## SECTION 4.3 BIOLOGICAL RESOURCES

#### 4.3.1 Introduction

This section describes the existing biological setting within the project site, summarizes applicable regulations, and evaluates the potential effects that the proposed Life Time Fitness Project (proposed project) could have on biological resources.

Information referenced to prepare this section includes:

- City of Roseville General Plan 2025, as amended February 2013 (City of Roseville 2013)
- Stoneridge Specific Plan and Design Guidelines (City of Roseville 2007)
- Stoneridge Specific Plan Environmental Impact Report (City of Roseville 1998)
- Biological Constraints Letter Report for the Life Time Fitness Property, Roseville, California (included as Appendix G)
- Creekview Specific Plan Environmental Impact Report (City of Roseville 2010).

The documents listed above are available for review during normal business hours (Monday through Friday 8 a.m. to 5 p.m.) at the City of Roseville Permit Center, 311 Vernon Street, Roseville, California 95678.

One general comment was received in response to the Notice of Preparation (NOP) that requested potential impacts to raptors and burrowing owls be further addressed. No other comments relative to biological resources were received. A copy of the NOP and comment letters received in response to the NOP is included in Appendix A.

# 4.3.2 Environmental Setting

The approximately 17.41-acre project site is generally flat with elevations on the site ranging from 260–290 feet above mean sea level (amsl). The site is a previously graded vacant lot with a sedimentation basin located in the southern portion of the site and a mound of vegetated dirt on the northeastern side. The site is bounded by development on all sides.

#### Soils

The majority of the soils on the project site are mapped as Exchequer very stony loam, 2–15% slopes, and the remainder is mapped as Inks cobbly loam, 2–30% slopes. The Exchequer very stony loam soil type is 35–60 inches to duripan (restrictive soil layer). These soils are very stoney, and typically they are very shallow and underlain by andecitic breccia (hard restrictive layer).

## Vegetation

The approximately 17.4-acre project site consists of primarily non-native grassland habitat, and contains little native vegetation. The non-native grassland is dominated by wild oat (*Avena fatua*), squirrel tail (*Hordeum jubatum*), and ripgut brome (*Bromus diandrus*). Other common native and non-native species are scattered throughout the site. The site was previously graded during initial development of the area, and a mix of an erosion control seed mix and natural recruitment of non-native grasses dominates the entire site. The non-native grassland habitat exhibits evidence of past disking and mowing.

One large, one medium, and eight sapling cottonwoods (*Populus fremontii*) are growing on the project site. The large cottonwood is located on the northeastern side of the site on the slope below the adjacent residential development. According to the *Biological Constraints Report* (Appendix G) prepared for the proposed project, the large cottonwood is tall enough to support nesting birds, but no nests were observed during the survey. It is not in wetland or riparian habitat. There is also a medium-size cottonwood tree growing on the southeastern portion of the site with no other trees near it. It does not represent suitable nesting habitat and does not occur in a wetland. Eight cottonwood saplings are located in the area of the sedimentation basin in the northwestern portion of the site and are not in jurisdictional wetland or riparian habitat. No other trees are present on the project site. There are mature trees in the backyards of the Stonebridge West Village 1 development that backs up to the eastern boundary of the property and one large valley oak (*Quercus lobata*) on the northeastern corner of the Saint Anna Greek Orthodox Church and Saint Anna Preschool and Daycare on the adjacent property.

A few common native coyote brush (*Baccharis pilularis*) shrubs are growing on the mounded dirt on the northern portion of the site, but do not represent a native habitat community because they are located in the non-native grassland and are not dense or robust enough to warrant a vegetation community classification.

Representative photos of the project site from various photo points are included in Appendix G. The plant species observed on the project site are listed in Table 4.3-1.

Table 4.3-1 Flora Observed

Common Name	Scientific Name
Spanish lotus	Acmispon americanus
wild oat*	Avena fatua
coyote brush	Baccharis pilularis
black mustard*	Brassica nigra
ripgut brome*	Bromus diandrus
Italian thistle*	Carduus pycnocephalus

Table 4.3-1 Flora Observed

Common Name	Scientific Name
yellow star thistle*	Centaurea solstitialis
spikeweed	Centromadia fitchii
long beak storksbill*	Erodium botrys
hayfield tarweed	Hemizonia congesta
squirrel tail	Hordeum jubatum
French lavender*	Lavandula stoechas
perennial ryegrass*	Lolium perenne
rabbitsfoot grass	Polypogon monspeliensis
Fremont's cottonwood	Populus fremontii
dandelion*	Taraxacum officinale
rose clover*	Trifolium hirtum
common vetch*	Vicia sativa

\*non-native species Source: See Appendix G.

#### **Common Wildlife**

The animal species observed or likely to occur on the project site are common species that are adapted to life in proximity to human activity. Bird species observed on site during the biological survey were those that typically occur in urban and suburban settings with disturbed and managed vegetation. During the biological survey, a white-tailed kite (*Elanus leucurus*) was observed hovering over the project site, exhibiting foraging behavior.

No mammals and no rodent burrows were observed on the project site. However, common wildlife species adapted to urban life are expected to use the site. Examples of potential common wildlife that may use the property include striped skunk (*Mephitis mephitis*), raccoon (*Procyon lotor*), Virginia opossum (*Dipdelphis virginiana*), and coyote (*Canis latrans*). Like the bird species, these mammals are adapted to life in an urban and suburban setting and are therefore relatively tolerant of human interaction and activity.

A total of five animal species (all birds) were observed within the boundaries of the project site, listed below in Table 4.3-2.

Table 4.3-2
Fauna Observed on the Project Site

Common Name	Scientific Name
kildeer	Charadrius vociferus
white-tailed kite (hovering overhead)	Elanus leucurus
house sparrow	Passer domesticus
western bluebird	Sialia mexicana
mourning dove	Zenaida macroura

Source: See Appendix G.

#### **Special-Status Flora**

Nine special-status plant species are known to occur in the lower elevations of Placer County (the County), all requiring specific soils and/or wetland habitat to occur. Although there are occurrences of many of these species within 5 miles of the project site, all 9 of these native species require specific habitats to persist that are not present on the project site. No special-status plant species or their habitats were observed during the biological survey. The project site is unlikely to support occurrences of any special-status plant species because of its disturbed nature, history of urban activities (disking, mowing, etc.), and the lack of specialized suitable habitats (e.g., perennial marsh, vernal pools) and soil types (e.g., gabbro soils).

#### **Special-Status Fauna**

The results of the California Natural Diversity Data Base (CNDDB) search, U.S. Fish and Wildlife Service (USFWS) list, and other literature review conducted for the Biological Constraints Report identified 18 special-status animal species known to occur in the lower elevations of Placer County and surrounding areas (see Appendix G). Special-status animal species that occur in the area, but are dependent on specialized emergent wetland habitat types, vernal pools, marshes, elderberry shrubs, steep stream banks and road cuts, and slow moving creeks that do not occur on or near the project site were eliminated from further investigation. These included great blue heron (Ardea herodias), tri-colored blackbird (Agelaius tricolor), vernal pool fairy shrimp (Branchinecta lynchi), valley elderberry longhorn beetle (Desmocerus californicus dimorphus), vernal pool tadpole shrimp (Lepidurus packardi), Conservancy fairy shrimp (Branchinecta conservatio), western spadefoot toad (Spea hammondi), vernal pool adrenid bee (Andrena subapasta), California linderiella (Linderiella occidentalis), western pond turtle (Emys marmorata), Ricksecker's water scavenger beetle (Hydrochara rickseckeri), and bank swallow (Riparia riparia). The closest suitable habitats for some of these species in relation to the project area occur along the open space areas in Miners Ravine and Secret Ravine and in vernal pool preserves scattered throughout Rocklin and Roseville. There are no habitat corridors connecting these areas to the project site; rather the areas are dense urban areas with busy roads and highways. Therefore, these species would not be expected to occur on the project site or adjacent properties.

Of the five remaining special-status animal species, three are raptors, one is the grasshopper sparrow (*Ammodramus savannarum*), and the last is purple martin (*Progne subis*). The special-status raptors are Swainson's hawk (*Buteo* swainsoni), burrowing owl (*Athene cunicularia*), and white-tailed kite. While there is potential for the raptors to forage and nest in the large cottonwood tree on the project site, the site's isolation from other habitat areas, relatively small size, and urban surroundings result in a low potential for these species to regularly successfully utilize and/or nest on the project site. None of these five species is a federally listed species; one is State of California Threatened (Swainson hawk), two are State of California Species of Special Concern (SSC – burrowing owl and purple martin), and one is State of California Fully Protected (white-tailed kite).

With respect to burrowing owls, no small mammal burrows suitable for owl nesting or wintering were observed on the project site during the survey. However, owls may use the project site occasionally for foraging activities and could potentially use this site if burrowing mammal activities increased over time. Due to the lack of burrowing small mammals and habitat, these burrow-dependent species are not likely to occur on the project site.

No raptor nests or remnants of raptor nests were observed in any of the trees on the project site, and no other avian nests were observed. Swainson's hawks generally require much larger foraging areas and less human disturbance than are present on the project site; therefore, their presence is unlikely. The closest recorded Swainson's hawk nest is located over 6.5 miles from the project site in the western portion of the City of Roseville near Fiddyment and Baseline roads. The grassland habitat represents marginal potential foraging habitat for these species. Surveys for raptor and other avian species nests on adjacent properties were not conducted. As previously discussed, a white-tailed kite was observed hovering briefly over the project area during the biological survey.

Regarding the grasshopper sparrow and purple martin, there is a low probability these species would occur on the project site. Grasshopper sparrows do inhabit sparse grassland areas and are ground foragers. However, the presence of superior foraging and nesting habitat in the area make their potential to occur on site, especially nesting, low. Regarding the purple martin, no suitable nesting habitat occurs on site (woodpecker holes, tree crevices), and foraging habitat (in-flight insect foragers) in areas with aquatic insect hatches, like the proximate Secret Ravine and Miners Ravine corridors and Folsom Lake, would be preferred habitats. Therefore, the potential for the purple martin to occur on site is also low.

#### Wildlife Movement Corridors

The project site is not part of a regional wildlife corridor and is not directly connected to any larger area of contiguous habitat, as the site is surrounded by urban development. However, there are open space corridors in the area. Secret Ravine is located approximately 2,000 feet to the

northwest. Secret Ravine Parkway and Sutter Roseville Hospital are located between the ravine and the project site. Miners Ravine is located approximately 300 feet southwest of the project site boundary. A tributary to Miners Ravine runs north to south between Secret Ravine Parkway and Medical Plaza Drive approximately 525 feet west of the project site, and an intermittent drainage that is a tributary is approximately 600 feet southeast of the project site. While this offers common migrating avian species marginal foraging and stopover habitat, migrating terrestrial species are unlikely to regularly use this site with higher quality riparian, oak woodland, and aquatic habitats nearby and separated from the project sit by busy urban roadways and dense commercial and residential developments.

#### Wetlands

There are no jurisdictional wetlands, waters of the United States, or riparian areas present on the project site. A small sedimentation basin on site has cottonwoods growing in it, but displays no sign of persistent hydrology or other hydrophytic vegetation. A black drainage pipe placed vertically in one corner of the basin indicates that it was man-made.

# 4.3.3 Regulatory Setting

### **Federal Regulations**

#### Federal Endangered Species Act

Projects that would result in impacts to federally listed threatened or endangered species are required to comply with the federal Endangered Species Act, which is administered by the USFWS. As discussed above, there are no federally listed threatened or endangered species with potential to occur on the project site. The project is not expected to impact any federally listed threatened or endangered species.

#### Clean Water Act

The objective of the Clean Water Act (CWA) is to restore and maintain the chemical, physical, and biological integrity of waters of the United States. Section 401 prohibits the discharge of any pollutant into waters of the United States without certification that the discharge would not violate applicable water quality standards, and Section 402 establishes the National Pollutant Discharge Elimination System (NPDES) permit program, which regulates "point sources" of water pollution. Section 404 of the Act requires a U.S. Army Corps of Engineers (ACOE) permit for discharges of dredged or fill materials into waters of the United States (as defined in the Code of Federal Regulations (33 CFR 328.3 [a]; 40 CFR 230.3 [s]). Section 404 of the CWA is administered by ACOE.

#### Migratory Bird Treaty Act

The federal Migratory Bird Treaty Act (MBTA; 16 U.S.C. 703 et seq.) regulates and prohibits taking, killing, possession of, or harm to migratory bird species listed in 50 CFR 10.13. This international treaty for the conservation and management of bird species that migrate through more than one country is enforced in the United States by the USFWS. Additionally, as discussed under the heading Nesting Birds, Raptors, and Migratory Birds, Section 3513 of the California Fish and Game Code states that it is unlawful to take or possess any migratory nongame bird as designated in the MBTA. This provides the California Department of Fish and Wildlife (CDFW) with enforcement authority for project-related impacts that would result in the 'take' of bird species protected under the MBTA. The MBTA was amended in 1972 to include protection for migratory birds-of-prey (raptors).

#### **State Regulations**

#### California Endangered Species Act

The California Endangered Species Act (CESA), established under California Fish and Game Code Section 2050 et seq., identifies measures to ensure that endangered species and their habitats are conserved, protected, restored, and enhanced. The CESA restricts the "take" of plant and wildlife species listed by the state as endangered or threatened, as well as candidates for listing. Section 86 of the Fish and Game Code defines "take" as "hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill." Under Section 2081(b) of the Fish and Game Code, CDFW has the authority to issue permits for incidental take for otherwise lawful activities. Under this section, CDFW may authorize incidental take, but the impacts of the take must be minimized and fully mitigated. CDFW cannot issue permits for projects that would jeopardize the continued existence of state-listed species.

CDFW maintains lists for Candidate-Endangered Species and Candidate-Threatened Species. Candidate species and listed species are given equal protection under the law. CDFW also lists Species of Special Concern based on limited distribution, declining populations, diminishing habitat, or unusual scientific, recreational, or educational value. Designation of Species of Special Concern is intended by the CDFW to be used as a management tool for consideration in future land use decisions; these species do not receive protection under the CESA or any section of the California Fish and Game Code, and do not necessarily meet CEQA Guidelines Section 15380 criteria as rare, threatened, endangered, or of other public concern. The determination of significance for California SSC must be made on a case-by-case basis. CDFW typically requests that CEQA lead agencies give consideration to minimization of impacts to SSC when approving projects.

#### Nesting Birds, Raptors, and Migratory Birds

California Fish and Game Code Section 3503 states that it is unlawful to take, possess, or needlessly destroy the nests or eggs of any bird, except as otherwise provided by this code or any regulation made pursuant thereto. Fish and Game Code Section 3503.5 protects all birds-of-prey (raptors) and their eggs and nests, while Section 3513 states that it is unlawful to take or possess any migratory non-game bird as designated in the Migratory Bird Treaty Act. These regulations could require that vegetation removal or construction near nest trees be reduced or eliminated during critical periods of the nesting cycle unless surveys by a qualified biologist demonstrate that nests, eggs, or nesting birds will not be disturbed, subject to approval by the CDFW and/or the USFWS.

### **Fully Protected Species**

California Fish and Game Code Sections 3511 (birds), 4700 (mammals), 5050 (reptiles and amphibians), and 5515 (fish) designate certain species as "fully protected." Fully protected species, or parts thereof, may not be taken or possessed at any time except as part of an approved Natural Community Conservation Plan that treats such species as "covered species" or in connection with statutory-specified actions pursuant to the "Quantification Settlement Agreement" involving water transfer from the Imperial Irrigation District to the Metropolitan Water District of Southern California.

#### Sections 1600–1607 of the Fish and Game Code

Under Section 1600–1607 of the California Fish and Game Code, CDFW regulates activities that would substantially alter the flow, bed, channel, or bank of streams and lakes. The lateral limits of CDFW's jurisdiction are defined in the statute as the bed, channel, or bank of any river, stream, or lake designated by CDFW in which there is at any time an existing fish or wildlife resource or from which these resources derive benefit. In practice, CDFW usually determines its lateral limit of jurisdiction to be the top of bank or the outer edge of the riparian vegetation, whichever is farther from the middle of the water body in question.

#### State Water Resources Control Board

The State Water Resources Control Board (SWRCB) administers Section 401 of the CWA. Section 401 of the CWA requires that an applicant for a Section 404 permit first obtain a certification, or a waiver thereof, that the project will not violate applicable state water quality standards. In California, the authority to either grant certification or waive the requirement for certification has been delegated by the SWRCB to the nine regional boards, including, in the Roseville area, the Central Valley Regional Water Quality Control Board (CVRWQCB). A request for certification or waiver is typically, but not required to be submitted to the regional board at the same time that the Section 404 application is filed with the ACOE. The regional

board has 60 days from receipt of a complete application to review and take action on the application. Because no ACOE permit is valid under the CWA unless "certified" by the state, the regional boards may effectively prevent any ACOE permit from becoming operational.

Additionally, implementation of the SWRCB NPDES General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities ("General Permit") would reduce impacts associated with erosion and runoff from construction sites. As described in more detail in Section 4.8, Hydrology and Water Quality, for any construction that would disturb 1 or more acres of land, the "discharger" must obtain coverage under the General Permit. In order to obtain coverage under the General Permit, the discharger must undertake a risk assessment, develop a Storm Water Pollution Prevention Plan (SWPPP), implement Best Management Practices (BMPs) in accordance with the SWPPP, and comply with monitoring and reporting requirements and other management practices to prevent or reduce pollution.

#### Local

#### Placer County Conservation Plan

For the past several years, Placer County has been working with regulatory agencies and stakeholders to prepare a natural community conservation plan and habitat conservation plan (NCCP/HCP) to address the conservation of natural communities, endangered species, and other less sensitive species of native wildlife that could be affected by actions in the County and other participating agencies such as the Placer County Water Agency and the City of Lincoln. As part of the process, the County intends to apply for a CWA Section 404 Programmatic General Permit, CDFW Master Streambed Alteration Agreement, and CWA Section 401 Water Quality Certification. Collectively, the NCCP/HCP, the requested permits, and the Water Quality Certification application have been termed the Placer County Conservation Plan (PCCP). At this time, the County is focusing on Phase 1, which addresses lands within western Placer County (lands west of Auburn to the western county line). Listed species that are presumed to be covered by such a plan include but are not limited to: Swainson's hawk, vernal pool fairy shrimp, vernal pool tadpole shrimp, and several listed fish species. The City of Roseville is currently not participating in the PCCP.

#### Placer Legacy Open Space and Agricultural Conservation Program

The Placer Legacy program, in conjunction with resource agencies and local stakeholders, is intended to protect and conserve open space and agricultural lands in Placer County. A key element of the program is to enable the County to make itself a willing buyer to persons wishing to sell interest in lands having value for conservation purposes.

#### City of Roseville

### City of Roseville Design and Construction Standards

Implementation of Section 111 of the City's Construction Standards would reduce impacts associated with erosion and runoff from construction sites containing soil or other materials that could degrade water quality if discharged to local streams and changes in surface water or groundwater quality from stormwater runoff by requiring the development of an erosion control plan. The erosion control plan would include a description of the site, time restrictions, erosion and sediment controls to be used, means of waste disposal, control of post-construction sediment, erosion control measures, maintenance responsibilities, landscaping during and after grading, and non-stormwater management controls.

# <u>City of Roseville Zoning Ordinance – Tree Preservation (Chapter 19.66)</u>

The City of Roseville Tree Preservation Ordinance protects native oak trees 6 inches or more in diameter at breast height (dbh) and specific landmark trees. As specified in the following analysis, the ordinance requires a permit for any activity that would harm, destroy, kill, or remove any protected tree. In addition to removal, grading (cut or fill) and trenching within the dripline are subject to permit approval.

#### The ordinance states:

Section 19.66.030 Tree Permits: Permit required. No person shall conduct any regulated activities within the protected zone of any protected tree; or harm, destroy, kill or remove any protected tree unless authorized by a tree permit.

#### B. Type of Permit.

- 1. Administrative Tree Permit. An administrative tree permit is required for any regulated activity affecting one or more protected trees, when the regulated activity is not associated with a discretionary project, does not include the removal of a protected tree, and the requested encroachment does not exceed 20% of the projected zone of any individual protected tree.
- 2. Tree Permit. A tree permit is required for any regulated activity within the protected zone of a protected tree where the encroachment exceeds 20% of the protected zone, or where the regulated activity is related to a discretionary project. In addition, a tree permit is required for the removal of any protected tree, unless otherwise exempted by this chapter.

Tree permits may be conditioned to include replacement of trees in kind. The replacement requirement shall be calculated based upon an inch for an inch replacement of the removed trees (an inch being equivalent to a 15-gallon tree). The total of replacement trees shall equal the combined diameter of the trees removed. A minimum of 50% of replacement trees shall be native. The preferred replacement alternative is on site.

### City of Roseville General Plan

The City of Roseville General Plan 2025 establishes goals and policies for the preservation of the value of biological resources in the community (City of Roseville 2013). These policies are specific to vegetation and wildlife. However, other policies intended to preserve water quality, air quality, and other features also benefit and protect biological resources. Those goals and policies applicable to the proposed project are listed below.

- Goal 1 Preserve, protect and enhance a significant system of interconnected natural habitat areas, including creek and riparian corridors, oak woodlands, wetlands, and adjacent grassland areas.
- **Goal 3** Protect special status species and other species that are sensitive to human activities.
- **Policy 1:** Incorporate existing trees into development projects, and where preservation is not feasible, continue to require mitigation for the loss of removed trees. Particular emphasis shall be placed on avoiding the removal of groupings or groves of trees.
- **Policy 4:** Require preservation of contiguous areas in excess of the 100-year flood plain as merited by special resources or circumstances. Special circumstances may include but are not limited to, sensitive wildlife or vegetation, wetland habitat, oak woodland areas, grassland connections in association with other habitat areas, slope or topographical considerations, recreation opportunities, and maintenance access requirements.

# 4.3.4 Impacts

#### **Methods of Analysis**

Dudek conducted a biological survey in May of 2013 for the vacant 17.4-acre property; a copy of the report is included in Appendix G of this Draft EIR. The purpose of the survey was to identify and characterize the biological communities present on and immediately adjacent to the project site, to record plant and animal species observed on the site, and to

evaluate the site for its potential to support sensitive biological resources. Potential sensitive biological resources include special-status plant and animal species and any other resources considered sensitive by local, state, and/or federal resource agencies that could potentially be impacted by development of the project site.

The biological survey included a query of the CNDDB as well as a field survey. The CNDDB was queried for any reported occurrences of special-status species in Placer County's lower elevations (100–400 feet amsl). Prior to the field survey, a review of soils reports, aerial photos, and online resources also contributed to development of the list of special-status species with the potential to occur on site. A USFWS list for the lower elevations of Placer County was also queried to ensure complete consideration of special-status species with the potential to occur. A results summary of the CNDDB records search and the USFWS species list for Placer County is included in Attachment A of Appendix G to this Draft EIR.

As evaluated in the Initial Study prepared for the proposed project, included in Appendix A of this Draft EIR, the project would have no impact with respect to conflicting with provisions of an adopted HCP, NCCP, or other approved local, regional, or state habitat conservation plan. There are no plans applicable to the project site; therefore this issue is not further analyzed in this Draft EIR.

#### Thresholds of Significance

Consistent with Appendix G of the CEQA Guidelines, the City's General Plan, and professional judgment, a significant impact is assumed to occur if development of the proposed project would do any of the following:

- Have a substantial adverse effect, either directly through habitat modifications or indirectly, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies or regulations, or by CDFW or USFWS;
- Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by CDFW or USFWS;
- Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act through direct removal, filling, hydrological modification, or other means;
- Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites;
- Substantially reduce the habitat of a fish or wildlife species;

- Cause a fish or wildlife population to drop below self-sustaining levels;
- Threaten to eliminate a plant or animal community;
- Substantially reduce the number or restrict the range of an endangered, rare or threatened species; or
- Conflict with any local polices or ordinance protecting biological resources such as a tree preservation ordinance.

Impact 4.3-1	Substantial Adverse Effect on Species Identified As A Candidate, Sensitive, or Special-Status
Applicable Policies and Regulations	Federal Endangered Species Act Migratory Bird Treaty Act California Endangered Species Act California Fish and Game Code City of Roseville General Plan Open Space and Conservation Element
Significance with Policies and Regulations	Potentially significant
Mitigation Measures	Mitigation Measure 4.3-1
Significance after Mitigation	Less than significant

The analysis of effects, both direct and indirect, to species identified as a candidate, sensitive, or special-status species includes the potential of the project to result in a substantial reduction in habitat, a substantial reduction in number or range, a reduction in population below self-sustaining levels, or elimination of a community of a candidate, sensitive, or special status species (per Section 15065(a) of the CEQA Guidelines). No fish species occur on the project site. Potential effects to plants and wildlife are considered below.

No special-status plant species or their habitats were observed during the biological survey conducted for the project site in May 2013. As discussed earlier in the Environmental Setting, nine special-status plant species are known to occur in the lower elevations of Placer County. There are known occurrences of many of these species within 5 miles of the project site; however, all nine of these native species require specific habitats to persist that are not present on the project site. The project site is unlikely to support occurrences of any special-status plant species because of its disturbed nature, history of urban activities (disking, mowing, etc.), and the lack of specialized suitable habitats (e.g., perennial marsh, vernal pools) and soil types (e.g., gabbro soils). The biological survey concluded that, because the project site does not support habitat suitable for special-status plant species and because the survey was conducted during the proper season to detect flowering species, no further measures or surveys would be necessary. Impacts to special-status plant species would be less than significant.

Eighteen special-status animal species are known to occur in the lower elevations of Placer County and the surrounding areas. Special-status animal species that occur in the area, but that are dependent on specialized emergent wetland habitat types, vernal pools, marshes, elderberry shrubs, steep stream banks and road cuts, and slow moving creeks that do not occur on or near the project site were not considered for further investigation. Of the remaining special-status animal species with potential to occur in the project area, three are raptors, one is the grasshopper sparrow (*Ammodramus savannarum*), and one is the purple martin (*Progne subis*). The special-status raptors are Swainson's hawk, burrowing owl, and white-tailed kite. None of the four species are federally listed species; one is State of California Threatened, two are State of California SSC, and one is State of California Fully Protected.

As discussed earlier in the Environmental Setting, there is a low probability that burrowing owls, the grasshopper sparrow or the purple martin would use the site for foraging or nesting.

Because both common and special-status native raptors and other avian bird species are protected by state (California Fish and Game Code) and federal (Migratory Bird Treaty Act) laws, all of the trees and power poles on and surrounding the site were surveyed for raptor nests and other native bird nests during the biological field visit in May 2013. No raptor nests or remnants of raptor nests were observed in any of the trees on the project site, and no other avian nests were observed. Swainson's hawks generally require much larger foraging areas and less human disturbance than are present on the project site; therefore, their presence is unlikely. The grassland habitat represents marginal potential foraging habitat for these species. Surveys for raptor and other avian species nests on adjacent properties were not conducted. As previously discussed, a white-tailed kite was observed hovering briefly over the proposed project site during the May 2013 survey. After hovering over the site, the kite was observed flying toward the Miners Ravine area, west of East Roseville Parkway. While there is a potential for foraging and nesting in the large cottonwood tree on the project site, the site's isolation from other habitat areas, relatively small size, and urban surroundings result in a low potential for these species to regularly successfully utilize and/or nest on the project site. However, if project construction should occur during the nesting season (March through August), there is a potential that protected nesting birds could be disturbed. This would be considered a potentially significant impact.

	Substantial Adverse Effect on Riparian Habitat,
Impact 4.3-2	Sensitive Natural Community, Wetlands
Applicable Policies and Regulations	NPDES Requirements
	General Plan Open Space and Conservation Element
Significance with Policies and Regulations	No impact
Mitigation Measures	None required
Significance after Mitigation	No impact

As discussed in the Environmental Setting, the project site consists of primarily non-native grassland habitat and contains little native vegetation. The property was previously graded during initial development of the area, and a mix of an erosion control seed mix and natural recruitment of non-native grasses dominates the entire site. The non-native grassland habitat exhibits past evidence of disking and mowing and is dominated by wild oat, squirrel tail, and ripgut brome. Other common native and non-native species are scattered throughout the property including common native coyote brush and cottonwood trees.

Based on the biological survey conducted for the project site, the site does not support any wetlands or other jurisdictional resources regulated by the ACOE pursuant to Section 404 of the CWA; the RWQCB pursuant to Section 401 of the CWA and state Porter–Cologne Water Quality Control Act; and/or the CDFW pursuant to Sections 1600 et seq. of the California Fish and Game Code.

Because the site does not support riparian habitat, other sensitive natural communities, or wetlands, the project would have **no impact** to those habitats.

Impact 4.3-3	Interfere Substantially with Wildlife Movement or Native Wildlife Nursery Sites
Applicable Policies and Regulations	Federal Endangered Species Act
	California Fish and Game Code
Significance with Policies and Regulations	Less than significant
Mitigation Measures	None required
Significance after Mitigation	Less than significant

The project site is not part of a regional wildlife corridor and is not directly connected to any larger area of contiguous habitat, as the site is surrounded by urban development. However, there are open space corridors in the area. Secret Ravine is approximately 2,000 feet to the northwest, with Secret Ravine Parkway and Sutter Roseville Hospital between the ravine and the project site. To the southwest across Roseville Parkway approximately 300 feet from the project area boundary is Miners Ravine. A tributary to Miners Ravine runs north to south between Secret Ravine Parkway and Medical Plaza Drive approximately 525 feet west of the project site, and an intermittent drainage that is tributary is approximately 600 feet southeast of the project site. While this offers common migrating avian species marginal foraging and stopover habitat, migrating terrestrial species are unlikely to regularly use this site with higher quality riparian, oak woodland, and aquatic habitats nearby and separated from the project area by busy urban roadways and dense commercial and residential developments. Therefore, the proposed project would have a less-than-significant impact on the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.

Impact 4.3-4	Conflict with Any Local Polices or Ordinances Protecting Biological Resources
Applicable Policies and Regulations	City of Roseville Municipal Code
	City of Roseville General Plan Open Space and
	Conservation Element
Significance with Policies and Regulations	No impact
Mitigation Measures	None required
Significance after Mitigation	No impact

Chapter 19.66 (Tree Preservation) of Article IV (Special Area and Special Use Requirements) of Title 19 (Zoning) in the Roseville Municipal Code includes regulations controlling the removal and preservation of trees within the City of Roseville. A Protected Tree is defined in the Roseville Municipal Code as a native oak tree equal to or greater than 6 inches dbh measured as a total of a single trunk or multiple trunks. The project site supports a disturbed, ruderal community of grasses and weed species; there are no native oak trees greater than 6 inches in diameter on the site. Therefore, the proposed project would have **no impact** on protected trees regulated under the Roseville Municipal Code, and as such, would not conflict with any local policies protecting biological resources.

#### 4.3.5 **Cumulative Impacts**

The geographical cumulative context for the evaluation of cumulative impacts on biological resources includes the areas contained within the Sacramento Valley. The area includes western Placer County and portions of the California Central Valley that to the north of the San Joaquin-Sacramento Delta, south of Redding, east of various Northern Coast Ranges, and west of the Northern Sierra. Regional development, including development in western Placer County and the City of Roseville which includes buildout of the City's General Plan and approved development in western Placer County.

Impact 4.3-5	Contribute to a Cumulative Impact on Biological Resources
Applicable Policies and Regulations	City of Roseville General Plan Open Space and Conservation Element California Fish and Game Code
Significance with Policies and Regulations	Less than significant
Mitigation Measures	None required
Significance after Mitigation	Less than significant

Life Time Fitness Project 7741 4.3-16 Over the past few decades, tens of thousands of acres of grasslands have been developed or designated for development in western Placer County, including the City of Roseville. Development has occurred in and around the cities of Roseville, Lincoln, and Rocklin. Development has also occurred further south in the grasslands of Sacramento County. Future development would result in the further decline of native plant communities including vernal pool habitat. The proximity of urban development also would contribute to the distribution of non-native plant and wildlife species, which would further degrade the habitat and available niches for native species in the surrounding region. This is considered a significant cumulative impact.

Construction and implementation of the proposed project would contribute to the urbanization of the City of Roseville, consistent with the City's General Plan and the Stoneridge Specific Plan that previously addressed the conversion of this site to urban uses. The project site does not contain any habitat or protected resources that would be lost with implementation of the project. In addition, mitigation requiring pre-construction surveys similar to mitigation measure 4.3-1 would be imposed with respect to other reasonably foreseeable development. Therefore, the project's contribution to this cumulative impact is not considerable and is **less than significant**.

# 4.3.6 Mitigation Measures

To address Impact 4.3-1, if project construction occurs during the breeding season (March through August), Mitigation Measure 4.3-1 requires that a qualified ornithologist shall conduct a preconstruction survey of the work area to determine if any native birds, including raptors, are nesting in or in the vicinity of vegetation to be removed. If active nests are found in the work area, Mitigation Measure 4.3-1 would require that a biologist determine an appropriately sized buffer around the nest in which no work shall be allowed until the young have successfully fledged. This would reduce the project-level impact to a less-than-significant level.

**4.3-1 Preconstruction Survey**. If project construction work is required to be scheduled during the breeding season (March through August), a qualified biologist shall conduct a preconstruction survey of the work area to determine if any native birds, including raptors, are nesting in or in the vicinity of vegetation to be removed. The preconstruction survey will be conducted within 15 days prior to the start of work from March through May (since there is higher potential for birds to initiate nesting during this period), and within 30 days prior to the start of work from June through August. If active nests are found in the work area, the biologist shall determine an appropriately sized buffer around the nest based on the nesting species and its sensitivity to disturbance in which no work shall be allowed until the young have successfully fledged. The size of the nest buffer shall be determined by City staff based on input from the biologist (using information provided in existing regulations and in guidance

documents, e.g., CDFW Handbook for Swainson's Hawks and Staff Report on Burrowing Owl Mitigation), and, if necessary, after consultation with the California Department of Fish and Wildlife (CDFW).

#### 4.3.7 Sources

- City of Roseville. 1998. Stoneridge Specific Plan Draft Environmental Impact Report. Prepared by EIP Associates. December 1998.
- City of Roseville. 2007. Stoneridge Specific Plan and Design Guidelines. Adopted March 18, 1998. Last amended March 28, 2007. http://roseville.ca.us/civicax/filebank/ blobdload.aspx?BlobID=2921.
- City of Roseville. 2010. Creekview Specific Plan Environmental Impact Report. Prepared by City of Roseville.
- City of Roseville. 2013. City of Roseville General Plan 2025. As amended February 13, 2013. Roseville, California: City of Roseville Planning Department. Adopted May 5, 2010 (Resolution No. 10-161). Accessed May 2013. http://www.roseville.ca.us/civicax/ filebank/blobdload.aspx?blobid=2546.

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