

Biological Report

for

Destino Paso

APN 025-436-029, -030

City of Paso Robles



Prepared for

Destino Paso

3350 Airport Road
Paso Robles, CA 93446

by

ALTHOUSE AND MEADE, INC.
BIOLOGICAL AND ENVIRONMENTAL SERVICES
1602 Spring Street
Paso Robles, CA 93446
(805) 237-9626

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Cover Page: View west at the proposed location of Hotel 3. March 17, 2016.

Synopsis

- This biological report provides information regarding botanical and zoological resources on a 40.36 acre Study Area (APN 025-436-029 and -030) located on Airport Road in the City of Paso Robles, San Luis Obispo County, California.
- The proposed project is development of a hotel complex consisting of three separate buildings and associated infrastructure.
- Habitat types identified and mapped in the Study Area consist of irrigated pasture, anthropogenic, annual grassland, blue oak woodland, seasonal pond, wetland, and riparian.
- Botanical surveys identified 155 species, subspecies and varieties of vascular plants in the Study Area. Appropriate habitat and soil conditions are present for 7 special status plants.
- Seven special status plants and eleven special status animals have the potential to occur on the property. No special status plants or animals were found on the property during our surveys.
- Wildlife species detected in the Study Area includes 2 invertebrates, 3 amphibians, 2 reptiles, 21 birds, and 6 mammals. Appropriate habitat and soil conditions are present on the property for 7 special status animal species. No state or federally listed animals have been detected in the Study Area
- Biological resources that could be impacted by the proposed development include grasslands, oak trees, nesting birds, and common wildlife. Mitigation measures are provided for each biological resource that could be impacted by the project.

1.0 Introduction

This report provides information regarding biological resources associated with a 40.36-acre site (Study Area) on Airport Road in the City of Paso Robles, San Luis Obispo County. Results are reported for botanical and wildlife surveys of the Study Area conducted in 2005, 2006, 2007 and 2016. A habitat inventory and results of database and literature searches for special status species reports within a nine 7.5-minute United States Geological Survey (USGS) quadrangle search area of the Study Area are also included. Special status species that could occur in the Study Area or be affected by the proposed project are discussed, and lists of plant and animal species that were identified or are expected in the Study Area are provided.

We provide agencies and stakeholders with information regarding biological resources in the Study Area, and assess potential impacts to biological resources that could occur from the proposed project. An evaluation of the effect of the proposed project on biological resources is included, and mitigation measures are provided.

1.1 Project Location and Description

The Study Area is 40.36 acres located in the northeastern corner of the City of Paso Robles in San Luis Obispo County, California. The site is situated on the east side of Airport Road, north of Highway 46 East, in the Paso Robles United States Geological Survey (USGS) 7.5 minute quadrangle (Figure 1, Exhibit A). Approximate coordinates for the center of the Study Area are N35° 39' 5" / W120° 38' 13". Elevation varies from 720 to 825 feet above sea level.

The proposed project is a hotel development consisting of three separate buildings, roads, parking areas, and courtyards and swimming pools adjacent to hotel buildings. Landscaping includes the addition of trees to the property along roads and parking areas. The proposed development would encompass 8.4 acres of the 40 acre study area. A site plan is provided in Exhibit A.

1.2 Responsible Parties

TABLE 1. RESPONSIBLE PARTIES. Contact information for the applicant/Owner, Agent, Engineer, Biological Consultant, and Lead Agency, are provided.

Applicant/Owner	
Karen Stier 4301 Valley Meadow Road Encino, CA 91436	
Architect	Engineer
Michael Stanton Stanton Architecture 1501 Mariposa St., Suite 328 San Francisco, CA 94107 415-865-9600	North Coast Engineering 725 Creston Road, Suite B Paso Robles, CA 93446 805-239-3127 Contact: Larry Werner
Biological Consultant	Lead Agency
Althouse and Meade, Inc. 1875 Wellsona Road Paso Robles, CA 93446 805-467-1041 Contact: Daniel E. Meade	City of Paso Robles 1000 Spring Street Paso Robles, CA 93446 805-227-7276

2.0 Methods

The Study Area was initially surveyed for biological resources in 2005, 2006 and 2007 by Althouse and Meade, Inc. biologists. Fieldwork conducted in March and April 2016 constitutes an update to the biological resources that occur within the Study Area (Table 1). Field work was conducted in 2016 by biologists Jason Dart, Monica Brick, and Matthew Beyers during daylight hours. Surveys were conducted throughout the property to compile species lists and search for rare plants and animals. Habitat types on the property were inspected, described, and mapped. All plant and animal species observed on the site were identified and recorded. Wildlife observations, including animal presence, nests, tracks, and sign, were documented. Birds were identified by sight (using 10 power binoculars) and vocalizations. Aquatic organisms were sampled using fine mesh dip nets.

Identification of botanical resources included field observations and laboratory analysis of collected material. Botanical surveys were conducted according to agency guidelines (USFWS 2000, California Department of Fish and Game [CDFG] 2009, and CNPS 2001) and were appropriately timed to identify a majority of the special status plant species known from the

region that have potential to occur in the Study Area. Botanical nomenclature used in this document follows the Jepson Manual, Second Edition (Baldwin et al. 2012).

Mapping efforts utilized hand notation on recent land survey and aerial photos. Maps were created using aerial photo interpretation, field notation, and GPS data imported to ArcGIS 10, a Geographic Information System (GIS) software program. Data were overlaid on a 2014 National Agriculture Imagery Program (NAIP) aerial of San Luis Obispo County (USDA 2014). Biological resource constraints were mapped in the field on site. Hand notation on field maps was incorporated into point and polygon layers and overlaid on high resolution aerial photographs.

We conducted a search of the California Natural Diversity Database (CNDDDB March 17, 2016 data) and the California Native Plant Society (CNPS) On-line Inventory of Rare and Endangered Plants of California for special status species known to occur in the nine USGS 7.5-minute quadrangles surrounding the Study Area: Creston, Templeton, Estrella, Ranchito Canyon, San Miguel, Bradley, Adelaida, York Mountain, and Paso Robles.

Special status species lists produced by database and literature searches were cross-referenced with the described habitat types in the Study Area to identify all potential special status species that could occur on or near the Study Area. Each special status species that could occur on or near the Study Area is individually discussed (see Sections 4.4 and 4.6).

TABLE 2 . BIOLOGICAL SURVEYS. Biological survey dates, times, weather observations, and biologist(s) are provided.

Survey Date	Start Time Stop Time	Temp.	Wind	Weather Observations	Biologist(s)
11/17/05	0800 - 1100	65 °F	0-5 mph	Sunny	J. Dart
1/5/06	1530 - 1700	62 °F	0-5 mph	Sunny with high clouds	J. Dart
2/10/06	1500 - 1630	60 °F	0-5 mph	Mostly sunny, few clouds	J. Dart
2/27/06	1400 - 1530	60 °F	10-15 mph	Storm clouds, light rain	D. Meade J. Dart
3/30/06	1100 - 1400	58 °F	10-15 mph	Windy and stormy	J. Dart
5/2/06	0800 - 0930	57 °F	0-5 mph	Sunny	J. Dart
5/31/06	1300 - 1400	78 °F	5-10 mph	Sunny and warm	J. Dart M. Perry
7/31/06	1030 - 1130	88 °F	0-5 mph	Sunny and hot	J. Dart
8/29/07	1130 - 1300	95 °F	0 mph	Sunny and hot	D. Meade
3/1/16	10:05 – 10:40-	60 °F	0-5 mph	Sunny with high clouds	D. Meade
3/17/16	1130 - 1300	75 F	0-5 mph	Sunny and warm	M. Brick J. Dart
4/18/16	0845 - 1100	70 F	0-5 mph	Sunny and warm	M. Brick M. Beyers

3.0 Environmental Setting

The Study Area is situated on alluvial terraces on the east side of Huerhuero Creek in the northeastern corner of the City of Paso Robles. The eastern end of the site is on the terrace, and the western portion slopes down to include a small section of Huerhuero Creek, west of Airport Road. Most of the Study Area is annual grassland habitat. One existing residence with several detached outbuildings is located on the southwest corner of the site, with another residence and a large detached shop located at the northeast end of the site. Numerous large valley and blue oaks are scattered in the grassland habitat. Photographs of the Study Area are provided in Exhibit B.

Two drainages pass through the Study Area, each with a man-made seasonal stock pond. The main drainage flows northwest through the center of the site. Surface flows are seasonal, but standing water may be present into late spring or early summer. A smaller drainage meanders through the adjacent RV park and enters the Study Area from the south, terminating at large pond. The riparian canopy is open, consisting of blue and valley oaks. This pond is the larger of the two ponds on the site. . A large cottonwood tree is in the center of the pond. Additionally, Huerhuero Creek passes through the northwest corner of the Study Area and an ephemeral drainage passes through the northeast corner. The smaller pond is located along the main drainage, east of the existing residence. An earthen dam occasionally breaches, spilling water through an irrigated pasture to a storm drain at Airport Road. During the 2016 surveys, no water was observed in the drainage or the smaller pond. The main drainage is shaded by a blue oak woodland canopy covering the north-facing slope and drainage bottom. The entire length of the drainage is approximately 0.5 mile, extending east of the Study Area into adjacent rangeland.

The main entrance road to the development and a large building pad were graded during the winter of 2005-06 and a residence was built.

3.1 Soils

The soils map in the United States Department of Agriculture (USDA) Soil Survey of San Luis Obispo County, California, Paso Robles Area (1984) delineates four soil map units on the property (Figure 3): Arbuckle-Positas complex with 9 to 15 percent slopes (102), Arbuckle-Positas complex with 30 to 50 percent slopes (104), Arbuckle-San Ysidro complex with 2 to 9 percent slopes (106), and Xerofluvents-Riverwash association.

Soil map units typically encompass one or two dominant soils that cover more than 50 percent of the mapped area, and one to several soils that occur in small patches not differentiated in mapping at the 1 to 24,000 scale used for Natural Resource Conservation Service (NRCS) soil maps. Due to the procedures followed in making a soil survey, users of soil survey data are cautioned that not all areas included within a soil survey are closely sampled using soil pits and site descriptions, and a specific site may not have been sampled at all. Therefore, care must be taken in drawing conclusions regarding site-specific soil resources based solely on NRCS soil survey work. Digitized spatial data from the Paso Robles Area are shown as an overlay of soil map units on an aerial photo of the region with the following caution from NRCS regarding maps: “Enlargement of these maps...could cause misunderstanding of the detail of mapping. If enlarged, maps do not show the small areas of contrasting soils that could have been shown at a larger scale.”

The Arbuckle-Positas complex with 9 to 15 percent slopes (102) consists of approximately 40 percent Arbuckle fine sandy loam and 30 percent Positas coarse sandy loam. Both are very deep, well drained soils formed in alluvium from mixed rocks. The Arbuckle soil has moderately slow permeability and moderate to high available water capacity. The Positas soil has very slow permeability and moderate to high available water capacity. Also included in this map unit are areas of Greenfield fine sandy loam, Cropley clay, and Hanford fine sandy loam. This map unit occurs on flat areas on the west side of the property.

The Arbuckle-Positas complex with 30 to 50 percent slopes (104) consists of approximately 40 percent Arbuckle fine sandy loam and 30 percent Positas coarse sandy loam. These soil phases are very similar to Arbuckle-Positas soils on 9 to 15 percent slopes; they are very deep, well drained, and have a moderate to high available water capacity. Included in this complex in mapping are 15 percent Shimmon loam on north slopes, 10 percent soil similar to Positas coarse sandy loam except with a very gravelly sandy clay subsoil, and 5 percent small areas of Ayar silty clay, Balcom loam, Greenfield fine sandy loam, Linne Shaly clay loam, Nacimiento silty clay loam, and Badland. This map unit, with steeper slopes, encompasses the west facing slope in the north-half of the property, as well as the oak woodland drainage in the center of the property.

The Arbuckle-San Ysidro complex, with 2 to 9 percent slopes (106) consists of approximately 40 percent Arbuckle fine sandy loam and 20 percent San Ysidro loam. The Arbuckle soil is a very deep, well-drained soil formed in alluvium from mixed rocks. It has a moderately slow permeability and a moderate to high available water capacity. The San Ysidro soil is a very deep soil also formed in alluvium. It is moderately well drained, with very slow permeability and moderate to high available water capacity. Also included in this map unit are areas of Greenfield fine sandy loam, Hanford fine sandy loam, Cropley clay, Rincon clay loam, and Ryer clay loam. The Arbuckle-San Ysidro complex is found on the terrace at the northeast end of the property, supporting annual grassland habitat.

Xerofluvents-Riverwash association (212) consists of soils and barren areas on flood plains. The complex consists of approximately 50 percent xerofluvents and 30 percent riverwash. Xerofluvents occur on the flood plains and generally flood twice every four years. Riverwash is on barren areas in and along stream channels, flooding annually. Included in this map unit are areas of Elder loam, Metz loamy sand, and Tujung fine sand. Xerofluvents-riverwash association occurs in Huerhuero Creek. The northwest property corner includes a small portion of this soil map unit.

3.2 Habitat Types

Seven habitat types occur in the Study Area: irrigated pasture, anthropogenic, annual grassland, blue oak woodland, seasonal pond, wetland, and riparian. Vernal pools were not observed on the property during our surveys.

3.2.1 Irrigated pasture

West of the existing residence is approximately 0.9 acres of irrigated pasture. The dominant grass species is Bermuda grass (*Cynodon dactylon*). Curly dock (*Rumex crispus*), dandelion (*Taraxacum officinale*), and clover (*Trifolium* sp.) are also present. The pasture was formally heavily grazed, although no stock animals were present during our 2016 survey.

3.2.2 Anthropogenic

The residential area surrounding the existing home is landscaped with ornamental species and a lawn. A gravel driveway and detached sheds are also present. Plants growing in this area are weedy species typical of urban and rural areas. The main entrance road from Airport Road and new residence and shop are surrounded by annual grassland. This habitat type, covering approximately 5.4 acres of the property, is described as an anthropogenic habitat (a habitat shaped by human use).

3.2.3 Annual grassland

Annual grassland habitat occurs on ±26.5 acres of the Study Area, encompassing flat terraces and moderate to steep slopes. The annual grassland is composed of non-native annual grass species, including soft chess brome (*Bromus hordeaceus*), wild oats (*Avena fatua*, *A. barbata*), foxtail barley (*Hordeum murinum*), annual fescue (*Vulpia myuros*), and nit grass (*Gastridium ventricosum*). Purple needlegrass (*Nassella pulchra*), a native bunchgrass, is present on steep slopes that have not been heavily grazed by cattle. Medusa-head (*Taeniatherum caput-medusae*) is an extremely invasive annual grass that occurs in small areas of the grassland habitat. Its long awns make it unpalatable by cattle. Typical forbs in the grassland habitat include vinegar weed (*Trichostema lanceolatum*), red maids (*Calandrinia ciliata*), dove weed (*Eremocarpus setigerus*), and Salinas tarplant (*Hemizonia pentactis*).

3.2.4 Blue oak woodland

Blue oak (*Quercus douglasii*) woodland habitat occurs in the main drainage passing through the center of the property. The oaks are mostly on the north-facing slope and drainage bottom, with some trees occurring up the south-facing slope. The woodland canopy is contiguous, shading the creek and understory vegetation. The understory is composed entirely of grasses and herbaceous forbs such as melic grass (*Melica imperfecta*), elegant clarkia (*Clarkia unguiculata*), phlox-leaved bedstraw (*Galium andrewsii*), and golden stars (*Bloomeria crocea*). The shrub layer has been removed by heavy grazing pressure. The trees are similarly aged with few seedlings or younger trees. A small area of blue oak woodland is present in a swale originating in the far northeastern property corner, and in a separate swale at the southwest corner of the property. Oak trees on the property appear healthy, and provide foraging and nesting habitat for a variety of wildlife. Blue oak woodland comprises approximately six acres of the site.

3.2.5 Seasonal pond

A total of approximately 0.5 acre of seasonal pond habitat, comprised of two man-made stock ponds, is present in the Study Area. Both ponds are located in drainages and are created by earthen dams. Seasonal water is present in most years.

3.2.6 Wetland

Wetland conditions observed in the Study Area are associated with drainages and ponds and generally consist of seasonally moist areas supporting hydrophytic plant species such as annual beardgrass (*Polypogon monspeliensis*), Mexican rush (*Juncus mexicanus*), spikerush (*Eleocharis macrostachya*, *E. parishii*), toad rush (*Juncus bufonius*), loosestrife (*Lythrum hyssopifolium*) and others. A potential wetland area is indicated on Figure 6. A formal wetland delineation

conducted according to the standards of the U.S. Army Corps of Engineers would determine whether this area is a jurisdictional wetland. The proposed project as currently designed would not affect potential wetland area, therefore a wetland delineation is not recommended.

3.2.7 Riparian

Riparian vegetation in the Study Area is very limited. The drainages are shaded by oak canopy with a few scattered willows in the main drainage. The property includes a small portion of the eastern shoreline of Huerhuero Creek, on the west side of Airport Road. Fremont cottonwood (*Populus fremontii*) trees are present, with an herbaceous assemblage of Mugwort (*Artemisia douglasiana*), California rose (*Rosa californica*), and other weedy species.

4.0 Results

4.1 Special Status Plant Species

4.1.1 Introduction to California rare plant ranks

Plant species are considered rare when their distribution is confined to localized areas, when there is a threat to their habitat, when they are declining in abundance, or when they are threatened in a portion of their range. The California Rare Plant Rank (CRPR) categories range from species with a low threat (CRPR 4) to species that are presumed extinct (CRPR 1A). The plants of CRPR 1B are rare throughout their range. All but a few species are endemic to California. All of them are judged to be vulnerable under present circumstances, or to have a high potential for becoming vulnerable.

4.1.2 Introduction to CNDDDB definitions

"Special Plants" is a broad term used to refer to all the plant taxa inventoried by the CNDDDB, regardless of their legal or protection status (CDFW 2016). Special plants include vascular plants and high priority bryophytes (mosses, liverworts, and hornworts).

4.1.3 Potential special status plant list

Table 3 lists the 39 special status plant species reported from the 9 quads surrounding the Study Area. Federal and California State status, and CNPS rank status for each species are given. Typical blooming period, habitat preference, potential habitat on-site, and whether or not the species was observed on the Study Area are also provided.

TABLE 3 . SPECIAL STATUS PLANT LIST. The 39 special status plants reported from the region are listed. Potentially suitable habitat is present in the Study Area for seven special status plant species.

Common and Scientific Names	Fed/State Status CRPR	Blooming Period	Habitat Preference	Potential Habitat?	Detected Within Study Area?	Effect of Proposed Activity
1. Bristlecone Fir <i>Abies bracteata</i>	None/None 1B.3	n/a	Lower montane coniferous forest. Rocky sites in Monterey and SLO Counties. 210-1600 m.	No. Appropriate habitat is not present.	No	No Effect
2. Douglas' Fiddleneck <i>Amsinckia douglasiana</i>	None/None 4.2	March – June	Unstable shaly sedimentary slopes; (100) 150-1600 m. SCoR, w WTR	No. Appropriate habitat is not present.	No	No Effect
3. Oval-leaved Snapdragon <i>Antirrhinum ovatum</i>	None/None 4.2	May - November	Heavy, adobe-clay soils on gentle, open slopes, also disturbed areas; 200-1000 m. s SnJV, s SCoRI	No. Recorded on the Chandler Ranch in 1991, but not reported there since. Appropriate soils not found on site.	No	No Effect
4. Indian Valley Spineflower <i>Aristocapsa insignis</i>	None/None 1B.2	May - September	Foothill woodland; 300-600 m. SCoRI (Monterey, SLO Counties)	Yes. Appropriate gravelly substrates are present on slopes on the property.	No	No Effect
5. Round-leaved Filaree <i>California macrophylla</i>	None/None 1B.2	March - May	Clay soils in cismontane woodland, valley and foothill grassland; 15-1200 m. ScV, n SnJV, CW, SCo, n ChI	No. Appropriate clay soils are not present on the site.	No	No Effect
6. La Panza Mariposa-lily <i>Calochortus simulans</i>	None/None 1B.3	April - May	Grassland, oak woodland & pine forest, on sand, granite, or serpentine; <1100 m. Endemic to SLO County	No. Appropriate soils are not present on the site.	No	No Effect
7. Dwarf Calycadenia <i>Calycadenia villosa</i>	None/None 1B.1	May - October	Dry, rocky hills, ridges, in chaparral, woodland, meadows and seeps; <1100 m. c&s SCoRO	Yes. Appropriate gravelly substrates are present on slopes on the site.	No	No Effect

	Common and Scientific Names	Fed/State Status CRPR	Blooming Period	Habitat Preference	Potential Habitat?	Detected Within Study Area?	Effect of Proposed Activity
8.	Santa Cruz Mountains Pussypaws <i>Calyptridium parryi</i> var. <i>hesseae</i>	None/None 1B.1	May – August	Sandy or gravelly openings in chaparral and cismontane woodland. 700-1100 m.	Unlikely. Potential habitat present, but outside the known range of the variety.	No	No Effect
9.	Hardham's Evening-primrose <i>Camissoniopsis hardhamiae</i>	None/None 1B.2	April - May	Decomposed carbonate soils, in chaparral, cismontane woodland. Monterey, SLO Counties	Unlikely. Appropriate carbonate soils are not present on site.	No	No Effect
10.	San Luis Obispo Owl's-clover <i>Castilleja densiflora</i> var. <i>obispoensis</i>	None/None 1B.2	April	Coastal grassland, <100 m. Endemic to SLO County.	Yes. Appropriate habitat is present on the site.	No	No Effect
11.	Lemmon's Jewelflower <i>Caulanthus coulteri</i> var. <i>lemmonii</i>	None/None 1B.2	March – May	Dry, exposed slopes, grassland, chaparral, scrub; 80-1100 m. sw SnJv, se SnFrb, e SCoRO, SCoRI	Yes. Appropriate gravelly soils are present on slopes on the site.	No	No Effect
12.	Santa Lucia Purple Amole <i>Chlorogalum purpureum</i> var. <i>purpureum</i>	FT/None 1B.1	April - June	Cismontane woodland, valley and foothill grassland, often with blue oaks. 300-330 m. Monterey, SLO Counties	Unlikely. Potentially suitable habitat is present, but the site is outside the known range for the variety.	No	No Effect
13.	Straight-awned Spineflower <i>Chorizanthe rectispina</i>	None/None 1B.3	May - July	Chaparral, dry woodland in sandy soil; 200-600 m. SCoRO	No. Appropriate soils are not present on the site.	No	No Effect
14.	Monkey-flower Savory <i>Clinopodium mimulooides</i>	None/None 4.2	June – October	Moist places, streambanks, chaparral, woodland; 400-1800 m. CCo, SCoRO, WTR, SnGb	Unlikely. Moderately appropriate habitat may be present on the site.	No	No Effect

Common and Scientific Names	Fed/State Status CRPR	Blooming Period	Habitat Preference	Potential Habitat?	Detected Within Study Area?	Effect of Proposed Activity
15. Small-flowered Morning-glory <i>Convolvulus simulans</i>	None/None 4.2	April - June	Clay substrates, occ serpentine, ann grassland, coastal-sage scrub, chaparral; 30-875 m.; s SNF, SnFrB, s SCoRO, Sco, Chl, WTR, PR; AZ, Baja CA.	No. Appropriate soils are not present on the site.	No	No Effect
16. Umbrella Larkspur <i>Delphinium umbraculorum</i>	None/None 1B.3	April - June	Moist oak forest; 400-1600 m. SCoRO, WTR.	No. Appropriate habitat is not present on the Property.	No	No Effect.
17. Koch's Cord Moss <i>Entosthodon kochii</i>	None/None 1B.3	n/a	Cismontane woodland. Moss growing on soil;	No. Suitable habitat is not present.	No	No Effect
18. Yellow-flowered Eriastrum <i>Eriastrum luteum</i>	None/None 1B.2	May – June	Bare sandy decomposed granite slopes in cismontane woodland, chaparral, forest; 360-1000 m. SCoR, Monterey, SLO Counties	No. Appropriate soils are not present on the site.	No	No Effect
19. Elegant Wild Buckwheat <i>Eriogonum elegans</i>	None/None 4.3	May – November	Sand or gravel; 200 – 1200 m. SnFrB, SCoR, WTR	Yes. Appropriate habitat is present in Huerhuero Creek.	No	No Effect
20. Jepson's Woolly Sunflower <i>Eriophyllum jepsonii</i>	None/None 4.3	April – June	Dry oak woodland; 200-1000 m. SnFrB, SCoRI	Unlikely. Not known from San Luis Obispo County.	No	No Effect
21. San Benito Poppy <i>Eschscholzia hypocooides</i>	None/None 4.3	March – June	Grassy area in woodland, chaparral; 200-1600 m. SCoRI	Unlikely. Potentially suitable habitat present, but no recent records from the Paso region.	No	No Effect
22. Hogwallow Starfish <i>Hesperervax caulescens</i>	None/None 4.2	March - June	Clay soils, mesic sites in valley and foothill grassland; 0-505 m.	No. Appropriate soils are not present on the site.	No	No Effect

Common and Scientific Names	Fed/State Status CRPR	Blooming Period	Habitat Preference	Potential Habitat?	Detected Within Study Area?	Effect of Proposed Activity
23. Mesa Horkelia <i>Horkelia cuneata</i> var. <i>pubertula</i>	None/None 1B.1	February - September	Dry, sandy coastal chaparral; gen 70-700 m. SCoRO, SCo.	No. Appropriate habitat is not present on the site.	No	No Effect
24. Kellogg's Horkelia <i>Horkelia cuneata</i> var. <i>sericea</i>	None/None 1B.1	April - September	Old dunes, coastal sand hills; <200 m. CCo	No. Appropriate habitat is not present on the site.	No	No Effect
25. Santa Lucia Dwarf Rush <i>Juncus luciensis</i>	None/None 1B.2	April – July	Vernal pools, ephemeral drainages, wet meadow habitats, and streams; 300-1900 m. CaRH, n SNH, SCoRO, TR, PR, MP.	Yes. Suitable wetland habitat may be present on site.	No	No Effect
26. Pale-yellow Layia <i>Layia</i> <i>heterotricha</i>	None/None 1B.1	March - June	Alkaline or clay soils, open areas, in pinyon-juniper woodland, grassland; 270-1705 m. Teh, SnJV, SCoR, n WTR	No. Appropriate habitat is not present on the site.	No	No Effect
27. Jared's Pepper- grass <i>Lepidium jaredii</i> ssp. <i>jaredii</i>	None/None 1B.2	March - May	Alkali bottoms, slopes, washes, <500 m. SCoRI, SnJV	No. Appropriate habitat is not present on the site.	No	No Effect
28. Davidson's Bush- mallow <i>Malacothamnus</i> <i>davidsonii</i>	None/None 1B.2	June - January	Sandy washes in coastal scrub, riparian woodland, chaparral; 180-855 m. c SCoRO, SCo	No. Appropriate habitat is not present on the site.	No	No Effect
29. Jones' Bush-mallow <i>Malacothamnus</i> <i>jonesii</i>	None/None 4.3	May - July	Open chaparral in foothill woodland; 250-830 m. SCoRO (Monterey, SLO Counties).	No. Appropriate habitat is not present on the site.	No	No Effect
30. Carmel Valley Malacothrix <i>Malacothrix</i> <i>saxatilis</i> var. <i>arachnoidea</i>	None/None 1B.2	March - December	Rock outcrops, steep rocky road cuts in chaparral; 25- 1215 m. Endemic to Monterey County	No. Appropriate habitat is not present on the site.	No	No Effect

Common and Scientific Names	Fed/State Status CRPR	Blooming Period	Habitat Preference	Potential Habitat?	Detected Within Study Area?	Effect of Proposed Activity
31. Mt. Diablo Cottonweed <i>Micropus amphibolus</i>	None/None 3.2	March - May	Bare, grassy, or rocky slopes; 50-800 m. NCoR, SnFrB, s SCoRO	No. Appropriate habitat is not present on the site.	No	No Effect
32. Woodland Woollythreads <i>Monolopia gracilens</i>	None/None 1B.2	March – July	Chaparral, serpentine grassland, cismontane woodland, sandy to rocky soils; SnFrB, SCoR	No. Appropriate habitat is not present on the site.	No	No Effect
33. Spreading Navarretia <i>Navarretia fossalis</i>	FT/None 1B.1	April - June	Chenopod scrub, marshes and swamps, playas, and vernal pools; 30-1300m. SCoRO, SCo, to Baja Cal.	No. Appropriate habitat is not present on the site.	No	No Effect
34. Shining Navarretia <i>Navarretia nigelliformis</i> ssp. <i>radicans</i>	None/None 1B.2	May - July	Vernal pools, clay depressions, dry grasslands; 150-1000 m. SCoR	Yes. Potentially suitable habitat is present on site	No	No Effect
35. Prostrate Vernal Pool Navarretia <i>Navarretia prostrata</i>	None/None 1B.1	April - June	Vernal pools or alkaline soils in grasslands; 15-700 m. w SnJV, SCoRI, c SCo, PR	No. Appropriate habitat is not present on the site.	No	No Effect
36. Large-flowered Nemacladus <i>Nemacladus secundiflorus</i> var. <i>secundiflorus</i>	None/None 4.3	April – May	Dry, gravelly slopes; 200-2000 m. s SNH, SCoR	No. Appropriate habitat is not present on the site.	No	No Effect
37. Hooked Popcornflower <i>Plagiobothrys uncinatus</i>	None/None 1B.2	April - May	Canyon sides, chaparral; on sandstone 300-600 m. n SCoR (Gabilan Range, Santa Lucia Mountains)	No. Appropriate habitat is not present on the site.	No	No Effect
38. San Gabriel Ragwort <i>Senecio astephanus</i>	None/None 4.3	January - April	Drying alkaline flats, chaparral, cismontane woodland, coastal scrub; <400 m. CW, SCo, ChI	No. Appropriate habitat is not present on the site.	No	No Effect

Common and Scientific Names	Fed/State Status CRPR	Blooming Period	Habitat Preference	Potential Habitat?	Detected Within Study Area?	Effect of Proposed Activity
39. Santa Cruz Microseris Stebbinsoseris decipiens	None/None 1B.2	April - May	Open areas in loose soil derived from sandstone, shale, or serpentine; 10-500 m. n & c CCo	No. Appropriate habitat is not present on the site.	No	No Effect

California Geographic Subregion Abbreviations:

CCo: Central Coast
 SCo: South Coast
 SCoR: South Coast Ranges
 SCoRO: Outer South Coast Ranges
 SCoRI: Inner South Coast Ranges
 SnFrB: San Francisco Bay
 TR: Transverse Ranges
 WTR: Western Transverse Ranges
 SnJV: San Joaquin Valley
 ScV: Sacramento Valley
 SLO: San Luis Obispo
 SN: Sierra Nevada
 SnJt: San Jacinto Mtns
 SnBr: San Bernardino
 Teh: Tehachapi Mtn Area
 CW: Central West
 SW: South West
 DMoj: Mojave Desert
 PR: Peninsular Range

State/Rank Abbreviations:

FE: Federally Endangered
 FT: Federally Threatened
 PE: Proposed Federally Endangered
 PT: Proposed Federally Threatened
 CE: California Endangered
 CR: California Rare
 CT: California Threatened
 Cand. CE: Candidate for California Endangered
 Cand. CT: Candidate for California Threatened

California Rare Plant Ranks:

CRPR 1A: Plants presumed extirpated in California and either rare or extinct elsewhere
 CRPR 1B: Plants rare, threatened, or endangered in California and elsewhere
 CRPR 2A: Plants presumed extirpated in California, but common elsewhere
 CRPR 2B: Plants rare, threatened, or endangered in California, but more common elsewhere
 CRPR 4: Plants of limited distribution - a watch list

CRPR Threat Ranks:

0.1 - Seriously threatened in California (over 80% of occurrences threatened / high degree and immediacy of threat)
 0.2 - Moderately threatened in California (20-80% occurrences threatened / moderate degree and immediacy of threat)
 0.3 - Not very threatened in California (less than 20% of occurrences threatened / low degree and immediacy of threat or no current threats known)

4.1.4 Special status plants discussion

There are seven special status plant species that could potentially occur in the Study Area based on an analysis of known ecological requirements of these species and the habitat conditions that were observed in the Study Area. We discuss each species and describe habitat, range restrictions, known occurrences, and survey results for the Study Area.

- A. Indian Valley Spineflower** (*Aristocapsa insignis*) is a CRPR 1B.2 species that is endemic to Monterey and San Luis Obispo Counties. The CNDDDB contains records of 4 documented localities for this species; two in Monterey County and two in San Luis Obispo County. The closest occurrence is in San Miguel (CNDDDB 3), approximately 10 miles northwest of the Study Area. Moderately appropriate soils are present in the Study Area for this species, specifically on a drainage slope south of the proposed development. No suitable soil and vegetation conditions are present in or near the project footprint. Indian Valley spineflower was not found in the Study Area during surveys from 2005-2016.
- B. Dwarf Calycadenia** (*Calycadenia villosa*) is a CNPS list 1B.1 species. The species is known from dry, rocky hills and gravelly outwashes in Monterey, San Luis Obispo, Santa Barbara, Fresno, and Kern Counties. The CNPS considers this species to be seriously endangered. Occurrences in the CNDDDB for San Luis Obispo and Monterey Counties include the vicinity of Nacimiento and San Antonio Lakes, north to Jolon, with scattered occurrences in Parkfield to the east and in La Panza District, east of Santa Margarita. The closest reported occurrence to the Study Area is approximately eight miles northwest, on Camp Roberts in the Adelaida quadrangle (CNDDDB 59). Moderately appropriate soils are present in the Study Area for this species, specifically on a drainage slope south of the proposed development. No suitable soil and vegetation conditions are present in or near the project footprint. Dwarf calycadenia was not found in the Study Area during surveys from 2005-2016.
- C. Obispo Indian Paintbrush** (*Castilleja densiflora* ssp. *obispoensis*) is a CNPS List 1B.2 subspecies known only from San Luis Obispo County. It is an annual wildflower that occurs in coastal grasslands in sandy or clay soils, where it blooms in March and April. It is not generally known from inland areas, however there are recent reports from the Paso Robles region (CNDDDB Occurrences 36, 37, 42, and 70). The closest reported occurrence is from 0.6 miles north of the Study Area near the intersection of Airport Road and Dry Creek Road (Occ. 42). Appropriate habitat is present in the project areas for this rare subspecies. Reference sites were visited for this species in April 2016 where it was observed in bloom. Obispo Indian paintbrush was not found in the Study Area during floristic surveys in 2016, or during previous botanical surveys of the site.
- D. Lemmon's Jewel-flower** (*Caulanthus coulteri* var. *lemmonii*) is a CNPS list 1B.2 subspecies that grows on dry, exposed slopes in the Coast Ranges where it blooms from February to April. Numerous historical collection records are from the Paso Robles area. The nearest recent record (CNDDDB 44) is approximately 14 miles northwest of the Study Area. Moderately appropriate habitat is present on south-facing slopes within the Study Area, specifically on a drainage slope south of the proposed development. No suitable soil and vegetation conditions are present in or near the project footprint. A reference site for Lemmon's jewel-flower was visited in on Davis Road east of Shandon in March 2016

where it was observed in bloom. Lemmon's jewel-flower was not found in the Study Area during floristic surveys in 2016, or during previous botanical surveys of the site.

- E. Elegant Wild Buckwheat** (*Eriogonum elegans*) is a CRPR 4.3 annual species occurring in sandy or gravelly soil in cismontane woodlands and valley and foothill grasslands. It is known from numerous collection records in the Salinas River and elsewhere in the region. Potentially suitable habitat is present in Huerhuero Creek, across Airport Road from the proposed development sites. Elegant wild buckwheat was not detected in the Study Area during our botanical surveys conducted from 2005-2016.
- F. Santa Lucia Dwarf Rush** (*Juncus luciensis*) is a CRPR 1B.2 species known from specimens collected in coastal counties from San Diego north to Monterey, and from scattered localities in northern California. It is a very small annual plant that grows in wet sandy soils in a variety of seasonally moist environments. It is caespitose, with small leaves and branches arising from the base, and rarely exceeds two inches in height. The closest reported occurrence to the Study Area is approximately four miles south, from damp grain fields six miles east of Paso Robles on Creston Road (CNDDDB 8). Potentially suitable wetland habitat occurs in the northeast corner of the Study Area at the head of a small ephemeral drainage. Botanical surveys identified toad rush (*Juncus bufonius*), a common and widespread species, at this site. Like Santa Lucia dwarf rush, toad rush is a small annual rush, but it differs, in part, by having solitary flowers at nodes each with six stamens, instead of a terminal flower with two to three stamens. Santa Lucia dwarf rush was not found in the Study Area during floristic surveys in 2016, or during previous botanical surveys of the site.
- G. Shining Navarretia** (*Navarretia nigelliformis* ssp. *radians*) is a CNPS List 1B.2 subspecies known from vernal pools, valley and foothill grassland, and cismontane woodland habitats in Fresno, Merced, Monterey, San Benito, and San Luis Obispo Counties, where it typically blooms from April to June. There are numerous occurrences of shining navarretia within one mile of the Study Area. Occurrence 68, located approximately 1.2 miles south of the Study Area, is from similar soil type as is present on site. Surveys conducted in May 2006 documented two species of navarretia in the Study Area, *N. atractyloides* and *N. pubescens*, both common species. The rare *N. nigelliformis* ssp. *radians* is known to occur with *N. pubescens* in the Paso Robles area. Shining navarretia was not found in the Study Area during surveys from 2005-2016. Shinning navarretia was in bloom in April 2016, at a reference site near the project.

4.2 Special Status Animal Species

4.2.1 Introduction to CNDDDB definitions

"Special Animals" is a general term that refers to all of the animal taxa inventoried by the CNDDDB, regardless of their legal or protection status (CDFW 2016). The Special Animals list is also referred to by the California Department of Fish and Wildlife (CDFW) as the list of "species at risk" or "special status species". These taxa may be listed or proposed for listing under the California and/or Federal Endangered Species Acts, but they may also be species deemed biologically rare, restricted in range, declining in abundance, or otherwise vulnerable.

Each species included on the Special Animals list has a corresponding Global and State Rank (refer to Table 4). This ranking system utilizes a numbered hierarchy from one to five following the Global (G-rank) or State (S-rank) category. The threat level of the organism decreases with an increase in the rank number (1=Critically Imperiled, 5=Secure). In some cases where an uncertainty exists in the designation, a question mark (?) is placed after the rank. More information is available at www.natureserve.org.

Animals listed as California Species of Special Concern (SSC) may or may not be listed under California or Federal Endangered Species Acts. They are considered rare or declining in abundance in California. The Special Concern designation is intended to provide the California Department of Fish and Wildlife, biologists, land planners and managers with lists of species that require special consideration during the planning process in order to avert continued population declines and potential costly listing under federal and state endangered species laws. For many species of birds, the primary emphasis is on the breeding population in California. For some species that do not breed in California but winter here, emphasis is on wintering range. The SSC designation thus may include a comment regarding the specific protection provided such as nesting or wintering.

Animals listed as Fully Protected are those species considered by CDFW as rare or faced with possible extinction. Most, but not all, have subsequently been listed under the California Endangered Species Act (CESA) or the Federal Endangered Species Act (FESA). Fully Protected species may not be taken or possessed at any time and no provision of the California Fish and Game code authorizes the issuance of permits or licenses to take any Fully Protected species.

4.2.2 Potential special status animals list

Table 4 lists 19 special status animal species reported from the region. Federal and California State status, global and State rank, and CDFW listing status for each species are given. Typical nesting or breeding period, habitat preference, potential habitat on site, and whether or not the species was observed on the Study Area are also provided.

TABLE 4. SPECIAL STATUS ANIMAL LIST. The 19 special status animals known or reported from the region are listed. There are 7 special status animals that could potentially occur within the Study Area based on review of preferred habitat types.

	Common and Scientific Names	Fed/CA ESA Status CDFW Status	Nesting/Breeding Period	Habitat Preference	Potential Habitat?	Detected Within Study Area?	Effect of Proposed Activity
1.	Western Pond Turtle <i>Actinemys marmorata pallida</i>	None/None SSC	April - August	Permanent or semi-permanent streams, ponds, lakes.	No. Appropriate aquatic habitat is not present on site.	No	No Effect
2.	Tricolored Blackbird <i>Agelaius tricolor</i>	None/None SSC (nesting colonies)	March 15 - August 15	Requires open water, protected nesting substrate, & foraging area with insect prey near nesting colony.	No. Appropriate nesting habitat is not present on the site.	No	No Effect
3.	Silvery Legless Lizard <i>Anniella pulchra pulchra</i>	None/None SSC	May - September	Sandy or loose loamy soils under coastal scrub or oak trees. Soil moisture essential.	Yes. Potential habitat is present in oak woodland habitat on the site.	No	No Effect
4.	Pallid Bat <i>Antrozous pallidus</i>	None/None SSC	Spring - Summer	Rock crevices, caves, tree hollows, mines, old buildings, and bridges.	Yes. Potential roosting habitat is present in oak trees on the site.	No	Potentially Adverse Effect Can Be Mitigated
5.	Golden Eagle <i>Aquila chrysaetos</i>	None/None FP	March 15 - August 15	Nests in large, prominent trees in valley and foothill woodland. Requires adjacent food source.	No. Appropriate trees for nesting are not present on the site. Eagles could forage in grasslands.	No	No Effect
6.	Burrowing Owl <i>Athene cunicularia</i>	None/None SSC	February 1 through August 31	Burrows in squirrel holes in open habitats with low vegetation.	Yes. Moderately appropriate habitat is present on the site, but burrowing owls are not known to nest in the Paso area.	No	Potentially Adverse Effect Can Be Mitigated
7.	Vernal Pool Fairy Shrimp <i>Branchinecta lynchi</i>	FT/None None	Rainy Season	Clear water sandstone depression pools, grassed swale, earth slump, or basalt flow depression pools.	Yes. Potential habitat is present in seasonal ponds on the site.	No	No Effect

	Common and Scientific Names	Fed/CA ESA Status CDFW Status	Nesting/ Breeding Period	Habitat Preference	Potential Habitat?	Detected Within Study Area?	Effect of Proposed Activity
8.	Townsend's Big-eared Bat <i>Corynorhinus townsendii</i>	None/Cand. CT SSC	Spring - Summer	Caves, buildings, and mine tunnels. Cave like attics as day roosts. On coast roosts are normally within 100 m. of creeks.	No. Suitable roosting habitat is not present on the site.	No	No Effect
9.	Bald Eagle <i>Haliaeetus leucocephalus</i>	None/CE FP	March 15 - August 15	Nests within 1 mile of water in tall live tree with open branches.	No. Appropriate habitat is not present on the site.	No	No Effect
10.	San Joaquin Whipsnake <i>Masticophis flagellum ruddockii</i>	None/None SSC	May	Open, dry, treeless areas, including grasslands and saltbush scrub; takes refuge in burrows and under shaded vegetation	No. Appropriate habitat is not present on the site.	No	No Effect
11.	Monterey Dusky-footed Woodrat <i>Neotoma macrotis luciana</i>	None/None SSC	n/a	Variety of habitats with moderate to dense understory vegetation	No. Appropriate dense woodland habitat is not present on the site.	No	No Effect
12.	Salinas Pocket Mouse <i>Perognathus inornatus psammophilus</i>	None/None SSC	n/a	Annual grassland and desert shrub in Salinas Valley, with friable soils	No. Appropriate habitat is not present on the site.	No	No Effect
13.	Coast Horned Lizard <i>Phrynosoma blainvillii</i>	None/None SSC	May - September	Frequents a wide variety of habitats, most common in lowlands along sandy washes with scattered low bushes.	No. Appropriate habitat is not present on the site.	No	No Effect
14.	California Red-legged Frog <i>Rana draytonii</i>	FT/None SSC	January - March	Lowlands and foothills in or near sources of deep water with dense, shrubby or emergent riparian vegetation.	No. Lack of suitable aquatic habitat and known records for the area.	No	No Effect
15.	Western Spadefoot Toad <i>Spea hammondi</i>	None/none SSC	January – August	Vernal ponds in grassland and woodland habitats	Yes. Seasonal ponds on site may provide appropriate breeding habitat.	No	No Effect

Common and Scientific Names	Fed/CA ESA Status CDFW Status	Nesting/ Breeding Period	Habitat Preference	Potential Habitat?	Detected Within Study Area?	Effect of Proposed Activity
16. Coast Range Newt <i>Taricha torosa</i>	None/None SSC	December - May	Slow moving streams, ponds, and lakes with surrounding evergreen/oak forests along coast.	No. Appropriate habitat is not present on site.	No	No Effect
17. American Badger <i>Taxidea taxus</i>	None/none SSC	February – May	Needs friable soils in open ground with abundant food source such as California ground squirrels.	Yes. Grasslands on the site could be used by badgers.	No	Potentially Adverse Effect Can Be Mitigated
18. Least Bell's Vireo <i>Vireo bellii pusillus</i>	FE/CE (nesting) None	March 15 - August 15	Riparian habitat, near water or dry streambed, <2000 ft. Nests in willows, mesquite, Baccharis.	No. Appropriate habitat is not present on the site.	No	No Effect
19. San Joaquin Kit Fox <i>Vulpes macrotis mutica</i>	FE/CT None	December – July	Annual grasslands or grassy open stages with scattered shrubby vegetation. Needs loose textured sandy soil and prey base.	Yes. Grasslands on the site could be used by kit fox.	No	Potentially Adverse Effect Can Be Mitigated

Habitat characteristics are from the Jepson Manual and the CDNNB.

Abbreviations:

- FE: Federally Endangered
- FT: Federally Threatened
- PE: Proposed Federally Endangered
- PT: Proposed Federally Threatened
- CE: California Endangered
- CT: California Threatened
- Cand. CE: Candidate for California Endangered
- Cand. CT: Candidate for California Threatened
- SSC: CDFW Species of Special Concern
- FP: CDFW Fully-Protected

4.2.3 Special Status Animals Discussion

Eight special status animal species could potentially occur in the Study Area. No special status animals were observed on the site during our site surveys in 2016. Reconnaissance surveys of aquatic habitats were conducted in February, March, and May 2006. Protocol surveys for listed vernal pool species were not conducted.

- A. **Silvery legless lizard** (*Anniella pulchra pulchra*) is a California Species of Special Concern that inhabits friable soils in a variety of habitats from coastal dunes to oak woodlands and chaparral. Legless lizards are known from the Paso Robles area, including the Chandler Ranch and Vina Robles Amphitheatre, where they were found in dry blue oak woodland habitat (Althouse and Meade, Inc. unpublished field notes). Appropriate habitat for silvery legless lizard is present in oak woodland habitat in the Study Area.
- B. **Pallid Bat** (*Antrozous pallidus*) is a California Species of Special Concern. Pallid bat is a large long-eared bat occurring throughout the state from deserts to moist forests. *A. pallidus* is primarily a crevice roosting species that selects roosts where it can retreat from view. Pallid bats frequently occur in oak woodlands where they may roost in tree cavities and rock outcrops. Attics may be used as roosts. Appropriate habitat for this species is found in oak trees within the Study Area, as well as unoccupied buildings.
- C. **Burrowing Owl** (*Athene cunicularia*) is a rare owl that nests and lives in mammal burrows in the ground in open habitats, most notably the burrows of California ground squirrel. It is a common resident in local areas of the interior, from Bitterwater Valley to the Carrizo Plain. Less frequent reports are from coastal grasslands. There are no reports in the CNDDDB for burrowing owl in the immediate vicinity of the Study Area, however appropriate habitat is present, and transient owls could use the site on occasion. Burrowing owls or their sign were not observed in the Study Area during biological surveys in 2016, or during previous survey efforts.
- D. **Vernal Pool Fairy Shrimp** (*Branchinecta lynchi*) is a federally listed threatened species known from the vicinity of the subject property. Occurrence #287 and #380 in the CNDDDB are from vernal pools less than half a mile southeast of the property. Two seasonal ponds are located in drainages in the Study Area that could support vernal pool fairy shrimp. No other seasonal pools were observed in the Study Area.
- E. **Western Spadefoot Toad** (*Spea hammondi*) is a California Species of Special Concern that breeds in ephemeral pools in open grassland habitats across the interior region of San Luis Obispo County. Spadefoot toads remain underground for most of the year, emerging to breed in seasonal wetland pools during the rainy season. Development of the larvae from egg to metamorphosis can be very quick when water temperatures are warm. Spadefoot toads are known to breed in seasonal pools in the vicinity Highway 46 and Airport Road, and along Huerhuero Road between Airport Road and the Salinas River. Appropriate breeding habitat for spadefoot toad is found in the seasonal ponds on the property. Aquatic sampling of the stock ponds conducted in February, March, and May 2006 did not find spadefoot toads, larvae, or egg masses.
- F. **American Badger** (*Taxidea taxus*) is a California Species of Special Concern known from open grassland habitats throughout San Luis Obispo County and elsewhere in

California. Appropriate habitat for badger is found on the property. No dens or other sign of badgers were observed on the property during our site surveys

G. San Joaquin Kit Fox (*Vulpes macrotis mutica*) is a federally listed endangered species and a state listed threatened species. They occur in the Carrizo Plain, Bitterwater Valley, Cholame Valley and historically at Camp Roberts, with transient individuals known to move between the populations. The last sighting in Camp Roberts was in 2007, and that population is presumed to be locally extinct. The last report of San Joaquin kit fox within three miles of the Study Area was from Chandler Ranch in 1991. Grassland habitat on the site is suitable for San Joaquin kit fox.

4.3 Special Status Species Not Expected to Occur

The remaining 12 sensitive species known to be present in the vicinity of the project site are not expected to occur on the property due to the absence of required soil type, lack of appropriate habitat, or because the project site is substantially outside the known range of the species.

4.4 Botanical Survey Results

The 155 species of plants identified in the Study Area consist of 95 native species and 60 introduced species (Table 5). No special status species were identified during floristic surveys conducted in the spring of 2016, or during previous botanical surveys of the site.

TABLE 5 . VASCULAR PLANT LIST. The 155 species of vascular plants identified at the Study Area consist of 95 native species and 60 introduced species. The vascular plant list is separated into general life form categories, within which the taxa are listed alphabetically by family and scientific name.

Scientific Name	Special Status	Origin	Common Name
Ferns – 1 Species			
<i>Pentagramma triangularis</i> ssp. <i>triangularis</i>	None	Native	Goldback fern
Trees - 12 Species			
<i>Ailanthus altissima</i>	None	Introduced	Tree of heaven
<i>Juniperus</i> sp.	None	Planted	Juniper
<i>Olea europaea</i>	None	Planted	Olive
<i>Pinus radiata</i>	None	Planted	Monterey pine
<i>Populus fremontii</i> ssp. <i>fremontii</i>	None	Native	Fremont cottonwood
<i>Pyrus calleryana</i>	None	Planted	Callery pear
<i>Quercus douglasii</i>	None	Native	Blue oak
<i>Quercus lobata</i>	None	Native	Valley Oak
<i>Robinia</i> sp.	None	Planted	Locust tree

Scientific Name	Special Status	Origin	Common Name
<i>Salix laevigata</i>	None	Native	Red willow
<i>Salix lasiolepis</i>	None	Native	Willow
<i>Ulmus</i> sp.	None	Planted	Elm
Shrubs - 5 Species			
<i>Baccharis pilularis</i>	None	Native	Coyote brush
<i>Baccharis salicifolius</i>	None	Native	Mule fat
<i>Lonicera</i> sp.	None	Native	Honeysuckle
<i>Rosa californica</i>	None	Native	California Rose
<i>Rosmarinus officinalis</i>	None	Planted	Rosemary
Herbs - 117 Species			
<i>Achyrrachaena mollis</i>	None	Native	Blow wives
<i>Acmispon americanus</i> var. <i>americanus</i> [= <i>Lotus purshianus</i> var. <i>purshianus</i>]	None	Native	Spanish clover
<i>Acmispon brachycarpus</i> [= <i>Lotus</i> <i>humistratus</i>]	None	Native	Bird-foot lotus, hill lotus
<i>Agoseris heterophylla</i>	None	Native	Annual mountain dandelion
<i>Ambrosia psilostachya</i>	None	Native	Western ragweed
<i>Amsinckia menziesii</i>	None	Native	Rancher's fireweed
<i>Anthriscus caucalis</i>	None	Introduced	Bur-chevil
<i>Artemisia douglasiana</i>	None	Native	Mugwort
<i>Asclepias eriocarpa</i>	None	Native	Indian milkweed
<i>Asclepias fascicularis</i>	None	Native	Narrow-leaved milkweed
<i>Bloomeria crocea</i>	None	Native	Golden stars
<i>Bowlesia incana</i>	None	Native	Hoary bowlesia
<i>Brassica nigra</i>	None	Introduced	Black mustard
<i>Calandrinia ciliata</i>	None	Native	Red maids
<i>Calochortus venustus</i>	None	Native	Butterfly mariposa lily
<i>Capsella bursa-pastoris</i>	None	Introduced	Shepherd's purse
<i>Cardamine californica</i>	None	Native	Milk maids
<i>Carduus pycnocephalus</i>	None	Introduced	Italian thistle
<i>Castilleja attenuata</i>	None	Native	Slender owl's clover
<i>Centaurea melitensis</i>	None	Introduced	Tocalote
<i>Centaurea solstitialis</i>	None	Introduced	Yellow star thistle
<i>Centaureum davyi</i>	None	Native	Centaurium
<i>Centromadia fitchii</i>	None	Native	Fitch's tarweed

Scientific Name	Special Status	Origin	Common Name
<i>Cerastium glomeratum</i>	None	Introduced	Mouse-ear chickweed
<i>Chamomilla suaveolens</i>	None	Introduced	Pineapple weed
<i>Chenopodium californicum</i>	None	Introduced	California goosefoot
<i>Chlorogalum pomeridianum</i> var. <i>pomeridianum</i>	None	Native	Amole lily
<i>Chorizanthe membranacea</i>	None	Native	Pink spineflower
<i>Chorizanthe staticoides</i>	None	Native	Turkish rugging
<i>Cirsium vulgare</i>	None	Introduced	Bull thistle
<i>Clarkia purpurea</i> ssp. <i>purpurea</i>	None	Native	Wine cups
<i>Clarkia speciosa</i> ssp. <i>speciosa</i>	None	Native	Clarkia
<i>Clarkia unguiculata</i>	None	Native	Elegant clarkia
<i>Claytonia parviflora</i> ssp. <i>parviflora</i>	None	Native	Narrow leaved miner's lettuce
<i>Claytonia perfoliata</i> ssp. <i>perfoliata</i>	None	Native	Miner's lettuce
<i>Crassula tillaea</i>	None	Introduced	Moss pygmyweed
<i>Croton [=Eremocarpus] setigerus</i>	None	Native	Turkey-mullein, dove weed
<i>Deinandra kelloggii</i>	None	Native	Kellogg's tarweed
<i>Deinandra pentactis</i>	None	Native	Salinas tarweed
<i>Dichelostemma capitatum</i>	None	Native	Bluedicks
<i>Eleocharis macrostachya</i>	None	Native	Common spikerush
<i>Eleocharis parishii</i>	None	Native	Parish's spikerush
<i>Epilobium</i> sp.	None	Native	Willow-herb
<i>Erigeron foliosus</i> var. <i>foliosus</i>	None	Native	Leafy daisy
<i>Eriogonum nudum</i>	None	Native	Naked buckwheat
<i>Erodium botrys</i>	None	Introduced	Storksbill filaree
<i>Erodium cicutarium</i>	None	Introduced	Redstem filaree
<i>Erodium moschatum</i>	None	Introduced	Greenstem filaree
<i>Eryngium vaseyi</i> var. <i>vaseyi</i>	None	Native	Coyote thistle
<i>Eschscholzia californica</i>	None	Native	California poppy
<i>Filago gallica</i>	None	Introduced	Herba impia
<i>Galium andrewsii</i>	None	Native	Phlox-leaved bedstraw
<i>Galium aparine</i>	None	Native	Goose grass
<i>Gilia clivorum</i>	None	Native	Blue-spot gilia
<i>Gnaphalium palustre</i>	None	Native	Marsh cudweed
<i>Gnaphalium purpureum</i>	None	Native	Everlasting
<i>Heterotheca grandiflora</i>	None	Introduced	Telegraph weed
<i>Hirschfeldia incana</i>	None	Introduced	Summer mustard

Scientific Name	Special Status	Origin	Common Name
<i>Hypochaeris glabra</i>	None	Introduced	Smooth cat's-ear
<i>Juncus bufonius</i>	None	Native	Toadrush
<i>Juncus mexicanus</i>	None	Native	Mexican rush
<i>Lactuca serriola</i>	None	Introduced	Prickly lettuce
<i>Lagophylla ramosissima</i> ssp. <i>ramosissima</i>	None	Native	Slender hareleaf
<i>Lemna</i> sp.	None	Native	Duckweed
<i>Lepidium nitidum</i>	None	Native	Pepperwort
<i>Lomatium caruifolium</i>	None	Native	Alkali parsnip
<i>Lupinus bicolor</i>	None	Native	Miniature lupine
<i>Lupinus microcarpus</i>	None	Native	Chick lupine
<i>Lupinus succulentus</i>	None	Native	Arroyo lupine
<i>Lythrum hyssopifolium</i>	None	Introduced	Loosestrife
<i>Malva nicaeensis</i>	None	Introduced	Bull mallow
<i>Malva parviflora</i>	None	Introduced	Cheeseweed
<i>Meconella linearis</i>	None	Native	Meconella
<i>Medicago polymorpha</i>	None	Introduced	Common bur-clover
<i>Micropus californicus</i>	None	Native	Slender cottonweed
<i>Microseris douglasii</i> ssp. <i>douglasii</i>	None	Native	Douglas' silverpuffs
<i>Microseris douglasii</i> ssp. <i>tenella</i>	None	Native	Short scaled micorseris
<i>Montia fontana</i>	None	Native	Water chickweed
<i>Navarretia atractyloides</i>	None	Native	Navarretia
<i>Navarretia pubescens</i>	None	Native	Pubescent navarretia
<i>Nicotiana acuminata</i> var. <i>multiflora</i>	None	Introduced	Tobacco
<i>Phoradendron macrophyllum</i>	None	Native	Big leaf mistletoe
<i>Phoradendron villosum</i>	None	Native	Oak mistletoe
<i>Plagiobothrys bracteatus</i>	None	Native	Popcorn flower
<i>Plagiobothrys nothofulvus</i>	None	Native	Popcorn flower
<i>Plantago erecta</i>	None	Native	California plantain
<i>Plantago lanceolata</i>	None	Introduced	English plantain
<i>Polygonum arenastrum</i>	None	Introduced	Common knotweed
<i>Ranunculus californicus</i>	None	Native	California buttercup
<i>Ranunculus hebecarpus</i>	None	Native	Annual buttercup
<i>Rumex crispus</i>	None	Introduced	Curly dock
<i>Salsola tragus</i>	None	Introduced	Russian thistle
<i>Sanicula bipinnata</i>	None	Native	Poison sanicle

Scientific Name	Special Status	Origin	Common Name
<i>Sanicula crassicaulis</i>	None	Native	Sanicle
<i>Selaginella bigelovii</i>	None	Native	Spike-moss
<i>Senecio vulgaris</i>	None	Introduced	Common groundsel
<i>Silene gallica</i>	None	Introduced	Windmill pink
<i>Sonchus oleraceus</i>	None	Introduced	Common sow thistle
<i>Spergula arvensis</i>	None	Introduced	Stickwort
<i>Spergularia rubra</i>	None	Introduced	Sand spurrey
<i>Stellaria media</i>	None	Native	Chickweed
<i>Taraxacum officinale</i>	None	Introduced	Dandelion
<i>Thysanocarpus curvipes</i>	None	Native	Lace pod
<i>Trichostema lanceolatum</i>	None	Native	Vinegar weed
<i>Trifolium albopurpureum</i>	None	Native	Dove clover
<i>Trifolium hirtum</i>	None	Native	Rose clover
<i>Trifolium microcephalum</i>	None	Native	Small-head clover
<i>Trifolium oliganthum</i>	None	Native	Few-flowered clover
<i>Trifolium wormskioldii</i>	None	Native	Marsh clover
<i>Tropidocarpum gracile</i>	None	Native	Doobie pod
<i>Uropappus lindleyi</i>	None	Native	Silver puffs
<i>Verbena lasiostachys</i>	None	Native	Verbena
<i>Veronica anagallis-aquatica</i>	None	Native	Water speedwell
<i>Veronica peregrina</i>	None	Native	Neckweed
<i>Veronica persica</i>	None	Introduced	Persian speedwell
<i>Vicia villosa</i>	None	Introduced	Winter vetch
<i>Viola pedunculata</i>	None	Native	Johnny jump-up
Grasses - 20 Species			
<i>Avena barbata</i>	None	Introduced	Slender wild oat
<i>Avena fatua</i>	None	Introduced	Wild oat
<i>Bromus diandrus</i>	None	Introduced	Ripgut brome
<i>Bromus hordeaceus</i>	None	Introduced	Soft chess brome
<i>Bromus madritensis ssp. rubens</i>	None	Introduced	Redtop brome
<i>Bromus sp.</i>	None	Introduced	Brome
<i>Crypsis schoenoides</i>	None	Introduced	Swamp grass
<i>Cynodon dactylon</i>	None	Introduced	Bermuda grass
<i>Distichlis spicata</i>	None	Native	Salt grass
<i>Festuca myuros</i>	None	Introduced	Annual fescue

Scientific Name	Special Status	Origin	Common Name
<i>Festuca perennis</i>	None	Introduced	Italian rye grass
<i>Gastridium ventricosum</i>	None	Introduced	Nit grass
<i>Hordeum marinum</i>	None	Introduced	Seaside barley
<i>Hordeum murinum</i>	None	Introduced	Foxtail barley
<i>Melica harfordii</i>	None	Native	Harford melic
<i>Nassella pulchra</i>	None	Native	Purple needlegrass
<i>Poa annua</i>	None	Introduced	Annual bluegrass
<i>Poa secunda</i>	None	Introduced	Nevada blue grass
<i>Polypogon monspeliensis</i>	None	Introduced	Annual beard grass
<i>Taeniatherum caput-medusae</i>	None	Introduced	Medusa-head

4.5 Wildlife Survey Results

Many wildlife species commonly found in cismontane habitats of California's central coast are expected to occur on or near the Study Area. The grassland habitat provides foraging habitat for raptors and predators, including red-tail hawk, red-shouldered hawk, American kestrel, red fox, coyote, badger, and bobcat. Reptiles and amphibians are present in all habitats on the site, and include gopher snake, king snake, Western fence lizard, Pacific chorus frog, and black-bellied slender salamander. Raccoon, opossum, and striped skunk are likely to forage in riparian and woodland areas, and mule deer tracks are common on roads and trails throughout the site.

Nesting birds occur in the oaks and grassland habitats in the Study Area. An active red-tailed hawk nest was present in April 2016 in an oak tree along the main drainage on the site (see Figure 6). Nesting birds are protected from disturbance by The Migratory Bird Treaty Act of 1918, as regulated by the United States Fish and Wildlife Service.

The 97 animal species that were observed or could occur on or near the property include 3 aquatic invertebrates, 6 amphibians, 10 reptiles, 57 birds, and 21 mammals (Table 6). We provide this list as a guide to the wildlife observed in the Study Area and to the species that could potentially be present at least seasonally. Other species could occur as transients, particularly avian fauna.

TABLE 6 . WILDLIFE LIST. At least 97 animal species have the potential to occur within the Study Area. The Special Status column indicates listing status of the organism under the Federal Endangered Species Act, the California Endangered Species Act, or by CDFW. Species observed at the site during our surveys are designated by the check symbol (✓) in the fourth column.

Common Name	Scientific Name	Special Status	Found on Site	Habitat Type
Aquatic Invertebrates - 3 species				
Vernal Pool Fairy Shrimp	<i>Branchinecta lynchi</i>	FT		Vernal pools, seasonal ponds
Water Flea	<i>Daphnia</i> sp.	None	✓	Vernal pools, seasonal ponds
Seed Shrimp	Class Ostracoda	None	✓	Vernal pools, seasonal ponds
Amphibians - 6 species				
Black-bellied Slender Salamander	<i>Batrachoseps nigriventris</i>	None	✓	Oak woodlands, moist areas
California Toad	<i>Bufo boreas halophilus</i>	None		Grassland, woodland
Monterey Ensatina	<i>Ensatina eschscholzi</i>	None		Moist habitats
Pacific Chorus Frog	<i>Pseudacris regilla</i>	None	✓	Many habitats near water
Bullfrog	<i>Rana catesbeiana</i>	None	✓	Perennial streams, ponds
Western Spadefoot Toad	<i>Spea hammondi</i>	SSC		Grasslands with ephemeral pools for breeding
Reptiles - 10 species				
Southwestern Pond Turtle	<i>Actinemys marmorata pallida</i>	SSC		Ponds, lakes, streams
Silvery Legless Lizard	<i>Anniella pulchra pulchra</i>	SSC		Oak woodland
Northern Pacific Rattlesnake	<i>Crotalus oreganus oreganus</i>	None		Dry, rocky habitats
Monterey Ringneck Snake	<i>Diadophis punctatus vandenburgii</i>	None		Woodlands, grasslands
California Alligator Lizard	<i>Elgaria multicarinata multicarinata</i>	None		Open grassland, woodland, chaparral
California Kingsnake	<i>Lampropeltis getula californiae</i>	None		Woodland, grassland, streams
Pacific Gopher Snake	<i>Pituophis catenifer catenifer</i>	None		Woodland, grassland
Western Fence Lizard	<i>Sceloporus occidentalis</i>	None	✓	Wide range
Valley Garter Snake	<i>Thamnophis sirtalis fitchii</i>	None		Many habitats near water
Side-blotched Lizard	<i>Uta stansburiana</i>	None	✓	Dry habitats
Birds - 57 species				
Red-winged Blackbird	<i>Agelaius phoeniceus</i>	None		Marshes, fields
Western Scrub Jay	<i>Aphelocoma californica</i>	None	✓	Oak and riparian woodlands

Common Name	Scientific Name	Special Status	Found on Site	Habitat Type
Great Egret	<i>Ardea alba</i>	None		Water habitats, grasslands
Great Blue Heron	<i>Ardea herodias</i>	None		Water habitats
Cedar Waxwing	<i>Bombycella cedrorum</i>	None	✓	Open habit
Great Horned Owl	<i>Bubo virginianus</i>	None		Varied habitats
Red-tailed Hawk	<i>Buteo jamaicensis</i>	None	✓	Open, semi-open country
Red-shouldered Hawk	<i>Buteo lineatus</i>	None		Oak and riparian woodlands
California Quail	<i>Callipepla californica</i>	None	✓	Oak, riparian woodlands
Anna's Hummingbird	<i>Calypte anna</i>	None	✓	Oak, riparian woodland, scrub
Lesser Goldfinch	<i>Carduelis psaltria</i>	None		Riparian, oak woodlands
American Goldfinch	<i>Carduelis tristis</i>	None		Weedy fields, woodlands
House Finch	<i>Carpodacus mexicanus</i>	None	✓	Wide habitat range
Turkey Vulture	<i>Cathartes aura</i>	None		Open country, oak woodlands
Killdeer	<i>Charadrius vociferous</i>	None	✓	Mud flats, stream banks
Lark Sparrow	<i>Chondestes grammacus</i>	WL	✓	Grasslands, edge habitats
Red-shafted Flicker	<i>Colaptes auratus</i>	None	✓	Woodlands
Rock Dove	<i>Columba livia</i>	None		Urban areas
Western Wood Pewee	<i>Contopus sordidulus</i>	None		Riparian woodlands
American Crow	<i>Corvus brachyrhynchos</i>	None		Open oak, riparian woodland,
Yellow-rumped Warbler	<i>Dendroica coronata</i>	None	✓	Riparian, oak woodlands
Townsend's Warbler	<i>Dendroica townsendii</i>	None		Riparian, oak woodlands
Pacific-slope Flycatcher	<i>Empidonax difficilis</i>	None		Riparian, oak woodlands
California Horned Lark	<i>Eremophila alpestris actia</i>	WL		Grassland, oak savanna
Brewer's Blackbird	<i>Euphagus cyanocephalus</i>	None	✓	Open habitats
American Kestrel	<i>Falco sparverius</i>	None		Open, semi-open country
Barn Swallow	<i>Hirundo rustica</i>	None		Open country, farmyards
Dark-eyed Junco	<i>Junco hyemalis</i>	None		Oak woodlands
Acorn Woodpecker	<i>Melanerpes formicivorus</i>	None	✓	Oak woodlands
Ash-throated Flycatcher	<i>Myiarchus cinerascens</i>	None		Open areas near oaks
Western Screech Owl	<i>Otus kennicottii</i>	None		Oak woodlands
Oak Titmouse	<i>Parus inornatus</i>	WL	✓	Woodland, riparian, oak, conifer
Savannah Sparrow	<i>Passerculus sandwichensis</i>	None		Open habitats, marshes, grasslands

Common Name	Scientific Name	Special Status	Found on Site	Habitat Type
House Sparrow	<i>Passer domesticus</i>	None		Urban
Cliff Swallow	<i>Petrochelidon pyrrhonota</i>	None		Urban; open areas near water
Yellow-billed Magpie	<i>Pica nuttalli</i>	None	✓	Oak savannah
Nuttall's Woodpecker	<i>Picoides nuttallii</i>	None		Oak woodland, savanna
Downy Woodpecker	<i>Picoides pubescens</i>	None	✓	Riparian, oak woodlands
California Towhee	<i>Pipilo crissalis</i>	None		Brushy habitats
Bushtit	<i>Psaltriparus minimus</i>	None		Oak, riparian, chaparral, scrub
Ruby-crowned Kinglet	<i>Regulus calundula</i>	None	✓	Oak and riparian woodlands
Black Phoebe	<i>Sayornis nigricans</i>	None	✓	Near water
Say's Phoebe	<i>Sayornis saya</i>	None	✓	Open country, grassland
Western Bluebird	<i>Sialia mexicana</i>	None	✓	Riparian woodland, ranch land
Western Meadowlark	<i>Sturnella neglecta</i>	None		Grasslands
European Starling	<i>Sturnus vulgaris</i>	None	✓	Agricultural, urban
Tree Swallow	<i>Tachycineta bicolor</i>	None		Wooded habitats, water
Violet-green Swallow	<i>Tachycineta thalassina</i>	None		Woodland habitats
Bewick's Wren	<i>Thryomanes bewickii</i>	None		Shrubby areas
House Wren	<i>Troglodytes aedon</i>	None		Shrubby areas
American Robin	<i>Turdus migratorius</i>	None		Streamsides, woodlands
Western Kingbird	<i>Tyrannus verticalis</i>	None		Open country with scattered trees, farms, roadsides
Barn Owl	<i>Tyto alba</i>	None		Agricultural, woodlands
Orange-crowned Warbler	<i>Vermivora celata</i>	None		Oak, riparian woodlands
Mourning Dove	<i>Zenaidura macroura</i>	None	✓	Open and semi-open area
Golden-crowned Sparrow	<i>Zonotrichia atricapilla</i>	None		Shrubby, weedy areas
White-crowned Sparrow	<i>Zonotrichia leucophrys</i>	None		Shrubby, weedy areas
Mammals - 21 species				
Pallid Bat	<i>Antrozous pallidus</i>	SSC		Riparian, woodland, urban
Coyote	<i>Canis latrans</i>	None	✓	Open woodlands, brushy areas, wide ranging
Opossum	<i>Didelphis marsupialis</i>	None		Woodlands, streams
Feral Cat	<i>Felis catus</i>	None	✓	Varied
Black-tailed Jackrabbit	<i>Lepus californicus</i>	None		Grasslands
Bobcat	<i>Lynx rufus</i>	None		Chaparral and woodlands
Striped Skunk	<i>Mephitis mephitis</i>	None		Mixed woods, chaparral

Common Name	Scientific Name	Special Status	Found on Site	Habitat Type
California Vole	<i>Microtus californicus</i>	None		Grassland meadows
Long-tailed Weasel	<i>Mustela frenata</i>	None		Grasslands
California Myotis	<i>Myotis californicus</i>	None		Tunnels, hollow trees, crevices
Mule Deer	<i>Odocoileus hemionus</i>	None	✓	Many habitats
California Mouse	<i>Peromyscus californicus</i>	None		Oak woodland, chaparral
Deer Mouse	<i>Peromyscus maniculatus</i>	None		All dry land habitats
Raccoon	<i>Procyon lotor</i>	None		Streams, lakes, rock cliffs,
Western Harvest Mouse	<i>Reithrodontomys megalotis</i>	None		Grassland, dense vegetation near water
California Ground Squirrel	<i>Spermophilus beecheyi</i>	None	✓	Grasslands
Desert Cottontail	<i>Sylvilagus audubonii</i>	None		Brushy areas
American Badger	<i>Taxidea taxus</i>	SSC		Open grasslands
Valley Pocket Gopher	<i>Thomomys bottae</i>	None	✓	Variety of habitats
Red Fox	<i>Vulpes fulva</i>	None	✓	Forest and open country
San Joaquin Kit Fox	<i>Vulpes macrotis mutica</i>	FE		Open grasslands, scrub

FE: Federally Endangered; FT: Federally Threatened; SSC: CDFW Species of Special Concern; WL: CDFW Watch List

5.0 Potential Impacts to Biological Resources

The proposed hotel project is situated in open annual grassland habitat, or in areas already developed. No sensitive species are anticipated to occur in the development footprint. Biological resources on the site that could be affected by development of the hotel project include non-native annual grassland habitat, oak trees, nesting birds and common wildlife.

Section 5.1 outlines the regulatory framework for impacts to biological resources. Sections 5.2 through 5.5 address potential impacts to biological resources from development of the site. We include in our analysis impacts to both common and special status species, as well as to habitats that are not sensitive. This consideration contributes to understanding cumulative impacts to the environment that may result from the loss of common species and habitat.

5.1 Regulatory Framework

5.1.1 Federal Regulations

Endangered Species Act – The federal Endangered Species Act (ESA) provides the legal framework for the listing and protection of species (and their habitats) identified as being endangered or threatened with extinction. Actions that jeopardize endangered or threatened species and the habitats upon which they rely are considered a ‘take’ under the Endangered Species Act. Take of a federally listed threatened or endangered species is prohibited without a

special permit. The Endangered Species Act allows for take of a threatened or endangered species incidental to development activities once a habitat conservation plan has been prepared to the satisfaction of the USFWS and an incidental take permit has been issued. The Endangered Species Act also allows for the take of threatened or endangered species after consultation has deemed that development activities will not jeopardize the continued existence of the species. The federal Endangered Species Act also provides for a Section 7 Consultation when a federal permit is required, such as a Clean Water Act Section 404 permit.

“Critical Habitat” is a term within the federal Endangered Species Act designed to guide actions by federal agencies (as opposed to state, local, or other agency actions) and defined as “an area occupied by a species listed as threatened or endangered within which are found physical or geographical features essential to the conservation of the species, or an area not currently occupied by the species which is itself essential to the conservation of the species.”

Section 404 Clean Water Act Regulations – The Clean Water Act provides wetland regulation at the federal level and is administered by the USACE. The purpose of the Clean Water Act is to restore and maintain the chemical, physical, and biological integrity of all waters of the U.S. Permitting is required for filling waters of the U.S. (including wetlands). Permits may be issued on an individual basis, or may be covered under approved nationwide permits.

Migratory Bird Treaty Act – All migratory bird species that are native to the U.S. or its territories are protected under the federal Migratory Bird Treaty Act, as amended under the Migratory Bird Treaty Reform Act of 2004. The Migratory Bird Treaty Act is generally protective of migratory birds.

5.1.2 State Regulations

California Environmental Quality Act (CEQA) – CEQA requires that biological resources be considered when assessing the environmental impacts that are the result of proposed actions. The lead agencies determine the scope of what is considered an impact and what constitutes an “adverse effect” on a biological resource.

California Fish and Game Code – The California Fish and Game Code regulate the taking or possession of birds, mammals, fish, amphibians, and reptiles, as well as natural resources such as wetlands and waters of the state. It includes the California Endangered Species Act, Streambed Alteration Agreement regulations, and California Native Plant Protection Act. Fish and Game Code states that it is “unlawful to take, possess, or needlessly destroy the nest or eggs of any bird, except as otherwise provided by this code or any regulation made pursuant thereto,” and “unlawful to take, possess, or destroy any birds of prey or to take, possess, or destroy the nest or eggs of any such bird” unless authorized.

California Endangered Species Act – The California Endangered Species Act (CESA), similar to the federal Endangered Species Act, contains a process for listing of species and regulating potential impacts to listed species. State threatened and endangered species include both plants and wildlife, but do not include invertebrates. The designation “rare species” applies only to California native plants. State threatened and endangered plant species are regulated largely under the Native Plant Preservation Act in conjunction with the California Endangered Species Act. State threatened and endangered animal species are legally protected against “take.” The

CESA authorizes CDFW to enter into a memorandum of agreement for take of listed species to issue an incidental take permit for a state-listed threatened and endangered species only if specific criteria are met. Section 2080 of the CESA prohibits the take of species listed as threatened or endangered pursuant to the Act. Section 2081 allows CDFW to authorize take prohibited under Section 2080 provided that: 1) the taking is incidental to an otherwise lawful activity; 2) the taking will be minimized and fully mitigated; 3) the applicant ensures adequate funding for minimization and mitigation; and 4) the authorization will not jeopardize the continued existence of the listed species.

Streambed Alteration Agreement Regulations – Section 1602 of the Fish & Game Code requires any person, state, or local governmental agency to provide advance written notification to CDFW prior to initiating any activity that would: 1) divert or obstruct the natural flow of, or substantially change or remove material from the bed, channel, or bank of any river, stream, or lake; or 2) result in the disposal or deposition of debris, waste, or other material into any river, stream, or lake. The state definition of “lakes, rivers, and streams” includes all rivers or streams that flow at least periodically or permanently through a well-defined bed or channel with banks that support fish or other aquatic life, and watercourses with surface or subsurface flows that support or have supported riparian vegetation.

California Native Plant Protection Act – Section 1900-1913 of the California Fish and Game Code contains the regulations of the Native Plant Protection Act of 1977. The intent of this act is to help conserve and protect rare and endangered plants in the state.

Regional Water Quality Control Board – The RWQCB not only regulates impacts to water quality in federal waters of the U.S. under Section 401 of the Clean Water Act, but they also regulate any isolated waters that are impacted under the state Porter Cologne Act utilizing a Waste Discharge Requirement. Discharge of fill material into waters of the State not subject to the jurisdiction of the USACE pursuant to Section 401 of the Clean Water Act may require authorization pursuant to the Porter Cologne Act through application for waste discharge requirements or through waiver of waste discharge requirements.

California Oak Woodland Conservation Act – This act established the Oak Woodland Conservation Program, administered by the Wildlife Conservation Board, to help local jurisdictions protect and enhance their oak woodland resources. It offers landowners, conservation groups, and cities/counties and opportunity to obtain funding for projects designed to conserve and restore California’s oak woodlands.

5.2 Potential Habitat Impacts

Habitat types are indicated on the Biological Constraints Map provided as Figure 6 in Exhibit A. Impact areas from development of the project are shown on the figure. The portion of the site that will be developed for the hotel project already has an existing paved access road, residence, and barn. The residence and barn will be removed and replaced with Hotel #2. Hotel #1 and #3 will be situated in annual grassland habitat. The existing access road would be utilized for the hotel project, and would extend to the east property boundary. The road extension passes south of potential wetland habitat. Native oak trees occur near the development footprint of Hotel #1 and Hotel #2.

TABLE 7. POTENTIAL HABITAT IMPACTS.

Habitat Type	Approximate Impact (acres)
Annual Grassland	6.4
Blue Oak Woodland	0
Irrigated Pasture	0
Pond	0
Riparian	0
Wetland	0
Anthropogenic	n/a

5.2.1 Annual grassland

Approximately 26.5 acres of annual grassland habitat is mapped in the Study Area. Proposed development on the site would result in a permanent loss of ±6.4 acres of annual grassland habitat. A landscape plan was not available for review prior to this assessment. Landscape installations could impact additional annual grassland acreage. Impacts to annual grassland habitat require mitigation for impacts to San Joaquin kit fox habitat (see Section 5.5.1)

The grassland habitat on the site is potential habitat for several special status plants and animals. Impacts to annual grassland habitat that affect special status species can be mitigated (refer to Sections 5.4, 5.5, 6.2 and 6.4).

5.2.2 Wetland

Wetlands are located within some areas of the drainages on the property. A potential wetland is mapped in the northeast corner of the Study Area behind Hotel #2, at the head of an ephemeral drainage. The proposed road extension appears to avoid the potential wetland.

5.3 Potential Oak Tree Impacts

No oak trees are expected to be removed; however construction of the proposed project could impact the critical root zones of both blue and valley oaks.

The critical root zone (CRZ), as defined by the City of Paso Robles, is an area of root space that is within a circle circumscribed around the trunk of a tree using a radius of 1 foot per inch DBH, e.g., a 20-inch diameter tree has a CRZ with a radius of 20 feet as measured from the center of the tree (City of El Paso de Robles - Ordinance No. 835 N.S). This measurement often extends beyond the actual drip-line of the tree.

5.4 Potential Impacts to Common Wildlife

5.4.1 Nesting habitat

Impacts to or take of nesting birds could occur if grading or tree removal/trimming is conducted during nesting season (March 15 through August 15). Take of common nesting birds is

prohibited by federal and state code. Impacts to or take of common nesting birds can be avoided (refer to Section 6.2.1).

5.4.2 Reduction of movement corridors

Development of the proposed project would alter common wildlife species' patterns of movement across the site. Movement corridors through drainages to and from nearby Huerhuero Creek would not be completely disrupted, but free movement across the property would be reduced. Impacts to San Joaquin kit fox movement corridors are discussed in Section 6.4.1.

5.4.3 Displacement and/or take

Common wildlife species currently living on the property or using the site as transients would be displaced by development of the site. Take of common species may occur during construction activities. Displacement and/or take of common wildlife species is not a significant impact.

5.5 Potential Impacts to Special Status Species

Seven special status animals and seven special status plants have the potential to occur in the Study Area. Two special status mammals, San Joaquin kit fox and American badger, are known to occur in regional grassland habitats. Pallid bat, a Species of Special Concern, could roost in oak trees. Burrowing owls are unlikely to occur in the Study Area, however appropriate habitat with ground squirrel burrows is present. Silvery legless lizard could occur in oak woodland habitat, but is not likely to be impacted by the project. Vernal pool fair shrimp and western spadefoot toad could be present in seasonal ponds in the Study Area but are unlikely to be impacted by the project. None of the seven special status plants identified as having the potential to occur in the Study Area were identified during floristic surveys conducted in the spring of 2016.

5.5.1 San Joaquin kit fox

The project site is situated in grassland habitat within the range of San Joaquin kit fox. Approximately 6.4 acres of annual grassland habitat usable by San Joaquin kit fox would be removed. Precise acreages will be calculated upon approval of the proposed site plan by the City of Paso Robles, and completion of final grading and landscape plans. Removal of San Joaquin kit fox habitat can be mitigated (refer to Section 6.4.1).

5.5.2 American badger

Approximately 6.4 acres of annual grassland habitat usable by badgers would be removed. Indirect impacts to badgers include the loss of foraging and denning habitat. Direct impacts could occur if a badger takes up residence in the development footprint. The loss of grassland habitat is not a significant impact, although the cumulative loss of habitat in the Paso Robles region has negatively affected badger populations in the area. Disturbance of denning badgers can be avoided (refer to Section 6.4.2).

5.5.3 *Pallid bat*

Removal of mature trees with trunk cavities or loose bark could impact roosting bats and/or maternal bat colonies. Removal of buildings could also affect roosting bats. Disturbance of pallid bat or maternity colonies of any bat species can be avoided (refer to Section 6.4.3).

5.5.4 *Burrowing owl*

Burrowing owls are unlikely to occur in the Study Area. However, if present, impacts to nesting burrowing owl could occur if grading is conducted during nesting season. Impacts to burrowing owl can be avoided (refer to Section 6.2.1).

6.0 Recommendations and Mitigations

We recommend the following biological resource (BR) mitigation measures to prevent or mitigate for impacts to rare species and nesting birds.

6.1 Habitat Mitigations

6.1.1 *Annual grassland*

Impacts to annual grassland habitat in the Paso Robles region are not typically considered significant unless special status species are affected. Grassland habitat on the site is considered potential habitat for the federally endangered San Joaquin kit fox. Loss or permanent degradation of grassland habitat on the property is a significant but mitigable impact (refer to Section 6.4.1).

6.1.2 *Wetland*

It appears that the project will avoid all potential wetland habitat in the Study Area; therefore no mitigation recommendations are provided. A formal wetland delineation conducted on the property would determine wetland presence according to state and federal standards and would determine the extent of Clean Water Act section 404 jurisdictional wetlands and waters of the United States if impacts could occur from construction of the project.

6.2 Common Wildlife Mitigations

6.2.1 *Nesting habitat*

Migratory non-game native bird species are protected by international treaty under the Federal Migratory Bird Treaty Act (MBTA) of 1918 (50 C.F.R. Section 10.13). Sections 3503, 3503.5 and 3513 of the California Fish and Game Code prohibit take of all birds and their active nests including raptors and other migratory non-game birds (as listed under the Federal MBTA).

BR-1. Within one week of ground disturbance or tree removal/trimming activities, if work occurs between March 15 and August 15, nesting bird surveys shall be conducted. To avoid impacts to nesting birds, grading and construction activities that affect trees and grasslands shall not be conducted during the breeding season from March 15 to

August 15. If construction activities must be conducted during this period, nesting bird surveys shall take place within one week of habitat disturbance. If surveys do not locate nesting birds, construction activities may be conducted. If nesting birds are located, no construction activities shall occur within 100 feet of nests until chicks are fledged. Construction activities shall observe a 300-foot buffer for occupied raptor nests. Buffers for active burrowing owl nests must comply with the CDFW Staff Report on Burrowing Owls (CDFW 2012). A pre-construction survey report shall be submitted to the lead agency immediately upon completion of the survey. The report shall detail appropriate fencing or flagging of the buffer zone and make recommendations on additional monitoring requirements.

6.3 Oak Tree Mitigations

Oak tree impacts and mitigation requirements shall be compiled by the project arborist or botanist. The following mitigation recommendations are modeled after guidelines set forth in the Paso Robles Tree Ordinance (City of El Paso de Robles - Ordinance No. 835 N.S).

- BR-2.** Tree canopies and trunks within 50 feet of proposed disturbance zones should be mapped and numbered by a qualified biologist and a licensed land surveyor. Data for each tree should include date, species, number of stems, diameter at breast height (DBH) of each stem, critical root zone (CRZ) diameter, canopy diameter, tree height, health, habitat notes, and nests observed.
- BR-3.** An oak tree protection plan shall be prepared and approved by the City of Paso Robles.
- BR-4.** Impacts to the oak canopy or critical root zone (CRZ) should be avoided where practicable. Impacts include pruning, any ground disturbance within the dripline or CRZ of the tree (whichever distance is greater), and trunk damage.
- BR-5.** Impacted oaks shall be mitigated for by planting one 24 inch boxed tree for impacts up to 25 percent of the root zone or canopy. Two 24 inch boxed trees shall be planted for trees with impacts up to 50 percent of the tree, and so on. The mitigation trees shall be incorporated into the landscape plan.
- BR-6.** Replacement oaks for removed trees must be equivalent to 25 percent of the diameter of the removed tree(s). For example, the replacement requirement for removal of two trees of 15 inches DBH (30 total diameter inches), would be 7.5 inches (30 inches removed x 0.25 replacement factor). This requirement could be satisfied by planting five 1.5 inch trees, or three 2.5 inch trees, or any other combination totaling 7.5 inches. A minimum of two 24 inch box, 1.5 inch trees shall be required for each oak tree removed.
- BR-7.** Replacement trees should be seasonally maintained (browse protection, weed reduction and irrigation, as needed) and monitored annually for at least 7 years.

6.4 Special Status Species Mitigations

6.4.1 San Joaquin kit fox

San Joaquin kit fox could occur in the project area. The project would result in a net loss of kit fox habitat. Construction activities could directly impact (take) San Joaquin kit fox. The following mitigation recommendations are designed to reduce the potential for direct impacts to kit fox to a less than significant level.

BR-8. Prior to issuance of grading and/or construction permits, the applicant shall submit evidence to the City of Paso Robles (City) that states that one or a combination of the following three San Joaquin kit fox mitigation measures has been implemented:

- a. Provide for the protection in perpetuity, through acquisition of fee or a conservation easement of [**Total number of mitigation acres required**] acres of suitable habitat in the kit fox corridor area (e.g. within the San Luis Obispo County kit fox habitat area, northwest of Highway 58), either on-site or off-site, and provide for a non-wasting endowment to provide for management and monitoring of the property in perpetuity. Lands to be conserved shall be subject to the review and approval of the California Department of Fish and Game (Department) and the City.

This mitigation alternative (a.) requires that all aspects of this program must be in place before City permit issuance or initiation of any ground disturbing activities.

- b. Deposit funds into an approved in-lieu fee program, which would provide for the protection in perpetuity of suitable habitat in the kit fox corridor area within San Luis Obispo County, and provide for a non-wasting endowment for management and monitoring of the property in perpetuity.

Mitigation alternative (b) above, can be completed by providing funds to The Nature Conservancy (TNC) pursuant to the Voluntary Fee-Based Compensatory Mitigation Program (Program). The Program was established in agreement between the Department and TNC to preserve San Joaquin kit fox habitat, and to provide a voluntary mitigation alternative to project proponents who must mitigate the impacts of projects in accordance with the California Environmental Quality Act (CEQA). The fee, payable to “The Nature Conservancy”, would total \$[**Amount of fee based on \$2,500 per acre**]. This fee is calculated based on the current cost-per-unit of \$2,500 per acre of mitigation, which is scheduled to be adjusted to address the increasing cost of property in San Luis Obispo County; your actual cost may increase depending on the timing of payment. This fee must be paid after the Department provides written notification about your mitigation options but prior to City permit issuance and initiation of any ground disturbing activities.

- c. Purchase [**Total number of mitigation acres required**] credits in a Department-approved conservation bank, which would provide for the protection in perpetuity of suitable habitat within the kit fox corridor area and provide for a non-wasting endowment for management and monitoring of the property in perpetuity.

Mitigation alternative (c) above, can be completed by purchasing credits from the Palo Prieto Conservation Bank. The Palo Prieto Conservation Bank was

established to preserve San Joaquin kit fox habitat, and to provide a voluntary mitigation alternative to project proponents who must mitigate the impacts of projects in accordance with the California Environmental Quality Act (CEQA). The cost for purchasing credits is payable to the owners of The Palo Prieto Conservation Bank, and would total \$**Amount of mitigation acres required (i.e. credits), currently priced at \$2,500 per credit**. This fee is calculated based on the current cost-per-credit of \$2,500 per acre of mitigation. The fee is established by the conservation bank owner and may change at any time. Your actual cost may increase depending on the timing of payment. Purchase of credits must be completed prior to City permit issuance and initiation of any ground disturbing activities.

BR-9. Prior to issuance of grading and/or construction permits, the applicant shall provide evidence that they have retained a qualified biologist acceptable to the City. The retained biologist shall perform the following monitoring activities:

- i. **Prior to issuance of grading and/or construction permits and within 30 days prior to initiation of site disturbance and/or construction**, the biologist shall conduct a pre-activity (i.e. pre-construction) survey for known or potential kit fox dens and submit a letter to the City reporting the date the survey was conducted, the survey protocol, survey results, and what measures were necessary (and completed), as applicable, to address any kit fox activity within the project limits.
- ii. **The qualified biologist shall conduct weekly site visits during site-disturbance activities** (i.e. grading, disking, excavation, stock piling of dirt or gravel, etc.) that proceed longer than 14 days, for the purpose of monitoring compliance with required Mitigation Measures BR-10 through BR-19. Site disturbance activities lasting up to 14 days do not require weekly monitoring by the biologist unless observations of kit fox or their dens are made on-site or the qualified biologist recommends monitoring for some other reason (refer to BR-10iii). When weekly monitoring is required, the biologist shall submit weekly monitoring reports to the City.
- iii. **Prior to or during project activities**, if any observations are made of San Joaquin Kit fox, or any known or potential San Joaquin kit fox dens are discovered within the project limits, the qualified biologist shall re-assess the probability of incidental take (e.g. harm or death) to kit fox. At the time a den is discovered, the qualified biologist shall contact USFWS and the CDFW for guidance on possible additional kit fox protection measures to implement and whether or not a Federal and/or State incidental take permit is needed. If a potential den is encountered during construction, work shall stop until such time the USFWS determines it is appropriate to resume work.

If incidental take of kit fox during project activities is possible, **before project activities commence**, the applicant must consult with the USFWS. The results of this consultation may require the applicant to obtain a Federal and/or State permit for incidental take during project activities. The applicant should be aware that the presence of kit foxes or known or potential kit fox dens at the project site could result in further delays of project activities.

iv. **In addition**, the qualified biologist shall implement the following measures:

1. **Within 30 days prior to initiation of site disturbance and/or construction**, fenced exclusion zones shall be established around all known and potential kit fox dens. Exclusion zone fencing shall consist of either large flagged stakes connected by rope or cord, or survey laths or wooden stakes prominently flagged with survey ribbon. Each exclusion zone shall be roughly circular in configuration with a radius of the following distance measured outward from the den or burrow entrances:
 - Potential kit fox den: 50 feet
 - Known or active kit fox den: 100 feet
 - Kit fox pupping den: 150 feet
2. All foot and vehicle traffic, as well as all construction activities, including storage of supplies and equipment, shall remain outside of exclusion zones. Exclusion zones shall be maintained until all project-related disturbances have been terminated, and then shall be removed.
3. If kit foxes or known or potential kit fox dens are found on site, daily monitoring by a qualified biologist shall be required during ground disturbing activities.

BR-10. Prior to issuance of grading and/or construction permits, the applicant shall clearly delineate the following as a note on the project plans: “*Speed signs of 25 mph (or lower) shall be posted for all construction traffic to minimize the probability of road mortality of the San Joaquin kit fox*”. Speed limit signs shall be installed on the project site **within 30 days prior to initiation of site disturbance and/or construction**.

BR-11. During the site disturbance and/or construction phase, grading and construction activities after dusk shall be prohibited unless coordinated through the City, during which additional kit fox mitigation measures may be required.

BR-12. Prior to issuance of grading and/or construction permit and within 30 days prior to initiation of site disturbance and/or construction, all personnel associated with the project shall attend a worker education training program, conducted by a qualified biologist, to avoid or reduce impacts on sensitive biological resources (i.e. San Joaquin kit fox). At a minimum, as the program relates to the kit fox, the training shall include the kit fox’s life history, all mitigation measures specified by the City, as well as any related biological report(s) prepared for the project. The applicant shall notify the City shortly prior to this meeting. A kit fox fact sheet shall also be developed prior to the training program, and distributed at the training program to all contractors, employers and other personnel involved with the construction of the project.

BR-13. During the site-disturbance and/or construction phase, to prevent entrapment of the San Joaquin kit fox, all excavations, steep-walled holes and trenches in excess of two feet in depth shall be covered at the close of each working day by plywood or similar materials, or provided with one or more escape ramps constructed of earth fill or

wooden planks. Trenches shall also be inspected for entrapped kit fox each morning prior to onset of field activities and immediately prior to covering with plywood at the end of each working day. Before such holes or trenches are filled, they shall be thoroughly inspected for entrapped kit fox. Any kit fox so discovered shall be allowed to escape before field activities resume, or removed from the trench or hole by a qualified biologist and allowed to escape unimpeded.

- BR-14. During the site-disturbance and/or construction phase,** any pipes, culverts, or similar structures with a diameter of four inches or greater, stored overnight at the project site shall be thoroughly inspected for trapped San Joaquin kit foxes before the subject pipe is subsequently buried, capped, or otherwise used or moved in any way. If during the construction phase a kit fox is discovered inside a pipe, that section of pipe will not be moved. If necessary, the pipe may be moved only once to remove it from the path of activity, until the kit fox has escaped.
- BR-15. During the site-disturbance and/or construction phase,** all food-related trash items such as wrappers, cans, bottles, and food scraps shall be disposed of only in closed containers. These containers shall be regularly removed from the site. Food items may attract San Joaquin kit foxes onto the project site, consequently exposing such animals to increased risk of injury or mortality. No deliberate feeding of wildlife shall be allowed.
- BR-16. Prior to, during and after the site-disturbance and/or construction phase,** use of pesticides or herbicides shall be in compliance with all local, State and Federal regulations. This is necessary to minimize the probability of primary or secondary poisoning of endangered species utilizing adjacent habitats, and the depletion of prey upon which San Joaquin kit foxes depend.
- BR-17. During the site-disturbance and/or construction phase,** any contractor or employee that inadvertently kills or injures a San Joaquin kit fox or who finds any such animal either dead, injured, or entrapped shall be required to report the incident immediately to the applicant and City. In the event that any observations are made of injured or dead kit fox, the applicant shall immediately notify the USFWS and CDFW by telephone. In addition, formal notification shall be provided in writing within three working days of the finding of any such animal(s). Notification shall include the date, time, location and circumstances of the incident. Any threatened or endangered species found dead or injured shall be turned over immediately to CDFW for care, analysis, or disposition.
- BR-18. Prior to final inspection, or occupancy, whichever comes first,** should any long internal or perimeter fencing be proposed or installed, the applicant shall do the following to provide for kit fox passage:
- i. If a wire strand/pole design is used, the lowest strand shall be no closer to the ground than 12 inches.
 - ii. If a more solid wire mesh fence is used, 8 by 12 inch openings near the ground shall be provided every 100 yards.

- iii. Upon fence installation, the applicant shall notify the City to verify proper installation. Any fencing constructed after issuance of a final permit shall follow the above guidelines.

6.4.2 American badger

American badger could occur in the project areas. The project will result in a net loss of badger habitat. Mitigation is not required for loss of badger habitat. To ensure take of live badgers does not occur, the following mitigation recommendation shall be implemented:

BR-19. A pre-construction survey shall be conducted within thirty days of beginning work on the project to identify if badgers are using the site. The results of the survey shall be sent to the project manager, CDFW, and the City of Paso Robles.

If the pre-construction survey finds potential badger dens, they shall be inspected to determine whether they are occupied. The survey shall cover the entire property, and shall examine both old and new dens. If potential badger dens are too long to completely inspect from the entrance, a fiber optic scope shall be used to examine the den to the end. Inactive dens may be excavated by hand with a shovel to prevent re-use of dens during construction. If badgers are found in dens on the property between February and July, nursing young may be present. To avoid disturbance and the possibility of direct take of adults and nursing young, and to prevent badgers from becoming trapped in burrows during construction activity, no grading shall occur within 100 feet of active badger dens between February and July. Between July 1 and February 1 all potential badger dens shall be inspected to determine if badgers are present. During the winter badgers do not truly hibernate, but are inactive and asleep in their dens for several days at a time. Because they can be torpid during the winter, they are vulnerable to disturbances that may collapse their dens before they rouse and emerge. Therefore, surveys shall be conducted for badger dens throughout the year. If badger dens are found on the property during the pre-construction survey, the CDFW wildlife biologist for the area shall be contacted to review current allowable management practices.

6.4.3 Pallid bat

Roosting bats and/or maternal bat colonies may be present in trees with appropriate cavities or loose bark on the project site.

BR-20. Prior to removal of any mature oak trees or structures, a survey shall be conducted by a qualified biologist to determine if sensitive bat species or maternal bat colonies are present. Maternal bat colonies may not be disturbed.

6.4.4 Burrowing owl

Surveys for nesting burrowing owl will be conducted concurrently with surveys for other nesting birds (see Section 6.2.1)

7.0 References

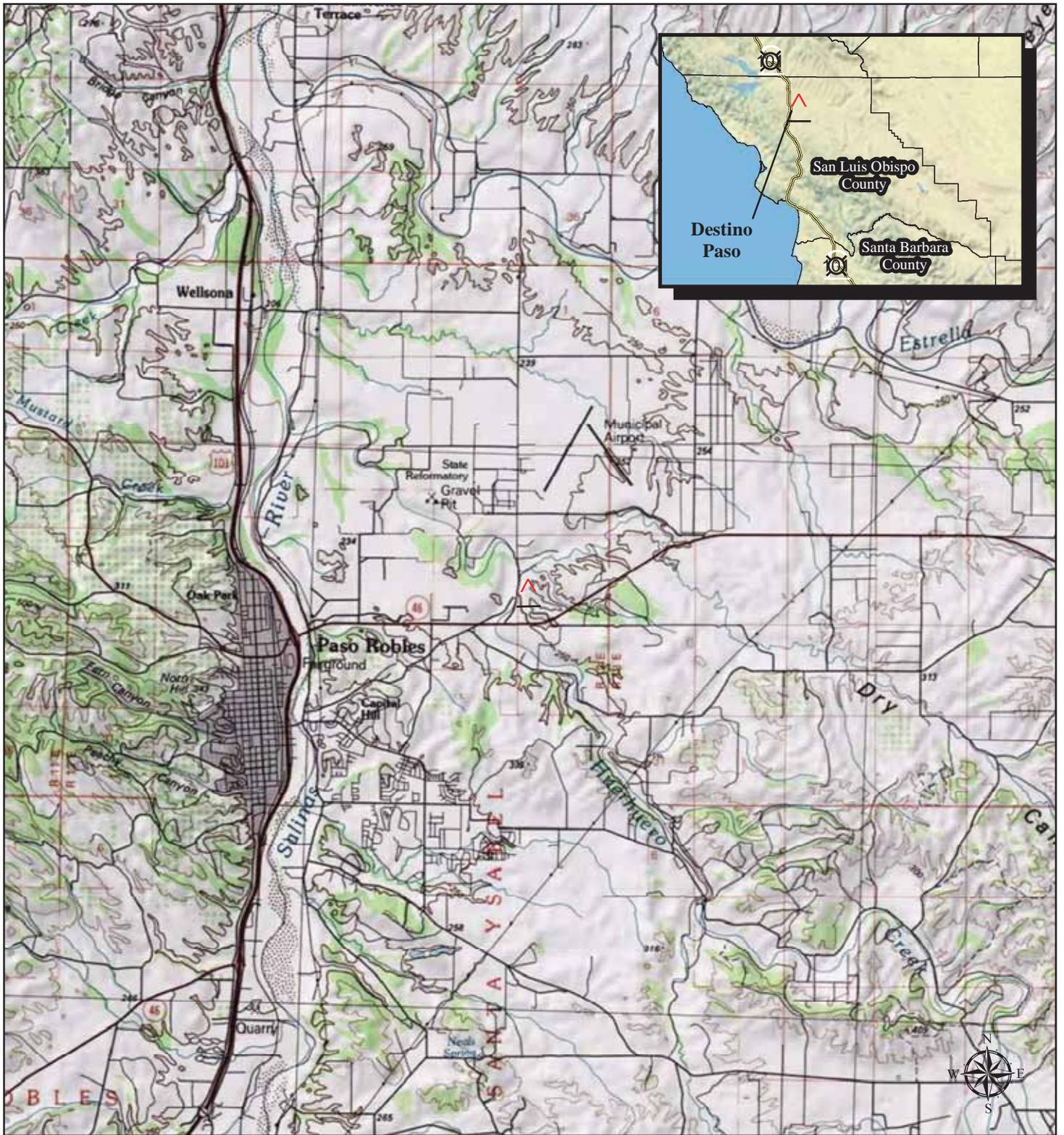
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Exhibit A - Figures

- Figure 1. Location Map
- Figure 2. Aerial Photograph
- Figure 3. USDA Soils Map
- Figure 4. CNDDDB Animals & USFWS Critical Habitat Map
- Figure 5. CNDDDB Plants Map
- Figure 6. Biological Constraints Map
- Site Plan

Figure 1. Location Map



 Project Location

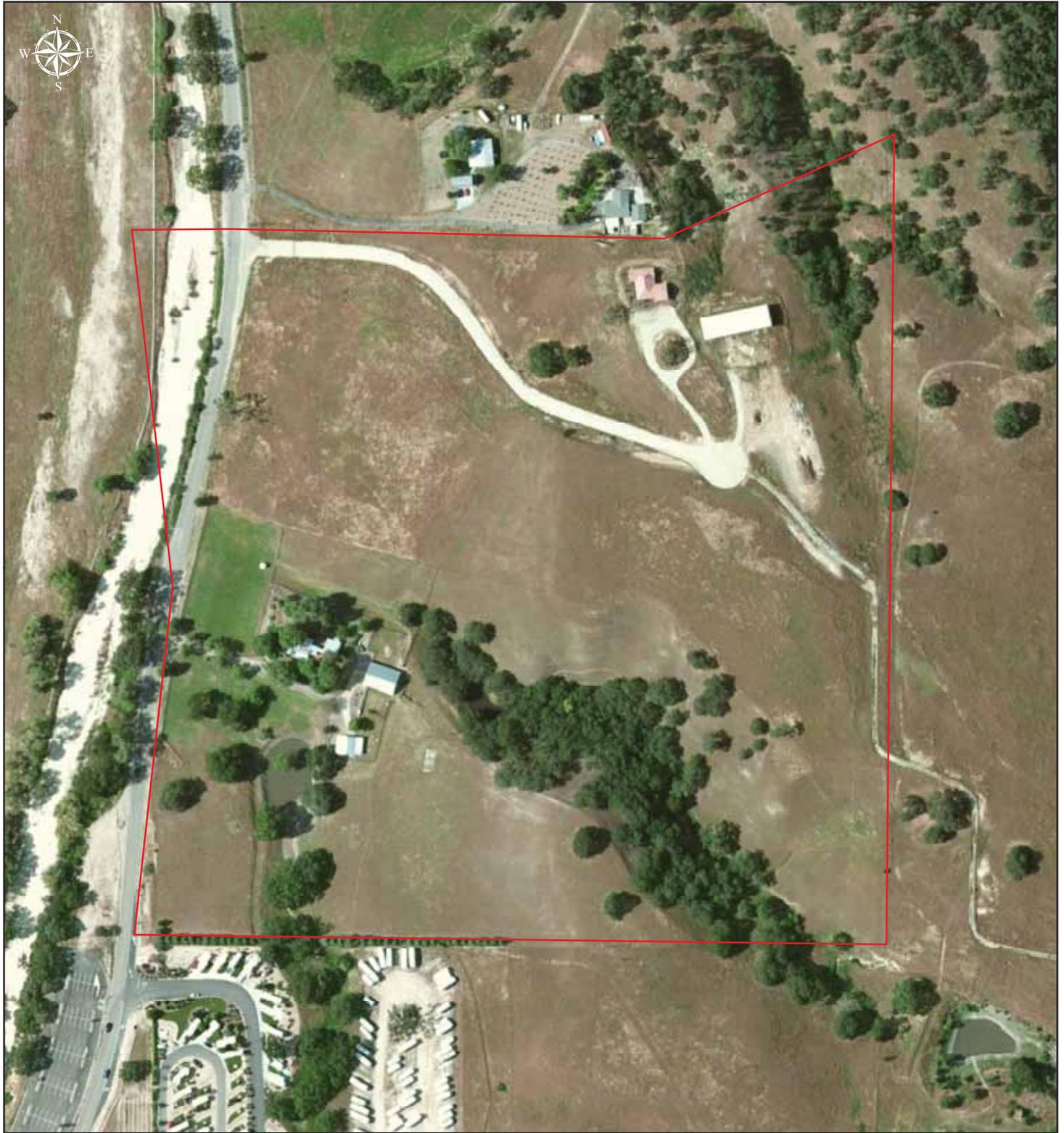


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Paso Robles, CA

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Map Updated: April 21, 2016, 04:05 PM



Figure 2. Aerial Photograph



 Property Boundary/Study Area

0 250 500 1,000 Feet

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Paso Robles, CA

Service Layer Credits: Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community

Map Updated: April 22, 2016, 09:47 AM

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BIOLOGICAL AND ENVIRONMENTAL SERVICES

Figure 3. USDA Soils Map



102: Arbuckle-Positas Complex 9 to 15 percent slopes
 104: Arbuckle-Positas Complex 30 to 50 percent slopes
 106: Arbuckle-San Ysidro Complex 2 to 9 percent slopes
 212: Xerofluvents-Riverwas Association

 Property Boundary

0 250 500 1,000 Feet

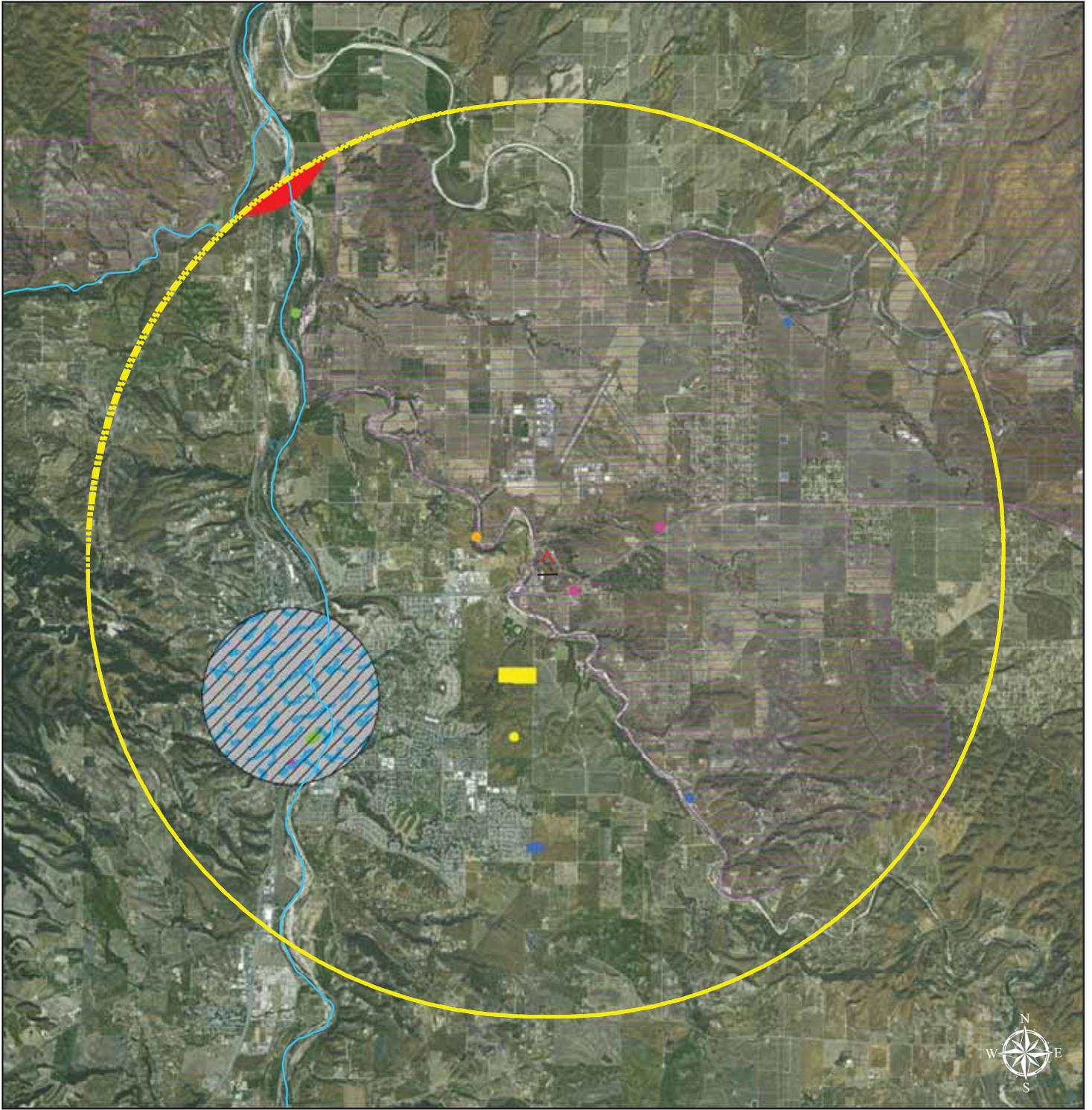
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 Paso Robles, CA

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Map Updated: April 22, 2016, 09:56 AM



Figure 4. CNDDDB Animals & USFWS Critical Habitat Map



- | | | |
|--------------------------|------------------------|--------------------------|
| Project Location | CNDDDB | Salinas pocket mouse |
| 5-Mile Buffer | Atascadero June beetle | San Joaquin kit fox |
| Critical Habitat | Golden eagle | Vernal pool fairy shrimp |
| Steelhead | Least Bell's vireo | Western pond turtle |
| Vernal Pool Fairy Shrimp | Lompoc grasshopper | Western spadefoot |

0 0.5 1 2 Miles

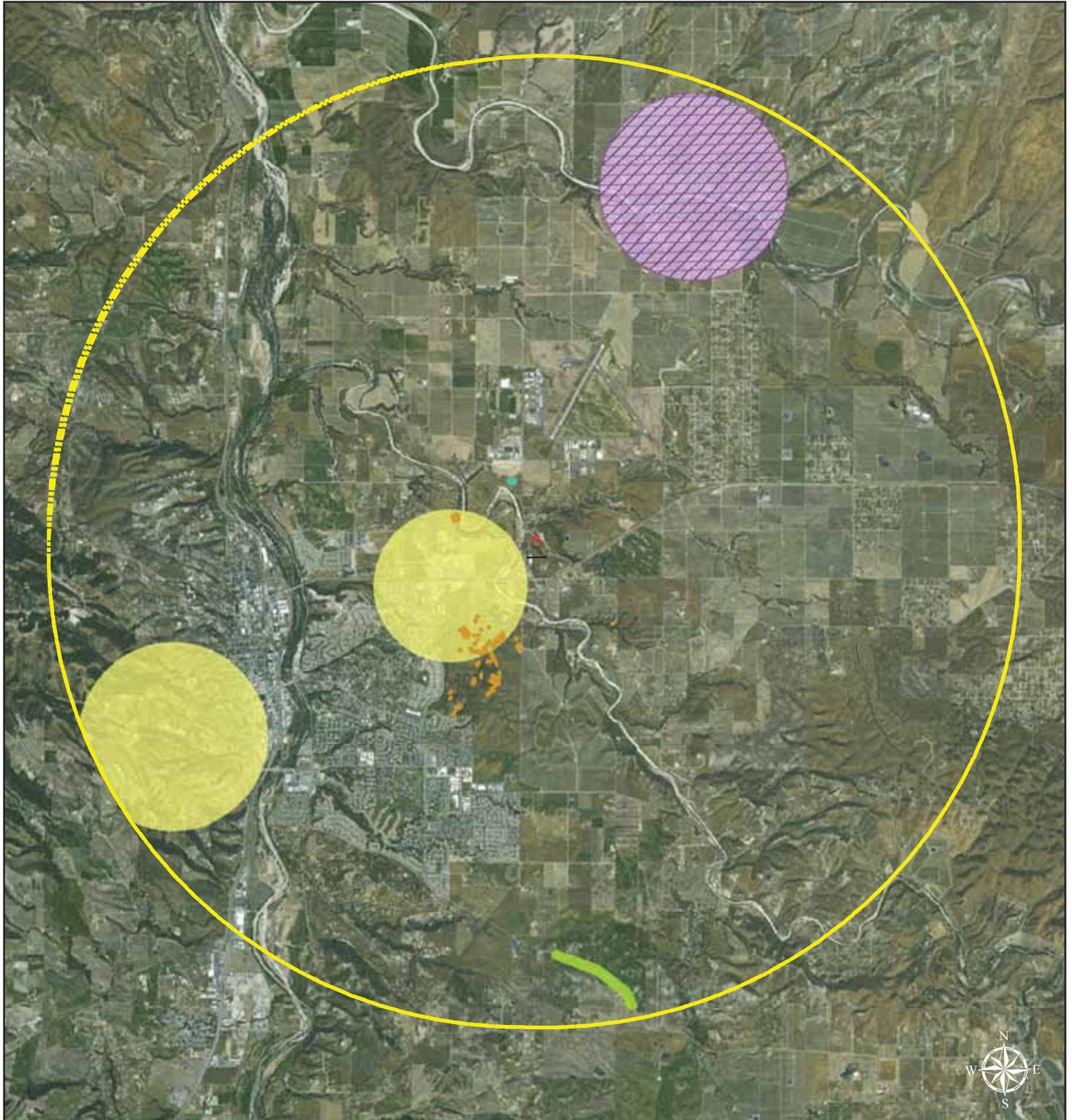
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Paso Robles, CA

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Map Updated: April 22, 2016, 09:58 AM



Figure 5. CNDDDB Plants Map



- | | | | | | |
|---|------------------|---|------------------------|---|------------------------------|
|  | Project Location |  | Jared's pepper-grass |  | San Luis Obispo owl's-clover |
|  | 5-Mile Buffer |  | Lemmon's jewelflower |  | Santa Lucia dwarf rush |
| | |  | Oval-leaved snapdragon |  | Shining navarretia |
| | |  | Round-leaved filaree | | |



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Service Layer Credits: Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community

Map Updated: April 22, 2016, 10:00 AM



Figure 6. Biological Constraints Map



- | | | | |
|--|------------------------------|--|-------------------|
| | Property Boundary (41.1 ac.) | | Blue Oak Woodland |
| | Proposed Impacts (8.4 ac.) | | Irrigated Pasture |
| | Red-tailed Hawk Nest | | Potential Wetland |
| | Annual Grassland | | Riparian |
| | Anthropogenic | | Seasonal Pond |

ALL AREAS ARE APPROXIMATE



Destino
Paso Robles, CA

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Exhibit B - Photographs



Photo 1. Proposed location of Hotel #3 looking north. 3/17/2016.



Photo 2. Main drainage looking west. 3/17/2016.



Photo 3. A small seasonal pond is located in the main drainage. 3/30/2006. This area would not be impacted by the project.



Photo 4. View west from existing residence toward Airport Road. 3/1/2016.



Photo 5. Existing residence and barn, view northwest. 3/1/2016.