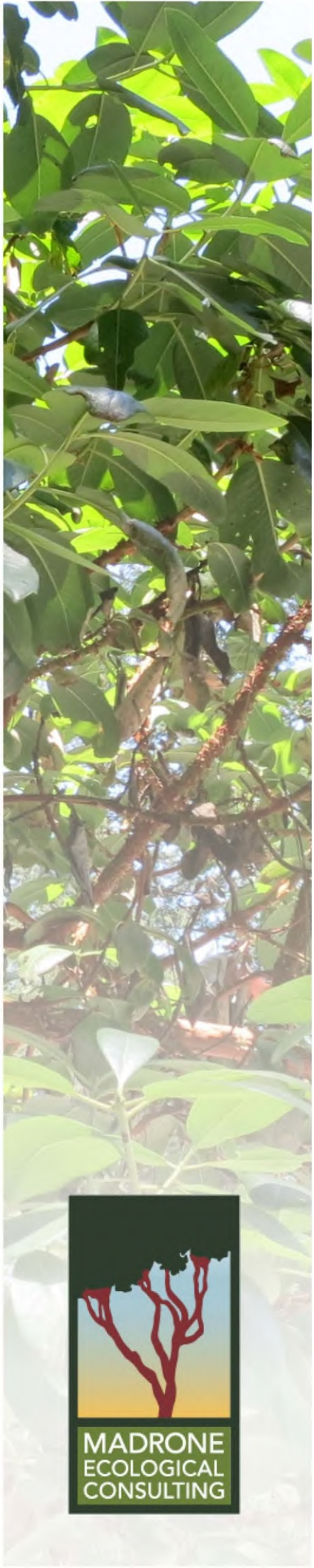
Appendix B



Biological Resources Assessment

Joiner Ranch East

City of Lincoln, Placer County, California
25 February 2020

MADRONE ECOLOGICAL CONSULTING

Prepared for:
Joiner Limited Partnership
2055 Nicolaus Road
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1.0 INTRODUCTION

This report presents the results of a Biological Resources Assessment (BRA) conducted for the Joiner Ranch East project (Study Area). The Study Area at the southeast corner of the intersection of Joiner Parkway and Nicolaus Road in the City of Lincoln, Placer County, California. The approximately 27-acre Study Area is located in Section 16, Township 12 North, Range 6 East (MDB&M) of the "Lincoln, California" 7.5-Minute Series USGS Topographic Quadrangle (USGS 2015) (**Figure 1**). The Proposed Project is a residential subdivision including approximately 199 medium density single family homes. The current site plan is included as **Attachment A**.

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 wildlife 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." In addition, FESA prohibits malicious damage or destruction of listed plant species on federal lands or in association with federal actions, and the removal, cutting, digging up, damage, or destruction of listed plant species in violation of state law. FESA does not afford any protections to federally listed plant species that are not also included on a state endangered species list on private lands with no associated federal action.

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 (USACE) 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.

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 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.

2.2.4 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 USACE under Section 404.

2.2.5 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.

2.2.6 California Fish and Game Code, Section 1600 – Streambed and Lake 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. 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).

2.2.7 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 Lincoln – Oak Tree Preservation

Division VII – Design Review Chapter 18.69 of the City of Lincoln Municipal Code protects native oak trees within the City. According to the Code, oak trees are beneficial to the health and welfare of the citizens of Lincoln in that they preserve and promote natural beauty, reduce soil erosion, enhance property values, improve air quality, help maintain climatic balance, decrease wind velocities, abate noise, aid in water absorption, and help reduce energy consumption for air cooling by providing shade, and that preservation of these oak trees is in the public interest. It shall be the policy of the city to preserve all oak trees possible through its development review process while at the same time recognizing individual rights to develop private property.

The city council may adopt guidelines to regulate the preservation of oak trees located within the city limits. After adoption of the guidelines, the planning commission, the city council and/or the design review committee, as the case may be, shall utilize these guidelines in reviewing applications for projects including but not limited to rezonings, subdivision maps, parcel maps, development permits, conditional use permits, design review board approvals, and variances and shall impose conditions of approval on such projects consistent with said guidelines.

2.3.2 Placer County Conservation Plan

The Placer County Conservation Plan (PCCP) is currently in development and will provide guidelines for mitigation requirements and federal and state permitting to ensure compliance with federal and state environmental laws and regulations. Should the PCCP be approved prior to the approval of the Project, the guidelines and mitigation requirements provided in the PCCP may apply to the project.

3.0 METHODOLOGY

3.1 Literature Review

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

- California Natural Diversity Database (CNDDB) (CNDDB 2020) query of the Study Area and all areas within 5 miles of the Study Area (**Figures 2 and 3**);
- USFWS Information for Planning and Conservation (IPaC) (USFWS 2020) query for the Study Area (**Attachment B**);
- California Native Plant Society (CNPS) Rare and Endangered Plant Inventory (CNPS 2020) query of the "Lincoln, California" USGS topo quadrangle, and the eight 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 Study Area.

The *Special-Status Plant Survey Report* (Madrone 2016) was reviewed and incorporated into this document as appropriate.

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]:
  - 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 Ecological Consulting (Madrone) senior biologist Dustin Brown and senior botanist Daria Snider conducted a field survey of various portions of the Study Area on 27 April 2016 and 8 November 2018 to assess the suitability of habitats on-site to support special-status species. Meandering pedestrian surveys were performed on foot throughout the Study Area. Vegetation communities were classified in accordance

with *The Manual of California Vegetation, Second Edition* (Sawyer, Keeler-Wolf and Evens 2009), and plant taxonomy was based on the nomenclature in the *Jepson eFlora* (Jepson Flora Project 2020). A list of all wildlife species observed during field surveys is included as **Attachment D**.

The results of several additional surveys were also incorporated into this report:

- A supplemental jurisdictional delineation for the Study Area conducted by Gibson & Skordal (Gibson and Skordal 2014), and
- Special-status plant surveys conducted by Madrone throughout the Study Area (Madrone 2016).

4.0 EXISTING CONDITIONS

The Study Area is occupied by non-native annual grassland on gently rolling terrain. An unnamed tributary to Markham Ravine runs along the southern boundary of the Study Area, and a drainage ditch runs along the eastern boundary with several non-native and native trees. Seasonal wetlands, vernal pools, and wetland swales are scattered throughout the Study Area (**Figure 4**).

Surrounding areas are primarily urban, with the Sierra Pacific Industries lumber mill located to the north across Nicolaus Road, Joiner Park to the east, urban residential to the south, and rural residential to the west across Joiner Parkway. The terrain within the Study Area is gently rolling, and generally slopes from the north towards the south. Elevations range from approximately 150 feet above mean sea level (MSL) at the northeastern corner of the Study Area to approximately 135 feet where the unnamed tributary to Markham Ravine crosses under Joiner Parkway.

4.1 Terrestrial Vegetation Communities

4.1.1 Non-Native Annual Grassland

The non-native annual grassland is dominated by soft brome (*Bromus hordeaceus*), rip-gut grass (*B. diandrus*), yellow star-thistle (*Centaurea solstitialis*), tarweed (*Holocarpha virgata*), wild oats (*Avena barbata*), perennial rye grass *(Festuca perennis*), winter vetch (*Vicia villosa*), Medusa head (*Elymus caput-medusae*), and many-flowered brodiaea (*Dichelostemma multiflorum*). Along the eastern Study Area boundary there are several small non-native and native trees that have been either planted as part of Joiner Community Park or have sprouted as volunteers along the drainage ditch.

4.1.2 Developed

Along the northern and eastern portion of the Study Area boundary there are portions of developed areas including Nicolaus Road and Joiner City Park. These areas are paved or consist of irrigated and maintained turf lawns.

4.2 Aquatic Resources

A preliminary jurisdictional determination has been issued for the property by the USACE (**Attachment E**). Aquatic resources mapped within the Study Area are depicted in **Figure 4**. A total of 0.989 acres of aquatic resources were mapped within the Study Area (**Table 1**) (USACE 2015). A description of each of the aquatic resources types is included below.

Table 1. Aquatic Resources Mapped within the Study Area

Resource Type	Acreage
Seasonal Wetland	0.035
Seasonal Wetland Swale	0.202
Vernal Pool	0.181
Channel	0.571
Total	**0.989**

4.2.1 Seasonal Wetlands and Vernal Pools

The seasonal wetlands and vernal pools within the Study Area were largely similar. Dominant plant species in these features included horned downingia (*Downingia ornatissima*), Douglas' meadowfoam (*Limnanthes douglasii*), Great Valley button celery (*Eryngium castrense*), toad rush (*Juncus bufonius*), capped rush (*Juncus capitatus*), water pygmy weed (*Crassula aquatica*), dwarf wooly heads (*Psilocarphus brevissimus*), hyssop loosestrife (*Lythrum hyssopifolia*), annual hair grass (*Deschampsia danthonioides*), Mediterranean barley (*Hordeum marinum* ssp. *gussoneanum*), hairy hawkbit (*Leontodon saxatilis*), and perennial rye grass.

4.2.2 Seasonal Wetland Swale

Wet swales are sloping, linear seasonal wetlands that convey surface runoff, and may detain it for short periods of time. Dominant plant species within the wetland swales include perennial ryegrass, Mediterranean barley, annual beard grass (*Polypogon monspeliensis*), tall nut sedge (*Cyperus eragrostis*), and dallisgrass (*Paspalum dilatatum*). A constructed drainage ditch runs along the eastern edge of the Study Area. This feature has a similar hydrologic regime to the wet swale, and supports similar plant species. In addition, a few scattered trees occur along this ditch, including black willow (*Salix gooddingii*) and Chinese tallow (*Triadica sebifera*).

4.2.3 Channel

The channel is a unnamed tributary to Markham Ravine. Dominant plant species within this feature were cattails (*Typha latifolia*) and rice cutgrass (*Leersia oryzoides*). A variety of other plant species also occurred along the banks, including curly dock, fringed willow-herb, tall nutsedge, cigar tree (*Catalpa bignonioides*), and Chinese tallow tree (*Triadica sebifera*).

4.3 Soils

According to the Natural Resources Conservation Service (NRCS) Soil Survey Database (NRCS 2018), four soil mapping units occur within the Study Area (**Figure 5**): (142) Cometa-Ramona sandy loams, 1-5% slopes; (144) Exchequer very stony loam, 2-15% slopes; (176) Redding and Corning gravelly loams, 2-9% slopes; and (195) Xerofluvents, hardpan substratum. None of these mapping units are alkaline (NRCS 2020).

5.0 RESULTS

Table 2 provides a list of special-status species that were evaluated, including their listing status, habitat associations, and their potential to occur in the Study Area. Only species that are ranked in Table 2 as "Present" or "Potential to Occur" are further analyzed in this document. The following set of criteria was used to determine each species' potential for occurrence on the site:

- Present: Species occurs on the site based on CNDDB records, and/or was observed on the site during field surveys.
- 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.
- Absent/No Habitat Present: The site does not contain suitable habitat for the species, the species was not observed during protocol-level floristic surveys conducted on-site, or the site is outside the known range of the species.

Figures 3 and 4 are exhibits displaying CNDDB occurrences within five miles of the Study Area. Below is a discussion of all special-status plant and animal species with potential to occur on the site.

5.1 Plants

Madrone botanist Daria Snider conducted a special-status plant survey of the Study Area on 27 April 2016 (Madrone 2016). These surveys targeted the following species:

- Big-scale balsamroot (*Balsamorhiza macrolepis*)
- Dwarf downingia (*Downingia pusilla*)
- Bogg's Lake hedge-hyssop (*Gratiola heterosepala*)
- Ahart's dwarf rush (*Juncus leiospermus* var. *ahartii*)
- Legenere (*Legenere limosa*)

No special-status plant species were identified within the Study Area during the protocol-level surveys and thus it is assumes that special-status plants do not occur within the Study Area.

5.2 Invertebrates

5.2.1 Conservancy Fairy Shrimp

The Conservancy fairy shrimp (*Branchinecta conservatio*) is listed as endangered pursuant to the federal Endangered Species Act. This fairy shrimp is endemic to California, and is found in grasslands in the northern two thirds of the Central Valley (Eriksen and Belk 1999). The historic distribution of Conservancy fairy shrimp is not known, but it likely occurred throughout a large portion of the Central Valley and Southern Coastal regions of California (USFWS 2005). Until recently, this species has only been known from a few disjunct populations in California, including four clustered populations in the Vina Plains area in Tehama and Butte Counties, Jepson Prairie Preserve in Solano County, The Sacramento National Wildlife Refuge in Glenn County, the Tule Ranch Unit of the Yolo basin Wildlife Area in Yolo County, the Grasslands Ecological Area in Merced County, one location in Stanislaus County, three locations in the Southern Sierra Foothills Vernal Pool Region, and two locations near the Santa Barbara Vernal Pool Region (USFWS 2003, USFWS 2006). In April of 2007, the USFWS reported that a single Conservancy fairy shrimp in one vernal pool was documented within the Mariner Conservation Bank in Placer County, near the City of Lincoln, California.

The life cycle of Conservancy fairy shrimp is reliant on the ephemeral conditions of its vernal habitat. It inhabits a variety of different landforms and soil types, and is often found in large, turbid pools with low conductivity, total dissolved solids, and alkalinity (USFWS 2005).

The vernal pools and seasonal wetlands within the Study Area represents marginally suitable habitat for this species. The nearest documented occurrence of this species (CNDDB Occurrence Number 36) is approximately 4 miles northwest of the Study Area (**Figure 3**) (CNDDB 2020).

5.2.2 Vernal Pool Fairy Shrimp

The vernal pool fairy shrimp (*Branchinecta lynchi*) is listed as threatened pursuant to the federal Endangered Species Act. Historically, the range of vernal pool fairy shrimp extended throughout the Central Valley of California. Vernal pool fairy shrimp populations have been found in several locations throughout California, with habitat extending from Stillwater Plain in Shasta County through the Central Valley to Pixley in Tulare County, and along the Central Coast range from northern Solano County to Pinnacles National Monument in San Benito County (Eng *et al.* 1990, Fugate 1992). Additional populations occur in San Luis Obispo, Santa Barbara, and Riverside counties. The historic and current ranges of vernal pool fairy shrimp are very similar in extent; however, the remaining populations are more fragmented and isolated than during historical times (USFWS 2005).

The life cycle of vernal pool fairy shrimp is adapted to seasonally inundated features such as vernal pools, seasonal wetlands, and seasonal wetland swales. Fairy shrimp embryos survive the dry season in cyst form. Cysts "hatch" soon after pools become inundated during the wet season. Fairy shrimp complete their life cycle quickly and feed on small particles of detritus, algae, and bacteria (Eriksen and Belk 1999).

The vernal pools and seasonal wetlands within the Study Area represent suitable habitat for this species. There are abundant documented occurrences of this species within 5 miles of the Study Area with the nearest documented occurrence (CNDDB Occurrence Number 720) located approximately 0.5 mile north of the Study Area (**Figure 3**) (CNDDB 2020).

5.2.3 Vernal Pool Tadpole Shrimp

The vernal pool tadpole shrimp (*Lepidurus packardi*) is listed as endangered pursuant to the federal Endangered Species Act. The historic range of the vernal pool tadpole shrimp likely extended throughout the Central Valley of California, and has been documented from east of Redding in Shasta County south to Fresno County, and from the San Francisco Bay Wildlife Refuge in Alameda County. The historic and current ranges of vernal pool tadpole shrimp are very similar in extent; however, the remaining populations are more fragmented and isolated than during historical times (USFWS 2005).

This species is associated with long-duration seasonal pools in grasslands throughout the northern and eastern portions of the Central Valley (USFWS 2005). Suitable vernal pools and seasonal swales are generally underlain by hardpan or sandstone. Much like vernal pool fairy shrimp, vernal pool tadpole shrimp are adapted to seasonally inundated features such as vernal pools, seasonal wetlands, and seasonal wetland swales (USFWS 2005).

The vernal pools and seasonal wetlands within the Study Area represents marginally suitable habitat for this species. There are several documented occurrences of vernal pool tadpole shrimp within 5 miles of the Study Area with the nearest (CNDDB Occurrence Number 329) being approximately 2 miles south of the Study Area (**Figure 3**) (CNDDB 2020).

5.3 Reptiles

5.3.1 Western Pond Turtle

The western pond turtle (*Emys marmorata*) is not federally or state listed, but is a CDFW species of special concern. Its favored habitats include streams, large rivers and canals with slow-moving water, aquatic vegetation, and open basking sites (Jennings and Hayes 1994). Although the turtles must live near water, they can tolerate drought by burrowing into the muddy beds of dried drainages. This species feeds mainly on invertebrates such as insects and worms, but will also consume small fish, frogs, mammals and some plants. Western pond turtle predators include raccoons, coyotes, raptors, weasels, large fish, and bullfrogs. This species breeds from mid to late spring in adjacent open grasslands or sandy banks (Jennings and Hayes 1994).

The unnamed tributary to Markham Ravine within the Study Area provides suitable habitat for western pond turtle. There are several documented occurrences of western pond turtle within 5 miles of the Study Area with the nearest (CNDDB Occurrence Number 1217) being approximately 3 miles east of the Study Area (**Figure 3**) (CNDDB 2020).

5.4 Birds

5.4.1 Tricolored Blackbird

Tricolored blackbirds (*Agelaius tricolor*) are not federally listed, but are state listed as threatened. In addition, tricolored blackbird is listed by CDFW as a species of special concern. They are colonial nesters preferring to nest in dense stands of cattails, bulrush, or blackberry thickets associated with perennial water (Shuford and Gardali 2008).

The cattail and other emergent vegetation within the unnamed tributary to Markham Ravine along the southern Study Area boundary represents marginal potential nesting habitat for tricolored blackbird due to its limited size. The nearest documented occurrence of tricolored blackbird (CNDDB Occurrence Number 583) overlaps the Study Area. This occurrence was observed in 1936 and was mapped generally to the vicinity of Lincoln but is presumed to be extirpated (CNDDB 2018). The nearest existing breeding colony (CNDDB Occurrence Number 578) is located approximately 1.5-miles north of the Study Area within a large freshwater emergent marsh (CNDDB 2020).

5.4.2 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).

Although very few ground squirrel burrows were observed within the Study Area, they could provide suitable habitat for burrowing owl. The non-native annual grasslands provide suitable foraging habitat for this species. The nearest known occurrence of burrowing owl (CNDDB Occurrence Number 1181) is approximately 2 miles northwest of the Study Area (**Figure 3**) (CNDDB 2020).

5.4.3 Swainson's Hawk

Swainson's hawk (*Buteo swainsoni*) is a raptor species that is not federally listed, but is listed as threatened by CDFW. Breeding pairs typically nest in tall trees associated with riparian corridors, and forage in grassland, irrigated pasture, and cropland with a high density of rodents (Shuford and Gardali 2008). The Central Valley populations breed and nest in the late spring through early summer before migrating to Central and South America for the winter (Shuford and Gardali 2008).

The non-native annual grasslands throughout the Study Area represent suitable foraging habitat for Swainson's hawk, and the trees within the Study Area provide suitable nesting habitat. The nearest

documented Swainson's hawk nest that is considered extant is CNDDB Occurrence Number 1485, which is a Valley oak tree 0.15-mile northwest of the Study Area (CNDDB 2020).

5.4.4 Northern Harrier

The northern harrier *(Circus cyaneus)* is not listed pursuant to either the California or federal Endangered Species Acts; however, it is considered to be a species of special concern by the CDFW. This species is known to nest within the Central Valley, along the Pacific Coast, and in northeastern California (Shuford and Gardali 2008). The northern harrier is a ground nesting species, and typically nests in emergent wetland/marsh, open grasslands, or savannah habitats. Foraging occurs within a variety of open habitats such as marshes, agricultural fields, and grasslands (Shuford and Gardali 2008).

The non-native annual grasslands throughout the Study Area are suitable nesting and foraging habitat for this species. Northern harrier has not been documented in the CNDDB within 5 miles of the Study Area (CNDDB 2020).

5.4.5 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).

The non-native annual grasslands throughout the Study Area represent suitable foraging habitat for white-tailed kite, and the trees within the Study Area provide suitable nesting habitat. White-tailed kite has not been documented in the CNDDB within 5 miles of the Study Area (CNDDB 2020).

5.4.6 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.

The trees and non-native annual grassland within the Study Area provide suitable nesting and forgaging habitat for loggerhead shrike. Loggerhead shrike has not been documented in the CNDDB within 5 miles of the Study Area (CNDDB 2020).

5.5 Mammals

5.5.1 Western Red Bat

Western red bat (*Lasiurus blossevillii*) is not federally or state listed, but is considered a CDFW species of special concern, and is classified by the WBWG as a High priority species. Western red bat is typically solitary, roosting primarily in the foliage of trees or shrubs (WBWG 2018). 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 2018).

The black willow and Chinese tallow trees within the Study Area represent suitable day roosting habitat for western red bat. Western red bat has not been documented in the CNDDB within 5 miles of the Study Area (CNDDB 2020).

5.5.2 Hoary Bat

The hoary bat (*Lasiurus cinereus*) is not federally or state listed, but is classified by the WBWG as a Medium priority species. It is considered to be one of the most widespread of all American bats with a range extending from Canada to central Chile and Argentina as well as Hawaii (WBWG 2018). Hoary bats are solitary and roost primarily in foliage of both coniferous and deciduous trees, near the ends of branches at the edge of a clearing (WBWG 2018). This species may also occasionally roost in caves, beneath a rock ledge, in a woodpecker hole, in a grey squirrel nest, under a wood plank, or clinging to the side of a building (WBWG 2018).

The black willow and Chinese tallow trees within the Study Area represent suitable day roosting habitat for hoary bat. Hoary bat has not been documented in the CNDDB within 5 miles of the Study Area (CNDDB 2020).

6.0 IMPACTS TO SENSITIVE BIOLOGICAL RESOURCES

This section details potential impacts to the biological resources discussed above associated with construction of the Project, as discussed in **Section 1.1** and shown in **Attachment A**.

6.1 Aquatic Resources

Of the approximately 0.989 acres of aquatic resources mapped within the Study Area, 0.387 acres will be impacted by the Project, 0.602 acre will be avoided (**Table 3** and **Figure 7**).

Table 3. Aquatic Resources Impacts and Avoidance within the Study Area

Aquatic Resource Type	Study Area (ac)	Impacted Resources (ac)	Avoided Resources (ac)
Seasonal Wetland	0.035	0.030	0.006
Seasonal Wetland Swale	0.202	0.176	0.025
Vernal Pool	0.181	0.181	0.000
Channel	0.571	0.000	0.571
Total	**0.989**	**0.387**	**0.602**

6.2 Special-Status Plant Species

The vegetation communities proposed for impact represent suitable habitat for a variety of special-status plant species, but protocol-level special-status plant surveys were conducted throughout the Study Area, and no special-status plants were observed (Madrone 2016). Therefore, no impacts to special-status plant species are anticipated for the Project.

6.3 Federally-Listed Large Vernal Pool Branchiopods

The seasonal wetlands, seasonal wetland swales, and vernal pools proposed for impact represent high potential habitat for vernal pool fairy shrimp and low potential habitat for conservancy fairy shrimp and vernal pool tadpole shrimp. A total of 0.387-acre of potential habitat for federally-listed vernal pool branchiopods will be impacted by the project.

6.4 Western Pond Turtle

The unnamed tributary to Markham Ravine within the southern portion of the Study Area represents suitable aquatic habitat for western pond turtle, and the adjacent non-native annual grassland within 150-feet of the drainage represents potential nesting habitat. Portions of the non-native annual grassland within 150-feet of the drainage will be impacted during Project construction (**Figure 7**). If western pond turtles or their nests were present in those areas during construction, individual turtles could be injured or killed, or nests could be destroyed.

6.5 Nesting Raptors and Songbirds

Swainson's hawk, white-tailed kite, northern harrier, tricolored blackbird, and loggerhead shrike have the potential to nest within both the Study Area, as do other more common bird species protected by the MBTA. If they were nesting on-site, removal of the nests would impact these species. Furthermore, birds nesting in avoided areas adjacent to construction could be disturbed by construction, which could result in nest abandonment.

6.6 Foraging Raptors

The non-native annual grassland within the Study Area provides suitable foraging habitat for Swainson's hawk, white-tailed kite, northern harrier, and other more common raptors. Approximately 23.4 acres of non-native annual grassland will be impacted during Project implementation (**Figure 7**).

6.7 Burrowing Owl

The non-native annual grassland throughout the Study Area provides suitable foraging habitat for burrowing owl, and occasional ground-squirrel burrows throughout the Study Area provide marginally suitable burrow habitat. If ground disturbance occurred while burrowing owls are in burrows, individuals of this species could be killed.

6.7 Roosting Bats

The black willows and Chinese tallow trees to be removed are habitat for western red bat and hoary bat. If special-status bats were roosting in the trees to be removed by Project construction, they could be injured or killed during the removal.

6.8 Oak Tree Preservation

No oak trees will be removed as a part of the project. Five black willow and two non-native Chinese tallow trees will be removed during the construction of the project (**Figure 7**). No mitigation for the removal of these trees is proposed.

7.0 MITIGATION FOR IMPACTS TO SENSITIVE BIOLOGICAL RESOURCES

The following are mitigation measures that are often required by CEQA lead agencies for impacts to sensitive biological resources that may be associated with construction of the Project.

7.1 Aquatic Resources

1. The Project applicant shall apply for a Section 404 permit from the U.S. Army Corps of Engineers. Waters that will be impacted shall be replaced or rehabilitated on a "no-net-loss" basis. Habitat restoration, rehabilitation, and/or replacement shall be at a location and by methods acceptable to the USACE.
2. The applicant shall apply for a Section 401 water quality certification from the RWQCB, and adhere to the certification conditions.
3. The applicant shall apply for a Section 1600 Lake or Streambed Alteration Agreement from CDFW. The information provided will include a description of all of the activities associated with the Project, not just those closely associated with the drainages and/or riparian vegetation. Impacts will be outlined in the application and are expected to be in substantial conformance with the impacts to biological resources outlined in this document. Impacts for each activity will be broken down by temporary and

permanent, and a description of the proposed mitigation for biological resource impacts will be outlined per activity and then by temporary and permanent. Information regarding Project-specific drainage and hydrology changes resulting from Project implementation will be provided as well as a description of storm water treatment methods. Minimization and avoidance measures will be proposed as appropriate and may include: preconstruction species surveys and reporting, protective fencing around avoided biological resources, worker environmental awareness training, seeding disturbed areas adjacent to open space areas with native seed, and installation of project-specific storm water BMPs. Mitigation may include restoration or enhancement of resources on- or off-site, purchase habitat credits from an agency-approved mitigation/conservation bank, off-site, working with a local land trust to preserve land, or any other method acceptable to CDFW.

7.2 Federally-Listed Vernal Pool Branchiopods

Prior to the approval of grading permits, the project proponent may choose to conduct protocol presence-absence surveys for federally-listed vernal pool branchiopods. The surveys shall be conducted in accordance with the 13 November 2017 *Survey Guidelines for the Listed Large Branchiopods* (Guidelines) (USFWS 2017). If no federally-listed vernal pool branchiopods are found during the guideline surveys, then no other mitigation is required.

If federally-listed vernal pool branchiopods are found, or if presence is assumed, prior to any approval of grading permits, consultation with the USFWS regarding impacts to federally-listed vernal pool branchiopods from the proposed project will be completed. The project shall obtain the appropriate take authorization (Section 7 Biological Opinion) from the USFWS prior to approval of grading permits. The project applicant shall comply with all terms of the biological opinion including any mitigation requirements and provide proof of compliance to the City of Lincoln prior to issuance of a grading permit.

7.3 Western Pond Turtle

A western pond turtle survey shall be conducted within the unnamed tributary of Markham Ravine and within 150 feet of suitable habitat within 48 hours prior to construction. If no western pond turtles or nests are found, no further mitigation is necessary. If a western pond turtle is observed within the proposed impact area, a qualified biologist shall relocate the individual to suitable habitat outside of the proposed impact area prior to construction. If a western pond turtle nest is observed within the proposed impact area, the nest shall be fenced off and avoided until the eggs hatch and young disperse into the drainage. A qualified biologist shall monitor to ensure that hatchlings do not disperse into the construction area. Relocation of hatchlings will occur as stipulated above, if necessary.

7.4 Nesting Raptors and Other Birds

The following nest survey requirements apply if construction activities take place during the typical bird breeding/nesting season (typically February 15 through September 1).

7.4.1 Swainson's Hawk

A targeted Swainson's hawk nest survey shall be conducted throughout all accessible areas within ¼ mile of the proposed construction area no later than 14 days prior to construction activities. If active Swainson's hawk nests are found within ¼ mile of a construction area, construction shall cease within ¼ mile of the nest until a qualified biologist (Project Biologist) determines that the young have fledged or it is determined that the nesting attempt has failed. If the applicant desires to work within ¼ mile of the nest, the applicant shall consult with CDFW and the City to determine if the nest buffer can be reduced. The Project applicant, the Project biologist, the City, and CDFW shall collectively determine the nest avoidance buffer, and what (if any) nest monitoring is necessary. If an active Swainson's hawk nest is found within the Project site prior to construction and is in a tree that is proposed for removal, then the Project applicant shall implement additional mitigation recommended by a qualified biologist based on CDFW guidelines and obtain any required permits from CDFW.

7.4.2 Burrowing Owls

A targeted burrowing owl nest survey shall be conducted of all accessible areas within 500 feet of the proposed construction area within 14 days prior to construction activities utilizing 60 foot transects as outlined in the *Staff Report on Burrowing Owl Mitigation* (CDFG 2012) (Staff Report). If an active burrowing owl nest burrow (i.e., occupied by more than one adult owl, and/or juvenile owls are observed) is found within 250 feet of a construction area, construction shall cease within 250 feet of the nest burrow until a qualified biologist (Project Biologist) determines that the young have fledged or it is determined that the nesting attempt has failed. If the applicant desires to work within 250 feet of the nest burrow, the applicant shall consult with CDFW and the City to determine if the nest buffer can be reduced. During the non-breeding season (late September through the end of January), the applicant may choose to conduct a survey for burrows or debris that represent suitable nesting habitat for burrowing owls within areas of proposed ground disturbance, exclude any burrowing owls observed, and collapse any burrows or remove the debris in accordance with the methodology outlined in the Staff Report.

7.4.3 Other Birds

A pre-construction nesting bird survey shall be conducted by a qualified biologist on the project site and within a 500-foot radius of proposed construction areas, where access is available, no more than three (3) days prior to the initiation of construction. If there is a break in construction activity of more than two (2) weeks then subsequent surveys shall be conducted.

If active raptor nests or a tricolored blackbird nesting colony are found, no construction activities shall take place within 500 feet of the nest until the young have fledged. If active songbird nests are found, a 100-foot no disturbance buffer will be established. These no-disturbance buffers may be reduced if a smaller buffer is proposed by the Project Biologist and approved by the City (and CDFW if it is a tricolored blackbird nesting colony) after taking into consideration the natural history of the species of bird nesting, the proposed activity level adjacent to the nest, habituation to existing or ongoing activity, and nest

concealment (are there visual or acoustic barriers between the proposed activity and the nest). A qualified biologist can visit the nest as needed to determine when the young have fledged the nest and are independent of the site or the nest can be left undisturbed until the end of the nesting season.

7.4.4 Survey Report

A report summarizing the survey(s), including those for Swainson's hawk and burrowing owls, shall be provided to the City within 30 days of the completed survey and is valid for one construction season. If no nests are found, no further mitigation is required.

7.4.5 Changes to Buffers and Completion of Nesting

Should construction activities cause a nesting bird do any of the following in a way that would be considered a result of construction activities: vocalize, make defensive flights at intruders, get up from a brooding position, or fly off the nest, then the exclusionary buffer shall be increased such that activities are far enough from the nest to stop this agitated behavior. The exclusionary buffer will remain in place until the chicks have fledged or as otherwise determined by a qualified biologist in consultation with the City.

Construction activities may only resume within the buffer zone after a follow-up survey by the Project Biologist has been conducted and a report has been prepared indicating that the nest (or nests) are no longer active, and that no new nests have been identified.

7.5 Loss of Foraging Habitat

7.5.1 Swainson's Hawk

Approximately 23.4 acres of non-native annual grassland that represents suitable foraging habitat for Swainson's hawks will be impacted during construction of the proposed Project. These impacts shall be mitigated through purchase and conservation of similar habitat as follows:

At the present time (February 2020), a Swainson's hawk nest is reported in the CNDDB approximately 0.15 miles northwest of the Study Area (CNDDB Occurrence Number 1485); however, the last successful documented nesting at this location was in 2003 (CNDDB 2018). Prior to Project construction, a qualified biologist shall conduct a review of Swainson's hawk nest data available in the CNDDB and contact CDFW to determine if they have any additional nest data. If desired by the Project proponent, the biologist may conduct a survey of these nests to determine if they are still present. The biologist shall provide the City with a summary of his/her findings. If it is determined that the project site is within 10 miles of an active Swainson's hawk nest (an active nest is defined as a nest with documented Swainson's hawk use within the past 5 years), the applicant will mitigate for the loss of suitable Swainson's hawk foraging habitat by implementing one of the below measures:

- Active nest identified within 1 mile of the project site: One acre of suitable foraging habitat shall be protected for each acre of suitable foraging habitat developed. Protection shall be via purchase of mitigation bank credits or other land protection mechanism acceptable to the City.
- Active nest identified within 5 miles (but greater than 1 mile) of the project site: 0.75 acre of suitable foraging habitat shall be protected for each acre of suitable foraging habitat developed. Protection shall be via purchase of mitigation bank credits or other land protection mechanism acceptable to the City.
- Active nest identified within 10 miles (but greater than 5 miles) of the project site: 0.5 acre of suitable foraging habitat shall be protected for each acre of suitable foraging habitat developed. Protection shall be via purchase of mitigation bank credits or other land protection mechanism acceptable to the City.

7.5.2 Burrowing Owl

If any nesting burrowing owls are found during the pre-construction survey, mitigation for the permanent loss of burrowing owl foraging habitat (defined as all areas of suitable habitat within 250 feet of the active burrow) shall be accomplished at a 1:1 ratio. The mitigation provided shall be consistent with recommendations in the Staff Report and may be accomplished within the Swainson's Hawk Foraging Habitat mitigation area (as detailed in Section 7.5.1 above) if burrowing owls have been documented utilizing that area, or if the Project Biologist and the City collectively determine that the area is suitable.

7.6 Roosting Bats

Pre-construction roosting bat surveys shall be conducted by a qualified biologist within 14 days prior to any tree removal that will occur during the breeding season (April through August). If pre-construction surveys indicate that no roosts of special-status bats are present, or that roosts are inactive or potential habitat is unoccupied, no further mitigation is required. If roosting bats are found, exclusion shall be conducted as recommended by the qualified biologist. Methods may include acoustic monitoring, evening emergence surveys, and the utilization of two-step tree removal supervised by the qualified biologist. Two-step tree removal involves removal of all branches that do not provide roosting habitat on the first day, and then the next day cutting down the remaining portion of the tree. Once the bats have been excluded, tree removal may occur.

7.7 Worker Environmental Awareness Training

Prior to any ground-disturbing or vegetation-removal activities, a Worker Environmental Awareness Training (WEAT) shall be prepared and administered to the construction crews. The WEAT will include the following: discussion of the state and federal Endangered Species Act, the Clean Water Act, the Project's permits and CEQA documentation, and associated mitigation measures; consequences and penalties for violation or noncompliance with these laws and regulations; identification of special-status wildlife, location of any avoided Waters of the U.S; hazardous substance spill prevention and containment measures; and the contact person in the event of the discovery of a special-status wildlife species. The WEAT will 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 will sign a form stating that they attended the training, understand the information presented and will comply with the regulations discussed. Workers will be shown designated "avoidance areas" during the WEAT training; worker access should be restricted to outside of those areas to minimize the potential for inadvertent environmental impacts. Fencing and signage around the boundary of avoidance areas may be helpful.

8.0 REFERENCES

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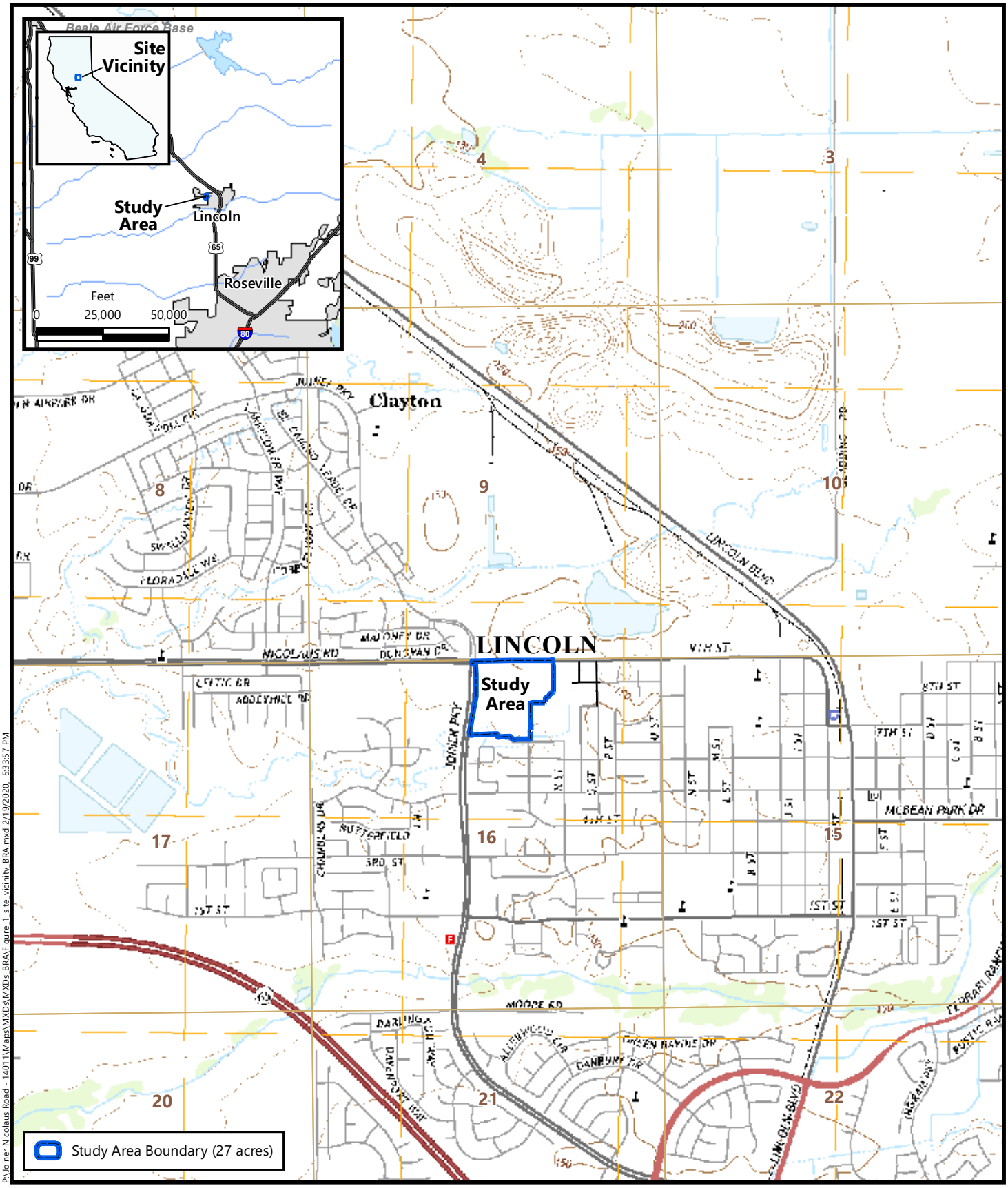
Figures



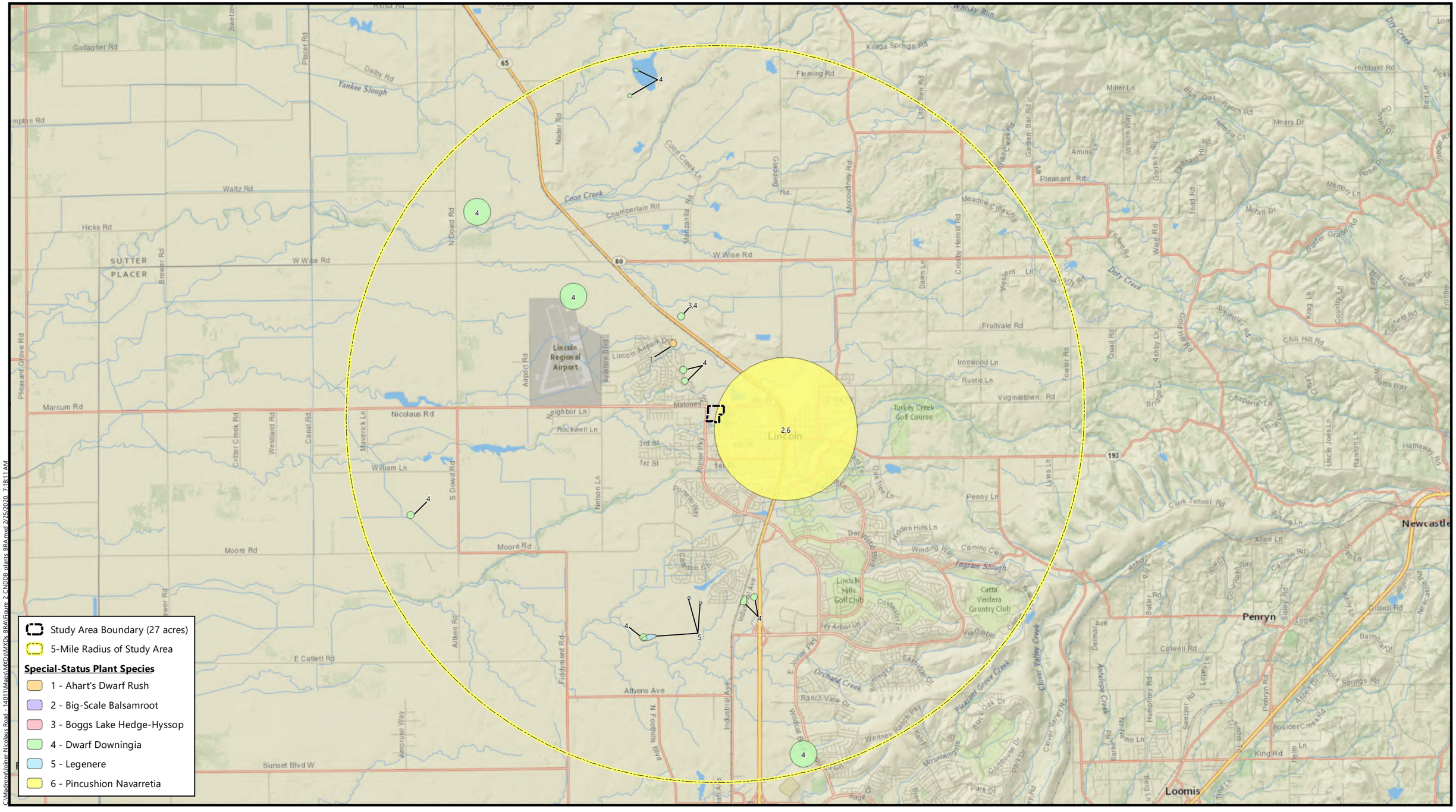
P:\Joiner Nicolaus Road - 1401\Maps\MXDs\MXDs BRA\Figure 1 site vicinity BRA.mxd 2/19/2020, 5:33:57 PM

Source: United States Geologic Survey, 2015.
Section 16, Township 12 North, Range 6 East, MDB&M
"Lincoln, California" 7.5-Minute Topographic Quadrangle
Longitude -121.310969, Latitude 38.895771

Figure 1
Site and Vicinity

Joiner Ranch East
Lincoln, Placer County, California

MADRONE ECOLOGICAL CONSULTING



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

Figure 2
California Natural Diversity Database
Occurrences of Plant Species

Joiner Ranch East
Lincoln, Placer County, California

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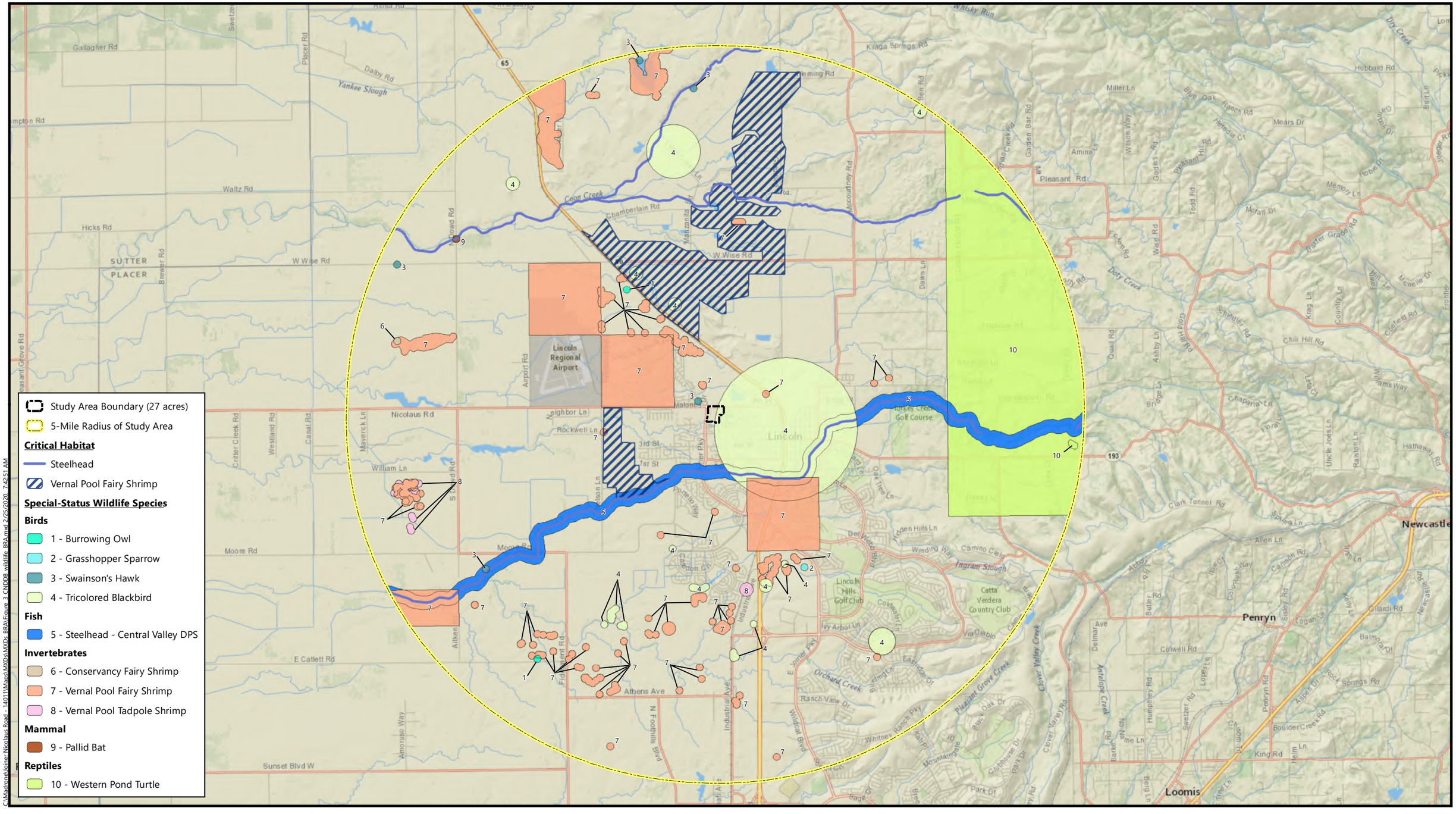

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Source: *California Department of Fish and Wildlife*, February 2020.
Basemap Source: *National Geographic* and *ESRI*

Figure 3
California Natural Diversity Database Occurrences of Wildlife Species

Joiner Ranch East
Lincoln, Placer County, California

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Figure 4
Aquatic Resources

Wetland Delineation: October 2014
Aerial Source: DigitalGlobe, 25 September 2018

Joiner Ranch East
Lincoln, Placer County, California

MADRONE ECOLOGICAL CONSULTING

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Feet
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Soil Survey Source: *USDA, Soil Conservation Service.*
Soil Survey Geographic (SSURGO) database for Placer County, California, Western Part
Aerial Source: DigitalGlobe, 25 September 2018

Figure 5
Natural Resources Conservation Service Soils

Joiner Ranch East
Lincoln, Placer County, California

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P:\Joiner Nicolaus Road - 14011\Maps\MXDs\MXDs BRA\Figure 6 VegCom BRA.mxd 3/9/2020 3:21:28 PM

Figure 6
Aquatic Resources and Terrestrial Vegetation Communities

Wetland Delineation: October 2014
Aerial Source: DigitalGlobe, 25 September 2018

Joiner Ranch East
Lincoln, Placer County, California

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Feet

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Notes: Rounding may result in small summation errors.
Wetland Delineation: October 2014
Aerial Source: DigitalGlobe, 25 September 2018

Figure 7
Impacts to Aquatic Resources and Terrestrial Vegetation Communities

Joiner Ranch East
Lincoln, Placer County, California

MADRONE ECOLOGICAL CONSULTING

Attachments

Attachment A. Joiner Ranch East – Phased Tenative Subdivision Map

Attachment B. IPaC Trust Resource Report for the Study Area

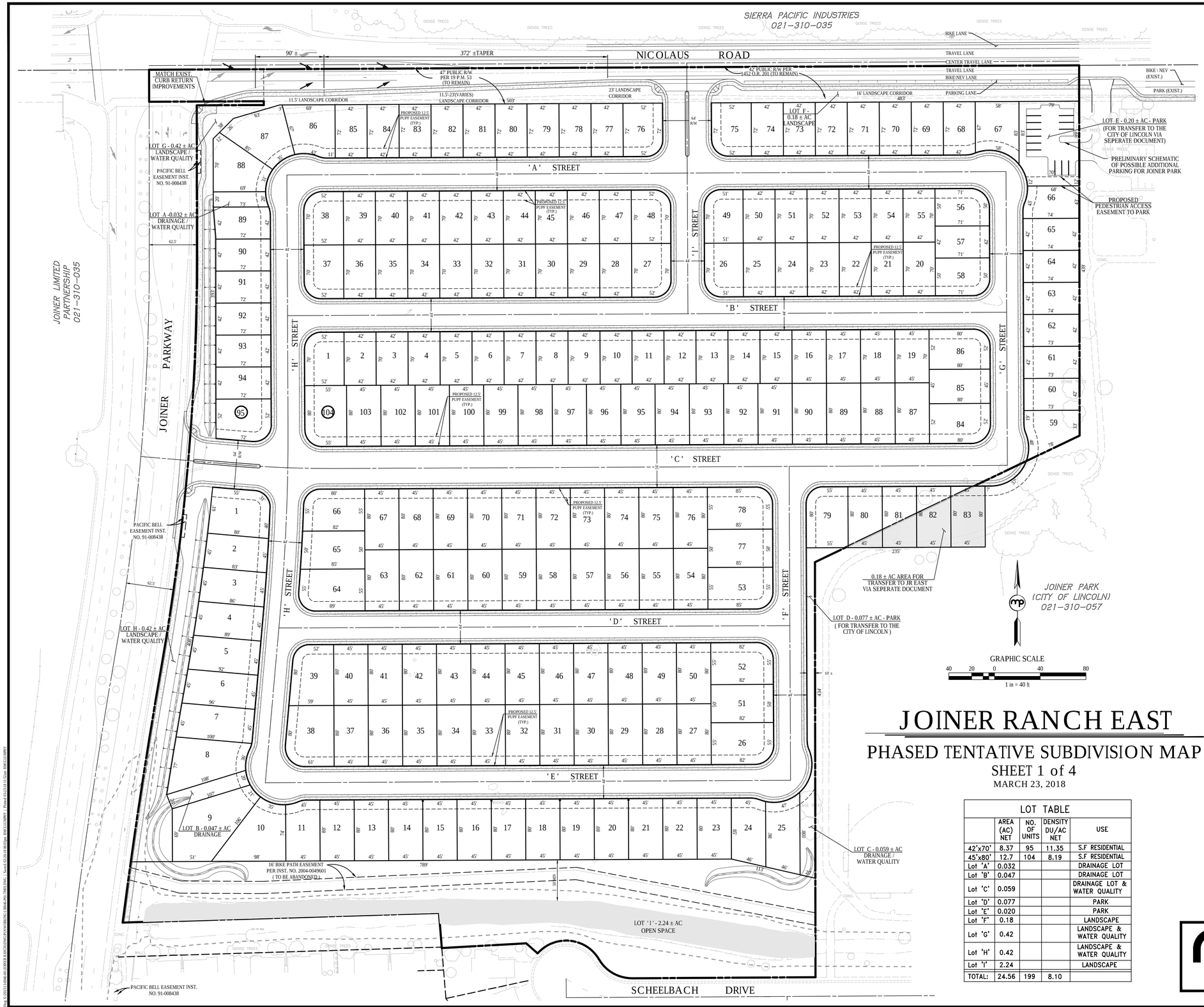
Attachment C. CNPS Inventory of Rare and Endangered Plants Query for the "Lincoln, California" USGS Quadrangle and Eight Surrounding Quadrangles

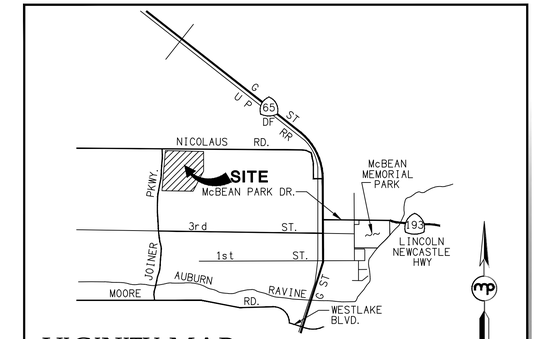
Attachment D. Wildlife List

Attachment E. USACE Preliminary Jurisdictional Determination Letter Dated 30 June 2015

Attachment A

Joiner Ranch East – Phased Tentative Subdivision Map





VICINITY MAP

OWNER / APPLICANT

JOINER LIMITED PARTNERSHIP
2055 NICOLAUS ROAD
LINCOLN, CA 9564
CONTACT: JIM JOINER
PHONE: (916)786-7806
EMAIL: JJOINER@SUREWEST.NET

ENGINEER/PLANNER

MORTON PITALO
2870 GATEWAY OAKS DR., SUITE #120
SACRAMENTO, CA 95833
CONTACT: JEFF THOMPSON
CONTACT: KEN TOPPER
PHONE: (916) 984-7621
EMAIL: JTHOMPSON@MPENGR.COM
EMAIL: KTOPPER@MPENGR.COM

UTILITY PROVIDERS

WATER:	CITY OF LINCOLN
SEWER	CITY OF LINCOLN
GAS AND ELECTRIC:	PG&E
TELEPHONE:	SUREWEST
CABLE TV:	COMCAST

SERVICE PROVIDERS

SCHOOL DISTRICT:	WESTERN PLACER UNIFIED
PARKS & rECREATION :	CITY OF LINCOLN
FIRE PROTECTION :	CITY OF LINCOLN
POLICE PROTECTION:	CITY OF LINCOLN
STORM DRAINAGE:	CITY OF LINCOLN
SOLID WASTE:	CITY OF LINCOLN

PROJECT INFORMATION

ASSESSOR PARCEL NUMBERS	021-310-077, 021-310-075 & 021-310-057 (PORTION)		
USE:	VACANT		
EXISTING ZONING:	G-C & RD-8		
PROPOSED ZONING:	PD-MDR		
GENERAL PLAN:	MEDIUM DENSITY RESIDENTIAL		
EXISTING	#	ACRES	
EXISTING NUMBER OF PARCELS	2	25.5 ± AC	
PROPOSED	SIZE	#	ACRES
PROPOSED NUMBER OF LOTS	42'x70'	95	10.7 ± AC
	45'x80'	104	14.8 ± AC
		199	25.5 ± AC

PROJECT INFORMATION

JOINER RANCH EAST

PHASED TENTATIVE SUBDIVISION MAP

SHEET 1 of 4

MARCH 23, 2018

LOT TABLE				
	AREA (AC) NET	NO. OF UNITS	DENSITY DU/AC NET	USE
42'x70'	8.37	95	11.35	S.F RESIDENTIAL
45'x80'	12.7	104	8.19	S.F RESIDENTIAL
Lot 'A'	0.032			DRAINAGE LOT
Lot 'B'	0.047			DRAINAGE LOT
Lot 'C'	0.059			DRAINAGE LOT & WATER QUALITY
Lot 'D'	0.077			PARK
Lot 'E'	0.020			PARK
Lot 'F'	0.18			LANDSCAPE
Lot 'G'	0.42			LANDSCAPE & WATER QUALITY
Lot 'H'	0.42			LANDSCAPE & WATER QUALITY
Lot 'I'	2.24			LANDSCAPE
TOTAL:	24.56	199	8.10	

TENTATIVE MAP NOTES

1. LOT LINES MAY BE ADJUSTED AT THE TIME OF THE FINAL MAP PROVIDED THE GENERAL LOTTING SCHEME IS PRESERVED AND NO NEW ADDITIONAL LOTS ARE CREATED, SUBJECT TO THE APPROVAL OF THE CITY OF LINCOLN.
2. PURSUANT TO GOVERNMENT CODE SECTION 66456.1 THE SUBDIVIDER MAY FILE MULTIPLE FINAL MAPS BASED UPON THIS TENTATIVE MAP, THE FILING OF A FINAL MAP ON A PORTION OF THIS TENTATIVE MAP SHALL NOT INVALIDATE ANY PART OF THIS TENTATIVE MAP, INCLUDING THE AUTHORITY OF THE LOCAL AGENCY TO IMPOSE REASONABLE CONDITIONS RELATING TO THE FILING OF MULTIPLE FINAL MAPS.
3. LOTS MAY BE DEVELOPED IN ANY SEQUENCE PROVIDED PUBLIC SAFETY ISSUES ARE ADDRESSED, SUBJECT TO THE APPROVAL OF THE CITY OF LINCOLN. MODIFICATIONS TO UTILITY SERVICE, ACCESS, AND THE PARCELIZATION SCHEME ARE SUBJECT TO REVIEW AND APPROVAL BY THE CITY OF LINCOLN COMMUNITY DEVELOPMENT RESOURCE AGENCY.
4. MINOR ADJUSTMENT TO THE DEPICTED LOT AND STREET PATTERN IS PERMITTED PROVIDED THE OVERALL DEVELOPMENT PATTERN REMAINS SUBSTANTIALLY THE SAME, SUBJECT TO THE APPROVAL OF THE CITY OF LINCOLN.
5. ALL UTILITY SYSTEMS ILLUSTRATED ON THE TENTATIVE MAP ARE SUBJECT TO CHANGE AT THE TIME OF FINAL DESIGN WITH THE APPROVAL OF THE CITY OF LINCOLN.
6. GRADING SHOWN ON THIS TENTATIVE MAP ILLUSTRATES A GENERAL GRADING CONCEPT AND IS SUBJECT TO CHANGE AT THE TIME OF FINAL DESIGN.
7. COMMON AREA LOTS ARE TO BE CONVEYED TO , AND MAINTAINED BY, THE CITY OF LINCOLN.
   - 7.1. LOTS A-C ARE DRAINAGE LOTS WITH IOD DRAINAGE EASEMENTS TO BE DEDICATED TO THE CITY OF LINCOLN
   - 7.2. LOTS D-F ARE COMMON AREA MPE, EVAE, AND PEDESTRIAN EASEMENT
   - 7.3. LOTS G & H ARE LANDSCAPE & WATER QUALITY LOTS
   - 7.4. LOT I IS OPEN SPACE & WATER QUALITY LOT
8. PROPOSED EASEMENT WIDTHS AND ALIGNMENTS SHOWN ARE SUBJECT TO CHANGE AT THE TIME OF FINAL DESIGN, AND SUBJECT TO THE APPROVAL OF THE CITY OF LINCOLN.
9. THIS TENTATIVE MAP CONTAINS 4 SHEETS. SEE INCLUDED PRELIMINARY PLANS FOR MORE DETAILS ON THE PROPOSED PROJECT INCLUDING ALL EASEMENTS AFFECTING THE SITE.

MORTON & PITALO, INC.
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survey email: staking@mpengr.com s web: www.mpengr.com

Attachment B

IPaC Trust Resource Report for the Study 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:
Consultation Code: 08ESMF00-2019-SLI-0049
Event Code: 08ESMF00-2020-E-03640
Project Name: Joiner Ranch East

February 24, 2020

Subject: Updated 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

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). 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: 08ESMF00-2019-SLI-0049

Event Code: 08ESMF00-2020-E-03640

Project Name: Joiner Ranch East

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/38.89560466706976N121.31112426052523W

Counties: Placer, CA

Endangered Species Act Species

There is a total of 7 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[1], 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.

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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 *Thamnophis gigas*	Threatened

No critical habitat has been designated for this species.
Species profile: https://ecos.fws.gov/ecp/species/4482

Amphibians

NAME	STATUS
California Red-legged Frog *Rana draytonii*	Threatened

There is **final** critical habitat for this species. Your location is outside the critical habitat.
Species profile: https://ecos.fws.gov/ecp/species/2891
Species survey guidelines:
https://ecos.fws.gov/ipac/guideline/survey/population/205/office/11420.pdf

Fishes

NAME	STATUS
Delta Smelt *Hypomesus transpacificus*	Threatened

There is **final** critical habitat for this species. Your location is outside the critical habitat.
Species profile: https://ecos.fws.gov/ecp/species/321

Insects

NAME	STATUS
Valley Elderberry Longhorn Beetle *Desmocerus californicus dimorphus*	Threatened

There is **final** critical habitat for this species. Your location is outside the critical habitat.
Species profile: https://ecos.fws.gov/ecp/species/7850
Habitat assessment guidelines:
https://ecos.fws.gov/ipac/guideline/assessment/population/436/office/11420.pdf

Crustaceans

NAME	STATUS
Conservancy Fairy Shrimp *Branchinecta conservatio*	Endangered

There is **final** critical habitat for this species. Your location is outside the critical habitat.
Species profile: https://ecos.fws.gov/ecp/species/8246

Vernal Pool Fairy Shrimp *Branchinecta lynchi*	Threatened

There is **final** critical habitat for this species. Your location is outside the critical habitat.
Species profile: https://ecos.fws.gov/ecp/species/498

Vernal Pool Tadpole Shrimp *Lepidurus packardi*	Endangered

There is **final** critical habitat for this species. Your location is outside the critical habitat.
Species profile: https://ecos.fws.gov/ecp/species/2246

Critical habitats

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

Attachment C

CNPS Inventory of Rare and Endangered Plants Query for the "Lincoln, California" USGS Quadrangle and Eight Surrounding Quadrangles Area

CNPS California Native Plant Society

Inventory of Rare and Endangered Plants

*The database used to provide updates to the Online Inventory is under construction. View updates and changes made since May 2019 here.

Plant List

10 matches found. *Click on scientific name for details*

Search Criteria

California Rare Plant Rank is one of [1A, 1B, 2A, 2B, 3], Found in Quads 3912114, 3912113, 3912112, 3812184, 3812183, 3812182, 3812174 3812173 and 3812172;

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
Balsamorhiza macrolepis	big-scale balsamroot	Asteraceae	perennial herb	Mar-Jun	1B.2	S2	G2
Chloropyron molle ssp. hispidum	hispid bird's-beak	Orobanchaceae	annual herb (hemiparasitic)	Jun-Sep	1B.1	S1	G2T1
Downingia pusilla	dwarf downingia	Campanulaceae	annual herb	Mar-May	2B.2	S2	GU
Gratiola heterosepala	Boggs Lake hedge-hyssop	Plantaginaceae	annual herb	Apr-Aug	1B.2	S2	G2
Juncus leiospermus var. ahartii	Ahart's dwarf rush	Juncaceae	annual herb	Mar-May	1B.2	S1	G2T1
Juncus leiospermus var. leiospermus	Red Bluff dwarf rush	Juncaceae	annual herb	Mar-Jun	1B.1	S2	G2T2
Lathyrus sulphureus var. argillaceus	dubious pea	Fabaceae	perennial herb	Apr-May	3	S1S2	G5T1T2Q
Legenere limosa	legenere	Campanulaceae	annual herb	Apr-Jun	1B.1	S2	G2
Navarretia myersii ssp. myersii	pincushion navarretia	Polemoniaceae	annual herb	Apr-May	1B.1	S2	G2T2
Wolffia brasiliensis	Brazilian watermeal	Araceae	perennial herb (aquatic)	Apr,Dec	2B.3	S2	G5

Suggested Citation

California Native Plant Society, Rare Plant Program. 2020. Inventory of Rare and Endangered Plants of California (online edition, v8-03 0.39). Website http://www.rareplants.cnps.org [accessed 24 February 2020].

Search the Inventory
Simple Search
Advanced Search
Glossary

Information
About the Inventory
About the Rare Plant Program
CNPS Home Page
About CNPS
Join CNPS

Contributors
The Calflora Database
The California Lichen Society
California Natural Diversity Database
The Jepson Flora Project
The Consortium of California Herbaria
CalPhotos

Questions and Comments
rareplants@cnps.org

Attachment D

Wildlife List

Wildlife Species Observed within the
Joiner Ranch East Study Area
8 November 2018

Species Name	Common name
Birds	
Buteo jamaicensis	Red-tailed hawk
Sayornis nigricans	Black phoebe
Mimus polyglottos	Northern mockingbird
Euphagus cyanocephalus	Brewer's blackbird
Cathartes aura	Turkey vulture
Sturnella neglecta	Western meadowlark
Zenaida macroura	Mourning dove
Passerculus sandwichensis	Savannah sparrow
Charadrius vociferus	Killdeer
Tyrannus verticalis	Western kingbird
Mammals	
Lepus californicus	Black-tailed jackrabbit
Thomomys bottae	Botta's pocket gopher
Reptiles	
Sceloporus occidentalis	Western fence lizard

Attachment E

USACE Preliminary Jurisdictional Determination Letter Dated 30 June 2015

DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, SACRAMENTO DISTRICT
1325 J STREET
SACRAMENTO CA 95814-2922

REPLY TO
ATTENTION OF

June 30, 2015

Regulatory Division SPK-2005-00029

Joiner Limited Partnership
Attn: Mr. Jim Joiner
2055 Nicolaus Rd.
Lincoln, California 95648

Dear Mr. Joiner:

We are responding to your agent's December 1, 2014 request for a preliminary jurisdictional determination (JD), in accordance with our Regulatory Guidance Letter (RGL) 08-02, for the Joiner-Nicolas Road Property site. The approximately 26.7-acre site is located at the intersection of Joiner Parkway and Nicolaus Road in Section 16, Township 12 North, Range 6 East, Mount Diablo Meridian, Latitude 38.89553°, Longitude -121.31092°, City of Lincoln, Placer County, California.

Based on available information, **we concur with the amount and location of wetlands and other water bodies on the site as depicted on the enclosed June 2015 *Jurisdictional Delineation Joiner Nicolaus Road Property* drawing prepared by Gibson & Skordal, LLC**. The approximately 0.989 acres of wetlands and other water bodies, including 0.035 acre of seasonal wetlands, 0.571 acre of channel, 0.202 acre of wet swales, and 0.181 acre of vernal pools present within the survey area are potential waters of the United States regulated under Section 404 of the Clean Water Act.

We have enclosed a copy of the *Preliminary Jurisdictional Determination Form* for this site. Please sign and return a copy of the completed form to this office. Once we receive a copy of the form with your signature we can accept and process a Pre-Construction Notification or permit application for your proposed project.

You should not start any work in potentially jurisdictional waters of the United States unless you have Department of the Army permit authorization for the activity. You may request an approved JD for this site at any time prior to starting work within waters. In certain circumstances, as described in RGL 08-02, an approved JD may later be necessary.

You should provide a copy of this letter and notice to all other affected parties, including any individual who has an identifiable and substantial legal interest in the property.

This preliminary determination has been conducted to identify the potential limits of wetlands and other water bodies which may be subject to Corps of Engineers' jurisdiction for the particular site identified in this request. A Notification of Appeal Process and Request for Appeal form is enclosed to notify you of your options with this determination. This determination may not be valid for the wetland conservation provisions of the Food Security Act of 1985. If you or your tenant are U.S. Department of Agriculture (USDA) program participants, or anticipate participation in USDA programs, you should request a certified wetland determination from the local office of the Natural Resources Conservation Service, prior to starting work.

We appreciate your feedback. At your earliest convenience, please tell us how we are doing by completing the customer survey on our website under *Customer Service Survey*.

Please refer to identification number SPK-2005-00029 in any correspondence concerning this project. If you have any questions, please contact me at 916-557-6639 or Kaitlyn Pascus at by email at *Kaitlyn.A.Pascus@usace.army.mil*, or telephone at 916-557-7247. For more information regarding our program, please visit our website at *www.spk.usace.army.mil/Missions/Regulatory.aspx*.

Sincerely,

Leah M. Fisher
Senior Project Manager
California North Branch

Enclosures

cc: (w/o encls)
Jim Gibson, Gibson & Skordal, LLC., jgibson@gibsonandskordal.com