Biological Resources Assessment

Orland Truck Wash and Annexation Area Project

Glenn County, California

Prepared for:

City of Orland

August 5, 2019

ECORP Consulting, Inc.
ENVIRONMENTAL CONSULTANTS

ECORP Consulting, Inc. has assisted public and private land owners with environmental regulation compliance since 1987. We offer full service capability, from initial baseline environmental studies through environmental planning review, permitting negotiation, liaison to obtain legal agreements, mitigation design, and construction monitoring and reporting.

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LIST OF ACRONYMS AND ABBREVIATIONS

BA	Biological Assessment
BCC	Birds of Conservation Concern
BCOC	California Burrowing Owl Consortium
BIOS	Biogeographic Information and Observation System
BO	Biological Opinion
BRA	Biological Resources Assessment
Caltrans	California Department of Transportation
CDFG	California Department of Fish and Game
CDFW	California Department of Fish and Wildlife
CEQA	California Environmental Quality Act
CFR	Code of Federal Regulations
City	City of Orland
CNDDB	California Natural Diversity Database
CNPR	California Rare Plant Rank
CNPS	California Native Plant Society

LIST OF ACRONYMS AND ABBREVIATIONS

CWA	Clean Water Act
ECORP	ECORP Consulting, Inc.
ESA	Endangered Species Act
MBTA	Migratory Bird Treaty Act
NMFS	National Marine Fisheries Service
NPDES	National Pollutant Discharge Elimination System
NPPA	Native Plant Protection Act
NRCS	Natural Resources Conservation Service
Project	Orland Truck Wash and Annexation Area Project
RWQCB	Regional Water Quality Control Board
SFEI	San Francisco Estuary Institute
SSC	Species of Special Concern
USACE	U.S. Army Corps of Engineers
USC	U.S. Code
USEPA	U.S. Environmental Protection Agency
USFWS	U.S. Fish and Wildlife Service
USGS	U.S. Geological Survey

1.0 INTRODUCTION

At the request of the City of Orland (City), ECORP Consulting, Inc. (ECORP) has conducted a biological resources assessment (BRA) for the proposed Orland Truck Wash and Annexation Area Project (Project) located in Glenn County, California.

The purpose of the assessment is to collect information on the biological resources present within the Project site and to determine any potential biological constraints to Project activities. This BRA evaluates the potential for special-status plant and animal species or their habitat to occur within the Project site. It also includes an assessment of sensitive ecosystems such as wetlands and other aquatic resources at the Project site.

The conclusions and recommendations presented in this report are based upon a review of the available literature and limited site reconnaissance. This assessment does not include determinate field surveys conducted according to agency-promulgated protocols and is not intended to support consultation pursuant to the Endangered Species Act (ESA).

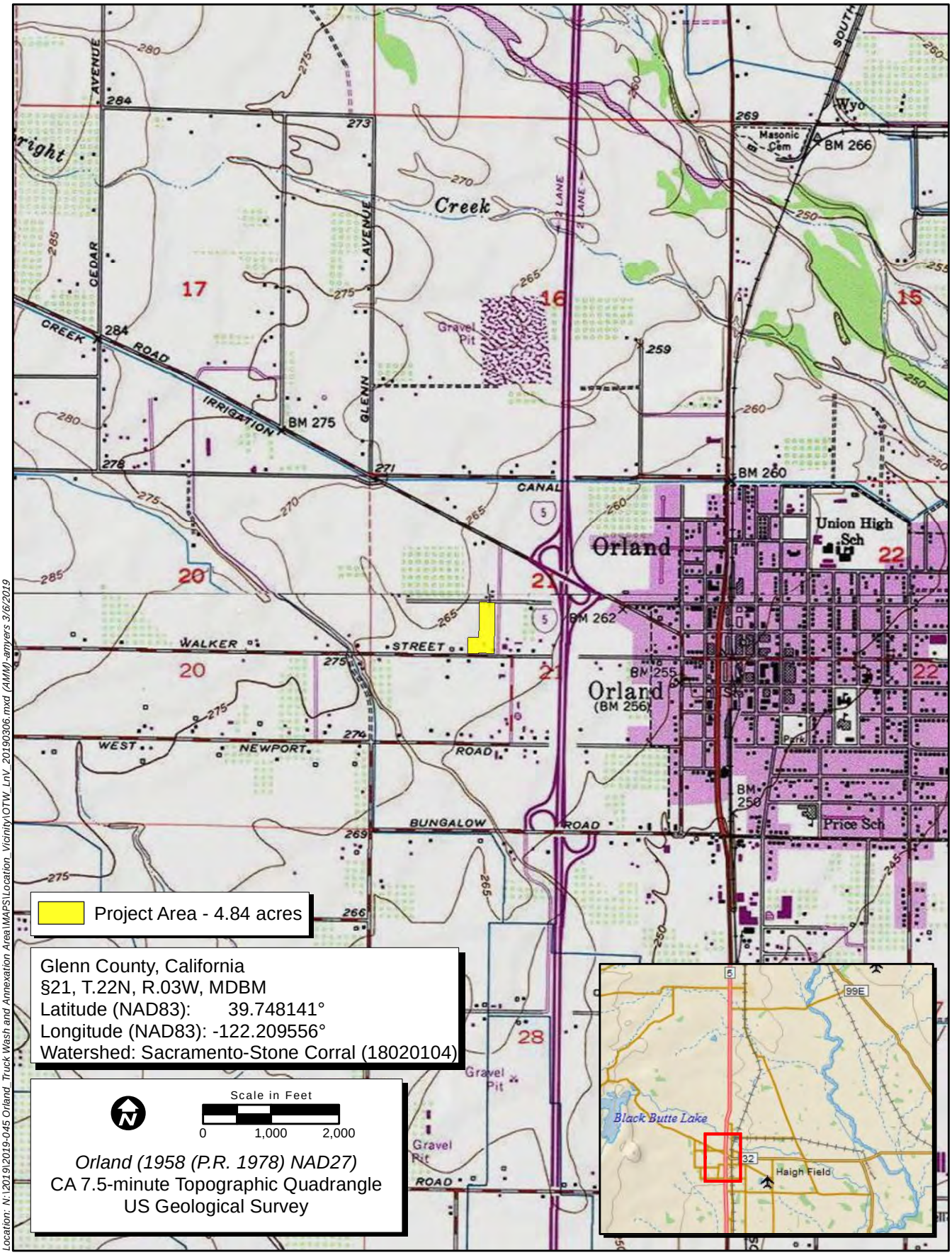
2.0 PROJECT DESCRIPTION

2.1 Project Elements

The proposed Project is an infill project to construct an 11,800-square-foot truck wash. It includes a 0.74-acre area set aside for potential future commercial development, associated parking, landscaping, and setbacks. The Project will involve a General Plan amendment, a prezone, use permit, lot line adjustment, and an annexation by the City for five parcels currently within Glenn County jurisdiction.

2.2 Project Location

The ±4.84-acre Project site is bordered by County Road 13 on the north, County Road 14 on the south, County Road H on the east, and is 0.16 mile west of Interstate 5. The site is in the northwestern quarter of Section 21 of Township 22 North, Range 3 West, Mount Diablo Base and Meridian, as depicted on the 1958 (photo-revised 1978) Orland, California U.S. Geological Survey (USGS) 7.5-minute topographic quadrangle map (Figure 1. *Project Location and Vicinity*). The approximate center of the Project site is located at latitude 39.748141˚ and longitude -122.209556˚ within the Sacramento-Stone Corral Watershed (Hydrologic Unit Code #18020104, Natural Resources Conservation Service [NRCS], USGS, and U.S. Environmental Protection Agency [USEPA] 2018).



Location: N:\2019\2019-045 Orland, Truck Wash and Annexation Area\MAPS\Location_Vicinity\OTW_LnV_20190306.mxd (AMM)-amyers 3/6/2019

Map Date: 3/6/2019

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Figure 1. Project Location and Vicinity

2019-045 Orland Truck Wash and Annexation Area

3.0 REGULATORY SETTING

3.1 Federal Regulations

3.1.1 Endangered Species Act

The ESA protects plants and animals that are listed as endangered or threatened by U.S. Fish and Wildlife Service (USFWS) and the National Marine Fisheries Service (NMFS). Section 9 of the ESA prohibits, without authorization, the taking of listed wildlife, where take is defined as "harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, collect, or attempt to engage in such conduct" (50 Code of Federal Regulations [CFR] 17.3). For plants, this statute governs removing, possessing, maliciously damaging, or destroying any listed plant under federal jurisdiction and removing, cutting, digging up, damaging, or destroying any listed plant in any other area in knowing violation of state law (16 U.S. Code [USC] 1538).

Under Section 7 of the ESA, federal agencies are required to consult with USFWS and/or NMFS if their actions, including permit approvals and funding, could adversely affect a listed (or proposed) species (including plants) or its critical habitat. Through consultation and the issuance of a biological opinion (BO), USFWS and NMFS may issue an incidental take statement allowing take of the species that is incidental to an otherwise authorized activity provided the activity will not jeopardize the continued existence of the species. Section 10 of the ESA provides for the issuance of incidental take permits where no other federal actions are necessary provided a habitat conservation plan is developed.

3.1.2 Section 7 Consultation

Section 7 of the ESA mandates that all federal agencies consult with USFWS and/or NMFS to ensure that federal agencies' actions do not jeopardize the continued existence of a listed species or adversely modify critical habitat for a listed species. If direct and/or indirect effects will occur to critical habitat that appreciably diminish the value of critical habitat for both the survival and recovery of a species, the adverse modifications will require formal consultation with USFWS or NMFS. If adverse effects are likely, the federal lead agency must prepare a biological assessment (BA) for analyzing the potential effects of the proposed project on listed species and critical habitat to establish and justify an "effect determination." Often a third-party, non-federal applicant drafts the BA for the lead federal agencies. The USFWS/NMFS reviews the BA; if it concludes that the project may adversely affect a listed species or its habitat, it prepares a BO. The BO may recommend "reasonable and prudent alternatives" to the project to avoid jeopardizing or adversely modifying habitat.

Critical Habitat

Critical Habitat is defined in Section 3 of the ESA as:

1. the specific areas within the geographical area occupied by a species, at the time it is listed in accordance with the ESA, on which are found those physical or biological features essential to the conservation of the species and that may require special management considerations or protection; and

2. specific areas outside the geographical area occupied by a species at the time it is listed, upon a determination that such areas are essential for the conservation of the species.

For inclusion in a Critical Habitat designation, habitat within the geographical area occupied by the species at the time it was listed must first have features essential to the conservation of the species (16 USC 1533). Critical Habitat designations identify, to the extent known and using the best scientific data available, habitat areas that provide essential life cycle needs of the species (areas on which are found the primary constituent elements). Primary constituent elements are the physical and biological features that are essential to the conservation of the species and that may require special management considerations or protection. These include but are not limited to the following:

1. Space for individual and population growth and for normal behavior
2. Food, water, air, light, minerals, or other nutritional or physiological requirements
3. Cover or shelter
4. Sites for breeding, reproduction, or rearing (or development) of offspring
5. Habitats that are protected from disturbance or are representative of the historic, geographical, and ecological distributions of a species

3.1.3 Migratory Bird Treaty Act

The Migratory Bird Treaty Act (MBTA) implements international treaties between the United States and other nations devised to protect migratory birds, any of their parts, eggs, and nests from activities such as hunting, pursuing, capturing, killing, selling, and shipping, unless expressly authorized in the regulations or by permit. As authorized under the MBTA, USFWS issues permits to qualified applicants for the following types of activities: falconry, raptor propagation, scientific collecting, special purposes (rehabilitation, education, migratory game bird propagation, and salvage), take of depredating birds, taxidermy, and waterfowl sale and disposal. The regulations governing migratory bird permits can be found in 50 CFR part 13 General Permit Procedures and 50 CFR part 21 Migratory Bird Permits. The State of California has incorporated the protection of non-game birds in §3800, migratory birds in §3513, and birds of prey in §3503.5 of the California Fish and Game Code.

3.1.4 Clean Water Act

The purpose of the federal Clean Water Act (CWA) is to "restore and maintain the chemical, physical, and biological integrity of the nation's waters." Section 404 of the CWA prohibits the discharge of dredged or fill material into "Waters of the United States" without a permit from the U.S. Army Corps of Engineers (USACE). The definition of Waters of the U.S. includes rivers, streams, estuaries, the territorial seas, ponds, lakes, and wetlands. Wetlands are defined as those areas "that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions" (33 CFR 328.3 7b). The USEPA also has authority over wetlands, including the authority to veto permits issued by USACE under CWA Section 404(c).

Projects involving activities that have no more than minimal individual and cumulative adverse environmental effects may meet the conditions of one of the Nationwide Permits already issued by USACE (Federal Register 82:1860, January 6, 2017). If impacts on wetlands could be substantial, an individual permit is required. A Water Quality Certification or waiver pursuant to Section 401 of the CWA is required for Section 404 permit actions; this certification or waiver is issued by the Regional Water Quality Control Board (RWQCB).

3.2 State and Local Regulations

3.2.1 California Endangered Species Act

The California ESA (California Fish and Game Code §§2050-2116) protects species of fish, wildlife, and plants listed by the state as endangered or threatened. Species identified as candidates for listing may also receive protection. Section 2080 of the California ESA prohibits the taking, possession, purchase, sale, and import or export of endangered, threatened, or candidate species, unless otherwise authorized by permit. Take is defined in Section 86 of the California Fish and Game Code as "hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill." The California ESA allows for take incidental to otherwise lawful projects under permits issued by the California Department of Fish and Wildlife (CDFW).

3.2.2 Fully Protected Species

The State of California first began to designate species as "fully protected" prior to the creation of the federal and the California ESAs. Lists of fully protected species were initially developed to provide protection to those animals that were rare or faced possible extinction and included fish, amphibians and reptiles, birds, and mammals. Most fully protected species have since been listed as threatened or endangered under the federal and/or California ESAs. Fully protected species are identified in the California Fish and Game Code §4700 for mammals, §3511 for birds, §5050 for reptiles and amphibians, and §5515 for fish.

These sections of the California Fish and Game Code provide that fully protected species may not be taken or possessed at any time, including prohibition of CDFW from issuing incidental take permits for fully protected species under the California ESA. CDFW will issue licenses or permits for take of these species for necessary scientific research or live capture and relocation pursuant to the permit and may allow incidental take for lawful activities carried out under an approved Natural Community Conservation Plan within which such species are covered.

3.2.3 Native Plant Protection Act

The Native Plant Protection Act (NPPA) of 1977 (California Fish and Game Code §§ 1900-1913) was established with the intent to "preserve, protect and enhance rare and endangered plants in this state." The NPPA is administered by CDFW. The Fish and Game Commission has the authority to designate native plants as "endangered" or "rare." The NPPA prohibits the take of plants listed under the NPPA, but the NPPA contains several exemptions to this prohibition that have not been clarified by regulation or judicial rule. In 1984, the California ESA brought under its protection all plants previously listed as endangered

under NPPA. Plants listed as rare under NPPA are not protected under the California ESA but are still protected under the provisions of NPPA. The Fish and Game Commission no longer lists plants under NPPA, reserving all listings to the California ESA.

3.2.4 California Fish and Game Code Special Protections for Birds

In addition to protections contained within the California ESA and California Fish and Game Code §3511 described above, the California Fish and Game Code includes several sections that specifically protect certain birds.

Section 3800 states that it is unlawful to take nongame birds, such as those occurring naturally in California that are not resident game birds, migratory game birds, or fully protected birds, except when in accordance with regulations of the California Fish and Game Commission or a mitigation plan approved by CDFW for mining operations.

Section 3503 prohibits the take, possession, or needless destruction of the nest or eggs of any bird.

Section 3503.5 protects birds of prey (which includes eagles, hawks, falcons, kites, ospreys, and owls) and prohibits the take, possession, or destruction of any birds and their nests

Section 3505 makes it unlawful to take, sell, or purchase egrets, ospreys, and several exotic non-native species, or any part of these birds.

Section 3513 specifically prohibits the take or possession of any migratory nongame bird as designated in the MBTA.

3.2.5 Lake or Streambed Alteration Agreements

Section 1602 of the California Fish and Game Code requires individuals or agencies to provide a Notification of Lake or Streambed Alteration to CDFW for "any activity that may substantially divert or obstruct the natural flow or substantially change the bed, channel, or bank of any river, stream, or lake." CDFW reviews the proposed actions and, if necessary, proposed measures to protect affected fish and wildlife resources. The final proposal mutually agreed upon by CDFW and the applicant is the Lake or Streambed Alternation Agreement.

3.2.6 Porter-Cologne Water Quality Act

The RWQCB implements water quality regulations under the federal CWA and the Porter-Cologne Water Quality Act. These regulations require compliance with the National Pollutant Discharge Elimination System (NPDES), including compliance with the California Storm Water NPDES General Construction Permit for discharges of stormwater runoff associated with construction activities. General Construction Permits for projects that disturb one or more acres of land require development and implementation of a Storm Water Pollution Prevention Plan. Under the Porter-Cologne Water Quality Act, the RWQCB regulates actions that would involve "discharging waste, or proposing to discharge waste, with any region that could affect the water of the state" [Water Code 13260(a)]. Waters of the State are defined as "any surface water or groundwater, including saline waters, within the boundaries of the state" [Water Code 13050 (e)]. The RWQCB regulates all such activities, as well as dredging, filling, or discharging materials

into Waters of the State, that are not regulated by USACE due to a lack of connectivity with a navigable water body. The RWQCB may require issuance of a Waste Discharge Requirements for these activities.

3.2.7 California Environmental Quality Act

In accordance with California Environmental Quality Act (CEQA) Guidelines §15380, a species or subspecies not specifically protected under the federal or California ESAs or NPPA may be considered endangered, rare, or threatened for CEQA review purposes if the species meets certain criteria specified in the Guidelines. These criteria include definitions similar to those used in the federal ESA, the California ESA, and NPPA. Section 15380 was included in the CEQA Guidelines primarily to address situations in which a project under review may have a significant effect on a species that has not been listed under the federal ESA, the California ESA, or NPPA, but that may meet the definition of endangered, rare, or threatened. Animal species identified as species of special concern (SSC) by CDFW and plants identified by the California Native Plant Society (CNPS) as rare, threatened, or endangered may meet the CEQA definition of rare or endangered. Additionally, depending on the policy of the lead agency, impacts to sensitive natural communities, wildlife movement/corridors, or nursery sites may be considered significant under CEQA.

Species of Special Concern

SSC are defined by the CDFW as a species, subspecies, or distinct population of a native California animal that is not legally protected under the federal ESA, the California ESA, or the California Fish and Game Code, but currently satisfies one or more of the following criteria:

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

Depending on the policy of the lead agency, projects that result in substantial impacts to SSC may be considered significant under CEQA.

U.S. Fish and Wildlife Service Birds of Conservation Concern

The 1988 amendment to the Fish and Wildlife Conservation Act mandates USFWS "identify species, subspecies, and populations of all migratory nongame birds that, without additional conservation actions,

are likely to become candidates for listing under ESA." To meet this requirement, USFWS published a list of Birds of Conservation Concern (BCC) for the United States (USFWS 2008). The list identifies the migratory and nonmigratory bird species (beyond those already designated as federally threatened or endangered) that represent USFWS's highest conservation priorities. Depending on the policy of the lead agency, projects that result in substantial impacts to BCC may be considered significant under CEQA.

California Rare Plant Ranks

The CNPS maintains the *Inventory of Rare and Endangered Plants of California* that provides a list of plant species native to California that are threatened with extinction, have limited distributions, and/or low populations (CNPS 2019). Plant species meeting one of these criteria are assigned a California Rare Plant Rank (CRPR). The rank system was developed in collaboration with government, academia, non-governmental organizations, and private sector botanists, and is jointly managed by CDFW and the CNPS. The CRPRs are currently recognized in the California Natural Diversity Database (CNDDB) maintained by CDFW. The following are definitions of the CRPRs:

- Rare Plant Rank 1A – presumed extirpated in California and either rare or extinct elsewhere
- Rare Plant Rank 1B – rare, threatened, or endangered in California and elsewhere
- Rare Plant Rank 2A – presumed extirpated in California, but more common elsewhere
- Rare Plant Rank 2B – rare, threatened, or endangered in California but more common elsewhere
- Rare Plant Rank 3 – a review list of plants about which more information is needed
- Rare Plant Rank 4 – a watch list of plants of limited distribution

Additionally, CNPS has defined Threat Ranks that are added to the CRPR as an extension. Threat Ranks designate the level of threat on a scale of 1 – most threatened to 3 - least threatened. Threat Ranks are generally present for all plants ranked 1B, 2B, or 4, and for most plants ranked 3. Plant species ranked 1A and 2A (presumed extirpated in California) and some species ranked 3 that lack threat information do not typically have a Threat Rank extension. The following are definitions of the CNPS Threat Ranks:

- Threat Rank 0.1 – Seriously threatened in California (over 80 percent of occurrences threatened/high degree and immediacy of threat)
- Threat Rank 0.2 – Moderately threatened in California (20-80 percent occurrences threatened/moderate degree and immediacy of threat)
- Threat Rank 0.3 – Not very threatened in California (<20 percent of occurrences threatened/low degree and immediacy of threat or no current threats known)

Factors considered in setting the Threat Rank include habitat vulnerability and specificity, distribution, and condition of occurrences. Differences in Threat Rank does not constitute additional or different protection (CNPS 2018).

Depending on the policy of the lead agency, substantial impacts to plants ranked 1A, 1B, or 2, and 3 are typically considered significant under CEQA Guidelines §15380. Significance under CEQA is typically evaluated on a case-by-case basis for plants ranked 4 and at the discretion of the CEQA lead agency.

California Sensitive Natural Communities

Sensitive natural communities are communities that are of limited distribution statewide or within a county or region and are often vulnerable to environmental effects of projects. The CDFW maintains the California Natural Community List (CDFW 2018), which provides a list of vegetation alliances, associations, and special stands as defined in the Manual of California Vegetation (Sawyer et al. 2009), along with their respective state and global rarity ranks. Natural communities with a state rarity rank of 1, 2, or 3 are considered sensitive natural communities.

Wildlife Movement/Corridors and Nursery Sites

Three resources were considered in the assessment of wildlife movement/corridors in the vicinity of the Project site: the California Essential Habitat Connectivity Project, CDFW's Biogeographic Information and Observation System (BIOS) database on mule deer migration corridors, and the site reconnaissance.

As part of the California Essential Habitat Connectivity Project, the CDFW and California Department of Transportation (Caltrans) maintain data on Essential Habitat Connectivity areas. This data is available in the CNDDB. The goal of this project is to map large intact habitat or natural landscapes and potential linkages that could provide corridors for wildlife. CDFW's BIOS database includes information on CDFW Mule Deer Range, which identifies winter range, migration corridors, critical range, or critical fawning areas for mule deer. For urban settings such as the Project, riparian vegetated stream corridors can serve as wildlife movement corridors and their occurrence is documented during the field reconnaissance.

For the purposes of this assessment, nursery sites include but are not limited to concentrations of nest or den sites such as heron rookeries, bat maternity roosts, and mule deer critical fawning areas. This data is available through CDFW's BIOS database or as or as occurrence records in the CNDDB and is supplemented with the results of the field reconnaissance.

California Environmental Quality Act Significance Criteria

Sections 15063-15065 of the CEQA Guidelines address how an impact is identified as significant. Generally, impacts to listed species (rare, threatened, or endangered) are considered significant. Assessment of "impact significance" to populations of non-listed species (e.g., SSC) usually considers the proportion of the species' range that will be affected by a project, impacts to habitat, and the regional and population level effects.

Specifically, §15064.7 of the CEQA Guidelines encourages local agencies to develop and publish the thresholds that the agency uses in determining the significance of environmental effects caused by projects under its review. However, agencies may also rely upon the guidance provided by the expanded Initial Study checklist contained in the CEQA Guidelines, which contains examples of impacts that would normally be considered significant.

An evaluation of whether an impact on biological resources would be substantial must consider both the resource itself and how that resource fits into a regional or local context. Substantial impacts would be those that would diminish, or result in the loss of, an important biological resource, or those that would obviously conflict with local, state, or federal resource conservation plans, goals, or regulations. Impacts are sometimes locally important but not significant under CEQA. The reason for this is that although the impacts would result in an adverse alteration of existing conditions, they would not substantially diminish or result in the permanent loss of an important resource on a population-wide or region-wide basis.

4.0 METHODS

For the purposes of this assessment, special-status species are defined as plants or animals that meet the following criteria:

- Are listed, proposed for listing, or candidates for listing as threatened or endangered under the federal ESA;
- Are listed or candidates for listing as threatened or endangered under the California ESA;
- Meet the definitions of endangered or rare under Section 15380 of the CEQA Guidelines;
- Are identified as a species of special concern by the CDFW;
- Are birds identified as birds of conservation concern by the (USFWS 2008);
- Are plants considered by the CNPS to be "rare, threatened, or endangered in California" (CRPR 1 and 2);
- Are plants listed by CNPS as species about which more information is needed to determine their status (CRPR 3), and plants of limited distribution (CRPR 4);
- Are plants listed as rare under the California NPPA (California Fish and Game Code, § 1900 et seq.); or
- Are fully protected in California in accordance with the California Fish and Game Code, §§ 3511 (birds), 4700 (mammals), 5050 (amphibians and reptiles), and 5515 (fishes).

4.1 Information Search

The following species lists and databases were referenced to determine the special-status species that have been documented within or in the vicinity of the Project site:

- CNDDB occurrences for the nine USGS topographic quadrangles centered on the "Orland, California" 7.5-minute USGS topographic quadrangle (CDFW 2019a).
- Federal Endangered and Threatened Species list for the Project site from the USFWS via the Information for Planning and Consultation (IPaC) (USFWS 2019).

- Inventory of Rare and Endangered Plants of California for the nine USGS topographic quadrangles centered on the "Orland, California" 7.5-minute USGS topographic quadrangle maintained by the CNPS (CNPS 2019).
- BIOS. Mule Deer Range (CDFW 2019b).

4.2 Special-Status Species Considered for the Project

Based on species occurrence information, the expert opinions of ECORP biologists, and existing conditions observed onsite during a site reconnaissance on June 20, 2019, a list was generated of special-status species with potential to occur at the Project site. The potential of species to occur onsite was assessed based on the following:

- **Present** - Species is known to occur within the Project site based on documented occurrences within the CNDDB or other literature.
- **Potential to Occur** - Habitat (including soils and elevation requirements) for the species occurs within the Project site.
- **Low Potential to Occur** - Marginal or limited amounts of habitat occurs, and/or the species is not known to occur within the vicinity of the Project site based on CNDDB records and other available literature.
- **Absent** - No suitable habitat (including soils and elevation requirements) and/or the species is not known to occur within the vicinity of the Project site based on CNDDB records and other literature.

5.0 RESULTS

5.1 Site Characteristics and Surrounding Land Use

The Project site is in a rural area west of the City. To the north and west of the Project are orchards, farms, rural residences, and irrigation canals. About 0.25 mile northeast of the Project, just beyond the Interstate 5 / Highway 32 interchange, is the low to medium density development and residential neighborhoods of Orland.

The Project site is level, with elevation ranging from 260 to 265 feet above mean sea level. The northern section is a pasture. The southwest section of the site once contained several buildings and potentially a residential dwelling; however, these structures were removed in 2012-2013 and this area is now ruderal field with remnant foundations. The southeast corner currently contains a rural residential dwelling and several other outbuildings and storage structures. Representative site photographs are included in Attachment A.

5.2 Vegetation Communities

The Project site is partially developed in a rural setting containing pastures on the north that are now composed primarily of weedy, nonnative grasses and herbaceous species. There are scattered mature

trees associated with the developed portion of the site including ornamental pines, Eucalyptus trees (*Eucalyptus* species) and English walnut (*Juglans regia*). There are also a few California walnut trees (*Juglans californica*).

Most of the Project site contains weedy vegetation and species associated with highly disturbed sites. It is dominated by wild oats (*Avena fatua*), prostrate spurge (*Euphorbia maculata*), field mustard (*Brassica rapa*), yellow star thistle (*Centaurea solstitialis*), soft brome (*Bromus hordeaceus*), red brome (*Bromus madritensis* ssp. *rubens*), bermuda grass (*Cynodon dactylon*), clustered dock (*Rumex conglomeratus*), ripgut brome (*Bromus diandrus*), purple wild radish (*Raphanus sativus*), and Italian Ryegrass (*Festuca perennis*). The hay/pasture contains remnant patches of cultivated barley (*Hordeum* spp). Along the eastern fence there is also California wild grape (*Vitis californica*) and chicory (*Cichorium intybus*). Remnants of historic irrigation practices are present in the northern section of the Project in the form of a constructed drainage ditch. This feature is now idle and no longer holds or transports irrigation water. It is dominated by upland weedy plants such as Italian thistle (*Carduus pycnocephalus*) and prickly lettuce (*Lactuca serriola*).

5.3 Soils

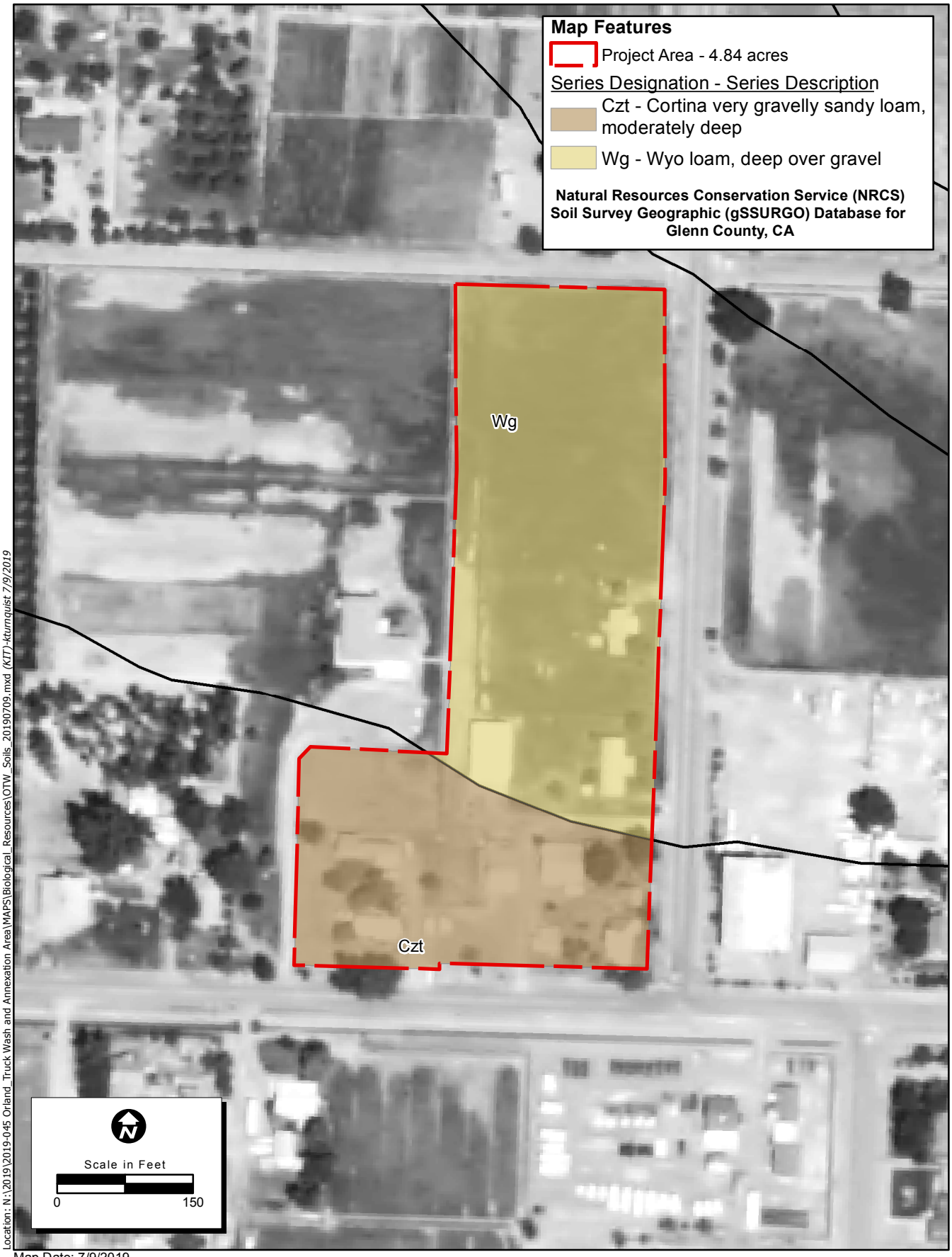
According to the NRCS soil survey for Glenn County, CA (Version 14, Sep 12, 2018) two soil units, or types, occur in the Project site (Figure 2. *Natural Resources Conservation Service Soil Types*) (NRCS 2018*)*. The northern section of the site is composed of (CzT) - Cortina very gravelly sandy loam, moderately deep. This soil type is considered hydric and contains 5 percent unnamed hydric components in fan landforms. The southern section of the site is composed of (Wg) - Wyo loam, deep over gravel. This soil type is not a hydric soil and does not contain hydric soil components.

5.4 Wildlife Observed

During the assessment, the following common wildlife species were observed in the Project site: California ground squirrel (*Spermophilus beecheyi*), western fence lizard (*Sceloporus occidentalis*), California scrub jay (*Aphelocoma californica*), western kingbird (*Tyrannus verticalis*), mourning dove (*Zenaida macroura*), house finch (*Carpodacus mexicanus*), house sparrow (*Passer domesticus*), and turkey vulture (*Cathartes aura*).

5.5 Potential Waters of the U.S.

According to the California Aquatic Resources Inventory database, there are no previously mapped wetland or aquatic features at the Project site (Figure 3. *Assessment of Aquatic Resources*) (San Francisco Estuary Institute [SFEI] 2017).



Location: N:\2019\2019-045 Orland_Truck Wash and Annexation Area\MAPS\Biological_Resources\OTW_Soils_20190709.mxd (KIT)-kturnquist 7/9/2019

Map Date: 7/9/2019
Photo (or Base) Source: 2016 NAIP

Figure 2. Natural Resources Conservation Service Soil Units

2019-045 Orland Truck Wash and Annexation Area

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Map Features

- Project Area - 4.84 acres
- Culvert
- Ditch
- Photo Point Locations

CARI dataset does not contain aquatic features in the Project Area.

Note: Project boundary is based on APN boundary and is considered approximate
Sources: Esri World Imagery
Esri Online Transportation Layer

ECORP: N:\2019\2019-045 Orland_Truck Wash and Annexation Area\MAPS\Biological_Resources\OTW_AquaticResourcesAssessment_20190709.mxd (KIT)-kturnquist 7/10/2019

Map Date: 7/10/2019

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Scale in Feet
0 100

Figure 3. Assessment of Aquatic Resources

2019-045 Orland Truck Wash and Annexation Area

During the site assessment, one constructed irrigation ditch was found oriented north to south in the Project site. The irrigation ditch is connected via a gate valve to a concrete-line irrigation ditch located perpendicular and just offsite of the Project site on the north, along County Road 13. The ditch on County Road 13 delivers irrigation water to the surrounding fields. According to aerial photo interpretation, the Project site received water delivery from this irrigation ditch as recently as 2013; however, it appears water delivery has since ceased. The ditch was dry and the gate valve closed at the time of this assessment. The onsite irrigation ditch currently does not exhibit aquatic or wetland characteristics such as an ordinary high-water mark or signs of inundation or prolonged soil saturation. It lacks hydrophytic vegetation and is dominated by weedy upland vegetation including Italian thistle and prickly lettuce. For these reasons, the onsite irrigation ditch is not likely to be a jurisdictional Waters of the U.S. or state. There are no other potential aquatic resources present onsite.

5.6 Evaluation of Species Identified in the Literature Search

The information search and database query did not identify special-status species occurrences at the Project site.

Several special-status species have been documented within an approximate five-mile radius of the Project site (CDFW 2019a). They total 29 species including 13 plants, five invertebrates, two fish, two amphibians, one reptile, five birds, and one mammal. Of these species, two have potential habitat in the Project site. The list of special-status species, their general habitat requirements, and an assessment of their potential to occur within the Project site is provided in Table 1. Results of the database queries are provided as Attachment B. Potentially occurring special-status species are discussed in greater detail below.

Table 1. Potentially Occurring Special-Status Species

Common Name (Scientific Name)	Status			Habitat Description	Survey Period	Potential to Occur Onsite
	ESA	CESA/ NPPA	Other			
Plants						
Brittlescale *(Atriplex depressa)*	-	-	1B.2	Alkaline, clay soils within chenopod scrub, meadows and seeps, playas, valley and foothill grasslands, and vernal pools (3' – 1,050').	April – October	**Absent** – No suitable habitat present onsite. No occurrences within 5 miles.
Pink cream sacs *(Castilleja rubicundula* var. *rubicundula)*	-	-	1B.2	Serpentinite substrates in chaparral openings, cismontane woodland, meadows and seeps, and valley and foothill grassland (66' – 2,986').	April – June	**Absent** – No suitable habitat present onsite. One occurrence within 5 miles.

Table 1. Potentially Occurring Special-Status Species

Common Name (Scientific Name)	Status			Habitat Description	Survey Period	Potential to Occur Onsite
	ESA	CESA/ NPPA	Other			
Plants						
Parry's rough tarplant *(Centromadia parryi* ssp. *rudis)*	-	-	4.2	Alkaline, vernally mesic areas in seeps and sometimes roadsides in valley and foothill grassland and vernal pools (0' – 328').	May – October	**Absent** – No suitable habitat present onsite. No occurrences within 5 miles.
Dwarf downingia *(Downingia pusilla)*	-	-	2B.2	Mesic areas in valley and foothill grassland, and vernal pools. Species appears to have an affinity for slight disturbance (i.e., scraped depressions, ditches, etc.) (3' – 1,460').	March – May	**Absent -** One documented occurrence within 5 miles; however, no suitable habitat onsite.
Stony Creek spurge (*Euphorbia ocellata ssp. rattanii*)	-	-	1B.2	Chaparral, riparian scrub (streambank), valley/foothill grassland (sandy or rocky) (213' – 2,625').	May – October	**Absent** - One documented occurrence within 1 mile; however, no suitable habitat onsite.
San Joaquin spearscale *(Extriplex joaquinana)*	-	-	1B.2	Alkaline soils within chenopod scrub, meadows and seeps, playas, and valley and foothill grassland (3' – 2,740).	April – October	**Absent** – No suitable habitat present onsite. No occurrences within 5 miles.
Adobe-lily *(Fritillaria pluriflora)*	-	-	1B.2	Chaparral, cismontane woodland, valley/foothill grasslands (often adobe) (197' – 2,313').	February – April	**Absent** – No suitable habitat present onsite. No occurrences within 5 miles.
Red Bluff dwarf rush *(Juncus leiospermus* var. *leiospermus)*	-	-	1B.1	Vernally mesic areas in chaparral, cismontane woodland, meadows and seeps, valley and foothill grassland, and vernal pools (115' – 4,101').	March – June	**Absent** – No suitable habitat present onsite. No occurrences within 5 miles.
Tehama navarretia *(Navarretia heterandra)*	-	-	4.3	Mesic areas in valley and foothill grassland and vernal pools (98' - 3,314').	April – June	**Absent** – No suitable habitat present onsite. No occurrences within 5 miles.

Table 1. Potentially Occurring Special-Status Species

Common Name (Scientific Name)	Status			Habitat Description	Survey Period	Potential to Occur Onsite
	ESA	CESA/ NPPA	Other			
Baker's navarretia *(Navarretia leucocephala* ssp. *bakeri)*	-	-	1B.1	Vernal pools and mesic areas within cismontane woodlands, lower montane coniferous forests, meadows and seeps, and valley and foothill grasslands (15' – 5,709').	April – July	**Absent** - One documented occurrence within 5 miles; however, no suitable habitat onsite.
Ahart's paronychia (*Paronychia ahartii*)	-	-	1B.1	Cismontane woodland; valley and foothill grasslands; vernal pools (98' – 1,673').	February – June	**Absent** - Two documented occurrences within 5 miles; however, no suitable habitat onsite.
Caper-fruited tropidocarpum *(Tropidocarpum capparideum)*	-	-	1B.1	Alkaline hills in valley and foothill grassland (3' – 1,493').	March – April	**Absent** – No suitable habitat present onsite. No occurrences within 5 miles.
Brazilian watermeal *(Wolffia brasiliensis)*	-	-	2B.3	Assorted shallow freshwater marshes and swamps (66' – 328').	April – December	**Absent** – No suitable habitat present onsite. No occurrences within 5 miles.
Invertebrates						
Crotch bumble bee *(Bombus crotchii)*		CC		Grassland and scrubland with rich floral resources primarily in California including Mediterranean region, Pacific Coast, Western Desert, Great Valley, and foothills.	--	**Absent –** Documented in the area of Orland in 1952 - exact location unknown. No suitable habitat onsite.
Valley elderberry longhorn beetle (*Desmocerus californicus dimorphus*)	FT	-	-	Elderberry shrubs.	Any season	**Absent** – No suitable habitat present onsite. No occurrences within 5 miles.
Conservancy fairy shrimp (*Branchinecta conservatio)*	FE	-	-	Vernal pools/wetlands.	November-April	**Absent -** No suitable habitat present onsite. No occurrences within 5 miles.

Table 1. Potentially Occurring Special-Status Species

Common Name (Scientific Name)	Status			Habitat Description	Survey Period	Potential to Occur Onsite
	ESA	CESA/ NPPA	Other			
Vernal pool fairy shrimp (*Branchinecta lynchi*)	FT	-	-	Vernal pools/wetlands.	November-April	**Absent –** Three occurrences within 5 miles; however, no suitable habitat present onsite.
Vernal pool tadpole shrimp (*Lepidurus packardi*)	FE	-	-	Vernal pools/wetlands.	November-April	**Absent –** Two occurrences within 5 miles; however, no suitable habitat present onsite.
Fish						
Delta smelt (*Hypomesus transpacificus*)	FT	CE	-	Sacramento-San Joaquin delta.	N/A	**Absent** – No suitable habitat present onsite. No occurrences within 5 miles.
Steelhead (CA Central Valley DPS) (*Oncorhynchus mykiss*)	FT	-	-	Undammed rivers, streams, creeks.	N/A	**Absent** – No suitable habitat present onsite. No occurrences within 5 miles.
Amphibians						
California red-legged frog (*Rana draytonii*)	FT	-	SSC	Lowlands or foothills at waters with dense shrubby or emergent riparian vegetation. Adults must have aestivation habitat to endure summer dry down.	May 1-November 1	**Absent** – No suitable habitat present onsite. No occurrences within 5 miles.
Western spadefoot (*Spea hammondii*)	-	-	SSC	California endemic species of vernal pools, swales, wetlands and adjacent grasslands throughout the Central Valley.	March-May	**Absent** – No suitable habitat present onsite. No occurrences within 5 miles.

Table 1. Potentially Occurring Special-Status Species

Common Name (Scientific Name)	Status			Habitat Description	Survey Period	Potential to Occur Onsite
	ESA	CESA/ NPPA	Other			
Reptiles						
Giant garter snake (*Thamnophis gigas*)	FT	CT	-	Freshwater ditches, sloughs, and marshes in the Central Valley. Almost extirpated from the southern parts of its range.	April-October	**Absent** – No suitable habitat present onsite. No occurrences within 5 miles.
Birds						
Yellow-billed cuckoo (*Coccyzus americanus occidentalis*)	FT	CE	BCC	Nests in low to moderate elevation riparian woodlands with native broadleaf trees and shrubs of at least 50 acres in extent within arid to semiarid landscapes. Winters in South America.	June 15-August 15	**Absent** – No suitable habitat present onsite. No occurrences within 5 miles.
Swainson's hawk (*Buteo swainsoni*)	-	CT	BCC	Nesting occurs in trees in agricultural, riparian, oak woodland, scrub, and urban landscapes. Forages over grassland, agricultural lands, particularly during disking/harvesting, irrigated pastures	March-August	**Potential** – Seven documented nest sites within 5 miles. Potential nesting and foraging habitat present onsite.
Burrowing owl *(Athene cunicularia)*	-	-	BCC, SSC	Nests in burrows or burrow surrogates in open, treeless, areas within grassland, steppe, and desert biomes. Often with other burrowing mammals (e.g. prairie dogs, California ground squirrels). May also use human-made habitat such as agricultural fields, golf courses, cemeteries, roadside, airports, vacant urban lots, and fairgrounds.	February-August	**Low potential** – One documented nesting occurrence within 5 miles. However, no sign of this species or potential habitat (e.g. suitable burrows) onsite observed onsite.

Table 1. Potentially Occurring Special-Status Species

Common Name (Scientific Name)	Status			Habitat Description	Survey Period	Potential to Occur Onsite
	ESA	CESA/ NPPA	Other			
Bank swallow (*Riparia riparia*)	-	CT	-	Nests colonially along coasts, rivers, streams, lakes, reservoirs, and wetlands in vertical banks, cliffs, and bluffs in alluvial, friable soils. May also nest in sand, gravel quarries and road cuts. In California, breeding range includes northern and central California.	May-July	**Absent –** No suitable habitat present onsite. No occurrences within 5 miles.
Tricolored blackbird (*Agelaius tricolor*)	-	CT	BCC, SSC	Breeds locally west of Cascade-Sierra Nevada and southeastern deserts from Humboldt and Shasta Cos south to San Bernardino, Riverside and San Diego Counties. Central California, Sierra Nevada foothills and Central Valley, Siskiyou, Modoc and Lassen Counties. Nests colonially in freshwater marsh, blackberry bramble, milk thistle, triticale fields, weedy (mustard, mallow) fields, giant cane, safflower, stinging nettles, tamarisk, riparian scrublands and forests, fiddleneck and fava bean fields.	March-August	**Absent –** Three occurrences within 5 miles; however, no suitable nesting habitat present onsite.
Mammals						
American badger *(Taxidea taxus)*	-	-	SSC	Drier open stages of most shrub, forest, and herbaceous habitats with friable soils.	Any season	**Absent –** One documented occurrence within 5 miles. However, no sign (e.g. scat, tracks) or potential habitat (e.g. burrows) observed onsite.

Status Codes:

FESA	Federal Endangered Species Act
CESA	California Endangered Species Act
FE	ESA listed, Endangered.
FT	ESA listed, Threatened.
BCC	USFWS Bird of Conservation Concern (USFWS 2008).
CC	Candidate for CESA listing as Endangered or Threatened
CE	CESA- or NPPA- listed, Endangered.
CT	CESA- or NPPA-listed, Threatened.
SSC	CDFW Species of Special Concern.
1B	CRPR /Rare or Endangered in California and elsewhere.
2B	Plants Rare, Threatened, or Endangered in California, but more common elsewhere.
4	CRPR/Plants of Limited Distribution – A Watch List.
0.1	Threat Rank/Seriously threatened in California (over 80% of occurrences threatened / high degree and immediacy of threat).
0.2	Threat Rank/Moderately threatened in California (20-80% occurrences threatened / moderate degree and immediacy of threat).
0.3	Threat Rank/Not very threatened in California (<20% of occurrences threatened / low degree and immediacy of threat or no current threats known).

5.6.1 Species Eliminated from Further Analysis

Several special-status species were documented within five miles of the Project; however, they were eliminated from further consideration as the Project site lacked suitable habitat. They include five plants - pink cream sacs (*Castilleja rubicundula* var. *rubicundula*), dwarf downingia (*Downingia pusilla*), Stony Creek spurge (*Euphorbia ocellata* ssp. *rattanii*), Baker's navarretia (*Navarretia leucocephala* ssp. *bakeri*), and Ahart's paronychia (*Paronychia ahartii*). These plant species all require specific soil types, hydrology, or other features that are absent from the Project site.

Three special-status invertebrate species, vernal pool tadpole (*Lepidurus packardi*) and vernal pool fairy shrimp (*Branchinecta lynchi),* were documented within five miles of the Project; however, the Project site lacks the vernal pools or seasonal wetlands required by these species. Crotch bumble bee *(Bombus crotchii)* were documented in the region in 1952 but habitat for this species, especially floral resources, are lacking at the Project.

The American badger *(Taxidea taxus)* was documented within five miles of the Project. However, no signs of activity for this species (individuals, burrows, scat or droppings, prey remains) was observed during the site assessment.

5.6.2 Potentially Occurring Special-status Species

Based on the database query, information search, and site reconnaissance, there is potential for two special-status species to occur in the Project site.

Swainson's hawk (*Buteo swainsoni*) – This raptor species is listed as threatened pursuant to the California ESA. The Swainson's hawk nests in North America (Canada, western United States, and Mexico) and typically winters from South America north to Mexico. A small population has been observed wintering in the Sacramento-San Joaquin River Delta (Bechard et al. 2010). In California, the nesting season for Swainson's hawk ranges from mid-March to late August. Swainson's hawks nest within tall trees in a variety of wooded communities including riparian, oak woodland, roadside landscape corridors, urban areas, and agricultural areas, among others. Foraging habitat includes open grassland, savannah,

low-cover row crop fields, and livestock pastures. In the Central Valley, Swainson's hawks typically feed on a combination of California vole (*Microtus californicus*), California ground squirrel, ring-necked pheasant (*Phasianus colchicus*), many passerine birds, and grasshoppers (*Melanopulus species*). Swainson's hawks are opportunistic foragers and will readily forage in association with agricultural mowing, harvesting, disking, and irrigating (Estep 1989). The removal of vegetative cover by such farming activities results in more readily available prey items for this species.

Swainson's hawk nests have been documented within five miles of the Project (CDFW 2019a). No active Swainson's hawk nests were found onsite during the site assessment, but the larger trees at the Project site provide potential nesting habitat, and the agricultural fields provide foraging habitat for this species.

Burrowing owl *(Athene cunicularia)* – This species is not listed pursuant to either the California or federal ESAs; however, it is designated as a BCC by the USFWS and a SSC by the CDFW. Burrowing owls inhabit dry open rolling hills, grasslands, desert floors, and open bare ground with gullies and arroyos. They can also inhabit developed areas such as golf courses, cemeteries, roadsides within cities, airports, vacant lots in residential areas, school campuses, and fairgrounds (Poulin et al. 2011). This species typically uses burrows created by fossorial mammals, most notably the California ground squirrel, but may also use man-made structures such as cement culverts or pipes; cement, asphalt, or wood debris piles; or openings beneath cement or asphalt pavement (California Department of Fish and Game [CDFG] 2012). The breeding season typically occurs between February 1 and August 31 (California Burrowing Owl Consortium [CBOC] 1993; CDFG 2012).

There is one documented occurrence of a burrowing owl nest within five miles of the Project (CDFW 2019a) and ground squirrel burrows (potential owl nest sites) are present at the Project site. The assessment did not document any signs of this species during the site assessment and the potential for burrowing owls to occur at the Project site is low; however, the assessment was not determinant-level.

5.6.3 Other Species

While not considered special-status as defined above (Section 4), the vegetation communities onsite support potential nesting habitat for birds protected under the MBTA. These include a wide variety of native, non-game birds and common species found nesting in and near developed areas and human habitations. Common migratory birds observed at the Project site include western kingbird, mourning dove, house finch, house sparrow, and turkey vulture.

5.7 Sensitive Natural Communities

A search of the CNDDB revealed the following sensitive natural communities in the vicinity of the Project site: Valley Needlegrass Grassland, Great Valley Cottonwood Riparian Forest, Great Valley Mixed Riparian Forest, Great Valley Valley Oak Riparian Forest, Great Valley Willow Scrub. However, based on the field reconnaissance, none of these communities are present and sensitive natural communities are not further discussed in this document.

5.8 Wildlife Movement/Corridors and Nursery Sites

The Project site does not appear to support a significant wildlife movement corridor. It is surrounded by active agricultural fields, rural residences, developed areas, and roadways. There are no nearby areas that can support large concentrations of wildlife or provide continuous vegetated cover for wildlife movements. In CDFW's BIOS database, the CDFW Mule Deer Range, Region 2 does not identify the Project site as a migration corridor, critical range, or critical fawning area (CDFW 2019b).

The Project site contains several buildings and structures that may provide potential breeding habitat for bats; however, the Project does not contain a documented nursery site (CDFW 2019a) and none were identified during the field reconnaissance.

5.9 Critical Habitat

There is no critical habitat for species listed under the federal ESA designated within the Project or within a five-mile radius of the Project (CDFW 2019a; USFWS 2019).

6.0 RECOMMENDATIONS

Based on the results of this biological resources assessment, implementation of the following mitigation measure is recommended prior to any ground disturbing activities.

Burrowing Owl Habitat Assessment

There is potential for burrowing owls to occur at the Project site and the burrows, culverts, and other structures provide potential habitat. A habitat assessment pursuant to CDFW protocol is recommended to determine suitability of the Project site to provide burrowing owl habitat (Appendix A - CDFG 2012). If the habitat assessment affirms the presence of burrowing owl habitat, a formal burrowing owl survey may be required according to CDFW guidance (Appendix D - CDFG 2012).

Preconstruction Nesting Bird Survey

There is potential for Swainson's hawks and birds protected under the MBTA to nest in the Project site. To ensure that protected nesting birds and any active nests are not harmed or disturbed, a preconstruction survey should be conducted by a qualified biologist prior to construction as follows:

- If construction will occur during the avian breeding season (March - September) a qualified biologist should conduct a focused survey for nesting birds, including Swainson's hawk and burrowing owl, if warranted, within 30 days prior to the beginning of construction.
- The survey should identify all bird nests including active raptor nests within the Project site, as well as Swainson's hawks/nests within accessible areas within 1,000 feet of the Project site, and burrowing owl nests (if warranted) within 150 meters of the Project site, where accessible.
- If active nests are found, a no-disturbance buffer around the nest should be established. The buffer distance will be established by a biologist in consultation with CDFW or the CEQA lead agency.

- The buffer should be maintained until the fledglings are capable of flight and become independent of the nest tree, to be determined by a qualified biologist.
- Once the young are independent of the nest, no further measures are necessary. Preconstruction nesting surveys are not required for construction activity outside the nesting season.

Bat Survey

Prior to demolition of manmade structures within the Project site, it is recommended that a qualified biologist conduct a survey to determine whether bats are present. If evidence of bat occurrence is found, additional measures may be required. If bats are not found during the building survey, no further measures are necessary.

7.0 CONCLUSION

ECORP conducted a biological resources assessment for the proposed Orland Truck Wash and Annexation Area Project in Orland, California. No sensitive natural communities or special-status species have been documented at the Project site and none were observed during this assessment. However, the Project site supports potential nesting and foraging habitat for Swainson's hawk. In addition, there is low potential for burrowing owls to use the ground squirrel burrows or burrow surrogates present at the Project site. The buildings onsite may provide bat nesting habitat. There are no natural wetlands or Waters of the U.S. located in the Project site. The constructed irrigation ditch in the pasture appears to have been abandoned for some years and does not display wetland indicators or an OHWM. Thus, no Waters of the U.S. are present at the Project site. A burrowing owl habitat assessment, preconstruction survey for nesting birds is recommended prior to construction to address potential impacts to Swainson's hawk, burrowing owl, other bird species protected under the MBTA. A survey of structures is recommended prior to their demolition to ensure there are no nesting bat colonies.

8.0 REFERENCES

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LIST OF ATTACHMENTS

ATTACHMENT A

Representative Site Photographs

Photo point 1a: Looking north from southwest corner of property. Photo taken June 20, 2019.

Photo point 1b: Looking east from southwest corner of property. Photo taken June 20, 2019.

Photo point 2: Ground squirrel burrow in southwest portion of property. Photo taken June 20, 2019.

Photo point 3: Looking east from southwest property boundary. Photo taken June 20, 2019.

Photo point 5: Mature walnut tree located mid-site. Photo taken June 20, 2019.

Photo point 6: Looking west from southeast section of property. Photo taken June 20, 2019.

Photo point 7: Old building foundation located mid-west section of property. Photo taken June 20, 2019.

Photo point 8: Cement irrigation ditch located outside northern border of property. Photo taken June 20, 2019.

Photo point 9a: Irrigation gate looking south from cement ditch to vegetated ditch on property. Photo taken June 20, 2019.

Photo point 9b: Looking west along concrete ditch on northern boundary of property. Photo taken June 20, 2019.

Photo point 10: Looking south from vegetated ditch. Photo taken June 20, 2019.

ATTACHMENT B

Species Search Results

Selected Elements by Common Name

California Department of Fish and Wildlife

California Natural Diversity Database

Query Criteria: Quad IS (Orland (3912262) OR Black Butte Dam (3912273) OR Foster Island (3912271) OR Fruto NE (3912263) OR Kirkwood (3912272) OR Hamilton City (3912261) OR Stone Valley (3912253) OR Willows (3912252) OR Glenn (3912251))

Species	Element Code	Federal Status	State Status	Global Rank	State Rank	Rare Plant Rank/CDFW SSC or FP
Ahart's paronychia *Paronychia ahartii*	PDCAR0L0V0	None	None	G3	S3	1B.1
American badger *Taxidea taxus*	AMAJF04010	None	None	G5	S3	SSC
Baker's navarretia *Navarretia leucocephala ssp. bakeri*	PDPLM0C0E1	None	None	G4T2	S2	1B.1
bank swallow *Riparia riparia*	ABPAU08010	None	Threatened	G5	S2	
black-crowned night heron *Nycticorax nycticorax*	ABNGA11010	None	None	G5	S4	
Brazilian watermeal *Wolffia brasiliensis*	PMLEM03020	None	None	G5	S2	2B.3
brittlescale *Atriplex depressa*	PDCHE042L0	None	None	G2	S2	1B.2
burrowing owl *Athene cunicularia*	ABNSB10010	None	None	G4	S3	SSC
California linderiella *Linderiella occidentalis*	ICBRA06010	None	None	G2G3	S2S3	
caper-fruited tropidocarpum *Tropidocarpum capparideum*	PDBRA2R010	None	None	G1	S1	1B.1
Coastal and Valley Freshwater Marsh *Coastal and Valley Freshwater Marsh*	CTT52410CA	None	None	G3	S2.1	
Crotch bumble bee *Bombus crotchii*	IIHYM24480	None	None	G3G4	S1S2	
dwarf downingia *Downingia pusilla*	PDCAM060C0	None	None	GU	S2	2B.2
giant gartersnake *Thamnophis gigas*	ARADB36150	Threatened	Threatened	G2	S2	
Great Valley Cottonwood Riparian Forest *Great Valley Cottonwood Riparian Forest*	CTT61410CA	None	None	G2	S2.1	
Great Valley Mixed Riparian Forest *Great Valley Mixed Riparian Forest*	CTT61420CA	None	None	G2	S2.2	
Great Valley Valley Oak Riparian Forest *Great Valley Valley Oak Riparian Forest*	CTT61430CA	None	None	G1	S1.1	
Great Valley Willow Scrub *Great Valley Willow Scrub*	CTT63410CA	None	None	G3	S3.2	
North American porcupine *Erethizon dorsatum*	AMAFJ01010	None	None	G5	S3	

Selected Elements by Common Name

California Department of Fish and Wildlife

California Natural Diversity Database

Species	Element Code	Federal Status	State Status	Global Rank	State Rank	Rare Plant Rank/CDFW SSC or FP
osprey *Pandion haliaetus*	ABNKC01010	None	None	G5	S4	WL
pink creamsacs *Castilleja rubicundula var. rubicundula*	PDSCR0D482	None	None	G5T2	S2	1B.2
Red Bluff dwarf rush *Juncus leiospermus var. leiospermus*	PMJUN011L2	None	None	G2T2	S2	1B.1
San Joaquin spearscale *Extriplex joaquinana*	PDCHE041F3	None	None	G2	S2	1B.2
snowy egret *Egretta thula*	ABNGA06030	None	None	G5	S4	
steelhead - Central Valley DPS *Oncorhynchus mykiss irideus pop. 11*	AFCHA0209K	Threatened	None	G5T2Q	S2	
Stony Creek spurge *Euphorbia ocellata ssp. rattanii*	PDEUP0D1P1	None	None	G4T2?	S2?	1B.2
Swainson's hawk *Buteo swainsoni*	ABNKC19070	None	Threatened	G5	S3	
tricolored blackbird *Agelaius tricolor*	ABPBXB0020	None	Threatened	G2G3	S1S2	SSC
valley elderberry longhorn beetle *Desmocerus californicus dimorphus*	IICOL48011	Threatened	None	G3T2	S2	
Valley Needlegrass Grassland *Valley Needlegrass Grassland*	CTT42110CA	None	None	G3	S3.1	
vernal pool fairy shrimp *Branchinecta lynchi*	ICBRA03030	Threatened	None	G3	S3	
vernal pool tadpole shrimp *Lepidurus packardi*	ICBRA10010	Endangered	None	G4	S3S4	
western spadefoot *Spea hammondii*	AAABF02020	None	None	G3	S3	SSC
western yellow-billed cuckoo *Coccyzus americanus occidentalis*	ABNRB02022	Threatened	Endangered	G5T2T3	S1	

Record Count: 34

CNPS California Native Plant Society

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

Plant List

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

Search Criteria

Found in Quads 3912273, 3912272, 3912271, 3912263, 3912262, 3912261, 3912253 3912252 and 3912251;

Modify Search Criteria | Export to Excel | Modify Columns | Modify Sort | Display Photos

Scientific Name	Common Name	Family	Lifeform	Blooming Period	CA Rare Plant Rank	State Rank	Global Rank
Atriplex depressa	brittlescale	Chenopodiaceae	annual herb	Apr-Oct	1B.2	S2	G2
Castilleja rubicundula var. rubicundula	pink creamsacs	Orobanchaceae	annual herb (hemiparasitic)	Apr-Jun	1B.2	S2	G5T2
Centromadia parryi ssp. rudis	Parry's rough tarplant	Asteraceae	annual herb	May-Oct	4.2	S3	G3T3
Downingia pusilla	dwarf downingia	Campanulaceae	annual herb	Mar-May	2B.2	S2	GU
Euphorbia ocellata ssp. rattanii	Stony Creek spurge	Euphorbiaceae	annual herb	May-Oct	1B.2	S2?	G4T2?
Extriplex joaquinana	San Joaquin spearscale	Chenopodiaceae	annual herb	Apr-Oct	1B.2	S2	G2
Fritillaria pluriflora	adobe-lily	Liliaceae	perennial bulbiferous herb	Feb-Apr	1B.2	S2S3	G2G3
Juncus leiospermus var. leiospermus	Red Bluff dwarf rush	Juncaceae	annual herb	Mar-Jun	1B.1	S2	G2T2
Navarretia heterandra	Tehama navarretia	Polemoniaceae	annual herb	Apr-Jun	4.3	S4	G4
Navarretia leucocephala ssp. bakeri	Baker's navarretia	Polemoniaceae	annual herb	Apr-Jul	1B.1	S2	G4T2
Paronychia ahartii	Ahart's paronychia	Caryophyllaceae	annual herb	Feb-Jun	1B.1	S3	G3
Tropidocarpum capparideum	caper-fruited tropidocarpum	Brassicaceae	annual herb	Mar-Apr	1B.1	S1	G1
Wolffia brasiliensis	Brazilian watermeal	Araceae	perennial herb (aquatic)	Apr,Dec	2B.3	S2	G5

Suggested Citation

California Native Plant Society, Rare Plant Program. 2019. Inventory of Rare and Endangered Plants of California (online edition, v8-03 0.39). Website http://www.rareplants.cnps.org [accessed 01 July 2019].

United States Department of the Interior

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

In Reply Refer To:
Consultation Code: 08ESMF00-2019-SLI-2333
Event Code: 08ESMF00-2019-E-07445
Project Name: Orland Truck Wash

July 01, 2019

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

To Whom It May Concern:

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

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

http://www.nwr.noaa.gov/protected_species/species_list/species_lists.html

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

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

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

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

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

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

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

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

Attachment(s):

- Official Species List

Official Species List

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

This species list is provided by:

Sacramento Fish And Wildlife Office
Federal Building
2800 Cottage Way, Room W-2605
Sacramento, CA 95825-1846
(916) 414-6600

Project Summary

Consultation Code: 08ESMF00-2019-SLI-2333

Event Code: 08ESMF00-2019-E-07445

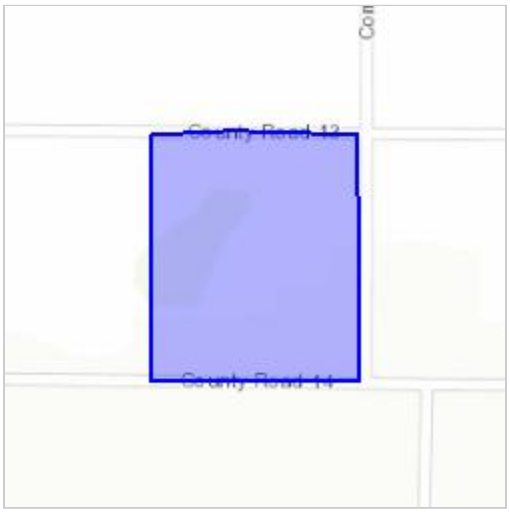
Project Name: Orland Truck Wash

Project Type: DEVELOPMENT

Project Description: The Project proposes to construct a truck wash facility and rezone several parcels for future commercial use.

Project Location:

Approximate location of the project can be viewed in Google Maps: https://www.google.com/maps/place/39.7485428016779N122.21023642142816W



Counties: Glenn, CA

Endangered Species Act Species

There is a total of 7 threatened, endangered, or candidate species on this species list.

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

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

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

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

Reptiles

NAME	STATUS
Giant Garter Snake *Thamnophis gigas* No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/4482	Threatened

Amphibians

NAME	STATUS
California Red-legged Frog *Rana draytonii* There is **final** critical habitat for this species. Your location is outside the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/2891	Threatened

Fishes

NAME	STATUS
Delta Smelt *Hypomesus transpacificus* There is **final** critical habitat for this species. Your location is outside the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/321	Threatened

Insects

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

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

Crustaceans

NAME	STATUS
Conservancy Fairy Shrimp *Branchinecta conservatio*	Endangered

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

Vernal Pool Fairy Shrimp *Branchinecta lynchi*	Threatened

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

Vernal Pool Tadpole Shrimp *Lepidurus packardi*	Endangered

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

Critical habitats

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