



Appendix B: **Biological Resources Supporting Information**



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BIOLOGICAL RESOURCES REPORT

**Northpoint Commerce
Center, Northpoint Parkway
and Thunderbolt Way, Santa
Rosa, CA**

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LIST OF APPENDICES

APN	Assessor's Parcel Number
CDFG/CDFW	California Department of Fish and Game/Wildlife
CEQA	California Environmental Quality Act
CESA	California Endangered Species Act
CNDDDB	California Natural Diversity Database
CFGF	California Fish and Game Code
CNPS	California Native Plant Society
CTS	California Tiger Salamander
ESA	Federal Endangered Species Act
ITP	Incidental Take Permit
MBTA	Migratory Bird Treaty Act
PBO	Programmatic Biological Opinion
RWQCB	Regional Water Quality Control Board
USACE	U.S. Army Corps of Engineers
USDA	U.S. Department of Agriculture
USFWS	U.S. Fish and Wildlife Service
USGS	U.S. Geological Survey
WBWG	Western Bat Working Group

TABLE OF CONTENTS

1.0 INTRODUCTION	1
1.1 Project Setting	1
1.2 Project Description	2
2.0 METHODS	2
2.1 Literature Review	2
2.2 Field Survey	3
2.2.1 Wetland Delineation	3
3.0 RESULTS	5
3.1 Existing Conditions and General Wildlife Use	5
3.1.1 Vegetation Communities	5
3.2 Potential Jurisdictional Features	6
3.3 Special-Status Plants	6
3.4 Special Status Wildlife	7
4.0 POTENTIAL IMPACTS AND MITIGATION	10
4.1 Potentially Significant Impacts	11
4.1.1. Sensitive Biological Communities	11
4.1.2. Jurisdictional Aquatic Resources	11
4.1.2. Special-Status Plant Species	11
4.1.3. Special-Status Wildlife Species	11
4.2 Recommended Avoidance and Minimization Measures	13
5.0 REFERENCES	16

LIST OF APPENDICES

- Appendix A – Project Figures: Site Location Map, Wetland Assessment Map, and CNDDDB Results
- Appendix B – Site Photographs
- Appendix C – Observed Species Table
- Appendix D – CNDDDB and USFWS IPaC Database Results Within 5 Miles of the Project Study Area
- Appendix E – Approved Jurisdictional Determination

1.0 INTRODUCTION

On March 24, April 26, and May 27, 2022, Sol Ecology, Inc. performed a biological resources assessment and surveys of four parcels located on Northpoint Parkway and Thunderbolt Way in Santa Rosa, California (Project Study Area). The parcels include Assessor Parcel Numbers (APNs) 053-530-022, 053-530-023, 053-530-024, and 053-530-025. The Project Study Area includes the proposed project site and surrounding habitat subject to potential indirect effects of the proposed project. The proposed project includes the construction of a large commercial building known as the Northpoint Commerce Center (Appendix A – Figure 1).

The purpose of the assessment was to gather information necessary to complete a review of potential biological resource impacts from development of the proposed project, under the guidelines of the California Environmental Quality Act (CEQA) for the City of Santa Rosa. This report describes the results of the site survey and assessment of the Project Study Area for the presence of sensitive biological resources protected by local, state, and federal laws and regulations. This report also contains an evaluation of potential impacts to sensitive biological resources that may occur from the proposed project and potential mitigation measures to compensate for those impacts as warranted. This assessment is based on information available at the time of the study and on-site conditions that were observed on the date of the site visit.

1.1 Project Setting

The Project Study Area is comprised of a grouping of parcels, totaling 7.09 acres, on the east side of a building located at 2789 Northpoint Parkway in southwest Santa Rosa. Directions to the site are as follows:

- From State Route 12 take the Stony Point Road exit and head south to Sebastopol Road;
- turn right (west) on Sebastopol Road and travel about .65 miles;
- turn left (south) onto Corporate Center Parkway and travel about .73 miles;
- turn left (east) onto Northpoint Parkway to 2789 (about .25 miles)

The Project Study Area consists of large remnants of concrete runway, part of the decommissioned Santa Rosa Air Center, with compacted gravel strips and open grassy fields situated on either side. The approximately 6.76 acre Project Study Area is currently zoned as General Industry (City of Santa Rosa 2022). The parcel is bounded by industrial complexes and vacant lots to the north, east, and west. Roseland Creek parallels the southern boundary of the parcels. Vacant land (known as the Broadmoor South or Yuba Preserve) and a housing development are situated south of Roseland Creek. The surrounding area in general is a mix of residential, commercial business parks, and vacant land associated with the former Santa Rosa Air Center.

1.2 Project Description

The proposed project includes the construction of a large commercial facility, known as the Northpoint Commerce Center, with paved driveways, parking lots and landscaping. The entire site would be developed.

2.0 METHODS

On March 24, April 26, and May 27, 2022, the Project Study Area was traversed on foot to determine the presence of (1) plant communities both sensitive and non-sensitive, (2) special status plant and wildlife species, and (3) presence of essential habitat elements for any special-status plant or wildlife species. Photographs of the site are provided in Appendix B. Species identified during the site visit are provided in Appendix C.

2.1 Literature Review

Prior to the site visit, a desktop analysis was performed to evaluate whether special status species or other sensitive biological resources (e.g., wetlands) could occur in the study area and vicinity. Sol Ecology biologists reviewed the following:

- California Native Plant Society's (CNPS's) A Manual of California Vegetation Online Edition (CNPS 2022)
- U.S. Fish and Wildlife Service (USFWS) National Wetlands Inventory, Wetlands Mapper (USFWS 2022a)
- U.S. Department of Agriculture (USDA), Natural Resources Conservation Service (NRCS), Web Soil Survey (USDA 2019)
- Sonoma County Vegetation & LiDAR Data for Sonoma County (Sonoma Veg Project 2014)
- CNPS's Inventory of Rare and Endangered Plants of California search for U.S. Geological Survey (USGS) 7.5-minute Santa Rosa quadrangle and nine surrounding quadrangles (Sebastopol, Healdsburg, Mark West Springs, Calistoga, Kenwood, Glen Ellen, Cotati and Two Rock) (CNPS 2022b)
- California Natural Diversity Database (CNDDDB) search for USGS 7.5-minute Santa Rosa quadrangles and nine surrounding quadrangles (Sebastopol, Healdsburg, Mark West Springs, Calistoga, Kenwood, Glen Ellen, Cotati and Two Rock) (CDFW 2022, Appendix D)
- USFWS Information for Planning and Conservation Species Lists (USFWS 2022b; Appendix D)
- California Department of Fish and Game (CDFG) publication "California's Wildlife, Volumes I-III" (Zeiner et al. 1990)
- CDFG publication *California Bird Species of Special Concern* (Shuford and Gardali 2008)

- California Department of Fish and Wildlife (CDFW) and University of California Press publication *California Amphibian and Reptile Species of Special Concern* (Thomson et al. 2016)
- Western Bat Working Group Online Species Accounts (WBWG 2015).

2.2 Field Survey

The Project Study Area was evaluated for the presence of sensitive biological communities, including riparian areas, sensitive plant communities recognized by CDFW, County-mapped riparian corridors, habitat connectivity corridors, and scenic corridors. Sensitive communities were identified following *A Manual of California Vegetation*, Online Edition and includes California Wildlife Habitat Relationships habitat classifications.

Sol Ecology biologists also performed reconnaissance-level surveys for special status species on and adjacent to the Project Study Area on March 24, April 26, and May 27, 2022. The focus of the surveys was to identify whether suitable habitat elements for each of the special status species documented in the surrounding vicinity are present on the Project Study Area or not and whether the project would have the potential to result in impacts to any of these species and/or their habitats either on- or off-site. Habitat elements examined for the potential presence of sensitive plant species included: soil type, elevation, vegetation community, and dominant plant species. For wildlife species, habitat elements examined included the presence of dispersal habitat, foraging habitat, refugia or estivation habitat, and breeding (or nesting) habitat. All observed wildlife species were recorded (Appendix C – Observed Species Table).

Protocol-level surveys for special status plants with potential to occur were also performed on March 24, April 26, and May 27, 2022, in accordance with federal guidelines for plants on the Santa Rosa Plain and state guidelines for floristic plant surveys (USFWS 1996, CDFW 2018). The entire Project Study Area (including areas outside the proposed footprint) was traversed on foot and all observed plant species were recorded and identified with Jepson eFlora to a taxonomic level sufficient to determine rarity. A reference site check was performed at the Alton Lane Preserve to verify the blooming window for listed species; additional references checks were also performed at Sonoma Valley Regional Park (for Burke’s goldfields) and the vernal pools adjacent to the Sonoma County airport (for Sonoma sunshine). All observed plant species were recorded (Appendix C – Observed Species Table). Rare plant surveys were previously performed by WRA, Inc. in 2009 with negative findings (WRA 2009)

In cases where little information is known about species occurrences and habitat requirements, the species evaluation was based on best professional judgment of Sol Ecology biologists with experience working with the species and habitats. If a special-status species was observed during the site visit, its presence is recorded and discussed. For some threatened and endangered species, a site survey at the level conducted for this report may not be sufficient to determine presence or absence of a species to the specifications of regulatory agencies. Qualifications of the field surveyors are provided in Appendix E.

2.2.1 Wetland Delineation

A formal wetland delineation was conducted at the time of the May 27, 2022, site visit to verify conditions remain unchanged since the 2009 Jurisdictional Determination provided in Appendix E. Biologists identified wetland and non-wetland waters potentially subject to regulation by the federal government (U. S. Army Corps of Engineers [USACE]) and the state of California (Regional Water Quality Control Board [RWQCB]). The delineation of wetland boundaries was based on the presence/absence of indicators of hydrophytic vegetation, hydric soil, and wetland hydrology.

The USACE and RWQCB recognize a three-parameter approach to wetland delineations where a feature must contain hydrophytic vegetation, hydric soils, and wetland hydrology. The methodology for identifying wetland indicators followed the *USACE Wetlands Delineation Manual* (Environmental Laboratory 1987) and Regional Supplement to the *USACE of Engineers Wetland Delineation Manual: Arid West Region* (USACE 2008). Plant species within potential wetlands were assigned a wetland status according to the USACE list of plant species that occur in wetlands (USACE 2020). This wetland plant classification system is based on the expected frequency of occurrence of each species in wetlands. The classification system has the following categories:

OBL	Obligate, almost always found in wetlands	>99% frequency
FACW	Facultative wetland, usually found in wetlands	67-99%
FAC	Facultative, equal in wetlands or non-wetlands	34-67%
FACU	Facultative upland, usually found in non-wetlands	1-33%
UPL/NL	Not found in local wetlands	<1%
NI	Wetland preference unknown	

Species with OBL, FACW and FAC classifications are considered hydrophytic vegetation. If more than 50 percent of the dominant plant species are hydrophytic, the area meets the hydrophytic vegetation criterion.

Soils in the Project Study Area were examined for hydric soil indicators. Soils formed under wetland (anaerobic) conditions generally have a low chroma matrix color, designated 0, 1, or 2, and contain mottles or other redoximorphic features. Soil profiles were characterized by depth, color, redoximorphic features, and texture. Soil color and chroma were determined using the Munsell Soil Color Book to determine if the soils in a particular area could be considered hydric (Munsell Color 2009).

Positive indicators of wetland hydrology can include direct evidence (primary indicators), such as visible inundation or saturation, surface sediment deposits, oxidized root channels, and drift lines, or indirect indicators (secondary indicators) such as algal mats, shallow restrictive layers in the soil, or vegetation meeting the FAC-neutral test. Depressions, seeps, and topographic low areas were examined for these hydrological indicators.

3.0 RESULTS

3.1 Existing Conditions and General Wildlife Use

The Project Study Area is situated in the flat terrain of the Santa Rosa Plain with an average elevation of 33.5 meters (110 feet) above mean sea level. The Project Study Area encompasses one soil map unit identified by the USDA, NRCS (USDA 2019):

- **Clear Lake clay, ponded (CfA):** basin floors, 0 to 2 percent slopes. This soil map unit is poorly drained and occurs in basin floors. Soil parent material is alluvium derived from volcanic and sedimentary rock. CfA is rated as a hydric soil. Minor components include Huichica (6%), Wright (6%), and Zamora (3%).

Vegetation communities present in the Project Study Area were classified based on existing plant community descriptions described in the California Native Plant Society Online Manual of California Vegetation (CNPS 2022a). However, in some cases it is necessary to identify variants of community types or to describe non-vegetated areas that are not described in the literature. Vegetation communities were classified as non-sensitive or sensitive natural communities as defined by CEQA and other applicable laws and regulations.

3.1.1 Vegetation Communities

Natural communities considered sensitive are those identified in local or regional plans, policies, regulations, or by the CDFW. Sensitive vegetation alliances are ranked 1 through 5 based on NatureServe's (2010) methodology, with those alliances ranked globally (G) or statewide (S) as 1 through 3 considered sensitive. Impacts to sensitive natural communities identified in local or regional plans, policies, or regulations or those identified by the CDFW, or USFWS must be considered and evaluated under CEQA (CCR Title 14, Div. 6, Chap. 3, Appendix G). No sensitive vegetation communities were found within the Project Study Area.

Valley and Foothill Grassland Habitat (Non-Native Grassland)

The Project Study Area is dominated by valley and foothill grassland habitat, in which native bunch grass species have been largely or entirely supplanted by introduced, annual Mediterranean grasses (Non-Native Grassland). Stands rich in natives, however, can usually be found on unusual substrates, such as serpentinite or somewhat alkaline soils (CDFW 2021). These non-native grasslands (Holland/CDFW 1986) are dominated by non-native annual grassland characterized by non-native (and invasive) annual grasses and native forbs and wildflowers. Within the Project Study Area, little intact grassland habitat remains, and the site features mostly disturbed ruderal grassland underlain by asphalt and gravel. A thin layer of soil covers these areas, and no small mammal burrows were observed within areas delineated as hardscape as depicted in Figure 1 (Appendix A).

In the Project Study Area, the site was dominated by non-native grasses and herbs including wild oats (*Avena fatua*), little rattlesnake grass (*Briza minor*), Italian rye grass (*Festuca perennis*), bristly ox-tongue (*Helminthotheca echioides*), smooth cats ear (*Hypochaeris glabra*), hairy cats ear (*Hypochaeris radicata*), common groundsel (*Senecio vulgare*), wild radish (*Raphanus sativus*), chickweed (*Stellaria neglecta*), bird's foot trefoil (*Lotus corniculatus*), Fuller's teasel (*Dipsacus sativus*), spring vetch (*Vicia sativa*), white -stemmed filaree (*Erodium brachycarpum*), wild geranium (*Geranium dissectum*), ribwort (*Plantago lanceolata*), sheep sorrel (*Rumex acetosella*), and curly dock (*Rumex crispus*). Occasional native species were observed including meadow barley (*Hordeum brachyantherum*), redmaids (*Calandrinia menziesii*) annual lupine (*Lupinus bicolor*), yellow owl's clover (*Triphysaria versicolor* ssp. *faucibarbata*). Wildlife species observed included common raven (*Corvus corax*), American crow (*Corvus brachyrhynchos*), Brewer's blackbird (*Euphagus cyanocephalus*), turkey vulture (*Cathartes aura*), and house finch (*Haemorhous mexicanus*). Mammals observed included Botta's pocket gopher (*Thomomys bottae*), and striped skunk (*Mephitis mephitis*).

3.2 Potential Jurisdictional Features

Seasonal Wetland

A 0.003-acre seasonal wetland was delineated in the northeastern portion of the Project Study Area by WRA, Inc. in 2008. The USACE issued an Approved Jurisdictional Determination (AJD) for the wetland on February 11, 2009 (Appendix A, Figure 2, and Appendix E). The presence of the wetland was reconfirmed by Sol Ecology biologists on May 27, 2022, with no changes noted since the AJD. Italian rye grass (*Festuca perennis*, FAC) is the dominant plant species observed in the seasonal wetland. Other wetland indicator species included small amounts of meadow barley (*Hordeum brachyantherum*) FACW, and foxtail (*Alopecurus saccatus*) OBL. The depleted matrix hydric soil indicator, and saturation and oxidized rhizospheres along living roots hydrology indicators were observed within the seasonal wetland. According to plan sheets 14 from the Southwest Santa Rosa Assessment District No. 1 Northpoint Parkway Street Improvements and Grading Plan (1982, Appendix G), this feature was constructed as part of the Northpoint subdivision to serve as a storm drain feature.

3.3 Special-Status Plants

Special-status species include those plants and wildlife species that have been formally listed, are proposed as endangered or threatened, or are candidates for such listing under the Federal Endangered Species Act (ESA) or California Endangered Species Act (CESA). These acts afford protection to both listed species and those that are formal candidates for listing. CNPS Rare and Endangered Plant Inventory with California Rare Plant Ranks of 1 and 2 are also considered special-status plant species and must be considered under CEQA.

Based upon a review of the resources and databases given in Section 2.1, twenty-seven special-status plant species have been documented within a five-mile radius of the Project Study Area (Appendix A, Figure 3). Based on the presence of biological communities described above and soils at the site, as well as historic site disturbance, the Project Study Area has no potential to support special status plant species. The project is within designated critical habitat for four federal listed plants including Sonoma sunshine (*Blennosperma bakeri*), Burke's goldfields (*Lasthenia burkei*), many-flowered navarretia (*Navarretia leucocephala* ssp. *plieantha*), and Sebastopol meadowfoam (*Limnanthes vinculans*). However, no suitable wetland habitat is present given that the only wetland on-site was constructed for storm water purposes and historic site disturbance likely precludes these species from occurring on the site. Additionally, two seasons of spring floristic protocol-level surveys in 2009 (by WRA, Inc.) and in 2022, by Sol Ecology found no evidence of these species on the site.

Species documented in the area are unlikely or have no potential to occur on the Project Study Area for one or more of the following reasons:

- Hydrologic conditions (e.g., marsh habitat, seeps, pond habitat, vernal pools, mesic conditions) necessary to support special-status plants reliant on these habitats (e.g., Burke's goldfields [*Lastenia burkei*], Sebastopol meadowfoam [*Limnanthes vinculans*], Sonoma sunshine [*Blennosperma bakeri*], dwarf downingia [*Downingia pusilla*]) do not exist on the site.
- Associated vegetation communities (e.g., cismontane woodland, chaparral, broadleaved upland forest, coastal prairie, or scrub habitats) necessary to support special-status plants reliant on these habitat types (e.g., Rincon Ridge ceanothus [*Ceanothus confuses*], Vine Hill ceanothus [*Ceanothus foliosus* var. *vineatus*], Rincon Ridge manzanita [*Arctostaphylos stanfordiana* ssp. *decumbens*]) do not exist on site.
- Topographic conditions (e.g., slopes) necessary to support the special-status plants do not exist on site.
- Unique pH conditions (e.g., serpentine) necessary to support the special-status plant species are not present on the Project Study Area.

Adverse conditions from yearly weather patterns may prevent accurate identification of some special status plants in the project area. Disease, drought, predation, fire, herbivory, or other disturbances may also preclude presence in a given year. The Project Study Area is located outside of the footprint of recent fires in Sonoma County.

3.4 Special Status Wildlife

In addition to wildlife listed as federal or state endangered and/or threatened, federal and state candidate species, CDFW Species of Special Concern, CDFW California Fully Protected species, USFWS Birds of Conservation Concern, and CDFW Special-status Invertebrates are all considered special-status species. Although these species generally have no special legal status, they are

given special consideration under CEQA. The federal Bald and Golden Eagle Protection Act also provides broad protections to both eagle species that are roughly analogous to those of listed species. Bat species are also evaluated for conservation status by the Western Bat Working Group (WBWG), a non-governmental entity; bats named as a “High Priority” or “Medium Priority” species for conservation by the WBWG are typically considered special-status and also considered under CEQA; bat roosts are protected under CDFW Fish and Game Code (CFGC). In addition to regulations for special-status species, most native birds in the United States (including non-status species) are protected by the federal Migratory Bird Treaty Act of 1918 (MBTA) and the CFGC, i.e., sections 3503, 3503.5 and 3513. Under these laws, deliberately destroying active bird nests, eggs, and/or young is illegal.

Seven special-status wildlife species have been documented within a five-mile radius (Appendix A, Figure 4). Based on the presence of biological communities described above, the Project Study Area has the potential to support two of these species; these species are described in Table 2 below.

The remaining species found in the review of background literature were determined to be unlikely to occur due to absence of suitable habitat elements in and immediately adjacent to the Project Study Area. Habitat elements that were evaluated but found to be absent from the immediate area of the Project Study Area or surrounding habitats subject to potential indirect impacts include the following:

- No suitable burrows and/or sandy, friable soils on or adjacent to the Project Study Area (e.g., for burrowing owl or American badger).
- Roseland Creek, a channelized, earthen lined creek is adjacent to the Project Study Area however it is shallow and conducts low flows generated by urban runoff throughout most of the dry season. The creek does not provide suitable breeding habitat for California red-legged frog (CRLF). The only records within a 5-mile radius of the Project Study Area are for CRLF found at different locations on Taylor Mountain about four miles east. There are no records to the west of the Project Study Area and CRLF is considered extirpated from the Santa Rosa Plain. Western pond turtle could forage and bask in Roseland Creek, however there is no suitable nesting habitat.
- There are no trees on Project Study Area parcels and no suitable roosting habitat such as barns, old buildings, or large snags (e.g., for pallid bat [*Antrozous pallidus*], WBWG priority bats).
- The Project Study Area is outside of the breeding range (e.g., western yellow-billed cuckoo [*Coccyzus americanus occidentalis*]).
- There is no suitable nesting habitat due to the lack of vegetative cover (e.g. tricolored blackbird [*Agelaius tricolor*]).

Table 2. Special Status Wildlife with Potential to Occur in the Study Area

Scientific Name/ Common Name	Status ¹	Habitat	Potential for Occurrence
Amphibians and Reptiles			
<i>Ambystoma californiense</i> California tiger salamander	FE, ST, CH	Lives in vacant or mammal-occupied burrows throughout most of the year; in grassland, savanna, or open woodland habitat. Need underground refuges, and vernal pools or other seasonal water sources for breeding.	Low Potential. The Project is within designated critical habitat and has been designated as having potential to affect California tiger salamander (CTS) (USFWS 2020). The Project Study Area provides marginal upland aestivation habitat for nearby CTS populations with a lack of high-quality habitat (abundant burrows), and relatively small amount of potential breeding habitat within the area. The nearest documented breeding habitat is 2,190 feet from the Study Area in the FEMA mitigation area located southwest and there are no adult occurrences within 500 feet. The on-site seasonal wetland does not provide suitable breeding habitat due to insufficient indicators.
Birds			
<i>Elanus leucurus</i> White-tailed kite	CFP	Rolling foothills and valley margins with scattered oaks and river bottomlands or marshes next to deciduous woodland. Open grasslands, meadows, or marshes for foraging close to isolated, dense-topped trees for nesting and perching.	Low Potential. The tall trees in the vicinity of the Project Study Area provide suitable nesting habitat for this species. The nearest CNDDDB record (#77) is for kites nesting at a location 1.2 miles east of the Project Study Area.

¹ FE/SE – Federal/State Endangered
CH – Critical Habitat

FT/ST – Federal/State Threatened
CFP – California Fully Protected

4.0 POTENTIAL IMPACTS AND MITIGATION

The assessment of impacts under CEQA is based on the change caused by the Project relative to the existing conditions at the proposed Project Study Area. In applying CEQA Appendix G, the terms “substantial” and “substantially” are used as the basis for significance determinations in many of the thresholds but are not defined qualitatively or quantitatively in CEQA or in technical literature. In some cases, the determination requires application of best professional judgment based on knowledge of site conditions as well as the ecology and physiology of biological resources present in a given area. The CEQA and State CEQA Guidelines defines “significant effect on the environment” as “a substantial adverse change in the physical conditions which exist in the area affected by the proposed project.” Pursuant to Appendix G, Section IV of the State CEQA Guidelines, the proposed Project would have a significant impact on biological resources if it would:

- A. 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 [Wildlife] or U.S. Fish and Wildlife Service.
- B. 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.
- C. Have a substantial adverse effect on state or 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.
- D. 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.
- E. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.
- F. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

4.1 Potentially Significant Impacts

4.1.1. Sensitive Biological Communities

There are no sensitive biological communities present in the Project Study Area, as such, no impacts would occur, and no mitigation is proposed.

4.1.2. Jurisdictional Aquatic Resources

One seasonal wetland, an earthen man-made ditch constructed in 1982 as part of a stormwater conveyance system is present within the Project Study Area. This wetland was determined to be within the jurisdiction of the USACE and RWQCB and is protected under sections 401 and 404 of the Clean Water Act (CWA). The proposed project will result in the filling of the 0.003-acre wetland. Impacts to this feature are considered significant under CEQA.

4.1.2. Special-Status Plant Species

A total of eighty (80) special-status plant species have been documented within a 9-quadrant search of the Project Study Area (Appendix D) and 27 are documented within five miles. No special-status plants were found at the site during protocol-level spring rare plant surveys conducted in 2009 and 2022, and none are expected to occur due to the on-site wetland was constructed in 1982 and due to the high degree of disturbance and abundance of non-native plant species. Therefore, no impacts would occur to special-status plants.

4.1.3. Special-Status Wildlife Species

A total of forty-six (46) special-status wildlife species have been documented within a 9-quadrant search of the Project Study Area (Appendix D) and seven (7) are documented within five miles. A total of 2 of these special status wildlife species have potential to occur within the Project Study Area.

California Tiger Salamander (*Ambystoma californiense*)

California tiger salamander (CTS) requires two primary habitat components: aquatic breeding sites and upland terrestrial aestivation or refuge sites. Adult CTS spend most of their time underground in upland subterranean refugia (Trenham 2001). Underground retreats in the Santa Rosa Plain usually consist of small mammal burrows (namely pocket gophers), but also under logs and piles of lumber (Holland et al. 1990). CTS emerge from underground to breed and lay eggs primarily in vernal pools and other ephemeral water bodies. Adults migrate from upland habitats to aquatic breeding sites during the first major rainfall events, between November and February (Barry and Shaffer 1994) and return to upland habitats after breeding. Following metamorphosis, juvenile CTS may disperse into uplands up to 1.3 miles from breeding ponds (USFWS 2004). Trenham (2001) found up to 25 percent of CTS in one pond were found within 2,200 feet of the breeding pond. In a more recent study Orloff (2011) found both adults and juveniles at least 800

meters (2,624 feet) from the nearest breeding pond, with a smaller number of salamanders as far as 2.2 km (1.3 miles) away.

The Project Study Area is within USFWS designated Critical Habitat for CTS. The Project Study Area is within an area designated as 'may affect listed plants and would likely affect CTS' (CDFG 2007). There are 61 CNDDDB records for CTS within a five-mile radius of the Project Study Area with the highest concentrations being immediately south and much fewer occurrences to the west. The nearest documented breeding occurrence (#346) was last observed in 2016 at the FEMA preserve approximately 2,190 feet west of the Project Study Area. Though not likely, CTS could access the Project Study Area via Roseland Creek with the only barrier from breeding ponds and occurrence records being a housing development immediately south of the Project Study Area and Roseland Creek. The absence of CTS records to the north and high degree of development rules out the possibility of CTS accessing the Project Study Area from the north. Due to the small size of the parcel and lack of direct connectivity to breeding habitat, the project overall has a minimal likelihood to affect CTS. However, given this species may disperse into upland habitats more than one mile from their breeding pool, the potential presence cannot be eliminated and if present, CTS would be subject to direct mortality during construction as a result of the proposed project.

The project would result in removal of 6.76 acres suitable upland habitat for CTS. Historic land disturbances on the site are evident today including 3.44 acre of paved former airstrip and surrounding compacted gravel hardscape, with a thin layer of weedy vegetation growing over; evidence of a few small mammal burrows was observed outside these areas of underlying asphalt. Both direct mortality and removal of upland habitat (excluding hardscape) is considered significant under CEQA. Given existing barriers are located to the north of the Project Study Area and lack of breeding habitat, the project would not result in any permanent barrier between documented breeding habitats. Mitigation measures prescribed in Section 4.2 must be implemented to ensure a less than significant effect to CTS.

White-tailed Kite (*Elanus leucurus*)

The white-tailed kite is resident in open to semi-open habitats throughout the lower elevations of California, including grasslands, savannahs, woodlands, agricultural areas, and wetlands. Vegetative structure and prey availability seem to be more important habitat elements than associations with specific plants or vegetative communities (Dunk 1995). Nests are constructed mostly of twigs and placed in trees, often at habitat edges. Nest trees are highly variable in size, structure, and immediate surroundings, ranging from shrubs to trees greater than 150 feet tall (Dunk 1995). This species preys upon a variety of small mammals, as well as other vertebrates and invertebrates.

There are a few tall trees adjacent to the Project Study Area that provide suitable nesting habitat for white-tailed kite, therefore there is a low potential for it to nest in the area. Impacts to nesting birds if present is considered significant under CEQA.

Migratory Birds

The Project Study Area is devoid of shrubs and trees; however, the surrounding area provides nesting habitat for birds protected by the federal MBTA and CFGC § 3513. Impacts to nesting birds resulting in nest abandonment or direct mortality to chicks or eggs is considered a significant impact under CEQA.

Wildlife Corridors

There are no barriers preventing terrestrial species from traversing the Project Study Area and it is likely utilized by generalist species adapted to living in urban environments including Columbian black tail deer (*Odocoileus hemionus columbianus*), striped skunk (*Mephitis mephitis*), racoon (*Procyon lotor*), gray fox (*Urocyon cinereoargenteus*), and opossum (*Didelphis virginiana*). Roseland Creek could be used as a dispersal corridor for species that rely on aquatic environments, including western pond turtle (*Emys marmorata*), and pacific tree frog (*Pseudacris regilla*). The proposed project would not prevent wildlife from moving through the area.

4.2 Recommended Avoidance and Minimization Measures

The following measures are recommended to be implemented in the event any of the potential impacts described in Section 4.1 cannot be completely avoided by project design and/or recommended work windows (e.g., vegetation removal between Sept. 1 and Feb. 1.).

BIO-1. Seasonal Wetlands

A Notice of Intent shall be filed prior to filling or modification of seasonal wetlands present in the Project Study Area. Because the proposed project will require fill and is located within critical habitat for an endangered species, both a Clean Water Act Section 404 Nationwide permit application must be submitted to the USACE, and a Section 401 Water Quality Certification application must be submitted to the RWQCB prior to the commencement of construction. Because the impacts are less than 0.1-acre compensatory mitigation for impacts are would not likely be required under the Clean Water Act. If required by the RWQCB, such mitigation would be provided at a minimum 1:1 ratio through off-site permittee-responsible mitigation at the Windmill HM Lands site.

BIO-2 Indirect Impacts

The Sonoma County Best Management Practice Guidelines must be employed to ensure impacts to off-site habitats and resources are avoided.

BIO-3. Nesting Birds

To prevent impacts to nesting birds, the following avoidance and minimization measures are recommended:

1. If construction begins between February 1 and August 31, a pre-construction nesting bird (both passerine and raptor) survey of suitable nesting habitat within 200 feet of all work areas shall be performed within 7 days of groundbreaking. If no nesting birds are observed, no further action is required. A follow up survey is required if a stoppage in work occurs for longer than 7 days between February 1 and July 1.
2. If active bird nests (passerine and/or raptor) are observed during the pre-construction survey, a disturbance-free buffer zone shall be established around the nest tree(s) until the young have fledged or the nest has naturally failed or been predated, as determined by a qualified biologist. The radius of the required buffer zone can vary depending on the species, with the dimension of any required buffer zone to be determined by a qualified biologist.

BIO-4. California Tiger Salamander

Given the close proximity of CTS occurrences, the following avoidance and minimization measures are recommended to ensure that the project does not result in the take of CTS:

1. Develop and implement an approved erosion and sediment control plan to prevent impacts of construction on habitat outside the work areas.
2. Consultation with USFWS is required for impacts to designated critical habitat for California tiger salamander through the USACE permit process; an incidental take permit (ITP) may also be required. The project would likely qualify for appendage to the programmatic biological opinion (PBO); either a concurrence determination (CD) or ITP through CDFW would also be required (at the discretion of CDFW).
3. All prescribed avoidance and minimization measures set forth in the ITP shall be implemented on this project.
4. In accordance with the Conservation Strategy and/or PBO, impacts must be mitigated at a 2:1 ratio for Projects that are greater than 500 feet and within 2,200 feet of a known breeding site. Also, per the PBO, mitigation for projects on parcels with existing hardscape (including structural foundations, compacted gravel surfaces, buildings, or other structures) shall be removed from the mitigation calculation. Based on this, a total of 6.6 acres of CTS upland habitat would need to be mitigated for at either an approved CDFW conservation bank or through the acquisition of CDFW approved permitted-responsible mitigation lands elsewhere on the Santa Rosa Plain.

5.0 REFERENCES

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APPENDIX A

PROJECT FIGURES: SITE LOCATION MAP, WETLAND ASSESSMENT MAP, AND CNDDDB DATABASE RESULTS

Figure 1: Location of Project Area

Northpoint Commerce Center, Northpoint Parkway, Santa Rosa, CA 95407



- Project Site (6.762 ac)
- Parcel Boundary
- Hardscape / Gravel (3.440 ac)
- Streams
- Streets

Figure 2: Wetland Assessment Map

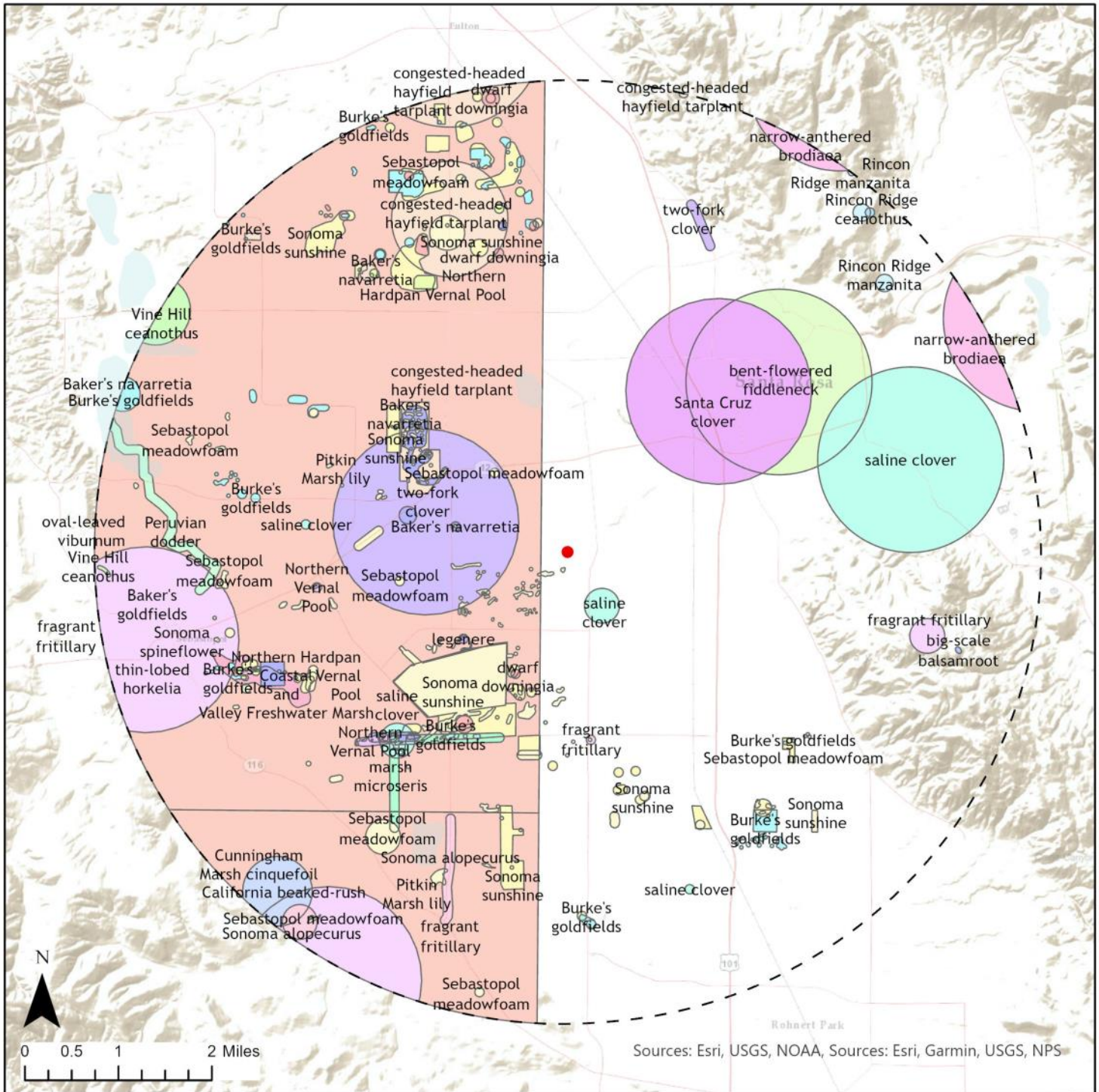
Northpoint Commerce Center, Northpoint Parkway, Santa Rosa, CA 95407



- Project Site
- Wetland (0.003 ac)

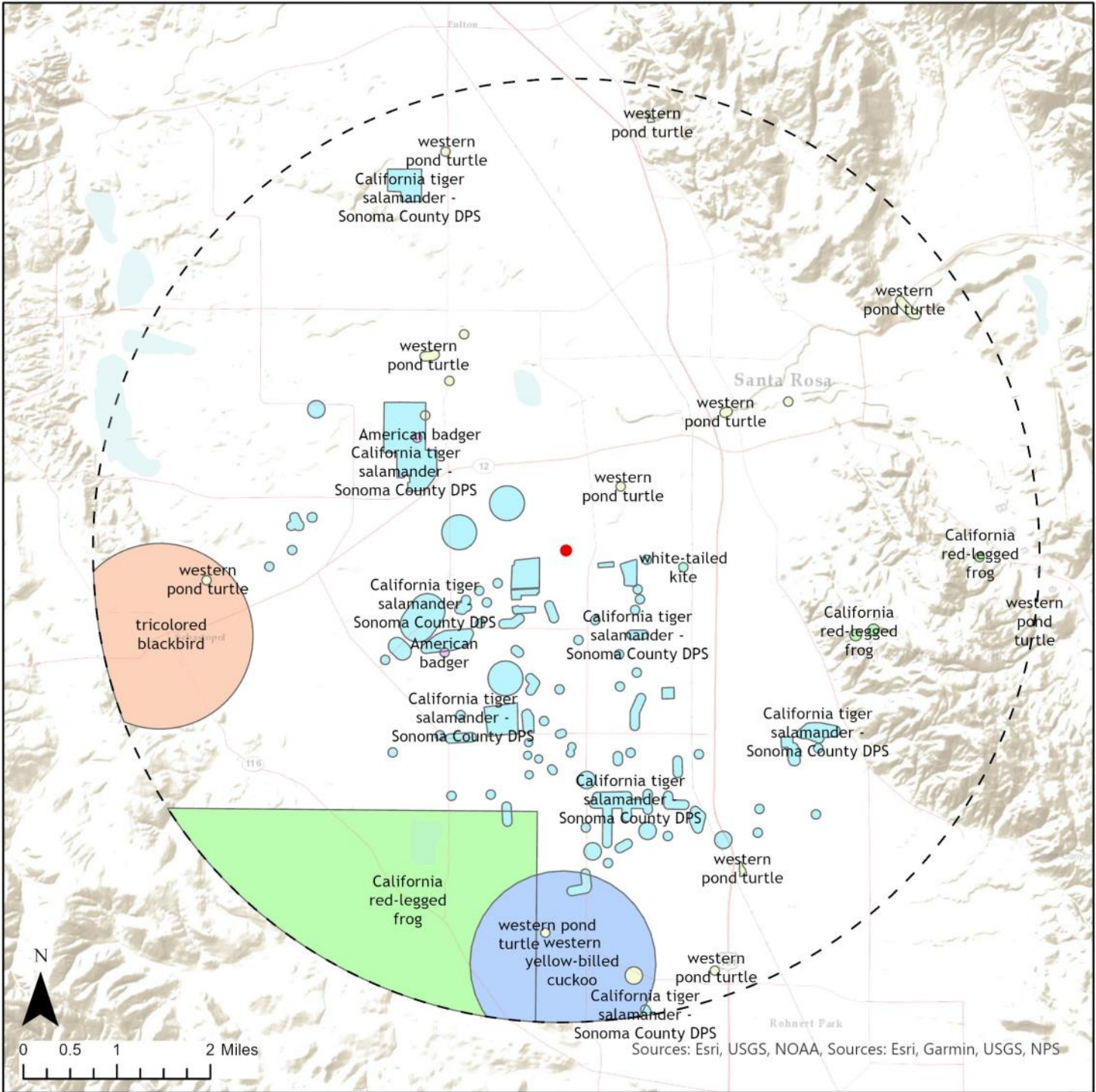
- Sample Point

Figure 3: Special Status Plant Species within 5 Miles of the Project Site
 Northpoint Commerce Center, Northpoint Parkway, Santa Rosa, CA 95407



- | | | | | | |
|------------------------------|---|----------------------------------|----------------------------|--|------------------------------|
| ● Project Location | Coastal and Valley Freshwater Marsh (1) | Pitkin Marsh lily (3) | Sonoma alopecurus (2) | congested-headed hayfield tarplant (6) | oval-leaved viburnum (1) |
| ⊖ 5 Miles | Baker's goldfields (1) | Cunningham Marsh cinquefoil (1) | Rincon Ridge ceanothus (1) | Sonoma spineflower (1) | saline clover (5) |
| ■ Baker's navarretia (8) | Burke's goldfields (22) | Northern Hardpan Vernal Pool (5) | Rincon Ridge manzanita (3) | Sonoma sunshine (15) | fragrant fritillary (4) |
| ■ California beaked-rush (1) | Northern Vernal Pool (2) | Peruvian dodder (1) | Santa Cruz clover (1) | Vine Hill ceanothus (2) | legenera (1) |
| | | | Sebastopol meadowfoam (36) | bent-flowered fiddleneck (1) | marsh microseris (7) |
| | | | | big-scale balsamroot (1) | narrow-anthered brodiaea (2) |

Figure 4: Special Status Wildlife Species within 5 Miles of the Project Site
 Northpoint Commerce Center, Northpoint Parkway, Santa Rosa, CA 95407



- Project Location
- ⌈ ⌋ 5 Miles
- American badger (2)
- California red-legged frog (3)
- California tiger salamander - Sonoma County DPS (61)
- tricolored blackbird (1)
- western pond turtle (16)
- western yellow-billed cuckoo (1)
- white-tailed kite (1)

APPENDIX B

SITE PHOTOGRAPHS



Photo 1. Wetland on northeastern section of the Project Study Area



Photo 2. Project Study Area - Facing south.



Photo 3. Project Study Area - Facing Southwest.

APPENDIX C

OBSERVED SPECIES TABLES

Observer: Morgan Stickrod

3/24/22

Northpoint: Northpoint Commerce Center (2216)

Vascular Plant Species List

*=non-native

Apiaceae

**Foeniculum vulgare* Fennel

Asteraceae

**Helminthotheca echioides* Bristly ox-tongue

**Hypochaeris radicata* Hairy cats ear

**Senecio vulgaris* Common groundsel

Brassicaceae

**Hirschfeldia incana* Shortpod mustard

**Raphanus sativus* Wild radish

Caryophyllaceae

**Spergularia rubra* Purple sand spurry

Fabaceae

**Lotus corniculatus* Bird's foot trefoil

Lupinus bicolor Annual lupine

**Medicago polymorpha* California burclover

**Trifolium hirtum* Rose clover

**Vicia sativa* Spring vetch

Geraniaceae

**Erodium brachycarpum* White-stemmed filaree

**Geranium dissectum* Wild geranium

Plantaginaceae

**Plantago lanceolata* Ribwort

Poaceae

**Avena fatua* Wildoats

**Bromus diandrus* Ripgut brome

Hordeum brachyantherum Meadow barley

**Phalaris aquatica* Harding grass

Rosaceae

Prunus sp. Cherry

Rubiaceae

Galium aparine Cleavers

OBSERVED WILDLIFE SPECIES

MARCH 24, 2022

Observer: Sandra Etchell

Scientific Name	Common Name
<i>Birds</i>	
<i>Cathartes aura</i>	Turkey vulture
<i>Corvus corax</i>	Common raven
<i>Corvus brachyrhynchos</i>	American crow
<i>Euphagus cyanocephalus</i>	Brewer's blackbird
<i>Haemorhous mexicanus</i>	House finch
<i>Mammals</i>	
<i>Thomomys bottae</i>	Botta's pocket gopher
<i>Mephitis mephitis</i>	Striped skunk

APPENDIX D

CNDDDB RESULTS AND USFWS IPAC WITHIN 5 MILES OF THE PROJECT STUDY AREA



Summary Table Report

California Department of Fish and Wildlife

California Natural Diversity Database



Query Criteria: Quad (Santa Rosa (3812246) OR Sebastopol (3812247) OR Healdsburg (3812257) OR Mark West Springs (3812256) OR Calistoga (3812255) OR Kenwood (3812245) OR Glen Ellen (3812235) OR Cotati (3812236) OR Two Rock (3812237)) AND Taxonomic Group (Ferns OR Gymnosperms OR Monocots OR Dicots OR Lichens OR Bryophytes)

Name (Scientific/Common)	CNDDB Ranks	Listing Status (Fed/State)	Other Lists	Elev. Range (ft.)	Total EO's	Element Occ. Ranks						Population Status		Presence		
						A	B	C	D	X	U	Historic > 20 yr	Recent <= 20 yr	Extant	Poss. Extirp.	Extirp.
<i>Allium peninsulare</i> var. <i>franciscanum</i> Franciscan onion	G5T2 S2	None None	Rare Plant Rank - 1B.2	600 600	25 S:1	0	0	0	0	0	1	1	0	1	0	0
<i>Alopecurus aequalis</i> var. <i>sonomensis</i> Sonoma alopecurus	G5T1 S1	Endangered None	Rare Plant Rank - 1B.1 SB_CalBG/RSABG-California/Rancho Santa Ana Botanic Garden	100 1,180	21 S:6	0	0	0	1	2	3	5	1	4	2	0
<i>Amorpha californica</i> var. <i>napensis</i> Napa false indigo	G4T2 S2	None None	Rare Plant Rank - 1B.2 SB_CalBG/RSABG-California/Rancho Santa Ana Botanic Garden	200 2,100	76 S:28	7	4	3	2	0	12	8	20	28	0	0
<i>Amsinckia lunaris</i> bent-flowered fiddleneck	G3 S3	None None	Rare Plant Rank - 1B.2 BLM_S-Sensitive SB_UCBG-UC Botanical Garden at Berkeley SB_UCSC-UC Santa Cruz		93 S:1	0	0	0	0	0	1	1	0	1	0	0
<i>Anomobryum julaceum</i> slender silver moss	G5? S2	None None	Rare Plant Rank - 4.2		13 S:1	0	0	0	0	0	1	1	0	1	0	0
<i>Arctostaphylos densiflora</i> Vine Hill manzanita	G1 S1	None Endangered	Rare Plant Rank - 1B.1	200 240	2 S:2	0	0	1	1	0	0	1	1	2	0	0
<i>Arctostaphylos stanfordiana</i> ssp. <i>decumbens</i> Rincon Ridge manzanita	G3T1 S1	None None	Rare Plant Rank - 1B.1	300 900	12 S:7	0	1	2	1	1	2	4	3	6	0	1
<i>Astragalus claranus</i> Clara Hunt's milk-vetch	G1 S1	Endangered Endangered	Rare Plant Rank - 1B.1 SB_CalBG/RSABG-California/Rancho Santa Ana Botanic Garden	500 1,165	6 S:3	0	1	1	0	0	1	0	3	3	0	0
<i>Balsamorhiza macrolepis</i> big-scale balsamroot	G2 S2	None None	Rare Plant Rank - 1B.2 BLM_S-Sensitive USFS_S-Sensitive	890 1,230	51 S:2	2	0	0	0	0	0	2	0	2	0	0



Summary Table Report

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						A	B	C	D	X	U	Historic > 20 yr	Recent <= 20 yr	Extant	Poss. Extirp.	Extirp.
<i>Blennosperma bakeri</i> Sonoma sunshine	G1 S1	Endangered Endangered	Rare Plant Rank - 1B.1 SB_CalBG/RSABG-California/Rancho Santa Ana Botanic Garden	70 330	24 S:19	0	8	4	1	3	3	6	13	16	2	1
<i>Brodiaea leptandra</i> narrow-anthered brodiaea	G3? S3?	None None	Rare Plant Rank - 1B.2	100 1,400	39 S:15	0	4	1	0	1	9	9	6	14	1	0
<i>Calamagrostis crassiglumis</i> Thurber's reed grass	G3Q S2	None None	Rare Plant Rank - 2B.1	150 150	15 S:1	0	0	0	0	0	1	1	0	1	0	0
<i>Calystegia collina ssp. oxyphylla</i> Mt. Saint Helena morning-glory	G4T3 S3	None None	Rare Plant Rank - 4.2	1,150 1,150	9 S:1	1	0	0	0	0	0	1	0	1	0	0
<i>Campanula californica</i> swamp harebell	G3 S3	None None	Rare Plant Rank - 1B.2 BLM_S-Sensitive	150 150	155 S:2	0	0	0	0	2	0	2	0	0	1	1
<i>Castilleja uliginosa</i> Pitkin Marsh paintbrush	GXQ SX	None Endangered	Rare Plant Rank - 1A	150 200	2 S:2	0	0	0	0	2	0	2	0	0	2	0
<i>Ceanothus confusus</i> Rincon Ridge ceanothus	G1 S1	None None	Rare Plant Rank - 1B.1 BLM_S-Sensitive SB_SBBG-Santa Barbara Botanic Garden	510 2,700	33 S:9	0	0	1	0	1	7	4	5	8	0	1
<i>Ceanothus divergens</i> Calistoga ceanothus	G2 S2	None None	Rare Plant Rank - 1B.2	320 1,900	26 S:16	1	3	1	2	0	9	8	8	16	0	0
<i>Ceanothus foliosus var. vineatus</i> Vine Hill ceanothus	G3T1 S1	None None	Rare Plant Rank - 1B.1	150 250	6 S:3	0	0	1	0	0	2	1	2	3	0	0
<i>Ceanothus purpureus</i> holly-leaved ceanothus	G2 S2	None None	Rare Plant Rank - 1B.2 SB_SBBG-Santa Barbara Botanic Garden	475 475	43 S:2	0	0	0	0	0	2	2	0	2	0	0
<i>Ceanothus sonomensis</i> Sonoma ceanothus	G2 S2	None None	Rare Plant Rank - 1B.2 SB_SBBG-Santa Barbara Botanic Garden	475 1,900	30 S:14	2	0	0	0	0	12	11	3	14	0	0
<i>Centromadia parryi ssp. parryi</i> pappose tarplant	G3T2 S2	None None	Rare Plant Rank - 1B.2 BLM_S-Sensitive	80 750	39 S:5	0	1	0	0	0	4	3	2	5	0	0



Summary Table Report

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California Natural Diversity Database



Name (Scientific/Common)	CNDDB Ranks	Listing Status (Fed/State)	Other Lists	Elev. Range (ft.)	Total EO's	Element Occ. Ranks						Population Status		Presence		
						A	B	C	D	X	U	Historic > 20 yr	Recent <= 20 yr	Extant	Poss. Extirp.	Extirp.
<i>Chorizanthe valida</i> Sonoma spineflower	G1 S1	Endangered Endangered	Rare Plant Rank - 1B.1 SB_CalBG/RSABG-California/Rancho Santa Ana Botanic Garden	150 150	6 S:1	0	0	0	0	1	0	1	0	0	1	0
<i>Clarkia imbricata</i> Vine Hill clarkia	G1 S1	Endangered Endangered	Rare Plant Rank - 1B.1 SB_CalBG/RSABG-California/Rancho Santa Ana Botanic Garden SB_UCBG-UC Botanical Garden at Berkeley	230 232	2 S:2	0	1	1	0	0	0	1	1	2	0	0
<i>Cuscuta obtusiflora var. glandulosa</i> Peruvian dodder	G5T4? SH	None None	Rare Plant Rank - 2B.2		6 S:1	0	0	0	0	0	1	1	0	1	0	0
<i>Delphinium luteum</i> golden larkspur	G1 S1	Endangered Rare	Rare Plant Rank - 1B.1 SB_UCBG-UC Botanical Garden at Berkeley		11 S:1	0	0	0	0	1	0	1	0	0	1	0
<i>Downingia pusilla</i> dwarf downingia	GU S2	None None	Rare Plant Rank - 2B.2	85 700	132 S:15	4	2	0	1	3	5	9	6	12	1	2
<i>Eryngium constancei</i> Loch Lomond button-celery	G1 S1	Endangered Endangered	Rare Plant Rank - 1B.1 SB_CalBG/RSABG-California/Rancho Santa Ana Botanic Garden	2,060 2,060	4 S:1	0	1	0	0	0	0	1	0	1	0	0
<i>Fritillaria liliacea</i> fragrant fritillary	G2 S2	None None	Rare Plant Rank - 1B.2 SB_CalBG/RSABG-California/Rancho Santa Ana Botanic Garden USFS_S-Sensitive	150 800	82 S:10	0	2	1	0	3	4	7	3	7	3	0
<i>Gratiola heterosepala</i> Boggs Lake hedge-hyssop	G2 S2	None Endangered	Rare Plant Rank - 1B.2 BLM_S-Sensitive		99 S:1	0	0	0	0	0	1	1	0	1	0	0
<i>Hemizonia congesta ssp. congesta</i> congested-headed hayfield tarplant	G5T2 S2	None None	Rare Plant Rank - 1B.2 SB_UCBG-UC Botanical Garden at Berkeley	90 1,705	52 S:22	0	3	0	1	3	15	17	5	19	2	1



Summary Table Report

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Name (Scientific/Common)	CNDDB Ranks	Listing Status (Fed/State)	Other Lists	Elev. Range (ft.)	Total EO's	Element Occ. Ranks						Population Status		Presence		
						A	B	C	D	X	U	Historic > 20 yr	Recent <= 20 yr	Extant	Poss. Extirp.	Extirp.
<i>Horkelia tenuiloba</i> thin-lobed horkelia	G2 S2	None None	Rare Plant Rank - 1B.2 SB_CalBG/RSABG-California/Rancho Santa Ana Botanic Garden	200 250	27 S:3	0	0	0	0	0	3	3	0	3	0	0
<i>Lasthenia burkei</i> Burke's goldfields	G1 S1	Endangered Endangered	Rare Plant Rank - 1B.1 SB_CalBG/RSABG-California/Rancho Santa Ana Botanic Garden SB_UCBG-UC Botanical Garden at Berkeley	50 442	36 S:28	3	9	7	1	4	4	11	17	24	1	3
<i>Lasthenia californica ssp. bakeri</i> Baker's goldfields	G3T1 S1	None None	Rare Plant Rank - 1B.2	125 125	19 S:1	0	0	0	0	0	1	1	0	1	0	0
<i>Layia septentrionalis</i> Colusa layia	G2 S2	None None	Rare Plant Rank - 1B.2 BLM_S-Sensitive SB_UCBG-UC Botanical Garden at Berkeley		69 S:2	0	0	0	0	0	2	1	1	2	0	0
<i>Legenere limosa</i> legenere	G2 S2	None None	Rare Plant Rank - 1B.1 BLM_S-Sensitive SB_UCBG-UC Botanical Garden at Berkeley	90 1,400	83 S:2	0	0	1	0	1	0	2	0	1	0	1
<i>Leptosiphon jepsonii</i> Jepson's leptosiphon	G2G3 S2S3	None None	Rare Plant Rank - 1B.2 SB_CalBG/RSABG-California/Rancho Santa Ana Botanic Garden SB_USDA-US Dept of Agriculture	400 1,900	51 S:18	1	2	1	0	0	14	5	13	18	0	0
<i>Lilium pardalinum ssp. pitkinense</i> Pitkin Marsh lily	G5T1 S1	Endangered Endangered	Rare Plant Rank - 1B.1 SB_BerrySB-Berry Seed Bank SB_CalBG/RSABG-California/Rancho Santa Ana Botanic Garden SB_USDA-US Dept of Agriculture	132 200	4 S:3	0	2	0	0	0	1	2	1	3	0	0



Summary Table Report

California Department of Fish and Wildlife

California Natural Diversity Database



Name (Scientific/Common)	CNDDB Ranks	Listing Status (Fed/State)	Other Lists	Elev. Range (ft.)	Total EO's	Element Occ. Ranks						Population Status		Presence		
						A	B	C	D	X	U	Historic > 20 yr	Recent <= 20 yr	Extant	Poss. Extirp.	Extirp.
<i>Limnanthes vinculans</i> Sebastopol meadowfoam	G1 S1	Endangered Endangered	Rare Plant Rank - 1B.1 SB_CalBG/RSABG-California/Rancho Santa Ana Botanic Garden SB_UCBG-UC Botanical Garden at Berkeley	50 320	46 S:44	2	10	6	2	8	16	19	25	36	5	3
<i>Lupinus sericatus</i> Cobb Mountain lupine	G2? S2?	None None	Rare Plant Rank - 1B.2 BLM_S-Sensitive SB_UCSC-UC Santa Cruz	400 2,400	46 S:7	0	0	2	0	0	5	7	0	7	0	0
<i>Microseris paludosa</i> marsh microseris	G2 S2	None None	Rare Plant Rank - 1B.2 BLM_S-Sensitive SB_SBBG-Santa Barbara Botanic Garden SB_UCSC-UC Santa Cruz	40 100	38 S:4	0	0	0	0	0	4	4	0	4	0	0
<i>Navarretia leucocephala ssp. bakeri</i> Baker's navarretia	G4T2 S2	None None	Rare Plant Rank - 1B.1	50 1,320	64 S:19	1	1	0	0	7	10	16	3	12	3	4
<i>Navarretia leucocephala ssp. pliantha</i> many-flowered navarretia	G4T1 S1	Endangered Endangered	Rare Plant Rank - 1B.2 SB_CalBG/RSABG-California/Rancho Santa Ana Botanic Garden	110 850	8 S:2	0	2	0	0	0	0	1	1	2	0	0
<i>Penstemon newberryi var. sonomensis</i> Sonoma beardtongue	G4T3 S3	None None	Rare Plant Rank - 1B.3 BLM_S-Sensitive	1,400 2,750	15 S:3	0	1	0	0	0	2	1	2	3	0	0
<i>Plagiobothrys strictus</i> Calistoga popcornflower	G1 S1	Endangered Threatened	Rare Plant Rank - 1B.1 SB_UCBG-UC Botanical Garden at Berkeley	300 400	3 S:3	0	2	0	0	0	1	1	2	3	0	0
<i>Pleuropogon hooverianus</i> North Coast semaphore grass	G2 S2	None Threatened	Rare Plant Rank - 1B.1 SB_BerrySB-Berry Seed Bank SB_CalBG/RSABG-California/Rancho Santa Ana Botanic Garden	780 780	27 S:1	0	1	0	0	0	0	0	1	1	0	0



Summary Table Report

California Department of Fish and Wildlife California Natural Diversity Database



Name (Scientific/Common)	CNDDB Ranks	Listing Status (Fed/State)	Other Lists	Elev. Range (ft.)	Total EO's	Element Occ. Ranks						Population Status		Presence		
						A	B	C	D	X	U	Historic > 20 yr	Recent <= 20 yr	Extant	Poss. Extirp.	Extirp.
<i>Poa napensis</i> Napa blue grass	G1 S1	Endangered Endangered	Rare Plant Rank - 1B.1 SB_CalBG/RSABG-California/Rancho Santa Ana Botanic Garden	340 400	2 S:2	0	2	0	0	0	0	0	2	2	0	0
<i>Potentilla uliginosa</i> Cunningham Marsh cinquefoil	GX SX	None None	Rare Plant Rank - 1A	150 150	1 S:1	0	0	0	0	1	0	1	0	0	1	0
<i>Puccinellia simplex</i> California alkali grass	G3 S2	None None	Rare Plant Rank - 1B.2 BLM_S-Sensitive	400 400	80 S:1	0	0	0	0	0	1	1	0	1	0	0
<i>Rhynchospora alba</i> white beaked-rush	G5 S2	None None	Rare Plant Rank - 2B.2 IUCN_LC-Least Concern	200 200	11 S:1	0	1	0	0	0	0	1	0	1	0	0
<i>Rhynchospora californica</i> California beaked-rush	G1 S1	None None	Rare Plant Rank - 1B.1	150 150	9 S:3	0	0	0	0	1	2	3	0	2	0	1
<i>Rhynchospora capitellata</i> brownish beaked-rush	G5 S1	None None	Rare Plant Rank - 2B.2 IUCN_LC-Least Concern	150 150	25 S:2	0	0	1	0	1	0	1	1	1	1	0
<i>Rhynchospora globularis</i> round-headed beaked-rush	G4 S1	None None	Rare Plant Rank - 2B.1	150 150	2 S:2	0	0	0	0	1	1	2	0	1	1	0
<i>Sidalcea hickmanii ssp. napensis</i> Napa checkerbloom	G3T1 S1	None None	Rare Plant Rank - 1B.1 SB_CalBG/RSABG-California/Rancho Santa Ana Botanic Garden		2 S:1	0	0	0	0	0	1	1	0	1	0	0
<i>Sidalcea oregana ssp. valida</i> Kenwood Marsh checkerbloom	G5T1 S1	Endangered Endangered	Rare Plant Rank - 1B.1 SB_CalBG/RSABG-California/Rancho Santa Ana Botanic Garden SB_UCBG-UC Botanical Garden at Berkeley	400 400	2 S:1	0	0	1	0	0	0	0	1	1	0	0
<i>Spergularia macrotheca var. longistyla</i> long-styled sand-spurrey	G5T2 S2	None None	Rare Plant Rank - 1B.2	350 400	22 S:2	0	0	0	0	0	2	1	1	2	0	0



Summary Table Report

California Department of Fish and Wildlife California Natural Diversity Database



Name (Scientific/Common)	CNDDDB Ranks	Listing Status (Fed/State)	Other Lists	Elev. Range (ft.)	Total EO's	Element Occ. Ranks						Population Status		Presence		
						A	B	C	D	X	U	Historic > 20 yr	Recent <= 20 yr	Extant	Poss. Extirp.	Extirp.
<i>Trifolium amoenum</i> two-fork clover	G1 S1	Endangered None	Rare Plant Rank - 1B.1 SB_CalBG/RSABG-California/Rancho Santa Ana Botanic Garden SB_UCBG-UC Botanical Garden at Berkeley SB_USDA-US Dept of Agriculture	160 200	26 S:5	0	0	0	0	0	5	5	0	5	0	0
<i>Trifolium buckwestiorum</i> Santa Cruz clover	G2 S2	None None	Rare Plant Rank - 1B.1 BLM_S-Sensitive SB_SBBG-Santa Barbara Botanic Garden SB_UCSC-UC Santa Cruz SB_USDA-US Dept of Agriculture		64 S:2	0	0	0	0	0	2	1	1	2	0	0
<i>Trifolium hydrophilum</i> saline clover	G2 S2	None None	Rare Plant Rank - 1B.2	75 400	56 S:7	0	2	0	1	2	2	4	3	5	1	1
<i>Triquetrella californica</i> coastal triquetrella	G2 S2	None None	Rare Plant Rank - 1B.2 USFS_S-Sensitive	328 328	13 S:1	0	0	0	0	0	1	0	1	1	0	0
<i>Viburnum ellipticum</i> oval-leaved viburnum	G4G5 S3?	None None	Rare Plant Rank - 2B.3	520 545	39 S:6	0	1	0	0	0	5	5	1	6	0	0



Summary Table Report

California Department of Fish and Wildlife

California Natural Diversity Database



Query Criteria: Quad (Santa Rosa (3812246) OR Sebastopol (3812247) OR Healdsburg (3812257) OR Mark West Springs (3812256) OR Calistoga (3812255) OR Kenwood (3812245) OR Glen Ellen (3812235) OR Cotati (3812236) OR Two Rock (3812237)) AND Taxonomic Group (Fish OR Amphibians OR Reptiles OR Birds OR Mammals OR Mollusks OR Arachnids OR Crustaceans OR Insects)

Name (Scientific/Common)	CNDDB Ranks	Listing Status (Fed/State)	Other Lists	Elev. Range (ft.)	Total EO's	Element Occ. Ranks						Population Status		Presence		
						A	B	C	D	X	U	Historic > 20 yr	Recent <= 20 yr	Extant	Poss. Extirp.	Extirp.
<i>Accipiter cooperii</i> Cooper's hawk	G5 S4	None None	CDFW_WL-Watch List IUCN_LC-Least Concern	133 133	118 S:1	0	1	0	0	0	0	0	1	1	0	0
<i>Accipiter striatus</i> sharp-shinned hawk	G5 S4	None None	CDFW_WL-Watch List IUCN_LC-Least Concern	900 900	22 S:1	1	0	0	0	0	0	1	0	1	0	0
<i>Agelaius tricolor</i> tricolored blackbird	G1G2 S1S2	None Threatened	BLM_S-Sensitive CDFW_SSC-Species of Special Concern IUCN_EN-Endangered NABCI_RWL-Red Watch List USFWS_BCC-Birds of Conservation Concern	106 139	955 S:2	0	0	0	0	1	1	2	0	1	1	0
<i>Ambystoma californiense pop. 3</i> California tiger salamander - Sonoma County DPS	G2G3T2 S2	Endangered Threatened	CDFW_WL-Watch List IUCN_VU-Vulnerable	50 475	82 S:82	10	25	24	5	4	14	16	66	78	3	1
<i>Ammodramus savannarum</i> grasshopper sparrow	G5 S3	None None	CDFW_SSC-Species of Special Concern IUCN_LC-Least Concern	2,150 2,150	27 S:1	1	0	0	0	0	0	0	1	1	0	0
<i>Andrena blennospermatis</i> Blennosperma vernal pool andrenid bee	G2 S2	None None		90 130	15 S:2	0	0	0	0	0	2	2	0	2	0	0
<i>Antrozous pallidus</i> pallid bat	G4 S3	None None	BLM_S-Sensitive CDFW_SSC-Species of Special Concern IUCN_LC-Least Concern USFS_S-Sensitive WBWG_H-High Priority	100 730	420 S:9	2	1	0	0	3	3	7	2	6	1	2



Summary Table Report

California Department of Fish and Wildlife

California Natural Diversity Database



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						A	B	C	D	X	U	Historic > 20 yr	Recent <= 20 yr	Extant	Poss. Extirp.	Extirp.
<i>Aquila chrysaetos</i> golden eagle	G5 S3	None None	BLM_S-Sensitive CDFW_S-Sensitive CDFW_FP-Fully Protected CDFW_WL-Watch List IUCN_LC-Least Concern	1,800 1,800	325 S:1	1	0	0	0	0	0	0	1	1	0	0
<i>Ardea herodias</i> great blue heron	G5 S4	None None	CDFW_S-Sensitive IUCN_LC-Least Concern	120 120	156 S:1	0	0	0	0	0	1	1	0	1	0	0
<i>Athene cunicularia</i> burrowing owl	G4 S3	None None	BLM_S-Sensitive CDFW_SSC-Species of Special Concern IUCN_LC-Least Concern USFWS_BCC-Birds of Conservation Concern	104 2,400	2011 S:3	0	1	1	0	0	1	0	3	3	0	0
<i>Bombus caliginosus</i> obscure bumble bee	G2G3 S1S2	None None	IUCN_VU-Vulnerable	150 150	181 S:1	0	0	0	0	0	1	1	0	1	0	0
<i>Bombus crotchii</i> Crotch bumble bee	G2 S1S2	None None		300 300	437 S:1	0	0	0	0	0	1	1	0	1	0	0
<i>Bombus occidentalis</i> western bumble bee	G2G3 S1	None None	USFS_S-Sensitive	100 750	306 S:4	0	0	0	0	0	4	4	0	4	0	0
<i>Buteo regalis</i> ferruginous hawk	G4 S3S4	None None	CDFW_WL-Watch List IUCN_LC-Least Concern	2,278 2,278	107 S:1	0	1	0	0	0	0	0	1	1	0	0
<i>Caecidotea tomalensis</i> Tomales isopod	G2 S2S3	None None		1,640 2,120	6 S:2	1	0	0	0	0	1	2	0	2	0	0
<i>Coccyzus americanus occidentalis</i> western yellow-billed cuckoo	G5T2T3 S1	Threatened Endangered	BLM_S-Sensitive NABCI_RWL-Red Watch List USFS_S-Sensitive	90 600	165 S:2	0	0	0	0	1	1	2	0	1	1	0
<i>Corynorhinus townsendii</i> Townsend's big-eared bat	G4 S2	None None	BLM_S-Sensitive CDFW_SSC-Species of Special Concern IUCN_LC-Least Concern USFS_S-Sensitive WBWG_H-High Priority	124 730	635 S:8	0	1	1	0	0	6	7	1	8	0	0



Summary Table Report

California Department of Fish and Wildlife

California Natural Diversity Database



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						A	B	C	D	X	U	Historic > 20 yr	Recent <= 20 yr	Extant	Poss. Extirp.	Extirp.
<i>Coturnicops noveboracensis</i> yellow rail	G4 S1S2	None None	CDFW_SSC-Species of Special Concern IUCN_LC-Least Concern NABCI_RWL-Red Watch List USFS_S-Sensitive USFWS_BCC-Birds of Conservation Concern	283 283	45 S:1	0	0	0	0	0	1	1	0	1	0	0
<i>Dicamptodon ensatus</i> California giant salamander	G2G3 S2S3	None None	CDFW_SSC-Species of Special Concern IUCN_NT-Near Threatened	350 2,185	234 S:14	4	2	0	0	0	8	5	9	14	0	0
<i>Elanus leucurus</i> white-tailed kite	G5 S3S4	None None	BLM_S-Sensitive CDFW_FP-Fully Protected IUCN_LC-Least Concern	120 2,160	184 S:4	2	1	0	0	0	1	1	3	4	0	0
<i>Emys marmorata</i> western pond turtle	G3G4 S3	None None	BLM_S-Sensitive CDFW_SSC-Species of Special Concern IUCN_VU-Vulnerable USFS_S-Sensitive	29 2,240	1404 S:44	5	12	16	6	0	5	14	30	44	0	0
<i>Eremophila alpestris actia</i> California horned lark	G5T4Q S4	None None	CDFW_WL-Watch List IUCN_LC-Least Concern	2,275 2,275	94 S:1	1	0	0	0	0	0	0	1	1	0	0
<i>Erethizon dorsatum</i> North American porcupine	G5 S3	None None	IUCN_LC-Least Concern	163 163	523 S:1	0	0	0	0	0	1	1	0	1	0	0
<i>Falco peregrinus anatum</i> American peregrine falcon	G4T4 S3S4	Delisted Delisted	CDF_S-Sensitive CDFW_FP-Fully Protected	1,700 2,000	58 S:2	1	0	1	0	0	0	2	0	2	0	0
<i>Hesperoleucus venustus navarroensis</i> northern coastal roach	GNRT3 S3	None None	CDFW_SSC-Species of Special Concern	80 400	4 S:2	0	1	0	1	0	0	2	0	2	0	0
<i>Hydrochara rickseckeri</i> Ricksecker's water scavenger beetle	G2? S2?	None None		1,500 1,500	13 S:1	0	0	0	0	0	1	1	0	1	0	0
<i>Hydroporus leechi</i> Leech's skyline diving beetle	G1? S1?	None None		1,180 1,180	13 S:1	0	0	0	0	0	1	1	0	1	0	0
<i>Hysteroecarpus traskii pomo</i> Russian River tule perch	G5T4 S4	None None	AFS_VU-Vulnerable CDFW_SSC-Species of Special Concern	70 70	4 S:1	0	0	1	0	0	0	1	0	1	0	0



Summary Table Report

California Department of Fish and Wildlife

California Natural Diversity Database



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						A	B	C	D	X	U	Historic > 20 yr	Recent <= 20 yr	Extant	Poss. Extirp.	Extirp.
<i>Lasiurus blossevillii</i> western red bat	G4 S3	None None	CDFW_SSC-Species of Special Concern IUCN_LC-Least Concern WBWG_H-High Priority	67 67	128 S:1	0	0	0	0	0	1	0	1	1	0	0
<i>Lasiurus cinereus</i> hoary bat	G3G4 S4	None None	IUCN_LC-Least Concern WBWG_M-Medium Priority		238 S:1	0	0	0	0	0	1	1	0	1	0	0
<i>Lineriella occidentalis</i> California linderiella	G2G3 S2S3	None None	IUCN_NT-Near Threatened	90 1,693	508 S:8	0	2	0	0	0	6	6	2	8	0	0
<i>Myotis thysanodes</i> fringed myotis	G4 S3	None None	BLM_S-Sensitive IUCN_LC-Least Concern USFS_S-Sensitive WBWG_H-High Priority	210 1,050	86 S:3	0	0	2	0	0	1	2	1	3	0	0
<i>Myotis volans</i> long-legged myotis	G4G5 S3	None None	IUCN_LC-Least Concern WBWG_H-High Priority	210 210	117 S:1	0	0	0	0	1	0	1	0	0	1	0
<i>Myotis yumanensis</i> Yuma myotis	G5 S4	None None	BLM_S-Sensitive IUCN_LC-Least Concern WBWG_LM-Low-Medium Priority	210 304	265 S:2	1	0	0	0	0	1	1	1	2	0	0
<i>Oncorhynchus kisutch pop. 4</i> coho salmon - central California coast ESU	G5T2Q S2	Endangered Endangered	AFS_EN-Endangered	70 445	23 S:4	0	0	1	0	0	3	1	3	4	0	0
<i>Oncorhynchus mykiss irideus pop. 8</i> steelhead - central California coast DPS	G5T2T3Q S2S3	Threatened None	AFS_TH-Threatened	75 600	44 S:7	1	4	1	1	0	0	1	6	7	0	0
<i>Pandion haliaetus</i> osprey	G5 S4	None None	CDF_S-Sensitive CDFW_WL-Watch List IUCN_LC-Least Concern	200 200	504 S:1	0	0	0	0	0	1	1	0	1	0	0
<i>Rana boylei</i> foothill yellow-legged frog	G3 S3	None Endangered	BLM_S-Sensitive CDFW_SSC-Species of Special Concern IUCN_NT-Near Threatened USFS_S-Sensitive	57 2,100	2478 S:38	12	9	4	1	1	11	13	25	37	0	1



Summary Table Report

California Department of Fish and Wildlife

California Natural Diversity Database



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						A	B	C	D	X	U	Historic > 20 yr	Recent <= 20 yr	Extant	Poss. Extirp.	Extirp.
<i>Rana draytonii</i> California red-legged frog	G2G3 S2S3	Threatened None	CDFW_SSC-Species of Special Concern IUCN_VU-Vulnerable	45 2,230	1671 S:26	3	10	9	0	1	3	2	24	25	0	1
<i>Riparia riparia</i> bank swallow	G5 S2	None Threatened	BLM_S-Sensitive IUCN_LC-Least Concern	25 25	298 S:1	0	0	0	0	0	1	1	0	1	0	0
<i>Syncaris pacifica</i> California freshwater shrimp	G2 S2	Endangered Endangered	IUCN_EN-Endangered	120 540	20 S:7	2	4	1	0	0	0	2	5	7	0	0
<i>Taricha rivularis</i> red-bellied newt	G2 S2	None None	CDFW_SSC-Species of Special Concern IUCN_LC-Least Concern	100 1,200	136 S:9	0	1	0	0	0	8	5	4	9	0	0
<i>Taxidea taxus</i> American badger	G5 S3	None None	CDFW_SSC-Species of Special Concern IUCN_LC-Least Concern	24 2,200	594 S:10	2	4	1	2	0	1	1	9	10	0	0

IPaC resource list

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

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

Location

Sonoma County, California



Local office

Sacramento Fish And Wildlife Office

☎ (916) 414-6600

📠 (916) 414-6713

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

NOT FOR CONSULTATION

Endangered species

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

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

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

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

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

Listed species¹ and their critical habitats are managed by the [Ecological Services Program](#) of the U.S. Fish and Wildlife Service (USFWS) and the fisheries division of the National Oceanic and Atmospheric Administration (NOAA Fisheries²).

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

-
1. Species listed under the [Endangered Species Act](#) are threatened or endangered; IPaC also shows species that are candidates, or proposed, for listing. See the [listing status page](#) for more information. IPaC only shows species that are regulated by USFWS (see FAQ).

2. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

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

Birds

NAME	STATUS
Northern Spotted Owl <i>Strix occidentalis caurina</i> Wherever found There is final critical habitat for this species. The location of the critical habitat is not available. https://ecos.fws.gov/ecp/species/1123	Threatened

Reptiles

NAME	STATUS
Green Sea Turtle <i>Chelonia mydas</i> No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/6199	Threatened

Amphibians

NAME	STATUS
California Red-legged Frog <i>Rana draytonii</i> Wherever found There is final critical habitat for this species. The location of the critical habitat is not available. https://ecos.fws.gov/ecp/species/2891	Threatened
California Tiger Salamander <i>Ambystoma californiense</i> There is final critical habitat for this species. Your location overlaps the critical habitat. https://ecos.fws.gov/ecp/species/2076	Endangered

Insects

NAME	STATUS
Monarch Butterfly <i>Danaus plexippus</i> Wherever found No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/9743	Candidate

Crustaceans

NAME	STATUS
California Freshwater Shrimp <i>Syncaris pacifica</i> Wherever found No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/7903	Endangered

Flowering Plants

NAME	STATUS
Burke's Goldfields <i>Lasthenia burkei</i> Wherever found No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/4338	Endangered
Clara Hunt's Milk-vetch <i>Astragalus clarianus</i> Wherever found No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/3300	Endangered
Sebastopol Meadowfoam <i>Limnanthes vinculans</i> Wherever found No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/404	Endangered
Showy Indian Clover <i>Trifolium amoenum</i> Wherever found No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/6459	Endangered
Sonoma Sunshine <i>Blennosperma bakeri</i> Wherever found No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/1260	Endangered
White Sedge <i>Carex albida</i> Wherever found No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/3063	Endangered

Critical habitats

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

This location overlaps the critical habitat for the following species:

NAME	TYPE
California Tiger Salamander <i>Ambystoma californiense</i> https://ecos.fws.gov/ecp/species/2076#crithab	Final

Migratory birds

Certain birds are protected under the Migratory Bird Treaty Act¹ and the Bald and Golden Eagle Protection Act².

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats should follow appropriate regulations and consider implementing appropriate conservation measures, as described [below](#).

1. The [Migratory Birds Treaty Act](#) of 1918.
2. The [Bald and Golden Eagle Protection Act](#) of 1940.

Additional information can be found using the following links:

- Birds of Conservation Concern <https://www.fws.gov/program/migratory-birds/species>
- Measures for avoiding and minimizing impacts to birds
<https://www.fws.gov/library/collections/avoiding-and-minimizing-incident-take-migratory-birds>
- Nationwide conservation measures for birds
<https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf>

The birds listed below are birds of particular concern either because they occur on the [USFWS Birds of Conservation Concern](#) (BCC) list or warrant special attention in your project location. To learn more about the levels of concern for birds on your list and how this list is generated, see the FAQ [below](#). This is not a list of every bird you may find in this location, nor a guarantee that every bird on this list will be found in your project area. To see exact locations of where birders and the general public have sighted birds in and around your project area, visit the [E-bird data mapping tool](#) (Tip: enter your location, desired date range and a species on your list). For projects that occur off the Atlantic Coast, additional maps and models detailing the relative occurrence and abundance of bird species on your

list are available. Links to additional information about Atlantic Coast birds, and other important information about your migratory bird list, including how to properly interpret and use your migratory bird report, can be found [below](#).

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, click on the PROBABILITY OF PRESENCE SUMMARY at the top of your list to see when these birds are most likely to be present and breeding in your project area.

NAME

BREEDING SEASON (IF A BREEDING SEASON IS INDICATED FOR A BIRD ON YOUR LIST, THE BIRD MAY BREED IN YOUR PROJECT AREA SOMETIME WITHIN THE TIMEFRAME SPECIFIED, WHICH IS A VERY LIBERAL ESTIMATE OF THE DATES INSIDE WHICH THE BIRD BREEDS ACROSS ITS ENTIRE RANGE. "BREEDS ELSEWHERE" INDICATES THAT THE BIRD DOES NOT LIKELY BREED IN YOUR PROJECT AREA.)

Allen's Hummingbird *Selasphorus sasin*

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

<https://ecos.fws.gov/ecp/species/9637>

Breeds Feb 1 to Jul 15

Bald Eagle *Haliaeetus leucocephalus*

This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities.

<https://ecos.fws.gov/ecp/species/1626>

Breeds Jan 1 to Aug 31

Cassin's Finch *Carpodacus cassinii*

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

<https://ecos.fws.gov/ecp/species/9462>

Breeds May 15 to Jul 15

Clark's Grebe *Aechmophorus clarkii*

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Breeds Jun 1 to Aug 31

<p>Common Yellowthroat <i>Geothlypis trichas sinuosa</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA https://ecos.fws.gov/ecp/species/2084</p>	<p>Breeds May 20 to Jul 31</p>
<p>Golden Eagle <i>Aquila chrysaetos</i> This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/1680</p>	<p>Breeds Jan 1 to Aug 31</p>
<p>Lawrence's Goldfinch <i>Carduelis lawrencei</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9464</p>	<p>Breeds Mar 20 to Sep 20</p>
<p>Nuttall's Woodpecker <i>Picoides nuttallii</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA https://ecos.fws.gov/ecp/species/9410</p>	<p>Breeds Apr 1 to Jul 20</p>
<p>Oak Titmouse <i>Baeolophus inornatus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9656</p>	<p>Breeds Mar 15 to Jul 15</p>
<p>Olive-sided Flycatcher <i>Contopus cooperi</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/3914</p>	<p>Breeds May 20 to Aug 31</p>
<p>Tricolored Blackbird <i>Agelaius tricolor</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/3910</p>	<p>Breeds Mar 15 to Aug 10</p>
<p>Willet <i>Tringa semipalmata</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.</p>	<p>Breeds elsewhere</p>

APPENDIX E

APPROVED JURISDICTIONAL DETERMINATION



DEPARTMENT OF THE ARMY
SAN FRANCISCO DISTRICT, U.S. ARMY CORPS OF ENGINEERS
1455 MARKET STREET
SAN FRANCISCO, CALIFORNIA 94103-1398

FEB 11 2009

Regulatory Division

SUBJECT: File Number 2008-00469N

Mr. Michael Josselyn
WRA Environmental Consults
2169 G East Francisco Blvd.
San Rafael, California 94901

Dear Mr. Josselyn:

This letter is written in response to your submittal on behalf of JDS Uniphase on December 16, 2008 requesting confirmation of the extent of Corps of Engineers jurisdiction at the Northpoint Parkway project located west of Stoney Point Road and consisting of three distinct parcels along Northpoint Parkway in the City of Santa Rosa, Sonoma County, California. The project site is defined as three parcels consisting of Assessor's Parcel Numbers 010-450-006, 010-450-011, 035-530-016, 035-530-017, 035-530-022, 035-530-022, 035-530-024, and 035-530-025.

Enclosed is a map showing the extent and location of Corps of Engineers jurisdiction (Corps date-stamped February 9, 2009). We have based this jurisdictional delineation on the current conditions on the site as verified during a site visit performed by our staff on January 6, 2009. The site contains jurisdictional waters of the U. S. comprised of a 0.003-acre seasonal wetland swale. A change in the conditions of the site or of the jurisdictional feature may also change the extent of our jurisdiction. This jurisdictional delineation will expire in three years from the date of this letter. However, if there has been a change in circumstances that affects the extent of Corps jurisdiction, a revision may be completed before that date.

Any activity that involves discharges of dredged or fill material into Waters of the U. S. may require permitting pursuant to Section 404 of the Clean Water Act (CWA) (33 U.S.C. Section 1344). Our Nationwide Permits and Regional General Permits have already been issued to authorize certain activities provided specified conditions are met. Please note that the San Francisco District's Regional General Conditions for Nationwide Permits include specific measures for proposed projects within the Santa Rosa Plain. For all proposed projects within the Santa Rosa Plain, preconstruction notification is required in accordance with General Condition 27 prior to discharge into seasonal wetlands (including vernal pools), even for proposed losses of 1/10 acre or less. Your completed application will enable us to confirm that your activity is authorized. You are advised to refrain from starting your proposed activity until we make a determination that the project is covered by an existing permit. Commencement of work before you receive our notification will be interpreted as a violation of our regulations.

You are advised that the Corps has established an Administrative Appeal Process, as described in 33 C.F.R. Part 331 (65 Fed. Reg. 16,486; March 28, 2000), and outlined in the enclosed flowchart and "Notification of Administrative Appeal Options, Process, and Request for Appeal" form (NAO-RFA). If you do not intend to accept the approved jurisdictional determination, you may elect to provide new information to the District Engineer for reconsideration or submit a completed NAO-RFA form to the Division Engineer to initiate the appeal process. You will relinquish all rights to appeal, unless the Corps receives new information or a completed NAO-RFA form within sixty (60) days of the date of the NAO-RFA.

Should you have any questions regarding this matter, please call Cameron Johnson of our Regulatory Division at (415) 503-6790 or email at cameron.l.johnson@usace.army.mil. Please address all correspondence to the Regulatory Division and refer to the File Number at the head of this letter. If you would like to provide comments on our permit review process, please complete the Customer Survey Form available online at <http://per2.nwp.usace.army.mil/survey.html>.

Sincerely,



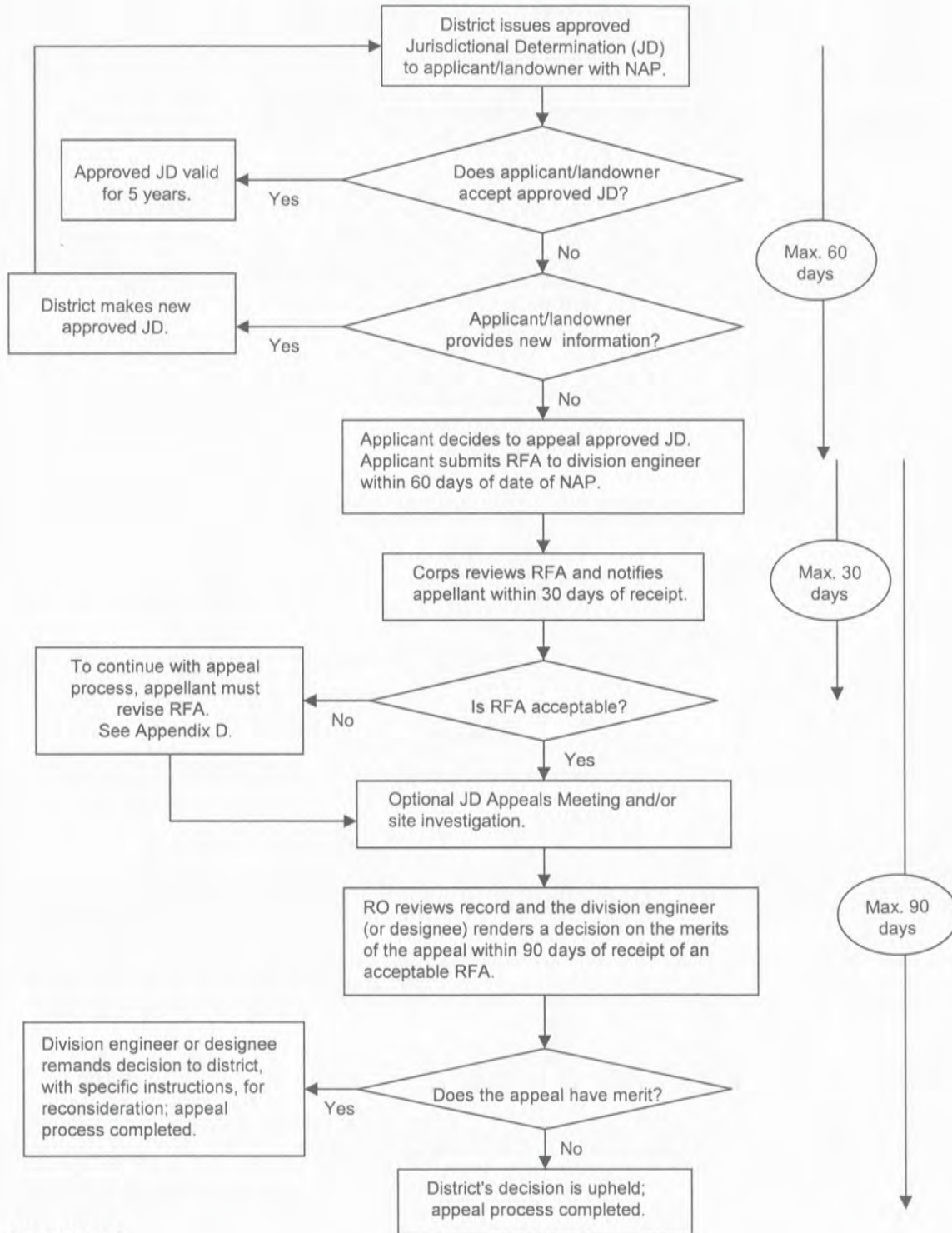
for Jane M. Hicks
Chief, Regulatory Division

Enclosures

Copies Furnished (w/o enclosures)

CA RWQCB, Santa Rosa, CA
CA SWRCB, Sacramento, CA

Administrative Appeal Process for Approved Jurisdictional Determinations



NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS AND REQUEST FOR APPEAL

Applicant: JSD Uniphase		File Number: 2008-00469	Date: 2/09/09
Attached is:		See Section below	
	INITIAL PROFFERED PERMIT (Standard Permit or Letter of permission)	A	
	FINAL PROFFERED PERMIT (Standard Permit or Letter of permission)	B	
	PERMIT DENIAL	C	
X	APPROVED JURISDICTIONAL DETERMINATION	D	
	PRELIMINARY JURISDICTIONAL DETERMINATION	E	

SECTION I - The following identifies your rights and options regarding an administrative appeal of the above decision. Additional information may be found at <http://usace.army.mil/inet/functions/cw/cecwo/reg> or Corps Regulations at 33 CFR Part 331.

A: INITIAL PROFFERED PERMIT: You may accept or object to the permit.

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the DISTRICT Engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **OBJECT:** If you object to the initial proffered permit (Standard or LOP) because of certain terms and conditions therein, you may request that the permit be modified accordingly. You must complete Section II of this Notice and return the Notice to the DISTRICT Engineer. Your objections must be received by the DISTRICT Engineer within 60 days of the date of this Notice, or you will forfeit your right to appeal the permit in the future. Upon receipt of your Notice, the DISTRICT Engineer will evaluate your objections and may: (a) modify the permit to address all of your concerns, (b) modify the permit to address some of your objections, or (c) not modify the permit having determined that the permit should be issued as previously written. After evaluating your objections, the DISTRICT Engineer will send you a final proffered permit for your reconsideration, as indicated in Section B below.

B: FINAL PROFFERED PERMIT: You may accept or decline/appeal the permit.

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the DISTRICT Engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **APPEAL:** If you choose to decline the final proffered permit (Standard or LOP) because of certain terms and conditions therein, you may appeal the declined permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this Notice and sending the form to the DIVISION (not District) Engineer (address on reverse). This Notice must be received by the DIVISION (not District) Engineer within 60 days of the date of this Notice.

C: PERMIT DENIAL: You may appeal the denial of a permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this Notice and sending the Notice to the DIVISION (not District) Engineer (address on reverse). This Notice must be received by the DIVISION (not District) Engineer within 60 days of the date of this Notice.

D: APPROVED JURISDICTIONAL DETERMINATION (JD): You may accept or appeal the approved JD or provide new information.

- **ACCEPT:** You do not need to notify the Corps to accept an approved JD. Failure to notify the Corps within 60 days of the date of this Notice means that you accept the approved JD in its entirety, and waive all rights to appeal the approved JD.
- **APPEAL:** If you disagree with the approved JD, you may appeal the approved JD under the Corps of Engineers Administrative Appeal Process by completing Section II of this Notice and sending the Notice to the DIVISION (not District) Engineer (address on reverse). This Notice must be received by the DIVISION Engineer within 60 days of the date of this Notice. JD appeals based on NEW information must be submitted to the DISTRICT Engineer within 60 days of the date of this Notice.

E: PRELIMINARY JURISDICTIONAL DETERMINATION (JD): You do not need to respond to the Corps regarding the preliminary JD. The preliminary JD is not appealable. If you wish, you may request an approved JD (which may be appealed), by contacting the Corps District for further instruction. Also you may provide new information for further consideration by the Corps to reevaluate the JD.

SECTION II - REQUEST FOR APPEAL or OBJECTIONS TO AN INITIAL PROFFERED PERMIT, FINAL PROFFERED PERMIT, PERMIT DENIAL, or JURISDICTIONAL DETERMINATION

REASONS FOR APPEAL OR OBJECTIONS: (Describe your reasons for appealing the decision or your objections to an initial proffered permit in clear concise statements. You may attach additional information to this Notice to clarify where your reasons or objections are addressed in the administrative record.)

ADDITIONAL INFORMATION: The appeal is limited to a review of the administrative record; the Corps memorandum for the record of the appeal conference or meeting; and any supplemental information that the Review Officer has determined is needed to clarify the administrative record. Neither the appellant nor the Corps may add new information or analyses to the record. However, you may provide additional information to clarify the location of information that is already in the administrative record.

POINT OF CONTACT FOR QUESTIONS OR INFORMATION:

If you have questions regarding this decision and/or the appeal process you may contact:

Jane Hicks, Regulatory Branch Chief
U.S. Army Corps of Engineers, San Francisco District
1455 Market Street, San Francisco, CA 94103-1398

Tel.: (415)503-6771 Fax: (415) 503-6690

If you only have questions regarding the appeal process you may also contact:

Thomas Cavanaugh, Appeal Review Officer
U.S. Army Corps of Engineers, South Pacific Division
1455 Market Street, San Francisco, CA 94103-1399

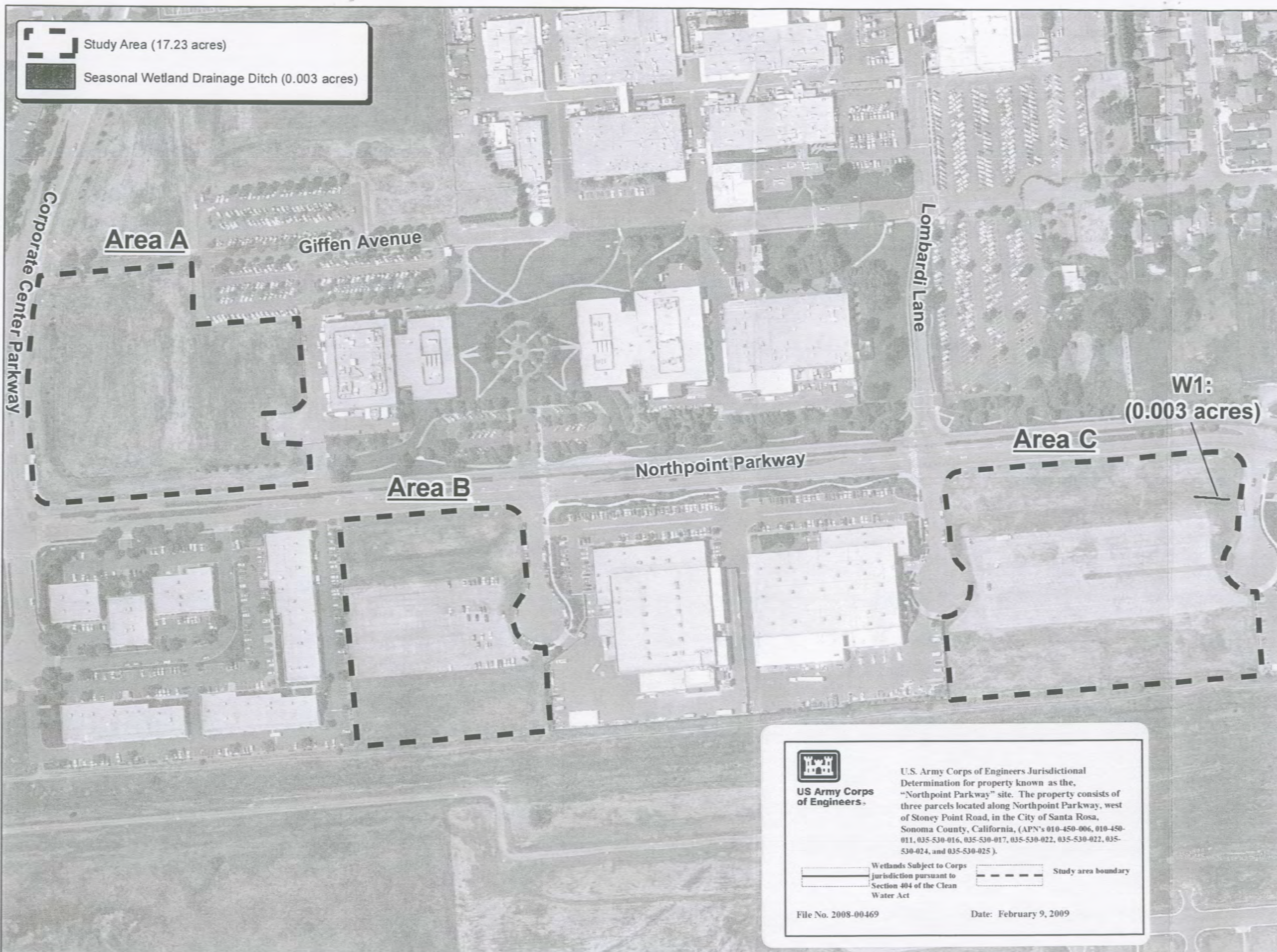
Tel.: (415)503-6574 Fax: (415) 503-6647

RIGHT OF ENTRY: Your signature below grants the right of entry to Corps of Engineers personnel, and any government consultants, to conduct investigations of the project site during the course of the appeal process. You will be provided a 15-day notice of any site investigation, and will have the opportunity to participate in all site investigations.

Signature of Appellant or Agent

Date: _____

Telephone Number: _____



 Study Area (17.23 acres)
 Seasonal Wetland Drainage Ditch (0.003 acres)





JDS Uniphase Corporation
 2789 Northpoint Parkway
 Santa Rosa, CA 95407
 97070 525-7693

Clean Water Act
 Section 404
 Jurisdictional Area



US Army Corps of Engineers

U.S. Army Corps of Engineers Jurisdictional Determination for property known as the, "Northpoint Parkway" site. The property consists of three parcels located along Northpoint Parkway, west of Stoney Point Road, in the City of Santa Rosa, Sonoma County, California, (APN's 010-450-006, 010-450-011, 035-530-016, 035-530-017, 035-530-022, 035-530-022, 035-530-024, and 035-530-025).

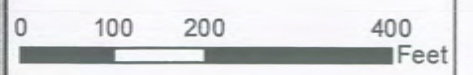
 Wetlands Subject to Corps jurisdiction pursuant to Section 404 of the Clean Water Act
 Study area boundary

File No. 2008-00469

Date: February 9, 2009



1 inch = 200 feet



Date Submitted: January 2009
 Map by: Michael Rochelle
 Image Source: Sonoma County GIS
 Image Date: 2002
 File path: I:\acad2000\16000\16189\gis\arcmap\Delineation.mxd



Technical Peer Review Memorandum

Date: November 1, 2022

To: José McNeill, McNeill Real Estate Services

From: FirstCarbon Solutions

Subject: Peer Review of the Applicant Provided Biological and Cultural Resources Studies for the Proposed Northpoint and Heritage Commerce Centers Projects

FirstCarbon Solutions (FCS) has reviewed the applicant-provided Biological Resources Reports (BRR) and Cultural Resource Evaluation (CRE) prepared for the proposed Northpoint Commerce Center Project (Northpoint Project) and the proposed Heritage Commerce Center Project (Heritage Project). Two BRRs were prepared by Sol Ecology on June 15, 2022, and June 20, 2022, for the respective sites, and a single CRE was prepared by Archaeological Resource Service (ARS) for both project on July 18, 2022.

The proposed Northpoint Project would develop an approximately 114,884-square-foot industrial building on an approximately 6.81-acre site, located at Northpoint Parkway and Thunderbolt Way in the City of Santa Rosa (City), California. The proposed Heritage Project would develop an approximately 74,949-square-foot industrial building on an approximately 4.17-acre site, located at Northpoint Parkway and Mariner Way. The two project sites are located approximately 0.17 mile from each other, separated by existing development.

An FCS Biologist conducted a site reconnaissance on October 14, 2022, to confirm current conditions. The CRE was reviewed by an FCS Archaeologist who exceeds the Secretary of the Interior's Qualification Standards for Archaeology. The following are our peer review comments on the biological resources analyzed within both BRRs, and findings related to potential cultural resources impacts contained within the CRE.

Biological Resources Review for Potential Impacts and CEQA Adequacy

While FCS agrees with the general conclusions articulated in the BRRs, the assessment does not appear to include a level of analysis required to complete a California Environmental Quality Act (CEQA) adequate review. Specific missing information is listed below for each impact type:

The Northpoint Commerce Center Project

Impact BIO-A:

Special-status Species:

- The BRR documents 80 special-status plant species and 46 special-status wildlife species within the nine-quadrant search but does not provide a comprehensive impact analysis of these species. Typically, for a CEQA level analysis, nine United States Geological Survey (USGS) quadrangles, should be queried and analyzed. For example, an evaluation of the potential to occur is provided for only two species, while all other species were summarily excluded or blanked together rather than providing a species-by-species evaluation (e.g., special-status species table) of occurrences within the nine-quad search. From there, an evaluation of these species' potential to occur on the project site (e.g., no/low/medium/high potential to occur) should be compiled.
- The BRR should contain a rationale on how the determination of potential occurrence/absence of special-status species was made based on existing habitat conditions and other relevant factors.

Federally Listed Plants:

- The Northpoint Project proposes to fill the seasonal wetland habitat on-site, resulting in potentially significant impacts to federally listed plant species, if any are present. Absence of federally listed plant species can be established through negative findings following protocol-level rare plant species: *Guidelines for Conducting and Reporting Botanical Inventories for Federally Listed Plants on the Santa Rosa Plain*. To establish absence, these guidelines require, among other things, 2 years of negative survey results following three site visits each survey season, as well as surveys of reference sites, and comprehensive documentation. Per the BRR, rare plant surveys (per *Guidelines for Conducting and Reporting Botanical Inventories for Federally Listed Plants on the Santa Rosa Plain* protocols) were completed in 2009 by WRA followed by over a decade long gap when they were reinitiated by Sol Ecology in 2022. However, there are no rare plant reports attached to the BRR to support the conclusion that these species do not have the potential to occur on-site. Moreover, it is unknown if the 2009 rare plant surveys conducted by WRA included a reference site, the correct number of site visits, etc. Reporting should follow the guidelines outlined in the protocol above. The BRR needs either the documentation described above or a more robust discussion on why the on-site wetland is not a potential habitat for the federally listed plants on the Santa Rosa Plain to be CEQA compliant and not warrant additional plant surveys.

Non-federally Listed Rare Plants:

- The BRR mentions that protocol-level surveys for special-status plants with potential to occur were performed in accordance with State guidelines for floristic surveys on March 24, April 26, and May 27, 2022. Additionally, rare plant surveys were also performed by WRA in 2009. However, there are no botanical survey reports attached to the BRR to support this conclusion. Pages 9-12 of the California Department of Fish and Wildlife (CDFW) 2018 *Protocols for Survey and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities* outline reporting requirements. FCS requests that these reports be attached to the BRR.

Impact BIO-B through Impact BIO-F:

- FCS agrees with the analysis contained in this checklist question; no further modifications are recommended.

The Heritage Commerce Center Project

Impact BIO-A:

Special-status Species:

- The BRR documents 80 special-status plant species and 46 special-status wildlife species within the nine-quadrant search but does not provide a comprehensive impact analysis of these species. Typically for a CEQA level analysis, nine USGS quadrangles, should be queried and analyzed. For example, an evaluation of the potential to occur is provided for only two species, while all other species were summarily excluded or blanked together rather than providing a species-by-species evaluation (e.g., special-status species table) of occurrences within the nine-quadrant search. From there, an evaluation of these species' potential to occur on the project site (e.g., no/low/medium/high potential to occur) should be compiled.
- The BRR should contain a rationale on how the determination of potential occurrence/absence of special-status species was made based on existing habitat conditions and other relevant factors.

Non-federally Listed Rare Plants:

- The BRR mentions that protocol-level surveys for special-status plants with potential to occur were performed in accordance with State guidelines for floristic surveys on March 24, April 26, and May 27, 2022. Additionally, rare plant surveys were also performed by WRA in 2009. However, there are no botanical survey reports attached to the BRR to support this conclusion. Pages 9-12 of CDFW's 2018 *Protocols for Survey and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities* outline reporting requirements. FCS requests that these reports be attached to the BRR.

Impact BIO-B through Impact BIO-F:

- FCS agrees with the analysis contained in this checklist question; no further modifications are recommended.

Cultural Resources Review for Potential Impacts and CEQA Adequacy

FCS Senior Archaeologist Dana DePietro, PhD, RPA, reviewed the CRE prepared by ARS for both of the proposed Northpoint Project and Heritage Project sites. Dr. DePietro made the following observations regarding the report's findings and adequacy under CEQA:

- The CRE's Introduction, Project Description, and Project Location sections were acceptable. While lacking specific project information (such as planned depth of excavation, etc.), the sections contained a location map and adequate information to situate the project areas in their local and regional contexts.
- The CRE's Regulatory Setting section was also adequate. The section focused on CEQA; however, no mention was made of potentially applicable federal regulations, or policies or provisions at the local level. Discussion of Chapter 11 of the 2023 Santa Rosa General Plan, which specifically addresses the preservation of historic, archaeological, and Tribal Cultural Resources would be helpful here.
- The CRE states that ARS contacted the Native American Heritage Commission (NAHC) on April 8, 2022, to request a review of the Sacred Lands File (SLF). The NAHC emailed a response on June 10, 2022 stating that a search of the SLF "indicated that no sacred place had ever been reported in or near the project locations." Following ARS outreach to tribes identified by the NAHC, Ms. Buffy McQuillen, Tribal Historic Preservation Officer for the Federated Indians of Graton Rancheria requested copies of the report and ARS recommendations on June 24, 2022. The report states that they could not be provided since they were not yet written. FCS recommends that a copy of the report be sent to Graton Rancheria, and that the City, the lead agency for both projects, engage in any applicable government to government consultation pursuant to SB-18 or AB-52 (Public Resources Code Sections 21080.3.1 and 21080.3.2).
- The CRE's Literature Check section notes that research conducted for the CRE included a search of the California Historical Resources Information System (CHRIS) for a 0.5-mile radius, as well as documents and records on file at ARS. While it would have been helpful to list the previous studies and resources recorded within the 0.5-mile radius in a table (or at least include them in an appendix), the CRE's discussion of previous studies notes that no resources have been recorded within the project site and provides limited discussion of a series of prehistoric sites found outside the 0.5-mile radius, and a historic evaluation of the airfield itself. The report lists several studies performed within the 0.5-mile radius, but only states "the findings of such evaluations can provide an idea of the types of cultural resources that may be found on the given property." Without further details, or records search results to draw on, it is unclear what findings, evaluations, or resources are being referenced.
- The prehistoric, historic, and ethnographic overviews of the project area included in the Literature Check section were thoroughly researched, up-to-date, and well written. The overviews directly reference the project area, adequately situating it within broader historic and ethnographic contexts. The CRE's Literature Check section also includes historic maps and typological charts, which were also helpful.
- The discussion of the results of the surface examination were minimal but generally adequate. This section would have benefited from details such as who conducted the survey, the date of the survey, and additional details on soil types observed within the project area. Only a single photograph from each location is included. However, additional photographs from multiple angles would greatly improve the section.

- Based on information obtained from the NACH, CHRIS records search, additional archival research and the results of the pedestrian survey, the CRE recommends no further archaeological work for the proposed project. While additional details regarding the records search results (see previous comments) would help support this conclusion, the finding is generally supported by facts and discussion in the CRE. In addition, the included mitigation measures for the unanticipated discovery of cultural resources or human remains are clear and comprehensive.

In summary, the CRE prepared by ARS for the two project locations was found to be lacking in detail, but generally adequate. Neither local regulations (2035 Santa Rosa General Plan, Section 11) nor the full results of the CHRIS records search were included in the CRE. Additionally, details on the pedestrian survey were very limited, and only three photographs were included in the CRE. While these additional elements would be helpful and would greatly improve the study, the report is minimally sufficient for completing a legally defensible CEQA document in its current form. No additional analysis is required at this time.

MEMORANDUM

TO: JOSÉ McNEILL REAL ESTATE SERVICES

FROM: DANA RIGGS, CEO AND PRINCIPAL BIOLOGIST

SUBJECT: RESPONSE TO PEER REVIEW OF THE APPLICANT PROVIDED BIOLOGICAL RESOURCES STUDIES FOR THE PROPOSED NORTHPOINT AND HERITAGE COMMERCE CENTERS PROJECTS

DATE: NOVEMBER 15, 2022

The purpose of this memorandum is to provide responses to FirstCarbon Solutions Technical Peer Review Memorandum, dated November 1, 2022, of the biological resources studies that Sol Ecology prepared for the Northpoint and Heritage Commerce Center Projects.

The Northpoint and Heritage Commerce Center Project (Comments were the same for both reports)

Impact BIO-A: Special-status Species:

Comment:

The Biological Resources Report (BRR) documents 80 special-status species and 46 special-status wildlife species within the nine-quadrant search but does not provide a comprehensive impact analysis for these species. Typically, for a CEQA level analysis, nine United States Geological Survey (USGS) quadrangles, should be queried and analyzed. For example, an evaluation of the potential to occur is provided two species, while all other species excluded or blanked together rather than providing a species-by-species evaluation (e.g., special-status species table) of occurrences within the nine-quad search. From these, an evaluation of these species' potential to occur on the project site (e.g., no/low/medium/high potential to occur) should be compiled.

The BRR should contain a rationale on how the determination of potential occurrence/absence of special-status species was made based on existing habitat conditions and other relevant factors.

Response:

As FirstCarbon points out that it is “typical” for a BRR to include a table that evaluates all species included within a nine-quadrant search of the study area and that the table “should” provide an evaluation for each species along with a determination as to what it’s potential to occur is. A summary table of all of the species analyzed from the 9-quadrangle search is provided in Appendix D.

While the 2022 CEQA Guidelines require an evaluation of a project’s potential impact on endangered, rare, or threatened species or their habitat, it does not provide explicit requirements for a table described in your comment. Sol Ecology acknowledges that this sort of table has long been an ‘industry standard’ but has instead decided to complete thorough evaluations of species from the nine USGS quadrangles provided in Appendix D, then address only the species they have determined have potential (irrespective of whether the potential is high or low) to be impacted by a project within the body of the report. Brief reasonings as to why some can be ruled out (e.g. lack of suitable edaphic soil conditions, lack of aquatic habitat, etc.) are also included in the report rather than addressing them in a table format. We feel this approach addresses CEQA Guidelines in sufficient detail and a separate additional table with all of the species found in the 9-quad search is not necessary given the small size, lack of complexity, and absence of any sensitive natural communities within the project site.

Federally Listed Plants:

Comment:

The comment states: “The Northpoint Project proposes to fill seasonal wetland habitat on-site resulting in potentially significant impacts to federally listed plant species, if any are present. Absence of federally listed plant species can be established through negative findings following protocol-level rare plant species: *Guidelines for Conducting and Reporting Botanical Inventories for Federally Listed Plants on the Santa Rosa Plain.*” In the interest of brevity, the comment goes on to explain the guidelines including 2 years of negative survey results following 3 site visits each survey season, surveys of reference sites, and comprehensive documentation. FirstCarbon goes on to state that no rare plant reports were attached to the BRR to support the conclusion that these species do not have the potential to occur on-site. Also, that it is unknown if the 2009 rare plant surveys conducted by WRA included the specific guidelines described above. The comment is closed with the statement “The BRR needs either the documentation described above or a more robust discussion on why the on-site wetland is not a potential habitat for the federally listed plants on the Santa Rosa Plain to be CEQA compliant and not warrant additional plant surveys.

Response:

Sol Ecology is well aware of the requirements for surveying and documenting federal, state and CNPS listed plants on the Santa Rosa Plain as this is the core area of most of our projects. Per the

Guidelines, the federally listed plant species occurring on the Santa Rosa Plain and their habitat requirements are as follows:

- Sonoma sunshine (*Blennosperma bakeri*), habitat requirements: **mesic** valley and foothill grassland and **vernal pools**;
- Burke's goldfields (*Lasthenia burkei*), habitat requirements: **mesic** meadows and seeps and **vernal pools**
- Sebastopol meadowfoam (*Limnanthes vinculans*), habitat requirements: **vernal pools**, and vernal **mesic** meadows and seeps, and vernal **mesic** valley and foothill grassland
- Many-flowered navarretia (*Navarretia leucocephala* ssp. *plieantha*), habitat requirements: **vernal pools** with volcanic ash soil conditions.

Suitable mesic conditions or vernal pools were not observed on the proposed Northpoint Commerce Center Project site. The small wetland at the site consists of a man-made ditch constructed in uplands in 1982 that ties into the local stormdrain system. Any water it conveys during rainfall drains directly into a marked stormdrain then just a short distance to Roseland Creek. Such man-made features are not considered suitable habitat for federally listed plant species on the Santa Rosa Plain.

Due to the lack of vernal pool and mesic habitats required by the four federally listed plant species, their potential for occurrence was ruled out and the need for exhaustive surveys in a location that does not have even minimal suitable conditions to support these species, the need for further reporting was ruled out. The Guidelines state that "The Service [U.S. Fish and Wildlife Service] will use, in part, the information outlined [in the Guidance] in determining whether the project under consideration may affect these plants, and in determining the direct, indirect, and cumulative effects." If the USFWS requests further surveys or reporting, Sol Ecology would provide any requested information to support its conclusion.

Non-Federally Listed Rare Plants

Comment:

The BRR mentions that protocol-level surveys for special-status plants with potential to occur were performed in accordance with State guidelines for floristic surveys on March 24, April 26, and May 27, 2022. Additionally, rare plant surveys were also performed by WRA in 2009. However, there are no botanical survey reports attached to the BRR to support this conclusion. Pages 9-12 of the California Department of Fish and Wildlife (CDFW) 2018 *Protocols for Survey and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities* outline reporting requirements. FCS requested that these reports be attached to the BRR.

Response:

Given that no special status plants were found during floristic surveys conducted on the site and there are no sensitive natural communities present on the Project site, no botanical survey reports were prepared nor is a separate report required to be appended to the Biological Report under CEQA. Reporting requirements set forth in the 2018 protocol have been adhered to and are provided in detail within the body of the Biological Report, including required reference site

visits along with a table of all species observed in the report appendices. FCS should refer back to Section 2.2. for detailed survey methodology and Section 3.2 and 3.3 for survey findings reported in accordance with the 2018 protocol. Note all of the information described in the protocol (in Section 3) for botanical survey reports is provided in the Biological Report, with the exception of a vegetation map and soil map, given that only disturbed grassland and a single soil type are present. Additionally, field surveyor qualifications which were erroneously omitted from the final report. Surveyor qualifications for the botanist are provided below:

Morgan Stickrod is a botanist and plant ecologist with over 10 years of experience doing research and field work throughout California, the southeastern United States, Mexico and South America. He completed his MS in Biology at San Francisco State University, where his research focused on floristics, dispersal dynamics, and rare plant management within the Suisun Marsh estuarine complex. Recently, he has also been involved in research projects studying groups such as manzanitas (*Arctostaphylos* spp.), mariposa lilies (*Calochortus* spp.), CFP endemic thistles (*Cirsium* spp.) and chaparral pea (*Pickeringia montana*). Prior to coming to Sol Ecology he worked at SFPUC, doing rare plant management work throughout the San Francisco peninsula watershed and Santa Cruz Mountains. He has also done consulting and floristic work throughout much of California, including vegetation mapping of Southeast Farallon Island, floristics of San Pedro Valley, extensive surveys on the Santa Rosa Plain, and numerous rare plant mapping projects in areas such as the Klamath Mountain region, the Sierra Nevada and the Mojave Desert.