
- There is only marginal habitat on the Project site.
- Marginal habitats for the species on the project site were surveyed with negative results for the species.

The species with a "None" or "Low" classification will not be further discussed in this analysis.

5.1 Special-Status Plant Species

The CNDDDB search did not identify any known occurrences of botanical special status species as occurring either on or within 1 mile of the project site. It has an occurrence for Madera leptosiphon (*Leptosiphon serrulatus*) as occurring within 1.3 miles of the project site (CNDDDB Occ#28, Elm Date 18XXXXX). Species occurrences listed greater than 2 miles but within 5 miles of the site include Mariposa pussypaws (*Calyptridium pulchellum*), Mariposa clarkia (*Clarkia biloba ssp. australis*), Mariposa cryptantha (*Cryptantha mariposae*), Mariposa daisy (*Erigeron mariposanus*), Congdon's lomatium (*Lomatium congdonii*), Mariposa lupine (*Lupinus citrinus var. deflexus*), Shaggyhair lupine (*Lupinus spectabilis*), Slender-stemmed monkeyflower (*Mimulus filicaulis*), and Slender-stalked monkeyflower (*Mimulus gracilipes*).

Botanical species included in the database searches that will no longer be addressed due to lack of requisite habitat (i.e, vernal pools, seasonal wetlands, grasslands, serpentine soils, montane zones, etc.) include Big-scale balsamroot (*Balsamorhiza macrolepis*), Pleasant Valley mariposa-lily (*Calochortus clavatus var. avius*), Hoover's calycadenia (*Calycadenia hooveri*), Succulent owl's-clover (*Castilleja campestris ssp. Succulenta*), Mariposa clarkia, Mariposa daisy, Beaked clarkia (*Clarkia rostrata*),

Mariposa cryptantha, Dwarf downingia (*Downingia pusilla*), Spiny-sealed button-celery (*Eryngium spinosepalum*), Parry's horkelia (*Horkelia parryi*), Congdon's lomatium, Shaggyhair lupine, Slender-stemmed monkeyflower, Yellow-lipped pansy monkeyflower (*Mimulus pulchellus*), Pincushion navarretia (*Navarretia myersii* ssp. *myersii*), Shining navarretia (*Navarretia nigelliformis* ssp. *radians*), Colusa grass (*Neostapfia colusana*), San Joaquin Valley Orcutt grass (*Orcuttia inaequalis*), Merced phacelia (*Phacelia ciliata* var. *opaca*), Sanford's arrowhead (*Sagittaria sanfordi*), Koch's cord moss (*Entosthodon kochii*), and Greene's tuctoria (*Tuctoria greenei*). None of the species listed are believed to be at risk from project implementation.

The following sensitive species have some potential for occurring because the project site does provide cismontane habitat characteristics that include parameters required for their potential presence. However, none of the species were detected during the two seasons of botanical surveys that were completed. The potential species include Mariposa pussypaws, Madera leptosiphon, Mariposa lupine, and slender-stalked monkeyflower. These four species are discussed in more detail below.

5.1.1 *Mariposa pussypaws*

Mariposa pussypaws is federally listed as a "threatened" species and is classified by the CNPS as a List 1B species. It is a flowering plant in the purslane family and is endemic to the Sierra Nevada foothills of central California, where it is known from only a few scattered occurrences. It grows on barren patches of granite gravel in woodland and grasslands. It is a very small red-green annual plant radiating spreading stems a few centimeters long. There is a basal rosette of tiny, thick leaves. The inflorescence is a number of spherical clusters of rose-colored petals and thin sepals. The fruit is a tiny translucent capsule containing one or two seeds. Marginal habitat for this species exists on the project site. However, it was not observed during surveys which were conducted during the appropriate blooming period (April – August).

5.1.2 *Madera leptosiphon*

Madera leptosiphon (or linanthus) is a flowering plant in the phlox family and is a CNPS List 1B.2 plant and is therefore classified as "fairly endangered" in California. It is endemic to California, where it is known from the chaparral and woodlands in the Sierra Nevada foothills, from Madera to Kern Counties. Madera leptosiphon typically inhabits dry slopes on decomposed granite in cismontane woodlands, approximately 300-1,300 meters (980 - 4,265 ft.) in elevation above sea level. *Leptosiphon serrulatus* is a plant of woodlands, chaparral, and yellow pine forests. It is a small annual herb producing a

thin, hairy stem up to about 18 centimeters tall. The leaves are divided into linear lobes up to a centimeter in length. The inflorescence is a head of small flowers, each with a purplish tube almost a centimeter long and a white corolla. Marginal habitat for this species exists on the project site. However, it was not observed during surveys which were conducted during the appropriate blooming period (April – May).

5.1.3 *Mariposa lupine*

Mariposa lupine is listed California "endangered" and has a CNPS designation of 1B.2. It is an annual herb, mostly 3-5 dm tall, with leaves divided into 6-9, leaflets radiating from a common point. The petals are white, sometimes tinged with pink or lavender. It has been found in openings in Sierra Nevada foothill woodlands on hillsides and on ridgetops. It utilizes soils that are decomposed granitic sands, 400-600 meters (1312 – 1970 ft.) in elevation. Marginal habitat for this species exists on the project site. However, it was not observed during surveys which were conducted during the appropriate blooming period (April – May).

5.1.4 *Slender-stalked monkeyflower*

Slender-stalked monkeyflower has no federal or state listing but is classified by the CNPS as 1B.2. It is an annual herb that occurs in decomposed granitic, often in burned or disturbed areas within chaparral, cismontane woodland, and lower montane coniferous forests. Marginal habitat for this species exists on the project site. However, it was not observed during surveys which were conducted during the appropriate blooming period (April – June).

5.2 *Special-Status Wildlife Species*

The CNDDDB search did not identify any known occurrences of faunal special status species as occurring either on or within 2 miles of the project site. It has five species as occurring within 5 miles of the project site. Species occurrences listed greater than 2 miles but within 5 miles of the site include Townsend's big-eared bat (*Corynorhinus townsendii*), Valley elderberry beetle (*Desmocerus californicus dimorphus*), Western pond turtle (*Emys marmorata*), Limestone salamander (*Hydromantes brunus*), and Leech's skyline diving beetle (*Hydroporus leechi*).

Faunal species included in the database searches that will no longer be addressed due to lack of requisite habitat (i.e, vernal pools, seasonal wetlands, grasslands, serpentine

soils, montane zones, etc.) include Tricolored blackbird (*Agelaius tricolor*), California tiger salamander (*Ambystoma californiense*), Bell's sparrow (*Amphispiza belli*), Short-eared owl (*Asio flammeus*), Burrowing owl (*Athene cunicularia*), Pallid bat (*Antrozous pallid*), Conservancy fairy shrimp (*Branchinecta conservacion*), Vernal pool fairy shrimp (*Branchinecta lynchi*), Mid-valley fairy shrimp (*Branchinecta mesovallensis*), Costa's hummingbird (*Calypte costae*), Snowy plover (*Charadrius alexandrinus*), Townsend's big-eared bat, Valley elderberry longhorn beetle, Merced kangaroo rat (*Dipodomys heermanni dixonii*), Western pond turtle (*Emmys marmorata*), Spotted bat (*Euderma maculatum*), Peregrine falcon (*Falco peregrinus*), Bald eagle (*Haliaeetus leucocephalus*), Leech's skyline diving beetle (*Hydroporus leechi*), Delta smelt (*Hypomesus transpacificus*), Vernal pool tadpole shrimp (*Lepidurus packardii*), California fairy shrimp (*Linderiella occidentalis*), Yosemite Mariposa sideband (*Monadenia yosemitensis*), Yuma myotis (*Myotis yumanensis*), Central Valley steelhead (*Oncorhynchus mykiss*), Flammulated owl (*Otus flammeolus*), San Joaquin pocket mouse (*Perognathus inornatus inornatus*), Bohart's blue butterfly (*Philotiella speciosa bohartorum*), Yellow-billed magpie (*Pica nuttallii*), White-headed woodpecker (*Picoides albolarvatus*), Foothill yellow-legged frog (*Rana boylei*), California red-legged frog (*Rana draytonii*), Sierra Nevada yellow-legged frog (*Rana sierra*), Western spadefoot (*Spea hammondi*), and California spotted owl (*Strix occidentalis occidentalis*). None of the species listed are believed to be at risk from project implementation.

The following sensitive species have some potential for occurring because the project site does provide cismontane habitat characteristics that include parameters required for their potential presence. However none of the species were detected during site surveys that were conducted. The potential species include Oak titmouse (*Baeolophus inornatus*), Merlin (*Falco columbarius*), Limestone salamander (*Hydromantes brunus*), Loggerhead shrike (*Lanius ludovicianus*), Lewis's woodpecker (*Melanerpes lewis*), Fox sparrow (*Passerella iliaca*), Nuttall's woodpecker (*Picoides nuttallii*), Green tailed towhee (*Pipilo chlorurus*), and Williamson's sapsucker (*Sphyrapicus thyroideus*). These nine species are discussed in more detail below.

5.2.1 Oak Titmouse

Oak Titmice are strongly tied to oak trees, although they also live in areas of open pine or mixed oak-pine forest. The species is almost entirely restricted to dry slopes in California, though it ranges north to Oregon and south to Baja California as well. Oak Titmice are plain gray-brown birds. They are slightly darker above than below, and may show a slight buffy wash on the flanks. Nests are placed a cavity in a tree up to 40 feet off the ground,

preferring natural cavities over woodpecker-excavated ones. Nesting, incubation and nestling period is approximately 31 days.

The Oak Titmouse is one of the most common birds in oak woodlands of California, but populations have declined by about 1.4 percent per year between 1966 and 2010, resulting in a cumulative decline of 46 percent, according to the North American Breeding Bird Survey. It is listed in the MBTA as a "Bird of Conservation Concern (BCC)" and do not have any federal or state status. The decline of this species is linked to the increase in California's population during the twentieth century (from 1.5 million to more than 30 million people), which has increased pressures on oak woodlands from activities such as timber harvesting, clearing for agriculture, and urban and suburban development. An estimated 80 percent of California's remaining oak woodlands are privately owned, so landowners can play a crucial role in conservation of this unique habitat.

Suitable habitat is present on the project site. However, none were observed during field surveys.

5.2.2 Merlin Falcon

Merlin populations are stable and appear to have increased between 1966 and 2010, according to the North American Breeding Bird Survey. This increase reflects their recovery from widespread declines in the 1960s due to pesticide contamination. They are listed in the MBTA as a BCC and do not have any federal or state status. Merlins breed in open and semi-open areas across northern North America. Merlins are increasingly breeding in towns and cities, where they often take over crow nests in conifers planted in residential areas, schoolyards, parks, and cemeteries.

Merlins are small, fierce falcons that use surprise attacks to bring down small songbirds and shorebirds. They are powerful fliers, but you can tell them from larger falcons by their rapid wingbeats and overall dark tones. Merlins lay their eggs in abandoned nests of crows and hawks, in either conifers or deciduous trees of semi-open habitats. They tend to choose nests with a good view of the surrounding area. On rare occasions they nest in tree cavities, on cliffs, or on the ground. Incubation and nestling is approximately 61 days.

Suitable habitat is present on the project site. However, none were observed during field surveys.

5.2.3 Limestone Salamander

Limestone salamander is a State listed as (Endangered). A non-critical habitat polygon for the state listed Limestone salamander, *Hydromantes brunus*, was included on the Hornitos quadrangle. According to the supporting data provided by the USFWS and the CDFW, this species specialized habitat is canyon slopes and talus piles within the Merced River corridor that are greater than 35 degrees (Flannery 2001). The project site is approximately 1.8 miles from the appropriate habitat in the Merced River corridor. The project site is in a different watershed and no suitable habitat is present for the species.

5.2.4 Loggerhead Shrike

Loggerhead Shrikes are still fairly numerous in some areas (particularly the South and West), but their populations have fallen sharply over the past half-century. According to the North American Breeding Bird Survey, they declined on average by 3.2 percent per year between 1966 and 2010—a cumulative loss of more than 75 percent in that period. They do not have a federal listing, they are listed as a "Species of Special Concern" (SSC) by CDFW and as BCC under the MBTA.

Loggerhead Shrikes inhabit open country with short vegetation and well-spaced shrubs or low trees, particularly those with spines or thorns. They frequent agricultural fields, pastures, old orchards, riparian areas, desert scrublands, savannas, prairies, golf courses, and cemeteries. Loggerhead Shrikes are often seen along mowed roadsides with access to fence lines and utility poles. Loggerhead Shrikes often build their nests in thorny vegetation, which may help keep predators away. In the absence of trees or shrubs, they sometimes nest in brush piles or tumbleweeds. Average height of nests above the ground ranges from about 2.5–4 feet. Incubation and nestling period is approximately 35 days.

Suitable habitat is present on the project site. However, none were observed during field surveys.

5.2.5 Lewis's Woodpecker

Lewis's woodpecker populations are declining. This species is on the 2014 State of the Birds Watch List, which lists species most in danger of extinction without significant conservation action. It currently does not have federal or state listing status but is listed in the MBTA as a BCC.

A dark woodpecker of open woodlands, the Lewis's Woodpecker is found westward of the Great Plains. Its slow, deliberate flight reminds one of a crow or jay more than a woodpecker. It breeds in open forest and woodlands with an open canopy and brushy understory. It uses dead tree cavities for nesting.

Suitable habitat is present on the project site. However, none were observed during field surveys.

5.2.6 Fox Sparrow

Fox Sparrows are numerous and their populations seem to be stable according to the North American Breeding Bird Survey. Partners in Flight estimates the global breeding population at 20 million with 92 percent spending part of the year in the U.S. They do not have federal or state listing status, but are classified as a BCC by the MBTA.

Fox Sparrows breed in thickets and chaparral across northern North America and south along the western mountains. During migration, Fox Sparrows forage in the leaf litter of open hardwood forests as well as swampy thickets. Fox Sparrows forage on leaf litter and bare ground, usually under dense cover. During the breeding season they eat mainly insects—such as beetles, fly larvae, caterpillars, ants, bees, and scale insects. They find their prey with a characteristic “double-scratch” involving a hop forward and an immediate hop back, during which they simultaneously scratch both feet backwards through the leaf litter. Fox Sparrows nest on the ground or in low crotches of bushes or trees. They nest in chaparral under dense, shrubby vegetation. The incubation and nestling period is approximately 25 days.

Suitable habitat is present on the project site. However, none were observed during field surveys.

5.2.7 Nuttall's Woodpecker

The Nuttall's woodpecker is of moderate conservation importance, primarily because of its limited range, low overall density, and its association with intact oak and riparian forests. As a primary cavity nester, this species provides nest sites for many other species in these forests. Populations appear to be stable at present, and this species is common and somewhat tolerant of human activity. It currently does not have a federal or state status but it is listed as a BCC by the MBTA.

A small black and white speckled woodpecker, it is found primarily in oak woodlands and in riparian woods; rarely in conifers. Although Nuttall's Woodpeckers are nearly confined to oak woodlands, they do not eat acorns. Their diet consist of insects and arthropods, some fruit. It nests in tree cavities with a incubation and nestling period of approximately 30 days.

Suitable habitat is present on the project site. However, none were observed during field surveys.

5.2.8 Green Tailed Towhee

Green-tailed Towhees are fairly common and their populations were stable from 1966 to 2010, according to the North American Breeding Bird Survey. It does not have a federal or state status but is listed as a BCC by the MBTA.

Green-tailed Towhees live in dense, shrubby habitat, sometimes with scattered trees or cacti. They usually do not live in unbroken forest but may occur in open pinyon-juniper forest or, at high elevations, amid scattered small conifers. The shrubby regrowth that appears 8–15 years after forest fires provides good towhee habitat. Some kinds of logging may produce similar dense, shrubby regrowth suitable for towhees. They also live in sagebrush shrubsteppe, often intermixed with shrubs and trees such as chokecherry, mountain mahogany, juniper, snowberry, and serviceberry. They eat seeds and small insects. They forage on the ground, often using the “double-scratch” technique common to many ground-dwelling sparrows and towhees. Green-tailed Towhees conceal their nests at about knee height in very dense vegetation, in the low branches of sagebrush, snowberry, chokecherry, raspberry, juniper, oak, and other shrubs and small trees. The incubation and nestling period is approximately 28 days.

Suitable habitat is present on the project site. However, none were observed during field surveys.

5.2.9 Williamson's Sapsucker

Williamson's sapsucker populations may be stable, or declining in Northwest. It is fairly common in dry, piney forests. They currently do not have a federal or state status but are classified as a BCC in the MBTA.

It is a medium sized woodpecker, the male upperparts, head, and breast are iridescent black with a white stripe up side, rump white, white eye stripe and mustache stripe white.

The throat is red, belly yellow, and the tail is all black. It drills holes in the tree bark and comes back later to eat the sap and insects attracted to it. It nests in tree cavities with an incubation and nestling period of approximately 60 days.

Suitable habitat is present on the project site. However, none were observed during field surveys.

5.3 *Birds of Prey*

The Blue Oak communities on the project site provide potential nesting habitat for birds of prey, but no active nests were observed during the survey. No evidence of past breeding attempts was noted within the overstory of the project site either. However, given that raptors likely utilize the project site for foraging, as noted during the survey; future nesting attempts by raptors are possible. If the project site becomes occupied by breeding birds of prey in the period immediately prior to project implementation, construction activities or removal of trees containing nests during the nesting period may destroy fertile eggs or nestlings or lead to nest abandonment. Disturbance that causes nest abandonment or loss of reproductive effort is considered a violation of federal law.

6.0 METHODOLOGY

The habitat evaluation included surveying for wildlife signs such as visual observances, olfactory indicators, scat, tracks, hair and/or fur remnants, prey base, ingress/egress path and trails, bedding or lay down areas, foraging areas and sanctuary areas; appraising the respective acreages of the habitat communities; assessing the proposed development related to the habitat communities; and assessing the use of the various habitats by the wildlife. The following tables provide a summary of the species identified during the field surveys conducted on May 30, 2014, June 4, 2014, March 12, 2015, March 13, 2015, April 16, 2015, and June 15, 2015.

Table 3 presents the botanical species that were observed during field surveys.

Table 3 – La Mineta Ranch Project Area Botanical Survey	
Genera	
Common Family Name	Scientific Family Name
Common Name	Scientific Name
Monocots	
Sedge Family	Cyperaceae
Yellow nutsedge	<i>Cyperus esculentus</i>
Rush Family	Juncaceae
Toad rush	<i>Juncus bufonius</i>
Common rush	<i>Juncus effusus</i>
Cattail Family	Typhaceae
Common cattail	<i>Typha latifolia</i>
Grass Family	Poaceae
Slender oat	<i>Avena barbata</i>
Wild oat	<i>Avena fatua</i>
Rattlesnake grass	<i>Briza minor</i>
California brome	<i>Bromus carinatus</i>
Ripgut brome	<i>Bromus diandrus</i>
Soft brome	<i>Bromus hordeaceus</i>
Red brome	<i>Bromus madritensis rubens</i>
Cheat grass	<i>Bromus tectorum</i>
Hairy crabgrass	<i>Digitaria sanguinalis</i>
Mediterranean barley	<i>Hordeum marinum</i> ssp. <i>gussoneanum</i>
Hare barley	<i>Hordeum murinum</i> ssp. <i>leporinum</i>
Italian ryegrass	<i>Lolium multiflorum</i>
Perennial ryegrass	<i>Lolium perenne</i>
Annual bluegrass	<i>Poa annua</i>
Annual rabbitsfoot grass	<i>Polypogon monspeliensis</i>
Rattail fescue	<i>Vulpia myuros</i>
Dicots	
Onion Family	Alliaceae
Sierra onion	<i>Allium campanulatum</i>

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Genera	
Common Family Name	Scientific Family Name
Common Name	Scientific Name
Amaranth Family	Amaranthaceae
Prostrate pigweed	<i>Amaranthus albus</i>
Sumac Family	Anacardiaceae
Skunkbrush	<i>Rhus trilobata</i>
Poison oak	<i>Toxicodendron diversilobum</i>
Carrot Family	Apiaceae
Knotted hedgeparsley	<i>Torilis nodosa</i>
Dogbane Family	Apocynaceae
Milkweed	<i>Asclepias fascicularis</i>
Bigleaf periwinkle	<i>Vinca major</i>
Ginger Family	Aristolochiaceae
Wild ginger	<i>Asarum caudatum</i>
Sunflower Family	Asteraceae
Common yarrow	<i>Achillea millefolium</i>
Annual agoseris	<i>Agoseris heterophylla</i>
Italian thistle	<i>Carduus pycnocephalus</i>
Tocalote thistle	<i>Centaurea melitensis</i>
Canadian horseweed	<i>Conyza Canadensis</i>
Western goldentop	<i>Euthamia occidentalis</i>
Western cudweed	<i>Gnaphalium palustre</i>
Common sunflower	<i>Helianthus annuus</i>
Telegraph weed	<i>Heterotheca grandiflora</i>
Smooth cat's ear	<i>Hypochaeris glabra</i>
Prickly lettuce	<i>Lactuca serriola</i>
Old-man-in-the-spring	<i>Senecio vulgaris</i>
Blessed milkthistle	<i>Silybum marianum</i>
California goldenrod	<i>Solidago californica</i>
Spiny sowthistle	<i>Sonchus asper</i>
Common sowthistle	<i>Sonchus oleraceus</i>
Rod wirelettuce	<i>Stephanomeria virgata</i>
Common dandelion	<i>Taraxacum officinale</i>
Mules ear	<i>Wyethia mollis</i>

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Genera	
Common Family Name	Scientific Family Name
Common Name	Scientific Name
Canada cocklebur	<i>Xanthium strumarium</i>
Popcorn Family	Boraginaceae
Common fiddleneck	<i>Amsinckia menziesii</i> var. <i>intermedia</i>
Menzie's fiddleneck	<i>Amsinckia menziesii</i> var. <i>menziesii</i>
Yerba santa	<i>Eriodictyon californicum</i>
Popcornflower	<i>Plagiobothrys tenellus</i>
Mustard Family	Brassicaceae
American yellowrocket	<i>Barbarea orthoceras</i>
Black mustard	<i>Brassica nigra</i>
Shepherd's purse	<i>Capsella bursa-pastoris</i>
Lesser swinecress	<i>Lepidium didydm</i>
London rocket	<i>Sisymbrium irio</i>
Lacepod	<i>Thysanocarpus curvipes</i>
Pink Family	Caryophyllaceae
California Indian pink	<i>Silene californica</i>
Red sandspurry	<i>Spergularia rubra</i>
Common chickweed	<i>Stellaria media</i>
Gourd Family	Cucurbitaceae
Wild cucumber	<i>Marah fabaceus</i>
Manzanita Family	Ericiaceae
Common manzanita	<i>Arctostaphylos manzanita</i>
Pea Family	Fabaceae
Heller's bird's-foot trefoil	<i>Lotus purshianus</i>
Silver lupine	<i>Lupinus albifrons</i>
Miniature lupine	<i>Lupinus bicolor</i>
Burclover	<i>Medicago polymorpha</i>
White sweet clover	<i>Melilotus albus</i>
Annual yellow sweetclover	<i>Melilotus indicus</i>
Black locust	<i>Robinia pseudoacacia</i>
Rose clover	<i>Trifolium hirtum</i>
Smallhead clover	<i>Trifolium microcephalum</i>
White clover	<i>Trifolium repens</i>

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Genera	
Common Family Name	Scientific Family Name
Common Name	Scientific Name
Whitetip clover	<i>Trifolium variegatum</i>
Cows clover	<i>Trifolium wormskioldii</i>
Vetch	<i>Vicia americana</i>
Oak Family	Fagaceae
Blue oak	<i>Quercus douglasii</i>
Valley oak	<i>Quercus lobata</i>
Interior live oak	<i>Quercus wislensii</i>
Gentian Family	Gentianaceae
Sierra gentian	<i>Gentianopsis holopetala</i>
Geranium Family	Geraniaceae
Longbeak stork's bill	<i>Erodium botrys</i>
Redstem stork's bill (filaree)	<i>Erodium cicutarium</i>
Musky stork's bill	<i>Erodium moschatum</i>
Dovefoot geranium	<i>Geranium molle</i>
Gooseberry Family	Grossulariaceae
Gooseberry	<i>Ribes menziesii</i>
Iris Family	Iridaceae
Wild iris	<i>Iris tenuissima</i>
Mint Family	Lamiaceae
Henbit deadnettle	<i>Lamium amplexicaule</i>
Horehound	<i>Marrubium vulgare</i>
Whitestem hedgenettle	<i>Stachys albens</i>
Loosestrife Family	Lythraceae
Hyssop loosestrife	<i>Lythrum hyssopifolia</i>
Mallow Family	Malvaceae
Common mallow	<i>Malva neglecta</i>
Cheeseweed mallow	<i>Malva parviflora</i>
Hellborn Family	Milanthiaceae
Corn lily	<i>Veratrum californicum</i>
Montia Family	Montiaceae
Fringed redmaids	<i>Calandrinia ciliata</i>

Table 3 – La Mineta Ranch Project Area Botanical Survey

Genera	
Common Family Name	Scientific Family Name
Common Name	Scientific Name
Miner's lettuce	<i>Claytonia perfoliata</i>
Olive Family	Oleaceae
Oregon ash	<i>Fraxinus latifolia</i>
Evening Primrose Family	Onagraceae
Plains evening primrose	<i>Camissonia contorta</i>
Farewell to spring	<i>Clarkia gracilis</i>
Yellow evening primrose	<i>Epilobium hookeri</i>
Water primrose	<i>Ludwigia peploides</i>
Cutleaf evening primrose	<i>Oenothera laciniata</i>
Broomrape Family	Orobanchaceae
Exserted Indian paintbrush	<i>Castilleja exserta</i>
Sorrel Family	Oxalidaceae
Creeping woodsorrel	<i>Oxalis corniculata</i>
Bermuda buttercup	<i>Oxalis pres-caprae</i>
Lopseed Family	Phrymaceae
Many-flowered monkeyflower	<i>Mimulus floribundus</i>
Seep monkeyflower	<i>Mimulus guttatus</i>
Red monkeyflower	<i>Mimulus cardinalis</i>
Pine Family	Pineaceae
Foothill pine	<i>Pinus sabiniana</i>
Plantain Family	Plantaginaceae
American speedwell	<i>Veronica americana</i>
Water speedwell	<i>Veronica anagallis-aquatica</i>
Birdeye speedwell	<i>Veronica persica</i>
Buckwheat Family	Polygonaceae
Prostrate knotweed	<i>Polygonum aviculare</i> ssp. <i>aviculare</i>
Swamp smartweed	<i>Polygonum hydropiperoides</i>
Spotted ladythumb	<i>Polygonum persicaria</i>
Curly dock	<i>Rumex crispus</i>
Ceanothus Family	Rhamnaceae
Wedgeleaf ceanothus	<i>Ceanothus cuneatus</i>
Deerbrush	<i>Ceanothus integerrimus</i>

Table 3 – La Mineta Ranch Project Area Botanical Survey

Genera	
Common Family Name	Scientific Family Name
Common Name	Scientific Name
Rose Family	Rosaceae
Chamise	<i>Adenostoma fasciculatum</i>
Field parsley piert	<i>Aphanes occidentalis</i>
Toyon	<i>Heteromeles arbutifolia</i>
California wildrose	<i>Rosa californica</i>
Madder Family	Rubiaceae
Bedstraw	<i>Galium aparine</i>
Buttercup Family	Ranunculaceae
Buttercup	<i>Ranunculus californicus</i>
Willow Family	Salicaceae
Narrowleaf willow	<i>Salix exigua</i>
Goodding's black willow	<i>Salix gooddingii</i>
Red willow	<i>Salix laevigata</i>
Chestnut Family	Sapindaceae (Hippocastanaceae)
Buckeye	<i>Aesculus californica</i>
Saxifrage Family	Saxifragaceae
Woodland star	<i>Lithophragma affine</i>
Figwort Family	Scrophulariaceae
Chinese houses	<i>Collinsia concolor</i>
Common mullein	<i>Verbascum Thapsus</i>
Nightshade Family	Solanaceae
Sacred thorn-apple	<i>Datura wrightii</i>
Nightshade	<i>Solanum aviculare</i>
Groundcherry	<i>Physalis lancifolia</i>
Hyacinth Family	Themidaceae (Liliaceae)
Mariposa lily	<i>Calochortus luteus</i>
Yellow star tulip	<i>Calochortus monophyllus</i>
Blue dicks	<i>Dichelostemma capitatum</i>
Pretty faces	<i>Triteleia ixioides</i>
Nettle Family	Urticaceae
Stinging nettle	<i>Urtica dioica</i> ssp. <i>holosericea</i>

Table 3 – La Mineta Ranch Project Area Botanical Survey	
Genera	
Common Family Name	Scientific Family Name
Common Name	Scientific Name
Dwarf nettle	<i>Urtica urens</i>
Vervain Family	Verbenaceae
Lilac chastetree	<i>Vitex agnus-castus</i>
Mistletoe Family	Viscaceae
Common mistletoe	<i>Phoradendron macrophyllum</i>
Caltrop Family	Zygophyllaceae
Puncture vine	<i>Tribulus terrestris</i>

The following Table 4 provides a summary of the wildlife species observed during the site surveys.

Table 4 – La Mineta Ranch Project Area Faunal Species	
Class	
Common Name	Scientific Name
Amphibia	
Tree frog	<i>Hyla spp.</i>
Avia	
Turkey vulture	<i>Cathartes aura</i>
Red-tailed hawk	<i>Buteo jamaicensis</i>
Red-shouldered hawk	<i>Buteo lineatus</i>
American kestrel	<i>Falco sparverius</i>
California quail	<i>Callipepla californica</i>
Mourning dove	<i>Zenaida macroura</i>
Acorn woodpecker	<i>Melanerpes formicivorus</i>
Nuttall's woodpecker	<i>Picoides nuttallii</i>
Northern flicker	<i>Colaptes auratus</i>
Pacific-slope flycatcher	<i>Empidonax difficilis</i>
Black phoebe	<i>Sayornis nigricans</i>
Ash-throated flycatcher	<i>Myiarchus cinerascens</i>
Warbling vireo	<i>Vireo gilvus</i>

Table 4 – La Mineta Ranch Project Area Faunal Species

Class	
Common Name	Scientific Name
American crow	<i>Corvus brachyrhynchos</i>
Common raven	<i>Corvus corax</i>
Bushtit	<i>Psaltirparus minimus</i>
House wren	<i>Troglodytes aedon</i>
Western bluebird	<i>Sialia Mexicana</i>
American robin	<i>Turdus migratorius</i>
Northern mockingbird	<i>Mimus polyglottos</i>
American pipit	<i>Anthus rubescens</i>
Cedar waxwing	<i>Bombycilla cedrorum</i>
European starling	<i>Sturnus vulgaris</i>
Common yellowthroat	<i>Geothlypis trichas</i>
Wilson's warbler	<i>Wilsonia pusilla</i>
Black-headed grosbeak	<i>Pheucticus melanocephalus</i>
Blue grosbeak	<i>Guiraca caerulea</i>
Lazuli bunting	<i>Passerina amoena</i>
Spotted towhee	<i>Pipilo maculates</i>
Lark sparrow	<i>Chondestes grammacus</i>
Song sparrow	<i>Melospiza melodia</i>
Western tanager	<i>Piranga ludoviciana</i>
Brown-headed cowbird	<i>Molothrus ater</i>
Brewer's blackbird	<i>Euphagus cyanocephalus</i>
Bullock's oriole	<i>Icterus bullockii</i>
House finch	<i>Carpodacus mexicanus</i>
Lawerence's goldfinch	<i>Carduelis lawerencei</i>
Lesser goldfinch	<i>Carduelis psaltria</i>
House sparrow	<i>Passer domesticus</i>
Reptilia	
California king snake	<i>Lampropeltis getula californiae</i>
Western fence lizard	<i>Sceloporus occidentalis</i>
Mammalia	
Cottontail	<i>Sylvilagus auduboni</i>
Gray (Tree) squirrel	<i>Tamiasciurus hudsonicus</i>
Botta's pocket gopher	<i>Thomomys bottae</i>

Table 4 – La Mineta Ranch Project Area Faunal Species	
Class	
Common Name	Scientific Name
Coyote	<i>Canis latrans</i>
Raccoon	<i>Procyon lotor</i>
Opossum	<i>Didelphis marsupialis</i>

7.0 WILDLIFE MOVEMENTS

The importance of continuous habitat corridors and the effects of habitat fragmentation on wildlife populations have been studied extensively and are well understood. Land development and linear structures (e.g., roadways) convert large habitat blocks into noncontiguous patches separated by barriers; individual animals and entire populations may become isolated in remnant habitat "fragments". Depending on their size and other characteristics, these fragments may not support viable populations of some animals.

Wildlife movement corridors are linear habitats that function to connect two or more areas of significant wildlife habitat. These corridors may function on a local level as links between small habitat patches (e.g., streams in urban settings) or may provide critical connections between regionally significant habitats (e.g., deer movement corridors). Wildlife corridors typically include vegetation and topography that facilitate the movements of wild animals from one area of suitable habitat to another in order to fulfill foraging, breeding, and territorial needs. These corridors often provide cover and protection from predators that may be lacking in surrounding habitats. Wildlife corridors generally include riparian zones and similar linear expanses of contiguous habitat.

The Property does not include any wildlife movement corridors that would be considered significant on a regional basis. Movements across the Property are somewhat currently hampered by State Highway 140 to the north.

8.0 PROJECT IMPACTS

The following sections provide an overview of the likely impacts from the project related to the biological resources located on site.

The proposed minor subdivision of the 115 acre parcel proposes to subdivide the property into 4 new parcels – Parcel A (6.0 acres); Parcel B (7.89 acres), Parcel C (5.18 acres) and Parcel D (10.10 acres) with the remaining 85.84 acres as the original parcel. The current property road will be upgraded to a Mariposa County Class II road, which will consist of a 20 foot wide gravel road with 2 foot shoulders, or a total width of 24 feet with a cul-de-sac at the end (Figure 3). The current lay out of the road is not finalized but will be designed to minimize impacts to existing oak trees. The cumulative length of the road is approximately 1,600 feet.

The vicinity of the project site is characterized by several multi-acre residential parcels ranging in size from 7 acres to over 1,400 acres. The access roadway (Hummingbird Lane) currently crosses the intermittent seasonal drainage (La Mineta Gulch) by culvert. No improvements are currently proposed to Hummingbird Lane, therefore no changes to the current culverted road crossing La Mineta Gulch is proposed. The majority of the northeastern border is along the La Mineta Gulch with approximately 598 feet of frontage along Highway 140 including Hummingbird Lane (Figure 2: Project Location, Topographic; Figure 3: Project Location, Aerial). The property access road connects to Hummingbird Lane, south of the gulch. The currently unnamed property roadway will serve as the primary access to each of the proposed parcels.

8.1 Definition of Significant Impact

The biotic resources of a given site may be adversely affected by its development. Some or all of the vegetation may be removed. Animals associated with this vegetation could be destroyed or displaced. Animals adapted to humans, roads, buildings, pets, etc. may replace those species formerly occurring on a site. Activities resulting in such impacts are generally regulated according to provisions of state and federal laws discussed above in Section 2.0. Most projects in the state, including general plans, area plans, and specific projects are also subject to the provisions of the California Environmental Quality Act (CEQA). The purpose of CEQA is to assess the impacts of proposed projects on the environment before they are constructed. Impacts may or may not be considered significant. According to CEQA, Statutes and Guidelines, "Significant effect on the environment" means a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project including land, air, water, minerals, flora, fauna, ambient, noise, and objects of historic or aesthetic interest" (Remy et. al, 1999). Impacts may be considered significant if they:

- have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Services;
- have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service;
- have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means;

- interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites (Gorsen, 1998).

As earlier stated, the minor subdivision proposed for the project site includes subdividing the property with four new additional parcels. The Preliminary Tentative Parcel Map prepared by Freeman and Seaman Land Surveyors is attached as Figure 6. The Class II road will impact approximately .88 acres (24 ft wide X 1600 ft length) of the Oak Woodland – Foothill Pine habitat and potentially up to 30 qualifying oak trees.

8.2 Impacts to Waters of the US

The La Mineta Gulch corridor is considered to be a sensitive community. In total, this community comprise approximately 0.86 acres of the habitat on the project site. USGS topographic maps corroborate the field level reconnaissance indicating that this feature ultimately establishes connectivity with Aqua Fria Creek. As such, this wetland feature would likely be considered a jurisdictional Waters of the U.S. Consequently, its protection is important to the integrity of Aqua Fria Creek and other downstream wetland ecosystems.

Project implementation is not expected to impact the gulch due to the proposed development deed restrictions allowing for a 50 foot average buffer of the ephemeral channel, with the exception of improving existing roadways that may currently lie within the setback. The currently existing road crossing has culverts in place and no significant alterations are proposed at this time.

8.3 Impacts to Special Status Plant Species

The CNDDDB search identified one special status plant species as occurring within two miles of the project site. The CNDDDB, USFWS, and CNPS database searches identified an additional 36 special status botanical species as occurring, or potentially occurring, within nine of the U.S. Geological Survey 7 ½ minute quadrangles surrounding the project site. Most of these species are expected to be absent from the project site due to lack of suitable habitat. Marginal habitat for Mariposa pussypaws (CNPS 1B.1), Madera leptosiphon (CNPS 1B.1), Mariposa lupine (ST; CNPS 1B.2), and Slender-stalked monkeyflower (CNPS 1B.2) was found on the project site. However, these species were not observed during the project site survey, which was conducted during the appropriate blooming periods. Project implementation is, therefore, not anticipated to impact any special status plant species.

8.4 Impacts to Special Status Wildlife Species

The CNDDDB search identified no special status wildlife species as occurring within two miles of the project site. The CNDDDB and USFWS database searches listed an additional 43 special status wildlife species as occurring, or potentially occurring within the nine U.S. Geological Survey 7 ½ minute quadrangles surrounding the project location. Most of these species are expected to be absent from the project site due to lack of suitable habitat. Suitable habitat for Oak titmouse, Merlin, Loggerhead shrike, Lewis's woodpecker, Fox sparrow, Nuttall's woodpecker, Green tailed towhee, and Williamson's sapsucker is found on the project site. Project implementation is, therefore, anticipated to potentially impact some special status wildlife species.

8.5 Impacts to Sensitive Natural Communities

The project site's Blue Oak – Foothill Pine habitat, which is categorically identified as a sensitive natural community by the State per the Oak Woodland Conservation Act, will somewhat be impacted by project implementation. The Blue Oak – Foothill Pine habitat may be affected by roadway or lot improvements. The footprint of future associated developments has not been finalized, and, consequently, the specific area of direct impact for these activities is unknown. While some oak trees are expected to be removed, impacts are anticipated to be minimized to the maximum extent feasible for aesthetic reasons.

The project site's wetland features, also categorized as sensitive habitats, is not expected to be impacted due to the proposed development deed restrictions allowing for a 50 foot average buffer of the ephemeral channel, with the exception of improving existing roadways that may currently lie within the setback. The currently existing road crossing has culverts in place and no significant alterations are proposed at this time.

8.6 Disturbance to Nesting Raptors

Although no indications of past breeding attempts by raptors were observed during the survey, the Blue Oak – Foothill Pine habitat does provide trees that could potentially be utilized by breeding raptors. Removal or disturbance of these trees due to construction activities during the nesting period may destroy nests, cause incidental loss of fertile eggs or nestlings, or otherwise lead to nest abandonment. Disturbance that causes nest abandonment and/or loss of reproductive effort is considered a violation of federal law and would constitute a potentially significant effect.

8.7 *Interference with Wildlife Movement*

No detailed studies of wildlife movement were conducted within the project site and FWS IPaC Trust Report for the project site did not identify a regional significant migratory corridor or wildlife refuge area. The wildlife species that are listed in Table 4, though, indicate that numerous vertebrate species use the habitat supported on the project site. Some migratory bird species occasionally utilize the project site for stopover purposes. Home range and dispersal movements of a variety of other wildlife species may be expected within the project site as well.

Movement corridors are characterized by the regular movements of one or more species through relatively well defined landscape features. They are typically associated with ridgelines, wetland complexes, and well-developed riparian habitats. Therefore, the Blue Oak – Foothill Pine community does not likely function as an established movement corridor given its lack of well-defined landscape features. Conversely, the La Mineta Gulch drainage likely does function as a movement corridor for wildlife species. However, the 50 foot average buffer proposed around this corridor is expected to preclude any interference with normal wildlife movements.

9.0 CUMULATIVE EFFECTS

The cumulative effects of project implementation are expected to be minimal. The proposed minor subdivision of the 115 acre parcel with 4 new parcels – Parcel A (6.0 acres); Parcel B (7.89 acres), Parcel C (5.18 acres) and Parcel D (10.10 acres) with the remaining 85.84 acres as the original parcel. Also, the project site is adjoining previously established residential land use, and vicinity wide habitat fragmentation by State Highway 140, residential roads, ranch roads, and cattle grazing. Furthermore, the land uses anticipated will be similar in type and intensity to those currently found in the surrounding area. Consequently, project implementation is not anticipated to have significant cumulative effects on regional biological resources.

10.0 MITIGATION MEASURES

The following sections provide a series of mitigation measures, that when implemented, will reduce the project impacts to a less than significant level according to provisions of the CEQA process.

10.1 Impacts to Special Status Wildlife Species

There are no anticipated significant impacts to special status wildlife species potentially occurring within the perimeter of the project site provided the following measures are implemented:

- **Environmental buffer.** An environmental buffer should be established to preclude construction activities with an average of 50 feet width of the ephemeral La Mineta Gulch drainage system. The northern portion of the drainage that flows through property site will be 25 ft of centerline of the gulch, while the portion that serves as the northeastern property boundary will extend 50 feet southwest of centerline up to the road along the eastern boundary, but not crossing the road. This will provide approximately 4 acres of protected space along the Gulch corridor (Figure 8). This will ensure no significant impacts to special status wildlife species that may potentially occur or utilize the intermittent drainage corridor.
- **Preconstruction surveys.** A qualified biologist should conduct preconstruction surveys for special-status species in areas slated for development within 15 days of the initiation of project activities. Only if special-status species are identified during these surveys will an addendum to this report be prepared addressing the observed species.



Figure 8: La Mineta Gulch Environmental Buffer

- **Avoidance.** If special-status species are found in areas slated for removal, construction should be delayed until further consultations with the appropriate agencies are completed.

10.2 Impacts to Special Status Plant Species

Marginal habitat was identified only for Mariposa pussypaws (CNPS 1B.1), Madera leptosiphon (CNPS 1B.1), Mariposa lupine (ST; CNPS 1B.2), and Slender-stalked monkeyflower (CNPS 1B.2). None of the species, however, were identified during the project site survey, which was conducted during the appropriate blooming periods. Project implementation is therefore not anticipated to impact any special status plant species, and no mitigation measures are considered necessary.

10.3 Impacts to Sensitive Natural Communities

Impacts to the Blue Oak – Foothill Pine habitat includes approximately .88 acres of habitat that supports approximately 30 qualifying oak trees. This impact will be reduced to a less than significant level by protecting 4 acres of habitat, a 4:1 protected to impact ratio, and will protect over 100 qualifying trees, a 3:1 protected to impact ratio, if the following measure is implemented:

- **Environmental buffer.** Impacts to the oak woodland habitat on the project site are anticipated. However, Mariposa County does not currently participate in the State Oak Woodland Conservation Program, and, as such, does not have a formal *Oak Woodland Management Plan*. Although the County is therefore not legally required to mitigate loss of oak trees to a "less than significant" level, it concurs with the State in acknowledging the importance of oak woodland habitat as generally outlined in the Oak Woodland Conservation Act.

The environmental buffer will be established with an average of 50 feet width of the ephemeral La Mineta Gulch drainage system. The northern portion of the drainage that flows through property site will be 25 feet of centerline of the gulch, while the portion that serves as the northeastern property boundary will extend 50 feet southwest of centerline up to the road along the eastern boundary, but not crossing the road. This will provide approximately 4 acres of protected space along the Gulch corridor (Figure 8). Given that more than 100 oak trees are currently supported here, this open space designation aligns well with the

overarching goal of the Act and will reduce impacts to the oak woodland to a less than significant level

Impacts to the ephemeral drainage will be reduced to a less than significant level, provided the following measure is implemented:

- **La Mineta Gulch.** The environmental buffer will be established with an average of 50 feet width of the ephemeral La Mineta Gulch drainage system. The northern portion of the drainage that flows through property site will be 25 feet of centerline of the gulch, while the portion that serves as the northeastern property boundary will extend 50 feet southwest of centerline up to the road along the eastern boundary, but not crossing the road. This will ensure no significant impact to this potential jurisdictional water of the U.S.

10.4 Disturbance to Nesting Birds

The Blue Oak – Foothill Pine community on the project site provides potential nesting habitat for several passerines. Implementation of one or both of the following measures will likely reduce impacts to nesting passerines to a less than significant level if project construction were to occur during this period:

- **Preconstruction Surveys.** The project proponent should have a qualified biologist survey the project site and immediate vicinity for active avian nests within 15 days of initiation of project activities, if occurring during the appropriate breeding seasons. The breeding season for most avian species is typically between February and May. The surveys should be conducted according to a protocol consistent with State and Federal guidelines. Only if nesting avian species are identified during such surveys that the qualified biologist would deem to be impacted will an addendum to this report be prepared addressing the species.
- **Avoidance.** Construction activities initiated prior to completion of nesting activities at documented avian nests should be restricted appropriately. This should include the establishment of a construction-free buffer zone around the nest site by means of fencing or stakes with conspicuous flagging. The exact distance of the buffer zone should be determined by the qualified biologist. Once a nest becomes inactive, as determined by a qualified biologist, construction would be allowed to commence within the buffer zone

10.5 Disturbance to Nesting Raptors

The Blue Oak – Foothill Pine community on the project site provides potential nesting habitat for raptors. Implementation of one or both of the following measures will likely reduce impacts to nesting raptors to a less than significant level if project construction were to occur during this period:

- **Preconstruction Surveys.** The project proponent should have a qualified biologist survey the project site and immediate vicinity for active raptor nests within 15 days of initiation of project activities, if occurring during the breeding season. The breeding season for raptors typically extends between February and August. The surveys should be conducted according to a protocol consistent with State and Federal guidelines. Only if nesting raptors are identified during such surveys will an addendum to this report be prepared addressing the species.
- **Avoidance.** Construction activities initiated prior to completion of breeding activities at documented raptor nests should be restricted appropriately. This should include the establishment of a 300 foot construction-free buffer zone around the tree by means of fencing or stakes with conspicuous flagging. The exact distance of the buffer zone should be determined by the qualified biologist. Once a nest becomes inactive, as determined by a qualified biologist, construction would be allowed to commence within the buffer zone.

11.0 LITERATURE CITED

Anderson, Erin. 1999. Osprey nest site selection in managed and unmanaged areas. *Eagle Lake Field Biology* 2(1): 47-55. University of California, Davis, CA.

Bent, A. C. 1940. Life histories of North American cuckoos, goatsuckers, hummingbirds, and their allies. U.S. Natl. Mus. Bull. 176. 506pp.

California Department of Fish and Game. Annual Report on the Status of California State Listed Threatened and Endangered Animals and Plants. The Resources Agency: Sacramento, California, 2006.

California Department of Fish and Game. California Fish and Game Code. Gould Publications: Binghamton, New York, 1995.

California Department of Fish and Game. California Natural Diversity Data Base. The Resources Agency: Sacramento, California, 2007.

California Department of Fish and Game. Natural Diversity Database Special Plants List. Biannual Publication, Mimeo., November 2007.

California Department of Fish and Game. Natural Diversity Database Special Animals List. Biannual Publication, Mimeo., May 2007.

California Department of Fish and Game. 2001. Oak Woodland Conservation Act of 2001.

California Native Plant Society. 1991. Policy on Mitigation for Impacts to Rare, Threatened, and Endangered Plants.

California Native Plant Society Rare Plant Scientific Advisory Committee. February 2006.

Cornell Lab of Ornithology, The. All About Birds. www.allaboutbirds.org, 2015.

Gorsen, Maureen F. The New and Improved CEQA Guidelines Revisions: Important Guidance for Controversial Issues. 1998.

Hickman, James C. The Jepson Manual: Higher Plants of California. Berkeley, California: University of California Press, 1993.

Holland, R.F. Preliminary Description of the Terrestrial Natural Communities of California. Sacramento, California: Resources Agency, 1986.

Jennings, M. R., and M. P. Hayes. 1994. Amphibian and reptile species of special concern in California. Final report to the California Department of Fish and Game, Inland Fisheries Division, Rancho Cordova, CA, under Contract (8023).

Mayer, Kenneth E. and William F. Laudenslayer, Jr. Ed. A Guide to Wildlife Habitats of California. California Department of Forestry and Fire Protection. Sacramento, California, 1988.

Remy, Michael H., Tina A. Thomas, James G. Moose and Whitman F. Manley. Guide to the California Environmental Quality Act. Point Arena, California: Solano Press Books, 1999.

Sawyer, John O. and Todd Keeler-Wolf. 1995. A Manual of California Vegetation. California Native Plant Society. Sacramento, California.

Skinner, Mark W., and Bruce M. Pavlik. California Native Plant Society's Inventory of Rare and Endangered Vascular Plants of California. CNPS, 1994.

Storer, Tracy and Robert Usinger. Sierra Nevada Natural History. University of California Press: Berkeley, California, 1963.

Swiecki, T. J., and E. Bernhardt. 1998. Understanding blue oak regeneration. *Fremontia* 26(1): 19-26.

University of California, Davis. Summary of the Sierra Nevada Ecosystem Project Report. Center for Water and Wildland Resources, 1996.

U.S. Army Corps of Engineers. Corps of Engineers. Corps of Engineers Wetlands Delineation Manual. Department of the Army, 1987.

U.S. Army Corps of Engineers (Corps). 1996. Habitat Mitigation and Monitoring Guidelines. October 25, 1996. Available On line: <http://www.spk.usace.army.mil/cespk-co/regulatory/habmitmon.html>.

U.S. Environmental Protection Agency. National Management Measures to Control Nonpoint Source Pollution from Marinas and Recreational Boating, EPA 841-B-01-005
Available on line: <http://epa.gov/owow/nps/mmmsp/>

U.S. Fish and Wildlife Service (USFWS). 1996. Programmatic Formal Endangered Species Act Consultation on Issuance of 404 Permits for Projects with Relatively Small Effects on Listed Vernal Pool Crustaceans Within the Jurisdiction of the Sacramento Field Office, California. February 28, 1996. 12 pages.

U.S. Fish & Wildlife Service. 1998. Endangered and Threatened Wildlife and Plants; Determination of Threatened Status for Four Plants from the Foothills of the Sierra Nevada Mountains in California. Portland, Oregon.

U.S. Fish and Wildlife Service. Endangered and Threatened Wildlife and Plants. 50 CFR 17.11 & 17.12., August 20, 1994.

U.S. Fish and Wildlife Service. 1996a. Guidelines for Conducting and Reporting Botanical Inventories for Federally Listed, Proposed and Candidate Plants. September 23, 1996.

U.S. Fish and Wildlife Service, Roberta Gerson, Supervisor Endangered Species Branch, Sacramento, CA, VELB habitat meeting, personal communication, March 2004.

Verner, Jared and Allan Boss, technical coordinators. 1980. California Wildlife and their Habitats: Western Sierra Nevada. Gen. Tech. Rep. PSW-37, 439 p., illus. Pacific Southwest Forest and Range Exp. Stn., Forest Serv., U.S. Dep. Agric., Berkeley, California.

Wetland Training Institute, Inc. Federal Wetland Regulation Reference Manual. B.N. Goode and R. J. Pierces (eds.) WTI 90-1, 1991.

Zeiner, David C., William F Laudenslayer, Kenneth Mayer and Marshal White. California's Wildlife Volume I, Birds. Department of Fish and Game. Sacramento, California, 1990.

Zeiner, David C., William F Laudenslayer, Kenneth Mayer and Marshal White. California's Wildlife Volume II, Birds. Department of Fish and Game. Sacramento, California, 1990.

PHOTOGRAPHS



Photo 1: La Mineta Ranch young foothill pine and manzanita



Photo 2: La Mineta Ranch Blue Oak – Foothill Pine Habitat with La Mineta Gulch



Photo 3: La Mineta Ranch Blue Oak – Foothill Pine Habitat with rock outcrops



Photo 4: La Mineta Gulch