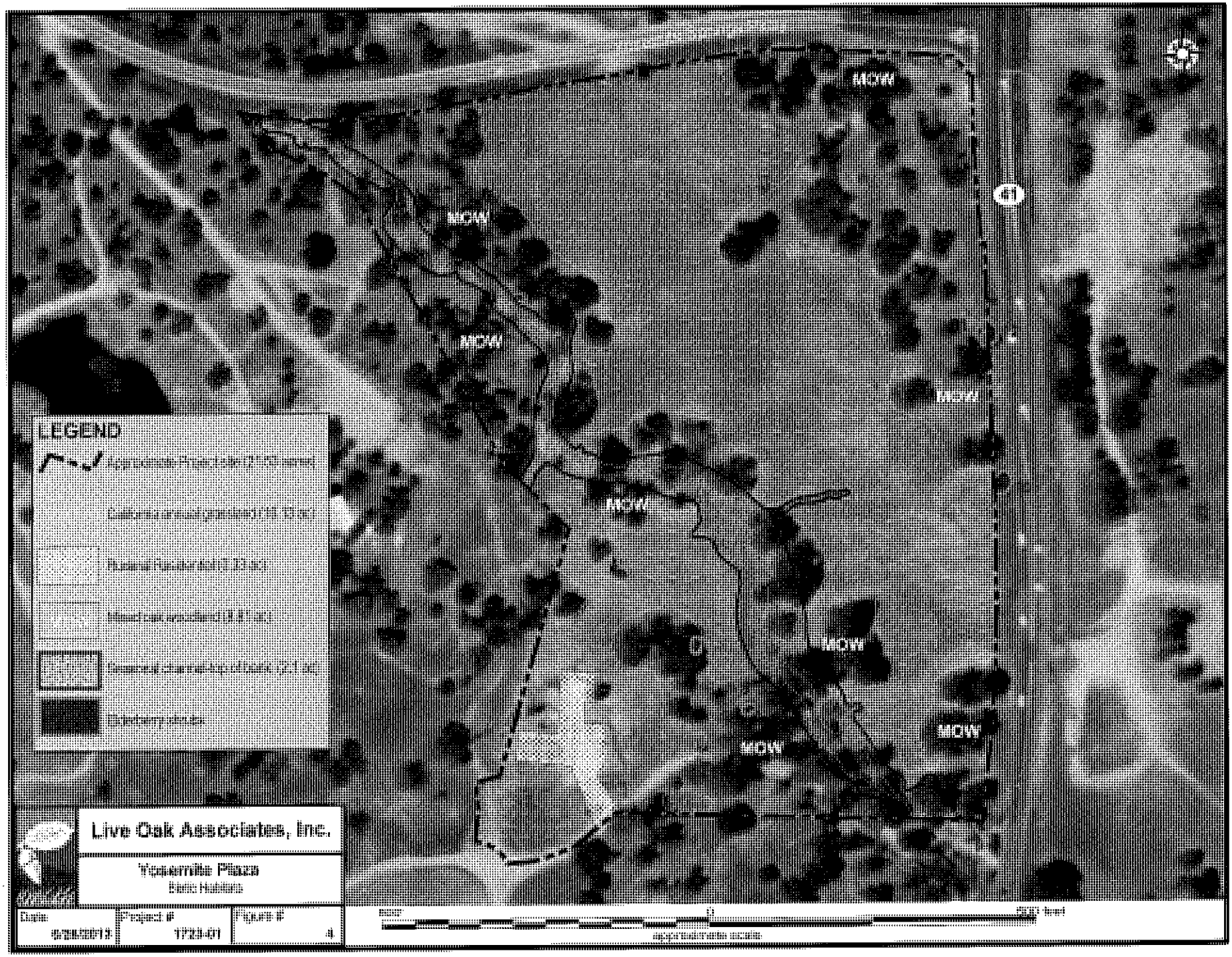
MOW
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LEGEND
Live Oak Associates, Inc.
Yosemite Plaza
Date:
Project #
1723-01
Figure #
4

natural drainage passing through the site included wood rose (*Rosa gymnocarpa*), California blackberry (*Rubus ursinus*), curly dock (*Rumex crispus*), and California wild grape (*Vitis californica*). Scattered shrubs observed in the shady understory of the woodland canopy included California buckeye (*Aesculus californica*), chaparral whitethorn (*Ceonothus leucodermis*), whiteleaf manzanita (*Arctostaphylos viscida* ssp. *mariposa*), hollyleaf redberry (*Rhamnus ilicifolia*) and blue elderberry (*Sambucus nigra* ssp. *canadensis*), among others.

An herbaceous layer generally existed throughout the understory of the scattered oaks and pines. Non-native grasses and forbs found occasionally in the understory included ripgut (*Bromus diandrus*), soft chess (*Bromus hordeaceus*), and rat tail fescue (*Vulpia myuros*). A considerable number of native spring-flowering forbs occur in openings of the woodland canopy following winters of average to above average rainfall. The dominant species observed blooming during the spring 2013 surveys included Eastwood's fiddleneck (*Amsinckia eastwoodiae*), rusty popcornflower (*Plagiobothrys nothofulvus*), miner's lettuce (*Claytonia perfoliata*), common nemophila (*Nemophila heterophylla*), blue dicks (*Dichelostemma capitatum*), Chinese houses (*Collinsia heterophylla*), bird's-eye gilia (*Gilia tricolor*) and wall bedstraw (*Galium parisiense*), among others. Where soil had formed surrounding the occasional rock outcrops of the mixed oak habitat, a number of annuals were observed, including floriferous monkeyflower (*Mimulus floribundus*), California bee plant (*Scrophularia californica*), California plantain (*Plantago erecta*), and goldenback fern (*Pentagramma triangularis*).

Mixed oak habitat favors a great diversity of both resident and migratory wildlife. Up to 30 species of reptiles and amphibians, 156 species of birds and 55 species of mammals are known to occur in mixed oak woodlands of central California (Mayer et. al. 1988). The site provides considerable habitat for a diversity of reptiles and amphibians. Rocks, decaying logs and rodent burrows provide habitat for various salamanders such as California newts (*Taricha torosa*), arboreal salamanders (*Aneides lugubris*) and California slender salamanders (*Batrachoseps attenuatus*). Western fence lizards (*Scleroporus occidentalis*) are attracted to rock outcrops, logs and tree trunks. Brush and piles of downed branches and leaves provide habitat for more reclusive lizards such as the Gilbert's skink (*Eumeces gilberti*) and southern alligator lizard (*Gerrhonotus multicarinatus*). Mountain king snake (*Lampropeltis getulus*), ring-neck snake

(*Diadophis punctatus*), and northern Pacific rattlesnake (*Crotalus oregonus oregonus*) are common predators of frogs, lizards and small mammals that may occur within the mixed oak habitat of the project site. A mature gopher snake (*Pituophis melanoleuca*) was observed moving across a large granite rock during the March 27 field survey.

The site also provides habitat for various bird species. Resident birds (i.e. birds of year-round occurrence) observed or heard on the site include Nuttall's woodpecker (*Picoides nuttallii*), white-breasted nuthatch (*Sitta carolinenis*), and scrub jay (*Aphelocoma coeruloescens*). House wrens (*Troglodytes aedon*), western kingbirds (*Tyrannus verticalis*), yellow-rumped warblers (*Dendroica coronata audubonì*), western wood pewees (*Contopus sordidulus*), American robins (*Turdus migratorius*) and ash-throated flycatchers (*Myiarchus cinerascens*) could all be expected to use the site during the summer, both for foraging and breeding. Raptors such as red-tailed hawks (*Buteo jamaicensis*), red-shouldered hawks (*Buteo lineatus*), Cooper's hawks (*Accipiter cooperi*), and great horned owls (*Bubo virginianus*), may all hunt and nest in mixed oak woodland such as that found on the project site.

Although only a few mammals or their sign were observed in this habitat, numerous species are expected to be present. Mammals observed on the site included California ground squirrels (*Otospermophilus beecheyi*), Merriam's chipmunks (*Neotamias* merriami), and desert cottontails (*Sylvilagus audubonii*). Dirt mounds formed by Botta's pocket gopher (*Thomomys bottae*) were also observed. Small mammals not observed but almost certainly present on the site would include the California mouse (*Peromyscus californicus*), deer mouse (*Peromyscus maniculatus*), and California vole (*Microtus californicus*). California mule deer (*Odocoileus hemionus* ssp. *californicus*) are common in the project vicinity. Mammal predators would likely include striped skunk (*Mephitis mephitis*), gray fox (*Urocyon cinereoargenteus*), bobcat (*Lynx rufus*), and cougar (*Puma concolor*).

2.1.2 California Annual Grassland

The second most abundant habitat of the site was California annual grassland, which was located within a large open area trending through the center of the site from southeast to northwest. This grassland consists of essentially the same grasses and forbs that make up the herbaceous understory of the mixed oak woodland. Annual herbaceous species observed within

this grassland included ripgut, soft chess, broad-leaved filaree (*Erodium botrys*), wild oat (*Avena fatua*), red-stemmed filaree (*Erodium cicutarium*), valley tassels (*Castilleja attenuata*), bird's eye gilia (*Gilia tricolor*), red maids (*Calandrinia ciliata*), Eastwood's fiddleneck, and rusty popcornflower, among others. Yellow star thistle (*Centaurea solstitialis*), a noxious weed, also occurred in scattered locations of this habitat.

Animals species expected to use this habitat are similar to those found in the mixed oak habitat, which may venture to the California annual grassland habitat to forage.

2.1.3 Natural Seasonal Drainage

The two natural seasonal drainage channels (creek) were located within the project site. The main drainage passed through the site from southeast to northwest. The smaller seasonal drainage is a tributary of the main drainage, entering the project site from the west. The main drainage connects to Coarsegold Creek a few hundred yards north of the project site. The main seasonal channel carried a small flow of water during site surveys conducted in spring of 2013. Seasonal drainages such as those occurring on the project site carry surface flows from as early as December to as late as June, depending on rainfall, and are dry through the summer and fall.

The channel bed and lower banks of the two drainages would be considered wetlands. The hydrology of these drainages during the winter and spring select for hydrophytes typically occurring only in wetlands. Dominant vegetation associated with the seasonal channels of the project site included water buttercup (*Ranunculus aquatilis*), rabbit's foot grass (*Polypogon monspeliensis*), common monkeyflower (*Mimulus guttatus*), umbrella sedge (*Cyperus eragrostis*), toad rush (*Juncus bufonius*), pennyroyal (*Mentha pulegium*), toincat clover (*Trifolium willdenovii*), and Mexican rush (*Juncus mexicanus*), among others. With the exception of the occasional red willow (*Salix laevigata*) and Fremont's cottonwood (*Populus fremontii*), seasonal channels lacked riparian vegetation.

Wildlife use in these wetland channels would be much the same as in the adjacent mixed oak, California annual grassland, and valley oak woodland habitats. Seasonal drainages often support significant invertebrate populations that in turn attract various vertebrates, which forage on them. These areas also provide possible breeding habitat for California newts, Pacific chorus

frogs and western toads (*Bufo boreas*). In addition, seasonal channels of the site are likely favored foraging habitats for common garter snakes (*Thamnophis sirtalis*). The principal avian species that would be expected to use seasonal channels of the site would be black phoebes (*Sayornis nigricans*), cliff swallows (*Petrochelidon pyrrhonota*), barn swallows (*Hirundo rustica*), and violet-green swallows (*Tachycineta thalassina*). Swallow nests were observed in the culverts under both SR 41 and Yosemite Springs Parkway.

2.1.4 Ruderal/Residential

One small residence, a garage and associated driveway were located in the southwest corner of the project site. Blue oak and interior live oak were observed growing close to the residence. Extremely minimal ornamental landscaping or other man-made hardscaping was present around the residence.

2.2 SPECIAL-STATUS PLANTS AND ANIMALS

Several species of plants and animals within the state of California have low populations, limited distributions, or both. Such species may be considered "rare" and are vulnerable to extirpation as the state's human population grows and the habitats these species occupy are converted to agricultural and urban uses. As described more fully in Section 3.2, state and federal laws have provided the California Department of Fish and Wildlife (CDFW) (previously named the California Department of Fish and Game – CDFG) and the USFWS with a mechanism for conserving and protecting the diversity of plant and animal species native to the state. A sizable number of native plants and animals have been formally designated as threatened or endangered under state and federal endangered species legislation. Others have been designated as "candidates" for such listing. Still others have been designated as "species of special concern" by the CDFW. The CNPS has developed its own set of lists of native plants considered rare, threatened or endangered (CNPS 2010). Collectively, these plants and animals are referred to as "special-status species."

A number of special-status plants and animals are known to occur or believed to occur on and near the project site. These species, and their potential to occur on the project site, are listed in Table 2 on the following pages. The locations of nearby sightings of special-status species have

been shown in Figure 5. Sources of information for this table included: the *California Natural Diversity Data Base* (CNDDB) (CDFW 2013a); the *Inventory of Rare and Endangered Vascular Plants of California* (CNPS 2010); *State and Federally Listed Endangered, Threatened, and Rare Plants of California* (CDFW 2013b), *State and Federally Listed Endangered and Threatened Animals of California* (CDFW 2013c), and *Special Animals* (CDFG 2011). The CNDDB was used to search nine USGS 7.5 minute quadrangles in the vicinity of the project site for special-status plant and animal species as well as natural communities of special concern. These quads included *O'Neals, Horsecamp Mountain, Ahwahnee, Bass Lake, Knowles, North Fork, Little Table Mountain, Millerton Lake West,* and *Millerton Lake East.*

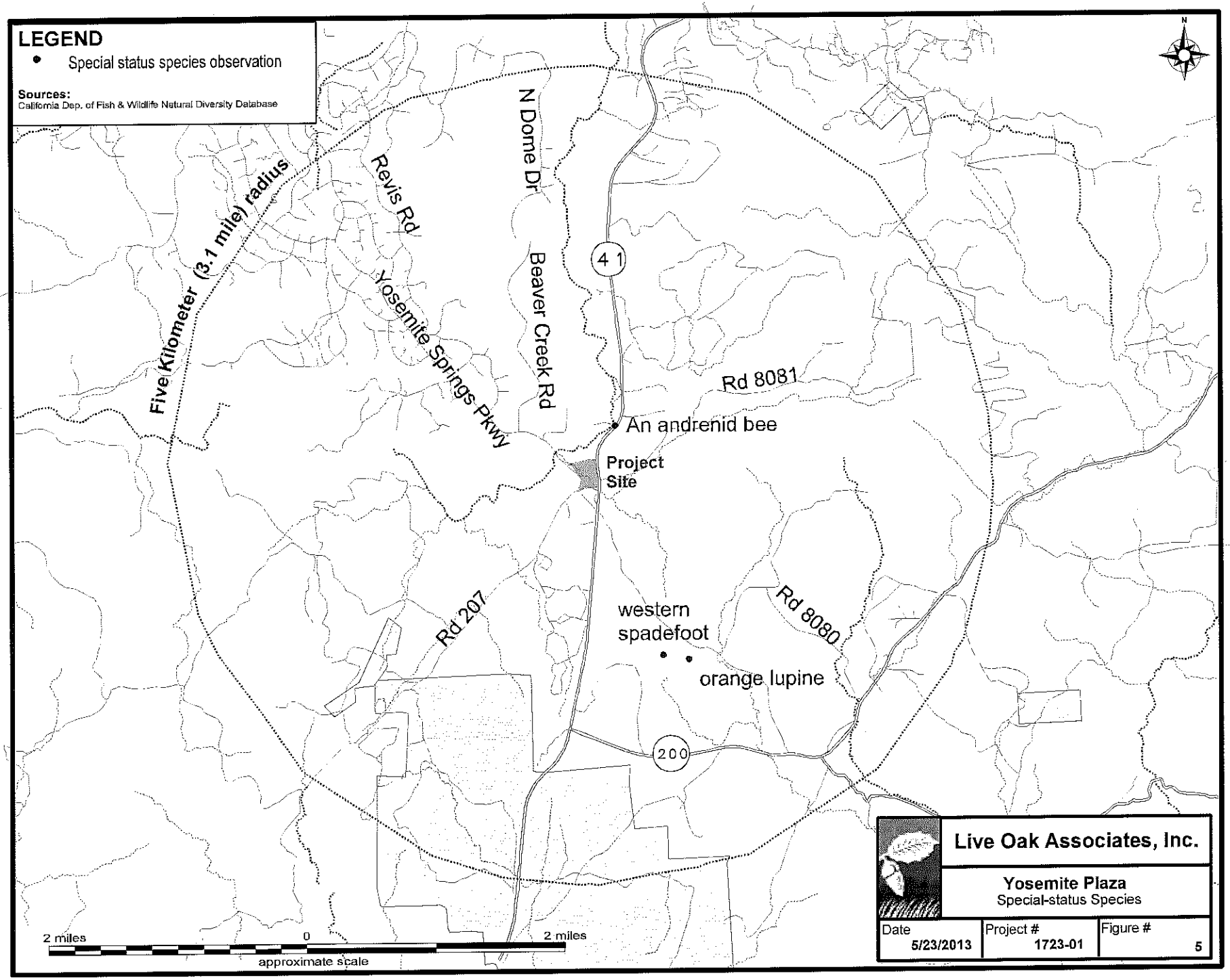

LEGEND
Special status species observation
Sources:
California Dep. of Fish & Wildlife Natural Diversity Database
Five Kilometer (3.1 mile) radius
Revis Rd
Yosemite Springs Pkwy
N Dome Dr
Beaver Creek Rd
41
Rd 8081
An andrenid bee
Project Site
Rd 207
western spadefoot
Rd 8080
orange lupine
200
2 miles
0
2 miles
approximate scale
Live Oak Associates, Inc.
Yosemite Plaza
Special-status Species
Date 5/23/2013
Project # 1723-01
Figure # 5

TABLE 2. LIST OF SPECIAL-STATUS SPECIES THAT OCCUR IN THE VICINITY OF THE YOSEMITE PLAZA PROJECT SITE.

PLANTS (adapted from CDFW 2013a, CDFW 2013b, and CNPS 2010)
State and Federally Listed Threatened or Endangered Plants

Species	Status*	Habitat	Occurrence on the Project Site*
Mariposa Pussypaws (*Calytridium pulchellum*)	FT, CNPS 1B.1	Occurs primarily in coarse granitic sands of decomposing rock outcrops between 1,310 – 4,000 feet in elevation. Blooms April to August.	**Absent.** Although suitable habitat is present, this species was not observed on site in March and April 2013. Prior to conducting the March 27, 2013 survey a reference population (CNDDB Occurrence #9) was observed while in bloom near Coarsegold.
Tree Anemone (*Carpenteria californica*)	CT, CNPS 1B.1	Occurs primarily in chaparral, but it also occurs in mixed hardwoods with a shrub understory in granitic soils between 1,115 and 4,400 feet in elevation. Blooms May – July.	**Absent.** This perennial shrub was not observed during field surveys conducted during the spring of 2013. The nearest occurrence is over 11 miles to the southeast (CDFW 2013a). This species has been observed in previous seasons by Ms. Fisher.
Succulent Owl's Clover (*Castilleja campestris ssp. succulenta*)	FT, CE, CNPS 1B.2	Occurs in vernal pools and seasonal wetland areas of the San Joaquin Valley.	**Absent.** Habitats required by this species is absent from the project site. This species has been observed in previous seasons by Ms. Fisher.
Boggs Lake hedge-hyssop (*Gratiola heterosepala*)	CE CNPS 1B.2	Occurs in vernal pools and lake margins.	**Absent.** Habitats required by this species is absent from the project site. This species has been observed in previous seasons by Ms. Fisher.
San Joaquin Valley Orcutt Grass (*Orcuttia inaequalis*)	FT, CE CNPS 1B.2	Occurs in vernal pools and seasonal wetland areas of the San Joaquin Valley.	**Absent.** Habitats required by this species is absent from the project site. This species has been observed in previous seasons by Ms. Fisher.
Hartweg's Golden Sunburst (*Pseudobahia bahiifolia*)	FE, CE CNPS 1B.1	Occurs in clay soils in valley grassland and foothill woodland habitats between 100 and 1,000 feet in elevation.	**Absent.** Habitats and soils required by this species is absent from the project site. This species has been observed in previous seasons by Ms. Fisher.

CNPS-Listed Species

Abrams' Onion (*Allium abramsii*)	CNPS 1B.2	Occurs in granitic sand between 4,590-6,560 feet in elevation.	**Absent.** The project site is likely too low in elevation for this species.
Flaming Trumpet (*Collomia rawsoniana*)	CNPS 1B.2	Occurs in alluvium of riparian zones in conifer forests between 2,500 and 6,600 feet in elevation in Madera and Mariposa Cos. Blooms July – August.	**Absent.** The site is too low in elevation for this species. Furthermore, suitable habitat in the form riparian zones within conifer forest is not present within the project site.
Spiny-sepaled Button Celery (*Eryngium spinosepalum*)	CNPS 1B.2	Occurs in vernal pools, swales, and roadside ditches, between 325 and 4,170 feet in elevation.	**Absent.** Habitats required by this species are absent from the project site. This species has been observed in previous seasons by Ms. Fisher.
Madera Leptosiphon (*Leptosiphon serrulatus*)	CNPS 1B.2	Occurs on dry slopes, often on decomposed granite; occurs in cismontane woodland and lower montane coniferous forest between 1,000 and 4,300 feet in elevation. Blooms April - May.	**Absent.** Habitat for this species occurs on the project site in the form of annual grassland beneath mixed oak woodland. This species was not observed during the March 27, 2013 survey; however, a closely related species, mustang clover (*Leptosiphon montanus*), was observed.

TABLE 2. LIST OF SPECIAL-STATUS SPECIES THAT OCCUR IN THE VICINITY OF THE YOSEMITE PLAZA PROJECT SITE

PLANTS (continued)

CNPS-Listed Species

Species	Status*	Habitat	Occurrence on the Project Site*
Orange Lupine (*Lupinus citrinus* var. *citrinus*)	CNPS 1B.2	Approximately 20 occurrences from Madera and Fresno Counties in coarse granitic sands of decomposing rock outcrops between 1,250 – 5,600 feet in elevation. Blooms April – July.	**Absent.** This species was not observed on the project site during the March 27, 2013 survey. Prior to conducting this survey, leaves of a reference population (CNDDB occurrence #70) near Coarsegold were observed.
Slender-stalked Monkeyflower (*Mimulus gracilipes*)	CNPS 1B.2	Occurs in disturbed places such as burns and railroad grades and on thin decomposed granitic soils surrounding granite outcrops in chaparral between 1,640 - 4,300 feet in elevation. Blooms April – June.	**Absent.** Although habitat for this species occurs on the site, this species was not observed during the March 27, 2013 survey during the appropriate blooming period. Two other monkeyflower species were observed, however.

ANIMALS (adapted from CDFW 2013a, CDFW 2013b, and CDFG 2011)

State and Federally Listed Threatened or Endangered Species

Vernal Pool Fairy Shrimp (*Ambystoma californiense*)	FT	Occurs in vernal pools of California.	**Absent.** Suitable habitat in the form of vernal pools is absent from the project site.
Vernal Pool Tadpole Shrimp (*Lepidurus packardi*)	FE	Occurs in vernal pools of California.	**Absent.** Suitable habitat in the form of vernal pools is absent from the project site.
Valley Elderberry Longhorn Beetle (*Desmocerus californicus dimorphus*)	FT	Lives in mature elderberry shrubs of California's Central Valley and Sierra Foothills up to 3,000 feet.	**Possible.** Fourteen mature elderberry shrubs were found on or directly adjacent to the site. The closest documented occurrence of VELB to the project site is approx. 4.5 miles to the northeast (CDFW 2013a).
California Tiger Salamander (*Ambystoma californiense*)	FT, CE	Vernal pools and stock ponds of central California.	**Absent.** Vernal pools and stock ponds are absent from the site. See Figure 6 and expanded discussion below.
California Red-legged Frog (*Rana aurora draytonii*)	FT, CSC	Rivers, creeks and stock ponds of the Sierra foothills. Prefers pools with overhanging vegetation.	**Absent.** This species has not been observed locally for approx. 30 years and is considered extirpated from Madera County.
Golden Eagle – nesting & wintering (*Aquila chrysaetos*)	FP	Typically frequents rolling foothills, mountain areas, sage-juniper flats and desert.	**Possible.** This species may both forage and breed within mixed oak habitat of the project site.
Bald Eagle – nesting & wintering (*Haliaeeus leucocephalus*)	CE, FP	Prefers habitats near seacoasts, rivers, large lakes, oceans, and other large bodies of open water with an abundance of fish.	**Unlikely.** The site provides marginal foraging habitat for this seasonal species due to the high density of the vegetation and lack of large water bodies in the vicinity.
Peregrine Falcon - nesting (*Falco peregrinus*)	FP	Individuals breed on cliffs in the Sierra or in coastal hahitats; occurs in many habitats of CA during migration and winter.	**Unlikely.** The site provides marginal foraging habitat for transient and migrating birds. Breeding habitat is absent.
Willow Flycatcher - nesting (*Empidonax traillii*)	CE	Breeds in willow thickets found in montane meadows of the Sierra Nevada.	**Unlikely.** This species would at most pass through the site during migration. Breeding habitat in the form of willow thickets of montane meadows is absent.

TABLE 2. LIST OF SPECIAL-STATUS SPECIES THAT OCCUR IN THE VICINITY OF THE YOSEMITE PLAZA PROJECT SITE

ANIMALS – cont'd

California Species of Special Concern

Species	Status*	Habitat	Occurrence on the Project Site*
Foothill Yellow-legged Frog (*Rana boylei*)	CSC	Once widespread in small, permanent fast-moving streams higher than 200 m. elevation of the Sierra Nevada foothills with cobble bottoms in areas not occupied by bullfrogs; now nearly extirpated from the Sierra.	**Unlikely.** The seasonal drainage on the site is not suitable for this species. It is a seasonal drainage. This species requires perennial flows.
Sierra Nevada Yellow-legged Frog (*Rana sierrae*)	FC, CSC	Inhabits lakes, ponds, meadow streams, isolated pools, and sunny riverbanks in the Sierra Nevada Mountains between 984 feet and over 12,000 feet in elevation.	**Absent.** Habitats required by this species is absent from the project site and immediate vicinity.
Western Spadefoot Toad (*Spea hammondii*)	CSC	Occurs primarily in grassland habitats, but can be found in valley foothill hardwood woodlands. Requires vernal pools for breeding and egg-laying.	**Absent.** Vernal pool habitat is absent from the project site and immediate vicinity.
Western Pond Turtle (*Emys marmorata*)	CSC	Open slow-moving water of rivers and creeks of central California with rocks and logs for basking.	**Possible.** This species may use the seasonal drainages of the site for seasonal movements. Multiple western pond turtles, red-eared sliders, and bullfrogs were observed in the pond within a few hundred meters west of the project site during the March 27, 2013 survey.
Northern Goshawk - nesting (*Accipiter gentilis*)	CSC	Prefers dense coniferous forest of the Sierra Nevada. Usually nests on north facing slopes near water and riparian habitat.	**Absent.** This species nests at higher elevations in the Sierra. Individuals may descend to the elevation of the project site in winter to forage.
Swainson's Hawk (*Buteo swainsoni*)	CSC	Occurs in grasslands and agricultural lands of the Central Valley during the spring and summer.	**Absent.** Habitats preferred by this species are absent from the project site.
Long-eared Owl - nesting (*Asio otus*)	CSC	Year-round resident of dense riparian, live oak, or conifer woodlands and forests of the western U.S.	**Possible.** Marginal habitat for this species occurs on the project site.
Short-eared Owl - nesting (*Asio flammeus*)	CSC	Transient or occasional breeder in grasslands, marshes, and in some agricultural lands of the San Joaquin Valley.	**Unlikely.** Given the wooded nature of much of the site, it provides at best marginal foraging for transient birds.
Burrowing Owl – burrow sites and some wintering sites (*Athene cunicularia*)	CSC	Found in open, dry grasslands, deserts and ruderal areas; requires suitable burrows such as those of ground squirrels.	**Absent.** This species is seldom seen above the San Joaquin Valley floor and has not been observed locally (CDFW 2013a).
Black Swift - nesting (*Cypseloides niger*)	CSC	Migrants and transients found throughout many habitats of state; in Sierra nests are usually associated with waterfalls.	**Possible.** Migrants and transients may forage on the site during migration. Breeding habitat in the form of waterfalls or wet cliffs is absent.

TABLE 2. LIST OF SPECIAL-STATUS SPECIES THAT OCCUR IN THE VICINITY OF THE YOSEMITE PLAZA PROJECT SITE

ANIMALS – cont'd.
California Species of Special Concern

Species	Status*	Habitat	Occurrence on the Project Site*
Vaux's Swift - nesting (*Chaetura vauxi*)	CSC	Migrants and transients move through the foothills of the western Sierra in spring and late summer; breed in the hollows of large conifers.	**Unlikely.** Migrants and transients may forage on the site during migration. Breeding habitat is absent.
Olive-sided Flycatcher-nesting (*Contopus cooperi*)	CSC	Prefers coniferous forests at forest edges and openings between sea level and 11,000 feet in elevation.	**Possible.** This species may forage over the site during migration. Breeding habitat is absent.
Yellow Warbler (*Dendroica petechia brewster*)	CSC	Migrants move through many habitats of Sierra and its foothills; breeds in riparian thickets of alder, willow and cottonwoods.	**Possible.** This species may move through the site during migration. Breeding habitat is absent.
Tricolored Blackbird (*Agelaius tricolor*)	CSC	Nests colonially near fresh water in dense cattails or tules, in thickets of willows or shrubs, and increasingly in grain fields. Forages in grassland and cropland areas.	**Possible.** Marginal foraging habitat for this species occurs in the California annual grassland habitat of the site. Breeding habitat is absent.
Spotted Bat (*Euderma maculatum*)	CSC	Found in a variety of habitats from arid desert and grassland to mixed conifer forest; roosts in crevices of rocky cliffs.	**Possible.** The project site provides suitable foraging habitat. Suitable roost sites are absent.
Western Mastiff Bat (*Eumops perotis californicus*)	CSC	Roosts in crevices in cliff faces, high buildings, trees and tunnels within semi-arid to arid habitats of coniferous and deciduous forests and woodlands, coastal scrub, grassland and chaparral.	**Possible.** The project site provides suitable foraging habitat. Suitable roost sites are present, but limited to crevices in large trees or snags in scattered locations of the site.
Townsend's Big-eared Bat (*Corynorhinus townsendii*)	CSC	Primarily a cave-dwelling bat which may also roost in buildings. Occurs in a variety of habitats of the state.	**Possible.** The project site provides suitable foraging habitat. Roost sites in the form of caves are absent.
Pallid Bat (*Antrozous pallidus*)	CSC	Grasslands, chaparral, woodlands, and forests of Calif.; most common in dry rocky open areas. Roost habitats include mines, caves, crevices, hollow trees and buildings.	**Possible.** The project site provides suitable foraging habitat. Suitable roost sites are present in the form of rock crevices and hollow trees in scattered locations of the site.
Sierra Nevada Mountain Beaver (*Aplodontia rufa californica*)	CSC	Dense riparian-deciduous and open, brushy stages of most forest types. Deep, friable soils are required for burrowing.	**Absent.** Riparian habitat and deep friable soils required by this species is absent from the project site.
American Badger (*Taxidea taxus*)	CSC	Found in drier open stages of most shrub, forest and herbaceous habitats with friable soils.	**Possible.** The project site provides suitable habitat for this species, however, no evidence of badger activity was observed during the site visits (i.e. burrows, claw marks, scat, etc.).
Ringtail (*Bassariscus astutus*)	CP	Year-round resident of riparian and heavily wooded habitats near water. Nests in rock recesses, hollow trees, logs, snags abandoned burrows, or woodrat nests.	**Possible.** Rocky wooded habitat along Coarsegold creek is suitable for this species and dead ringtails observed along Highway 41 confirm their presence in the area. .

* Explanation of Occurrence and Status Codes

OCCURRENCE ON THE PROJECT SITE

Present: Species observed on the site at time of field surveys or during recent past.
Likely: Species not observed on the site, but it may reasonably be expected to occur there on a regular basis.
Possible: Species not observed on the site, but it could occur there from time to time.
Unlikely: Species not observed on the site, and would not be expected to occur there except, perhaps, as a transient
Absent: Species not observed on the site, and precluded from occurring there because habitat requirements not met.

STATUS CODES

Federal Listing	
FE	Federally Endangered
FT	Federally Threatened
FPE	Federally Endangered (Proposed)
FC	Federal Candidate
FP	Federal Protected
FSC	Federal Special Concern

California Listing	
CE	California Endangered
CT	California Threatened
CR	California Rare
CP	California Protected
CSC	California Species of Special Concern
CCE	California Candidate Endangered

CNPS Listing	
1A	Plants Presumed Extinct in California
1B	Plants Rare, Threatened, or Endangered in California and Elsewhere

CNPS Threat Ranks	
0.1	Seriously Threatened in California
0.2	Fairly Threatened in California
0.3	Not Very Threatened in California

It is sometimes appropriate to provide more discussion about the potential presence of special status species within a project site than can be accommodated in the above table. Such a discussion follows for those species that warrant an expanded discussion.

2.2.1 Special Status Plants – Federal, State, and CNPS- listed species

A protocol-level survey was completed for the two species for which suitable habitat is present on the site. On the morning of the March 27, 2013 field survey, reference populations for federally threatened Mariposa pussypaws and CNPS-listed orange lupine were located and observed. Observations of leaves and/or flowers were made and were not found on the project site. The site was surveyed at the correct time of year to identify them if they had been present. Neither these two species, nor the other 10 special-status plant species, were observed on the project site. None of the 12 special-status plant species occurring within the project vicinity occur on the project site.

2.2.2 Valley Elderberry Longhorn Beetle (*Desmocerus californicus dimorphus*) - Federally Threatened

The USFWS listed the valley elderberry longhorn beetle (VELB) as threatened according to provisions of the Endangered Species Act in August 1980. On October 2, 2012 the USFWS

proposed removing the VELB from the Federal List of Endangered and Threatened Wildlife; however, until delisting occurs, all protections afforded to this species under the Endangered Species Act will remain in place.

The VELB occurs at scattered locations throughout much of California's Central Valley, as well as in the Sierra foothills up to about 3,000 feet in elevation. The obligate host plant of the VELB is the blue elderberry shrub (*Sambucus nigra* ssp. *caerulea*). The USFWS considers all elderberry shrubs with stems greater than once inch in diameter at ground level and within the VELB's range to be occupied by the VELB, even when exit holes (which show evidence of VELB use) are absent from mature stems.

Fourteen elderberry shrubs were identified on or directly adjacent to the project site during the spring 2013 surveys (see Figure 4 for elderberry numbers and locations). Due to the reclusive nature of the VELB, the shrubs observed within the project site are considered occupied habitat for this species. Data collected for the individual blue elderberry shrubs identified on or directly to the site during the field surveys are included in Table 3.

Table 3. Valley Elderberry Longhorn Beetle Information Gathered March 2013 for the Yosemite Plaza Project Site

Shrub Number	Number of stems between 1 and 3 inches in diameter	Number of stems between 3 and 5 inches in diameter	Number of stems greater than 5 inches in diameter	Occurrence in riparian woodland	Presence and number of potential VELB exit holes
1	0	0	1	No	0
2	0	0	1	No	0
3	0	0	1	No	0
4	0	0	1	No	0
5	0	1	1	No	0
6	1	2	0	No	0
7	0	0	1	No	
8	2	3	0	No	0
9	1	1	2	Yes	0
10	4	4	2	No	0
11	0	0	1	No	0
12	12	3	3	No	0
13	0	0	1	No	0
14	0	1	1	Yes	0
Total 14				Two are in Riparian	0

2.2.3 California Tiger Salamander (*Ambystoma californiense*) - Federally Threatened, California Threatened

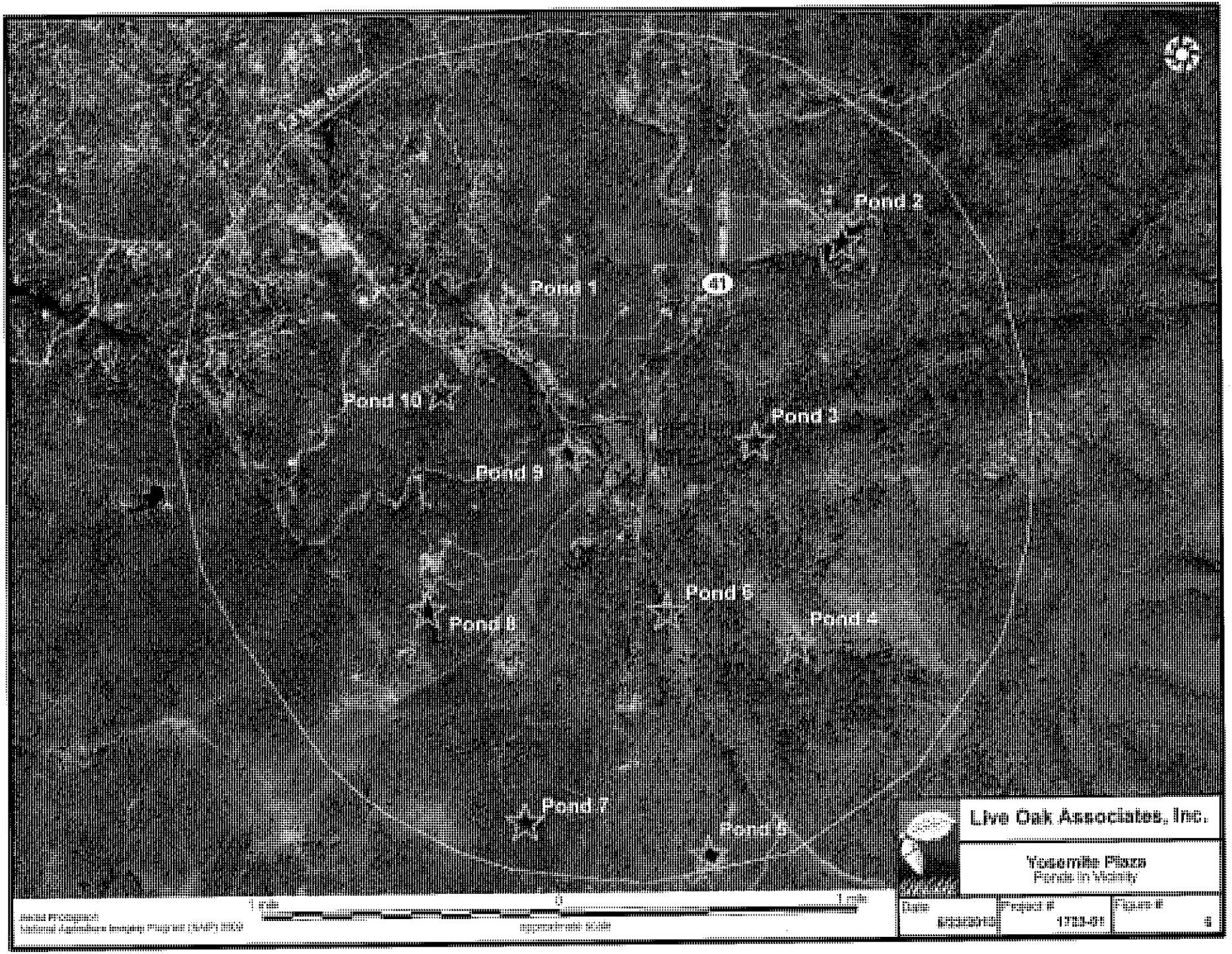
The California tiger salamander (CTS) occurs in areas of Central California where vernal pool complexes are located within extensive grassland habitats. Vernal pools within the CTS's range that hold water for 3-4 months of the winter and spring and do not support populations of predators such as fish or bullfrogs provide favorable breeding habitat for the this species. The CTS larvae mature in these vernal pools until the pools begin to dry in April and May. Juvenile CTS disperse from the drying pools to find the burrows of California ground squirrels and pocket gophers in which to aestivate (oversummer). While CTS may wander a mile or more from their breeding pools in search of aestivation habitat, studies of CTS aestivation indicate that 95% of all postbreeding adult salamanders aestivate within 0.4 mile of breeding habitat (Trenham and Shaffer 2005).

The CTS could not utilize the site for breeding. Breeding habitat is absent from the site.

The CTS would is not expected to use the site for aestivation. The site is outside the known range of the CTS. The nearest CTS observation to the site is approximately 4 miles to the south at the San Joaquin Experimental Range. This observation is at least 30 years old. More recent observations have not been documented. Furthermore, stock ponds located in the general vicinity of the site that might arguably provide breeding habitat for CTS support robust populations of bullfrogs, and in some cases, fish and crayfish, known predators of the CTS. One pond located immediately west of the project site was investigated for CTS suitability on March 27, 2013 (Figure 6). Numerous bluegill, bullfrogs and a gartersnake, all likely predators of CTS, were observed in the pond along with western pond turtles and red-eared sliders. This pond and nine others within 1.3 miles of the site were investigated using aerial imagery (see Figure 6). All ponds appear to hold water throughout the year and are certain to support populations of species (bullfrogs, fish, and crayfish) which predate upon CTS.

2.2.4 Western Pond Turtle (*Actinemys marmorata*) – California Species of Special Concern

Western pond turtles were observed in the pond within a few hundred meters of the west boundary of the project site during the March 27, 2013 survey. Western pond turtles are also known to use Coarsegold Creek as habitat, as well as tributaries of Coarsegold Creek passing


Pond 2
Pond 1
Pond 10
Pond 3
Pond 9
Pond 5
Pond 8
Pond 4
Pond 7
Pond 6
Live Oak Associates, Inc.
Yosemite Plaza
Ponds in Vicinity
Project #
173-01
Figure #
6

through Yosemite Lakes Park immediately to the northwest. It is likely that western pond turtles use the onsite seasonal drainage channels for seasonal movements. Pond turtles may also overwinter within 100 feet of the seasonal channels of the site, and may create nests and lay eggs anywhere within the project site.

2.3 CRITICAL HABITAT

Critical habitat as defined by the federal Endangered Species Act consists of areas of habitat that are crucial to the survival of a species and essential for its conservation. These areas are formally designated by the USFWS as critical habitat by rule published in the Federal Register. Projects proposed within formally designated critical habitat must provide mitigation in support of the recovery of the species (so that it may eventually be de-listed). Thus, the mitigation standard for projects within critical habitat has typically been greater than for projects outside of critical habitat.

The project site lies outside of designated critical habitat for all species.

2.4 JURISDICTIONAL WATERS

Jurisdictional waters include rivers, creeks, drainages with a defined bed and bank that may carry at most ephemeral flows, lakes, ponds, reservoirs, and wetlands. Such waters may be subject to the regulatory authority of the U.S. Army Corps of Engineers (USACE), the California Department of Fish and Wildlife (CDFW) and the State Water Resources Control Board (SWRCB), or it various Regional Boards (see Section 3.2.4 of this report for additional information).

LOA surveyed the project site for likely jurisdictional waters in 2013. Jurisdictional waters (as defined in 33 CFR 328.3 and in the 1987 *Corps of Engineers Wetlands Delineation Manual*) occur on the project site in the form of one main seasonal drainage channel and a small tributary. Other jurisdictional waters outside of these drainage channels were not observed. Waters of the United States subject to the jurisdiction of the USACE within defined channels are limited to the area within ordinary high water marks on opposing channel banks. Likely waters of the United States encompassed approximately 0.69 acres of the two drainage channels

located within the project boundaries. Waters of the state subject to the jurisdiction of the SWRCB would be the same as those waters subject to the jurisdiction of the USACE. Waters of the State subject to the jurisdiction of the CDFW are limited to the area within the top of bank of a given channel. The two channels identified on the site below the top of bank had an aggregate area of approximately 2.11 acres.

2.5 NATURAL COMMUNITIES OF SPECIAL CONCERN

Natural communities of special concern are those that are of limited distribution, distinguished by significant biological diversity, home to special-status plant and animal species, of importance in maintaining water quality or sustaining flows, etc. Examples of natural communities of special concern in the lower Sierra Nevada foothills in the vicinity of the project site would include vernal pools, various types of riparian forest, etc. (Sawyer, Keeler-Wolf, and Evens 2009).

The project site supports two small seasonal drainage channels that join on the site. Some sparse riparian vegetation (willows and cottonwoods) were observed at scattered locations along the main seasonal channel. These drainage channels and the sparse riparian habitat adjacent to them may be considered a natural community of special concern.

2.6 WILDLIFE MOVEMENT CORRIDORS

Wildlife movement corridors are routes that animals regularly and predictably follow during seasonal migration, dispersal of young, daily travel within home ranges, and inter-population movements. Movement corridors in California are typically associated with valleys, rivers and creeks supporting riparian vegetation, and ridgelines.

Geographic and topographic features especially suitable for wildlife movements are limited to the two seasonal drainages on the site. A number of vertebrate species may utilize these drainages as dispersal corridors or as essential components of their home ranges. For example, resident mule deer are known to make use of the cover and forage offered by the creek corridor in order to facilitate localized movements. A number of avian species would nest and forage along the drainages and in the associated mixed oak woodland. Other terrestrial vertebrate species, especially amphibians, might use the seasonal channels in moving between different

portions of their home ranges, or in moving between populations. Consequently, the seasonal drainage channels of the site and the adjoining mixed oak woodland habitat would likely be used by local wildlife for moving through the project site. Wildlife movements of these two drainages could be adversely affected by two major roadways, SR 41 and Yosemite Springs Parkway that border the project site. The traffic on these roadways may limit the movements of some terrestrial vertebrates on to the project site from lands off site, since the main drainage passes under Highway 41 and Yosemite Springs Parkway via culverts. The actual effects of these busy roadways on wildlife movements within and through the project site are not known, but presumably heavy traffic could deter some species from accessing the site.

3.0 IMPACT ANALYSIS

3.1 RELEVANT GOALS, POLICIES, AND LAWS

3.1.1 California Environmental Quality Act

General plans, area plans, and specific projects are subject to the provisions of the California Environmental Quality Act (CEQA). The purpose of CEQA is to assess the impacts of proposed projects on the environment before they are constructed. For example, site development may require the removal of some or all of its existing vegetation. Animals associated with this vegetation could be destroyed or displaced. Animals adapted to humans, roads, buildings, pets, etc. may replace those species formerly occurring on a site. Plants and animals that are state and/or federally listed as threatened or endangered may be destroyed or displaced. Sensitive habitats such as wetlands and riparian woodlands may be altered or destroyed. These impacts may be considered significant or not. For purposes of CEQA "significant effect on the environment" means a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic interest. Specific project impacts to biological resources may be considered "significant" if they will:

- Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by CDFW or USFWS.
- Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, 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 (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, 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 site; reduce substantially the habitat of a fish or wildlife species, including causing a fish or wildlife population to drop below self-sustaining levels or threaten to eliminate an animal community.
- Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.

- Conflict with the provisions of an adopted Habitat Conservation Plan, or other approved local, regional, or state habitat conservation plan (Remy et al. 1999).

Furthermore, CEQA Guidelines Section 15065 states that a project may trigger the requirement to make "mandatory findings of significance" if "the project has the potential to subsequently degrade the quality of the environment, 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, reduce the number or restrict the range on an endangered, rare or threatened species, or eliminate important examples of the major periods of California history or prehistory."

3.1.2 Threatened and Endangered Species

State and federal "endangered species" legislation has provided CDFW and USFWS with a mechanism for conserving and protecting plant and animal species of limited distribution and/or low or declining populations. Species listed as threatened or endangered under provisions of the state and federal endangered species acts, candidate species for such listing, state species of special concern, and some plants listed as endangered by the CNPS are collectively referred to as "species of special-status." Permits may be required from both CDFW and USFWS if activities associated with a proposed project will result in the "take" of a listed species. "Take" is defined by the state of California as "to hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture or kill" (California Fish and Game Code, Section 86). "Take" is more broadly defined by the federal Endangered Species Act to include "harm" (16 USC, Section 1532(19), 50 CFR, Section 17.3). The USFWS is the responsible agency under NEPA. This federal agency reviews NEPA documents in order to determine the adequacy of their treatment of endangered species issues and to make project-specific recommendations for their conservation.

3.1.3 Migratory Birds

State and federal law also protect most bird species (i.e., songbirds, shorebirds, raptors, waterbirds, etc.). The California Fish and Game Code (Sections 3511 and 3513) and Federal Migratory Bird Treaty Act (FMBTA: 16 U.S.C., scc. 703, Supp. I, 1989) prohibits killing,

possessing, or trading in migratory and protected birds, except in accordance with regulations prescribed by the Secretary of the Interior. This act encompasses whole birds, parts of birds, and bird nests and eggs. Construction disturbance during the breeding season could result in the incidental loss of fertile eggs or nestlings, or otherwise lead to nest abandonment. Disturbance that causes nest abandonment and/or loss of reproductive effort would be considered a significant affect under CEQA and NEPA.

3.1.4 Wetlands and Other "Jurisdictional Waters"

Natural drainage channels and wetlands are considered "Waters of the United States" (hereafter referred to as "jurisdictional waters"). The filling or grading of such waters is regulated by the U.S. Army Corps of Engineers (USACE) by authority of Section 404 of the Clean Water Act. The extent of jurisdiction within drainage channels is defined by "ordinary high water marks" on opposing channel banks. Wetlands are habitats with soils which are intermittently or permanently saturated, or inundated. The resulting anaerobic conditions select for plant species known as hydrophytes, which show a high degree of fidelity to such soils. Wetlands are identified by the presence of hydrophytic vegetation, hydric soils (soils saturated intermittently or permanently saturated by water), and wetland hydrology according to methodologies outlined in the 1987 Corps of Engineers Wetlands Delineation Manual (USACE 1987).

All activities that involve the discharge of fill into jurisdictional waters are subject to the permit requirements of the USACE (Wetland Training Institute, Inc. 1990). Such permits are typically issued on the condition that the applicant agrees to provide mitigation, which results in no net loss of wetland functions or values. All projects involving federal funds must comply with Executive Order 11990 (protection of wetlands). Where possible, projects must be designed to minimize impacts to wetlands. No permits for filling wetlands can be issued until the Regional Water Quality Control Board (RWQCB) issues a certification (or waiver of such certification) that the proposed activity will meet state water quality standards. The RWCQB is also responsible for enforcing National Pollution Discharge Elimination System (NPDES) permits.

3.1.5 Madera County General Plan Policies, Natural Resources Element

The Natural Resources element of the Madera County General Plan provides the County direction in project planning and approval with respect to sensitive biotic resources. This element includes a number of goals that are relevant to the proposed project; for example, 1) to protect wetland communities and related riparian areas throughout Madera County as valuable resources, 2) to protect, restore, and enhance habitats that support fish and wildlife species so as to maintain populations at viable levels, and 3) to preserve and protect the valuable vegetation resources of Madera County. Implementation of goals in the Madera County General Plan is accomplished via a set of policies specific to each goal. Projects within Madera County should be implemented in a manner consistent with General Plan policies as much as is practicable.

3.2 PROJECT IMPACTS

The proposed use of the Yosemite Plaza Project Site is for the eventual construction a mini-mart/gas station, senior adult apartment complex, retail and professional business park, and associated parking lots on some portion of the approximately 21.5 acre site. The project also proposes to rezone the site from agriculture to commercial rural highway and urban residential multiple family.

Potentially Significant Adverse Environmental Impacts

3.2.1 Potential Impacts to Western Pond Turtle

Potential Impact. Project construction occurring within 100 feet of seasonal channels of the project site may result in mortality to western pond turtles moving through or overwintering on the site. Project construction anywhere on the site may result in the destruction of turtle eggs in a nest. Project-related mortality to adult turtles and eggs is considered a potentially significant adverse environmental effect of the project.

Mitigation. Possible construction mortality of western pond turtles represents a potentially significant adverse environmental effect of the project. The project sponsor will implement the following mitigation measures in order to minimize impacts to western pond turtles to a less than significant level.

Measure 3.2.1a: Exclusion Fencing. Prior to the onset of any phase of project construction, the project sponsor shall install exclusion (silt) fencing around the footprint of that construction phase to ensure that no turtles occurring within the riparian zone and adjacent mixed oak woodland can enter any proposed construction zones during project construction. To ensure that turtles cannot pass under the fencing material, the bottom of the fencing material will be buried in the ground to a depth of 4 – 6 inches. This fencing will be constructed with exit portals at intervals of 100 feet that will permit juvenile and adult pond turtles to exit the project construction zone, but not permit reentry.

Measure 3.2.1b: Pre-construction Surveys. Three days prior to the onset of project construction, the project sponsor will have a qualified biologist inspect the project site (inside the exclusion fencing where construction is to occur) for western pond turtles and turtle nests with eggs. If no turtles or nests are observed, additional mitigation measures will not be required.

Measure 3.2.1c: On-site Construction Monitoring. A biologist will monitor the construction site weekly during project construction to ensure that the exclusion fencing is intact and function to prevent turtles from entering the construction site.

Measure 3.2.1d: Relocation of Turtles Found within Construction Fencing. Any turtles found within the proposed construction zones shall be relocated to Coarsegold Creek such that they cannot re-enter the construction zones due to the presence of the exclusion fencing.

Measure 3.2.1e: Establishment of Disturbance-free Buffers Around Active Turtle Nests. The project sponsor shall establish a 50-foot buffer around active turtle nests, if any are discovered in proposed construction zones. A qualified biologist will monitor these nests to ensure that turtle hatchlings will be relocated outside of construction zones as soon as possible.

Implementation of mitigation measures 3.2.1a through 3.2.1e will reduce impacts to the western pond turtle to a less-than-significant level.

3.2.2 Mortality of Valley Elderberry Longhorn Beetles (VELB)

Potential Impact. The project is being designed to avoid all elderberry shrubs, the host plant in which the VELB occurs. The project sponsor shall provide a disturbance-free buffer of at least 20 feet around each shrub. Direct mortality from the removal of individual shrubs will not occur. However, construction during the flight season (March through June) could generate substantial amounts of dust that could settle on the foliage and blossoms elderberry shrubs, the primary food of the VELB, thus affecting reproductive success. This represents a potentially significant adverse environmental impact of the proposed project on VELB populations potentially occupying elderberry shrubs of the project site.

Mitigation. Project construction during the VELB's flight season could interfere with reproductive success of individuals occurring in elderberry bushes of the project site. The project sponsor will implement the following mitigation measures in order to reduce project impacts to the VELB to a less than significant level.

> ***Mitigation Measure 3.2.2a: Dust Control During VELB Flight Season.*** Should project construction proceed during the VELB flight season, the contractor shall spray work areas with waters as needed to minimize the generation of dust that could settle on the foliage and flowers of elderberry shrubs.

Implementation of mitigation measure 3.2.2a will reduce impacts to the VELB to a less-than-significant level and satisfy the requirements of the Federal Endangered Species Act.

3.2.3 Disturbance to Active Raptor and Other Migratory Bird Nests from Construction Activities During Project Implementation

Potential Impact. Mixed oak woodland is composed of a number of trees that may be used by a number of migratory bird species, including raptors (i.e., hawks, falcons, eagles, owls, etc.) for nesting from approximately February 1st to August 31st. Construction activities during the nesting period may destroy nests or result in nest abandonment by adult birds and consequential mortality of nestlings. Disturbance that causes nest abandonment and/or loss of reproductive effort is considered a violation of the federal Migratory Bird Treaty Act and would constitute a potentially significant adverse environmental effect of the project.

Mitigation. Depending on the construction schedule, the project would result in potentially significant adverse environmental effect on nesting migratory birds including raptors. The project sponsor will implement the following mitigation measures in order to minimize impacts to nesting birds to a less than significant level.

> ***Mitigation Measure 3.2.3a: Construction Outside of the Nesting Season.*** The project sponsor shall initiate project construction outside of the nesting season. This work will include the removal of all potential nest trees that must be removed for project construction between September 1st and January 31st (outside of the nesting season).
>
> ***Mitigation Measure 3.2.3b: Pre-construction Surveys.*** If tree removal, brushing, grading, or construction occurs between the months of February and August. A qualified biologist will conduct pre-construction surveys for active nests within 30 days of the onset of these activities or after a break of more than 30 days.

Mitigation Measure 3.2.3.c: Avoidance and Minimization Measures. Should any active nests be discovered in or near proposed construction zones, the biologist will consult with the CDFW to identify a suitable construction-free buffer around the nest. This buffer will be identified on the ground with flagging or fencing, and will be maintained until the biologist has determined that the young have fledged.

Implementation of mitigation measures 3.2.3a through 3.2.3c will mitigate potential project impacts to nesting birds to a less than significant level.

3.2.4 Loss of Mixed Oak Habitat for Native Wildlife

Potential Impact. Based on review of the existing site plan, the proposed project would result in the conversion of up to 5.7 acres of mixed oak woodland to retail and residential development. Impending modifications to the site plan in order to eliminate impacts to blue elderberry shrubs may reduce the magnitude of this impact somewhat, but expected impacts to oak woodland from the removal of oak trees is expected to be substantial. Oak woodlands throughout the state of California are being eliminated from clear cutting (for firewood) or highly modified (from development). Substantial areas of oak woodland in Madera County have been highly modified from commercial and residential development. The loss of additional oak woodland habitat from project construction is considered to be a significant adverse environmental impact of the proposed project.

Mitigation. Anticipated losses of mixed oak woodland from project construction is considered a potentially significant adverse environmental effect of the project. The project sponsor will implement the following mitigation measures in order to minimize impacts to mixed oak woodland to a less than significant level.

Mitigation Measure 3.2.4a: Assess Oak Tree Losses Based on Final Site Plan. Once the final site plan has been revised to avoid all elderberry shrubs and jurisdictional waters occurring on the project site, project impacts to mixed oak woodland will be re-calculated. Presumably, those impacts will be somewhat less than the 5.7 acres calculated on the original site plan.

Mitigation Measure 3.2.4b: Preservation of Existing Habitat or Creation of Compensatory Habitat. If oak woodlands cannot be avoided or minimized to a less than significant level, then one or a combination of the following measures will be implemented:

3.2.4b(i): Conserve oak woodlands at a 1:1 ratio (i.e. one acre preserved for each acre of oak woodland habitat removed by the project), through the use of a conservation easement.

3.2.4b(ii): Plant in kind trees at a 1:1 ratio for each native tree removed with a diameter at breast eight (DBH) of 5 inches or greater (i.e. one in kind tree planted for each native oak woodland tree removed with a DBH of 5 inches or greater) in an effort to enhance or restore oak woodland habitat. To ensure the success of the plantings a restoration plan will be prepared by a qualified biologist and the restoration effort will be maintained for a minimum of seven years, including replacement of dead or diseased plantings. The restoration plan will have a success goal of 70% survival by the end of seven years. Per the requirements of SB1334, replacement plantings cannot fulfill more than half of the required mitigation for the loss of oak woodlands.

3.2.4b(iii): Contribute funds to the Oak Woodlands Conservation Fund, Sierra Foothill Conservancy, or other qualified conservancy, for the purpose of purchasing oak woodlands conservation easements at a 1:1 ratio (i.e. one acre preserved for each acre of oak woodland habitat removed by the project). A project applicant that contributes funds under this paragraph shall not receive a grant from the Oak Woodlands Conservation Fund as part of the mitigation for the project.

Implementation of mitigation measures 3.2.4a through 3.2.4b will mitigate potential project impacts to mixed oak woodland habitat to a less than significant level.

3.2.5 Degradation of Water Quality in Seasonal Creeks, Reservoirs and Downstream Waters

Impact. Extensive grading often leaves the soils of construction zones barren of vegetation and, therefore, vulnerable to erosion. Eroded soil can be carried as sediment in seasonal creeks to be deposited in creek beds and adjacent wetlands. The topography of the project site is generally sloping toward the seasonal drainage channel passing through the site. The soils consist of decomposed granite that is highly erodible. All graded areas will be vulnerable to erosion during the winter rainy season. Furthermore, site drainage after project completion will potentially result in the discharge of pollutants from parking areas and landscaping of the project in stormwater runoff entering the on-site seasonal drainage. The possible deposition of silt in and polluted runoff to the onsite drainage and Coarsegold Creek to which it is tributary constitutes a potentially significant adverse environmental effect of the project.

Mitigation. The potential deposition of silt in and polluted runoff to the on-site seasonal drainage and Coarsegold Creek is considered a potentially significant adverse environmental

effect of the project. The project sponsor will implement the following mitigation measures in order to reduce project impacts to water quality in seasonal creeks, reservoirs, and downstream waters to a less than significant level.

Mitigation Measure 3.2.5a: Preparation and implementation of erosion control plan. Prior to the onset of construction, an erosion control plan will be prepared by a qualified engineer consistent with the requirements of a Fresno County grading permit and a General Construction Permit (an NPDES permit issued by the Regional Water Quality Control Board for Projects in which one or more acres of land are graded). Typically, specified erosion control measures must be implemented prior to the onset of the rainy season. The Site must then be monitored periodically throughout the rainy season to ensure that the erosion control measures are successfully preventing on-Site erosion and the concomitant deposition of sediment off Site. Elements of this plan would address both the potential for soil erosion and non-point source pollution. At a minimum, elements of an erosion control plan typically include the following:

1) Protection of exposed graded slopes from sheet, rill and gully erosion. Such protection could be in the form of erosion control fabric, hydromulch containing the seed of native soil-binding plants, straw mechanically imbedded in exposed soils, or some combination of the three.

2) Protection of natural drainage channels from sedimentation. Hay bale check dams should be installed below graded areas so that any sediment carried by surface runoff is intercepted and retained behind the check dams before it can enter the creek.

3) Use of best management practices (BMPs) to control soil erosion and non-point source pollution. BMPs may include measures in 1 and 2 above, but they may include any number of additional measures appropriate for this particular Site and this particular Project, including grease traps in parking lots, landscape management practices to reduce the use of pesticides and herbicides, the discharge of stormwater runoff from "hardscapes" into grassy swales, regular Site inspections for pollutants that could be carried by runoff into natural drainages, etc.

Mitigation Measure 3.2.5b: Time construction to occur during the dry season. Where possible, Project construction should be confined to the dry season, when the chance for significant rainfall and stormwater runoff is very low. Construction during the spring, summer, and fall will not eliminate the need to implement erosion control measures, but will ensure that the threat of soil erosion has been minimized to the maximum extent feasible.

Mitigation Measure 3.2.5c: Control of non-point source pollution of stormwater runoff. Stormwater and irrigation runoff leaving roofs, streets, and landscaped areas will potentially be polluted with oil, grease, heavy metals, and pesticide and herbicide residues. All runoff will be routed through a system of grease traps, stormwater retention/detention basins, and bio-filtration swales to ensure that water quality of on-Site and off-Site wetlands, creeks and rivers is maintained at roughly pre-Project levels.

Implementation of mitigation measures 3.2.5a through 3.2.5b will mitigate potential project impacts to mixed oak woodland habitat to a less than significant level.

3.2.6 Indirect Impacts to the Seasonal Drainage Passing Through the Project Site

Potential Impact. The applicant is designing the site plan to avoid the seasonal drainage and its tributary passing through the site. Thus, the project will have no direct effect on the seasonal drainage and its tributary. The proximity of development to this drainage and scattered riparian trees and shrubs along it could, however, result in a potentially significant adverse effect on wildlife use of the drainage and its associated vegetation.

Mitigation. The proximity of development to the on-site drainage and its tributary would result in a potentially significant adverse effect on wildlife use of the drainage and its associated vegetation. The project sponsor will implement the following mitigation measures in order to reduce project impacts to wildlife use of the seasonal drainage and its associated vegetation.

> ***Mitigation Measure 3.2.6a: Maintain 50-foot Development-free Buffers Between the Project and the Top of Bank Per Provisions of the County General Plan.*** County general plan policies call for a 50-foot development-free buffer between project development and the top-of-bank of natural drainages. The project sponsor shall comply with this provision of County General Plan policies.

Implementation of mitigation measures 3.2.6a will mitigate potential project impacts to habitat values associated with the on-site drainage and its tributary to a less than significant level.

Less Than Significant Adverse Environmental Impact

3.2.7 Loss of Habitat for Special-Status Plants

Potential Impact. Based on properly timed surveys of the project site, it has been determined that none of the 12 special-status plant species occurring within the project vicinity would occur on the project site. Thus, the project would have no impact on special status plant species.

Mitigation. No mitigation is warranted.

3.2.8 Loss of Habitat for Special-Status Animals

Potential Impact. Twenty-nine special-status animal species occur or have the potential to occur within the project vicinity (see Table 2). Of these, sixteen species would be absent or unlikely to occur on the project site. Others would only rarely occur on site as transients or migrants. The proposed project will have no effect on the breeding success of any of these transient or migrant species, and would only result (at most) in a small reduction of foraging and/or roosting habitat that is regionally abundant.

The remaining thirteen special-status animal species from Table 2 potentially occur more frequently as regular foragers or whose habitat may include the project site. Twelve of these species (with the exception of the valley elderberry longhorn beetle) are likely to pass through or over habitats of the project site and adjoining lands including, golden eagles, long-eared owls, black swifts, Vaux's swifts, olive-sided flycatchers, yellow warblers, spotted bats, tricolored blackbirds, Western mastiff bats, Townsend's big-eared bats, and pallid bats. The project site does not provide these species unique intrinsic habitat values, and its development as proposed will not affect the ability of these species to pass through and over the site. Therefore, the proposed project will result in a less than significant effect on these species.

Mitigation. No mitigation is warranted.

3.2.9 Interference with the Movement of Native Wildlife

Potential Impact. The proposed project will modify the home range and dispersal movements of terrestrial vertebrates using the site. The site does not play a significant role in the migratory movements of most species. Given the small size of the site and the avoidance of the seasonal drainage passing through it, the proposed project will have a less than significant effect on the movements of regional wildlife populations.

Mitigation. No mitigation is warranted.

3.2.8 Disturbance to Waters of the U.S.

Potential Impact. The seasonal drainage passing through the project site, and its tributary are jurisdictional waters subject to the permit authority of the USACE, SWRCB, and CDFW. The

project sponsor is modifying the original site plan to avoid all impacts to 0.69 acres of jurisdictional waters subject to the permit authority of the USACE and SWRCB, and 2.11 acres of jurisdictional waters regulated by the CDFW. Thus, the project will have no direct effect on such waters.

Mitigation. No mitigation is warranted.

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APPENDIX A:
VASCULAR PLANTS OF THE PROJECT SITE

APPENDIX A:
VASCULAR PLANTS OF THE STUDY AREA

The plants species listed below have been observed on, or adjacent to, the study area during surveys conducted by Live Oak Associates, Inc. (formerly Hartesveldt Ecological Consulting) on November 10, 1998 and by LOA on March 27, 2013. The U.S. Fish and Wildlife Service wetland indicator status of each plant has been shown following its common name.

OBL - Obligate
FACW - Facultative Wetland
FAC - Facultative
FACU - Facultative Upland
UPL - Upland
+/- - Higher/lower end of category
NR - No review
NA - No agreement
NI - No investigation

AGAVACEAE – Agave Family		
Chlorogalum pomeridianum	Soap Plant	UPL
ANACARDIACEAE - Sumac Family		
Toxicodendron diversilobum	Poison Oak	UPL
APOCYNACEAE – Dogbane Family		
Asclepias cordifolia	Purple Milkweed	UPL
ASTERACEAE - Sunflower Family		
Artemisia douglasiana	Mugwort	FAC
Carduus pycnocephalus	Italian Thistle	UPL
Centauria solstitialis	Yellow Star Thistle	UPL
Cirsium vulgare	Bull Thistle	FACU
Erigeron canadensis	Canada Horseweed	FACU
Holocarpha heermanii	Heerman's Tarweed	UPL
Hypochaeris glabra	Smooth Cat's Ear	UPL
Madia elegans	Common Madia	UPL
Micropus californica	Slender Cottonweed	UPL
Lasthenia sp.	Goldfields	-
Pseudognaphalium stramineum	Cudweed	FAC
Silybum marianum	Milk Thistle	UPL
ADOXACEAE – Elderberry Family		
Sambucus nigra ssp. *canadensis*	Blue Elderberry	FAC
BRASSICACEAE - Mustard Family		
Brassica nigra	Black Mustard	UPL
Draba verna	Shad-flower	UPL

Lepidium nitidum ssp. *nitidum*	Peppergrass	FAC
Strepthanthus diversifolius	Varied-Leaf Jewel Flower	UPL
Thysanocarpus curvipes	Fringepod	UPL
BORAGINACEAE - Borage Family		
Amsinckia eastwoodiae	Eastwood's Fiddleneck	UPL
Amsinckia intermedia	Rancher's Fireweed	UPL
Nemophila heterophylla	White Nemophila	UPL
Nemophila maculata	Fivespot	UPL
Nemophila menziesii	Baby Blue-eyes	UPL
Phacelia ciliata	Phacelia	UPL
Pholistoma auratum ssp. *auratum*	Fiesta flower	UPL
Plagiobothrys nothofulvus	Rusty Popcornflower	UPL
CARYOPHYLLACEAE - Pink Family		
Cerastium fontanun ssp. *vulgare*	Big Chickweed	FACU
Silene gallica	Common Catchfly	UPL
Spergularia sp.	Sand-Spurrey	
Stellaria media	Common Chickweed	FACU
CHENOPODIACEAE - Goosefoot Family		
Chenopodium album	White Goosefoot	FACU
CRASSULACEAE — Stonecrop Family		
Crassula tillaea	Moss Pygmy-weed	FACU
CUCURBITACEAE – Wild Cucumber Family		
Marah horrida	Sierra Man-root	UPL
CYPERACEAE - Sedge Family		
Cyperus eragrostis	Umbrella Sedge	FACW
ERICACEAE — Heath Family		
Arctostaphylos viscida ssp. *mariposa*	Mariposa Manzanita	UPL
EUPHORBIACEAE - Spurge Family		
Croton setiger	Turkey Mullein	UPL
FABACEAE - Pea Family		
Acmispon strigosus	Bishop's Lotus	UPL
Lathyrus sulphureus	Sulfur Pea Vine	UPL
Lupinus albifrons	Bush Lupine	UPL
Lupinus benthanii	Spider Lupine	UPL
Lupinus bicolor	Bicolor Lupine	UPL
Lupinus formosus ssp. *formosus*	Summer Lupine	UPL
Medicago polymorpha	Bur Clover	FACU
Trifolium microcephalum	Small-head Clover	FACU
Trifolium variegatum	White-tip Clover	FACW
Trifolium willdenovii	Tomcat Clover	FACW
FAGACEAE - Oak Family		
Quercus douglasii	Blue Oak	UPL
Quercus wislizenii	Interior Live Oak	UPL
Quercus lobata	Valley Oak	FACU
GENTIANACEAE - Gentian Family		

Zeltnera venustum	Canchalagua	UPL
GERANIACEAE - Geranium Family		
Erodium botrys	Broad-leaf Filaree	UPL
Erodium cicutarium	Red-stemmed Filaree	UPL
Geranium dissectum	Geranium	UPL
Geranium molle	Geranium	UPL
JUNCACEAE — Rush Family		
Eleocharis macrostachya	Creeping Spikerush	OBL
Juncus balticus	Baltic Rush	OBL
Juncus bufonius	Toad Rush	FACW
Juncus mexicanus	Mexican Rush	FACW
LAMIACEAE - Mint Family		
Marrubium vulgare	Common Horehound	FACU
Mentha pulegium	Pennyroyal	OBL
Stachys albens	White Hedge Nettle	OBL
LILIACEAE - Lily Family		
Calochortus venustus	Star-Tulip	UPL
MONTIACEAE — Miners Lettuce Family		
Calandrinia ciliata	Red Maids	UPL
Claytonia perfoliata	Miner's Lettuce	UPL
MYRSINACEAE - Primrose Family		
Anagallis arvensis	Scarlet Pimpernel	UPL
ONAGRACEAE - Evening Primrose Family		
Camissonia sp.	Suncup	-
Clarkia ssp.	Farewell-to-Spring	UPL
Epilobium brachycarpum	Willow Herb	UPL
OROBANCHACEAE – Orobanche Family		
Castilleja attenuata	Valley Tassels	UPL
Orthocarpus cuspidatus ssp. *cryptanthus*	Purple Owl's Clover	UPL
OXALIDACEAE – Sorrel Family		
Oxalis laxa	Dwarf Woodsorrel	UPL
PHRYMACEAE – Monkey Flower Family		
Mimulus guttatus	Common Monkeyflower	OBL
Mimulus floribundus	Floriferous Monkeyflower	OBL
PINACEAE — Pine Family		
Pinus sabiniana	Foothill Pine	UPL
PLANTAGINACEAE – Plantain Family		
Collinsia heterophylla	Chinese Houses	UPL
Plantago erecta	California Plantain	UPL
POACEAE - Grass Family		
Aira caryophyllea	Silver European Hairgrass	FACU
Avena fatua	Wild Oat	UPL
Avena barbata	Slender Wild Oat	UPL
Bromus diandrus	Ripgut	UPL
Bromus hordeaceus	Soft Chess	FACU
Bromus rubens	Red Brome	UPL

Bromus tectorum	Cheat Grass	UPL
Cynodon dactylon	Bermuda Grass	FACU
Hordeum brachyantherum	Meadow Barley	FACW
Hordeum marinum ssp. *gussonianum*	Mediterranean Barley	FAC
Hordeum murinum ssp. *leporinum*	Barley	FACU
Lolium multiflorum	Italian Ryegrass	UPL
Lolium perenne	Perennial Ryegrass	FAC
Poa annua	Annual Bluegrass	FACW
Poa bulbosa	Bulbous Bluegrass	UPL
Poa secunda	Perennial Bluegrass	FACU
Polypogon monspeliensis	Annual Rabbitsfoot Grass	FACW
Vulpia bromoides	Vulpia	FACU
Vulpia myuros	Rat-tail Fescue	FACU
POLEMONIACEAE - Phlox Family		
Gilia tricolor ssp. *diffusa*	Bird's Eye Gilia	UPL
Leptosiphon montanus	Mustang Clover	UPL
POLYGONACEAE - Buckwheat Family		
Chorizanthe membranacea	Pink Spineflower	UPL
Eriogonum nudum	Nude Buckwheat	UPL
Eriogonum roseum	Rosey Buckwheat	UPL
Pterostegia drymarioides	Woodland Pterostegia	UPL
Rumex crispus	Curly Dock	FAC
PTERIDACEAE - Brake Family		
Pellaea andromedifolia	Coffee Fern	UPL
Pentagramma triangularis ssp. *triangularis*	Goldenback Fern	UPL
RANUNCULACEAE – Buttercup Family		
Delphinium sp.	Larkspur	UPL
Ranunculus aquatilis	Water Buttercup	OBL
Ranunculus californicus	California Buttercup	UPL
RHAMNACEAE – Buckthorn Family		
Ceanothus leucodermis	Chaparral Buckthorn	UPL
Rhamnus ilicifolia	Hollyleaf Redberry	UPL
ROSACEAE – Rose Family		
Rosa gymnocarpa	Wood Rose	FACU
Rubus ursinus	California Blackberry	FACU
RUBIACEAE - Madder Family		
Galium parisiense	Wall Bedstraw	UPL
SALICACEAE - Willow Family		
Populus fremontii	Fremont's Cottonwood	FACW
Salix laevigata	Red Willow	FACW
SAPINDANACEAE — Buckeye Family		
Aesculus californica	California Buckeye	UPL

SCROPHULARIACEAE – Figwort Family		
Scrophularia californica	California Beeplant	UPL
THEMIDACEAE – Lily Family		
Brodiaea elegans ssp. *elegans*	Harvest Brodiaea	FACU
Dichelostemma capitatum	Blue Dicks	UPL
Triteleia ixioides ssp. *scabra*	Pretty Face	UPL
VISCACEAE - Mistletoe Family		
Phoradendron villosum	Oak Mistletoe	UPL
VITACEAE - Grape Family		
Vitis califonica	California Wild Grape	UPL

APPENDIX B: TERRESTRIAL VERTEBRATE SPECIES THAT POTENTIALLY OCCUR ON THE PROJECT SITE

APPENDIX B: TERRESTRIAL VERTEBRATE SPECIES THAT POTENTIALLY OCCUR ON THE PROJECT SITE

The species listed below are those that may reasonably be expected to use the habitats of the project site routinely from time to time. The list was not intended to include birds that are vagrants or occasional transients. Terrestrial vertebrate species observed on or adjacent to the project site on March 27 and April 11, 2013 have been noted with an asterisk.

CLASS: AMPHIBIA
ORDER: CAUDATA (Salamanders)
FAMILY: SALAMANDRIDAE (Newts)
California Newt (*Taricha torosa*)
FAMILY: PLETHODONTIDAE (Lungless Salamanders)
Ensatina (*Ensatina eschscholtzii*)
Black-bellied Salamander (*Batrachoseps nigriventris*)
Pacific Slender Salamander (*Batrachoseps pacificus*)
ORDER: SALIENTIA (Frogs and Toads)
FAMILY: PELOBATIDAE (Spadefoot Toads)
Western Spadefoot Toad (*Scaphiopus hammondii*)
FAMILY: BUFONIDAE (True Toads)
*Western Toad (*Bufo boreas*)
FAMILY: HYLIDAE (Treefrogs and Relatives)
*Pacific Treefrog (*Pseudacris regilla*)
FAMILY: RANADAE (True frogs)
Foothill Yellow-legged Frog (*Rana boylei*)
*Bullfrog (*Rana catesbeiana*)

CLASS: REPTILIA
ORDER: TESTUDINES (Turtles)
FAMILY: EMYDIDAE (Box and Water Turtles)
Red-eared Slider (*Trachemys scripta elegans*)
*Western Pond Turtle (*Clemmys marmorata*)
ORDER: SQUAMATA (Lizards and Snakes)
SUBORDER: SAURIA (Lizards)
FAMILY: IGUANIDAE (Iguanids)
*Western Fence Lizard (*Sceloporus occidentalis*)
Sagebrush Lizard (*Sceloporus graciosus*)
FAMILY: SCINCIDAE (Skinks)
*Gilbert Skink (*Eumeces gilberti*)
FAMILY: ANGUIDAE (Alligator Lizards and Relatives)
Southern Alligator Lizard (*Gerrhonotus multicarinatus*)
SUBORDER: SERPENTES (Snakes)
FAMILY: BOIDAE (Boas)

Rubber Boa (*Charina bottae*)

FAMILY: COLUBRIDAE (Colubrids)

Ring-necked Snake (*Diadophis punctatus*)
Racer (*Coluber constrictor*)
Striped Racer (*Masticophis flagellum*)
*Gopher Snake (*Pituophis melanoleucus*)
Common Kingsnake (*Lampropeltis getulus*)
Common Garter Snake (*Thamnophis sirtalis*)
Night Snake (*Hypsiglena torquata*)

FAMILY: VIPERIDAE

Western Rattlesnake (*Crotalus viridis*)

CLASS: AVES

ORDER: PODICIPEDIFORMES (Grebes)

FAMILY: PODICIPEDIDAE (Grebes)

Pied-billed Grebe (*Podilymbus podiceps*)

ORDER: CICONIIFORMES (Herons, Storks, Ibises, and relatives)

FAMILY: ARDEIDAE (Herons and Bitterns)

Great Blue Heron (*Ardea herodias*)
Great Egret (*Ardea alba*)
Snowy Egret (*Egretta thule*)
Green-backed Heron (*Butorides striatus*)

ORDER: ANSERIFORMES (Screamers, Ducks, and relatives)

FAMILY: ANATIDAE (Swans, Geese and Ducks)

Tundra Swan (*Cygnus columbinaus*)
Snow Goose (*Chen caerulescens*)
Canada Goose (*Branta canadensis*)
Wood Duck (*Aix sponsa*)
Green-winged Teal (*Anas crecca*)
Mallard (*Anas platyrhyncyhos*)
Northern Pintail (*Anas acuta*)
Cinnamon Teal (*Anas cyanoptera*)
Northern Shoveler (*Anas clypeata*)
Gadwall (*Anas strepera*)
American Wigeon (*Anas americana*)
Canvasback (*Aythya valisineria*)
Redhead (*Aythya americana*)
Ring-necked Duck (*Aythya collaris*)
Lesser Scaup (*Aythya affinis*)
Common Goldeneye (*Bucephala clangula*)
Bufflehead (*Bucephala albeola*)
Hooded Merganser (*Lophodytes cucullatus*)
Common Merganser (*Mergus merganser*)
Ruddy Duck (*Oxyura jamaicensis*)

ORDER: FALCONIFORMES (Vultures, Hawks, and Falcons)

FAMILY: CATHARTIDAE (American Vultures)

*Turkey Vulture (*Cathartes aura*)

FAMILY: ACCIPITRIDAE (Hawks, Old World Vultures, and Harriers)

White-tailed Kite *Elanus caeruleus*)

Sharp-shinned Hawk (*Accipiter striatus*)

Cooper's Hawk (*Accipiter cooperi*)

Northern Goshawk (*Accipiter gentilis*)

*Red-shouldered Hawk (*Buteo lineatus*)

*Red-tailed Hawk (*Buteo jamaicensis*)

Ferruginous Hawk (*Buteo regalis*)

Rough-legged Hawk (*Buteo lagopus*)

Golden Eagle (*Aquila chrysaetos*)

Bald Eagle (*Haliaeetus leucocephalus*)

FAMILY: FALCONIDAE (Caracaras and Falcons)

*American Kestrel (*Falco sparverius*)

Merlin (*Falco columbarius*)

Peregrine Falcon (*Falco peregrinus*)

Prairie Falcon (*Falco mexicanus*)

ORDER: GALLIFORMES (Megapodes, Currassows, Pheasants, and Relatives)

FAMILY: PHASIANIDAE (Quails, Pheasants, and Relatives)

*California Quail (*Callipepla californica*)

Mountain Quail (*Oreotyx pictus*)

Wild Turkey (*Melegris gallopavo*)

ORDER: GRUIFORMES (Cranes, Rails, and relatives)

FAMILY: RALLIDAE (Rails, Gallinules and Coots)

*American Coot (*Fulica americana*)

ORDER: CHARADRIIFORMES (Shorebirds, Gulls, and relatives)

FAMILY: CHARADRIIDAE (Plovers and relatives)

Killdeer (*Charadrius vociferus*)

FAMILY: SCOLOPACIDAE (Sandpipers and relatives)

Greater Yellowlegs (*Tringa melanoleuca*)

Spotted Sandpiper (*Actitus macularia*)

Western Sandpiper (*Calidris mauri*)

Least Sandpiper (*Calidris minutilla*)

Long-billed Dowitcher (*Limnodromus scolopaceus*)

Ring-billed Gull (*Larus delawarensis*)

California Gull (*Larus californicus*)

Forster's Tern (*Sterna forsteri*)

Common Snipe (*Gallinago gallinago*)

ORDER: COLUMBIFORMES (Pigeons and Doves)

FAMILY: COLUMBIDAE (Pigeons and Doves)

Band-tailed Pigeon (*Columba fasciata*)

Mourning Dove (*Zenaida macroura*)

ORDER: CUCULIFORMES (Cuckoos aud relatives)

FAMILY: CUCULIDAE (Typical Cuckoos)

Greater Roadrunner (*Geococcyx californianus*)

ORDER: STRIGIFORMES (Owls)

FAMILY: TYTONIDAE (Barn Owls)
*Barn Owl (*Tyto alba*)
FAMILY: STRIGIDAE (Typical Owls)
California Spotted Owl (*Strix occidentalis occidentalis*)
Western Screech Owl (*Otus kennicottii*)
Great Horned Owl (*Bubo virginianus*)
Northern Pygmy-Owl (*Glaucidium gnoma*)
Long-eared Owl (*Asio otus*)
Northern Saw-whet Owl (*Aegolius acadicus*)
ORDER: CAPRIMULGIFORMES (Goatsuckers and Relatives)
FAMILY: CAPRIMULGIDAE (Goatsuckers)
Common Nighthawk (*Chordeiles minor*)
Common Poorwill (*Phalaenoptilus nuttalli*)
ORDER: APODIFORMES (Swifts and Hummingbirds)
FAMILY: APODIFORMES (Swifts)
Black Swift (*Cypseloides niger*)
Vaux's Swift (*Chaetura vauxi*)
White-throated Swift (*Aeronautes saxatalis*)
FAMILY: TROCHILIDAE (Hummingbirds)
Black-chinned Hummingbird (*Archilochus alexandri*)
Anna's Hummingbird (*Calypte anna*)
Calliope Hummingbird (*Stellula calliope*)
Rufous Hummingbird (*Selasphorus rufus*)
ORDER: CORACIIFORMES (Kingfishers and Relatives)
FAMILY: CERYLIDAE (Water Kingfishers)
Belted Kingfisher (*Megaceryle alcyon*)
ORDER: PICIFORMES (Woodpeckers and Relatives)
FAMILY: PICIDAE (Woodpeckers and Wrynecks)
Lewis's Woodpecker (*Melanerpes lewis*)
*Acorn Woodpecker (*Melanerpes formicivorous*)
Red-breasted Sapsucker (*Sphyrapicus ruber*)
*Nuttall's Woodpecker (*Picoides nuttallii*)
Downy Woodpecker (*Picoides pubescens*)
Hairy Woodpecker (*Picoides villosis*)
Northern Flicker (*Colaptes auratus*)
ORDER: PASSERIFORMES (Perching Birds)
FAMILY: TYRANNIDAE (Tyrant Flycatchers)
Olive-sided Flycatcher (*Contopus borealis*)
Western Wood-Pewee (*Contopus sordidulus*)
Willow Flycatcher (*Empidonax traillii*)
Hammond's Flycatcher (*Empidonax hammondii*)
Dusky Flycatcher (*Empidonax oberholseri*)
Pacific Slope Flycatcher (*Empidonax difficilis*)
*Black Phoebe (*Sayornis nigricans*)
Say's Phoebe (*Sayornis saya*)
Ash-throated Flycatcher (*Myiarchus cinerascens*)

Western Kingbird (*Tyrannus verticalis*)

FAMILY: HIRUNDINIDAE (Swallows)

Tree Swallow (*Tachycineta bicolor*)
Violet-green Swallow (*Tachycineta thalassina*)
Northern Rough-winged Swallow (*Stelgidopteryx serripennis*)
Cliff Swallow (*Hirundo pyrrhonota*)
Barn Swallow (*Hirundo rustica*)

FAMILY: CORVIDAE (Jays, Magpies, and Crows)

*Western Scrub Jay (*Aphelocoma californica*)
Steller's Jay (*Cyanocitta stelleri*)
American Crow (*Corvus brachyrhynchos*)
*Common Raven (*Corvus corax*)

FAMILY: PARIDAE (Titmice)

*Oak Titmouse (*Baeolophus inornatus*)
Mountain Chickadee (*Poecile gambeli*)
Plain Titmouse (*Poecile inornatus*)

FAMILY: AEGITHALIDAE (Bushtit)

Bushtit (*Psaltriparus minimus*)

FAMILY: SITTIDAE (Nuthatches)

Red-breasted Nuthatch (*Sitta canadensis*)
*White-breasted Nuthatch (*Sitta carolinensis*)

FAMILY: CERTHIIDAE (Creepers)

Brown Creeper (*Certhia americana*)

FAMILY: TROGLODYTIDAE (Wrens)

Rock Wren (*Salpinctes obsoletus*)
Canyon Wren (*Catherpes mexicanus*)
Bewick's Wren (*Thryomanes bewickii*)
House Wren (*Troglodytes aedon*)
Winter Wren (*Troglodytes troglodytes*)

FAMILY: CINCLIDAE (Dippers)

American Dipper (*Cinclus mexicanus*)

FAMILY: MUSCICAPIDAE (Old World Warblers, Gnatcatchers, Kinglets, Thrushes, Bluebirds, and Wrentit)

Golden-crowned Kinglet (*Regulus satrapa*)
Ruby-crowned Kinglet (*Regulus calendula*)
Blue-gray Gnatcatcher (*Polioptila caerulea*)
*Western Bluebird (*Sialia mexicana*)
Mountain Bluebird (*Sialia currucoides*)
Townsend's Solitaire (*Myadestes townsendi*)
Swainson's Thrush (*Catharus ustulatus*)
Hermit Thrush (*Catharus guttatus*)
American Robin (*Turdus migratorius*)
Varied Thrush (*Ixoreus naevius*)
Wrentit (*Chamaea fasciata*)

FAMILY: MIMIDAE (Mockingbirds and Thrashers)

Northern Mockingbird (*Mimus polyglottos*)

FAMILY: MOTACILLIDAE (Wagtails and Pipits)
American Pipit (*Anthus rubescens*)
FAMILY: BOMBYCILLIDAE (Waxwings)
Cedar Waxwing (*Bombycilla cedrorum*)
FAMILY: PTILOGONATIDAE (Silky Flycatchers)
Phainopepla (*Phainopepla nitens*)
FAMILY: STURNIDAE (Starlings)
*European Starling (*Sturnus vulgaris*)
FAMILY: VIREONIDAE (Typical Vireos)
Solitary Vireo (*Vireo solitarius*)
Hutton's Vireo (*Vireo huttoni*)
Warbling Vireo (*Vireo gilvus*)
FAMILY: EMBERIZIDAE (Wood Warblers, Sparrows, Blackbirds, and Relatives)
Orange-crowned Warbler (*Vermivora celata*)
Nashville Warbler (*Vermivora ruficapilla*)
California Yellow Warbler (*Dendroica petechia brewsteri*)
*Yellow-rumped Warbler (*Dendroica coronata*)
Black-throated Gray Warbler (*Dendroica nigrescens*)
Townsend's Warbler (*Dendroica townsendi*)
Hermit Warbler (*Dendroica occidentalis*)
MacGillivray's Warbler (*Oporornis tolmiei*)
Wilson's Warbler (*Wilsonia pusilla*)
Western Tanager (*Piranga ludoviciana*)
Black-headed Grosbeak (*Pheucticus melanocephalus*)
Lazuli Bunting *Passerina amoena*)
Green-tailed Towhee (*Pipilo chlorurus*)
Spotted Towhee (*Pipilo maculatus*)
California Towhee (*Pipilo crissalis*)
Rufous-crowned Sparrow (*Aimophila ruficeps*)
Chipping Sparrow (*Spizella passerina*)
Black-chinned Sparrow (*Spizella atrogularis*)
Vesper Sparrow (*Pooecetes gramineus*)
Lark Sparrow (*Chondestes grammacus*)
Savannah Sparrow (*Passerculus sandwichensis*)
Fox Sparrow (*Passerella iliaca*)
Song Sparrow (*Melospiza melodia*)
Lincoln's Sparrow (*Melospiza lincolnii*)
Golden-crowned Sparrow (*Zonotrichia atricapilla*)
White-crowned Sparrow (*Zonotrichia leucophrys*)
Dark-eyed Junco (*Junco hyemalis*)
*Red-winged Blackbird *Agelaius phoeniceus*)
Brewer's Blackbird (*Euphagus cyanocephalus*)
Brown-headed Cowbird (*Molothrus ater*)
Bullock's Oriole (*Icterus bullockii*)
FAMILY: FRINGILLIDAE (Finches)

Purple Finch *Carpodacus purpureus*)
*House Finch (*Carpodacus mexicanus*)
Pine Siskin (*Carduelis pinus*)
Lesser Goldfinch (*Carduelis psaltria*)
Evening Grosbeak (*Coccothraustes vespertinus*)
FAMILY: PASSERIDAE
House Sparrow (*Passer domesticus*)

CLASS: MAMMALIA
ORDER: MARSUPIALIA (Opossums, Kangaroos, and Relatives)
FAMILY: DIDELPHIDAE (Opossums)
Virginia Opossum (*Didelphis virginiana*)
ORDER: INSECTIVORA (Shrews and Moles)
FAMILY: SORICIDAE (Shrews)
Ornate Shrew (*Sorex ornatus*)
Trowbridge's Shrew (*Sorex trowbridgii*)
FAMILY: TALPIDAE (Moles)
Broad-footed Mole (*Scapanus latimanus*)
ORDER: CHIROPTERA (Bats)
FAMILY: VESPERTILIONIDAE (Vespertilionid Bats)
Little Brown Myotis (*Myotis lucifugus*)
Yuma Myotis (*Myotis yumanensis*)
Long-eared Myotis (*Myotis evotis*)
Fringed Myotis (*Myotis thysanodes*)
Long-legged Myotis (*Myotis volans*)
California Myotis (*Myotis californicus*)
Small-footed Myotis (*Myotis leibii*)
Western Pipistrelle (*Pipistrellus hesperus*)
Big Brown Bat *Eptesicus fuscus*)
Red Bat (*Lasiurus borealis*)
Hoary Bat (*Lasiurus cinereus*)
Spotted Bat (*Euderma maculatum*)
Townsend's Big-eared Bat (*Plecotus townsendii*)
Pallid Ba (*Antrozous pallidus*)
FAMILY: MOLOSSIDAE (Free-tailed Bat)
Brazilian Free-tailed Bat (*Tadarida brasiliensis*)
Western Mastiff Bat (*Eumops perotis*)
ORDER: LAGOMORPHA (Rabbits, Hares, and Pikas)
FAMILY: LEPORIDAE (Rabbits and Hares)
Brush Rabbit (*Sylvilagus bachmani*)
*Desert Cottontail (*Sylvilagus audubonii*)
Black-tailed Hare (*Lepus californicus*)
ORDER: RODENTIA (Squirrels, Rats, Mice, and Relatives)
FAMILY: SCIURIDAE (Squirrels, Chipmunks, and Marmots)
*Merriam's Chipmunk (*Neotamias merriami*)
*California Ground Squirrel (*Spermophilus beecheyi*)

Western Gray Squirrel (*Sciurus griseus*)

FAMILY: GEOMYIDAE (Pocket Gophers)

*Botta's Pocket Gopher (*Thomomys bottae*)

FAMILY: CRICETIDAE (Deer Mice, Voles, and Relatives)

California Pocket Mouse (*Perognathus californicus*)

Western Harvest Mouse (*Reithrodontomys megalotis*)

California Mouse (*Peromyscus californicus*)

Deer Mouse (*Peromyscus maniculatus*)

Brush Mouse (*Peromyscus boylii*)

Dusky-footed Wood Rat (*Neotoma fuscipes*)

Meadow Vole (*Microtus californicus*)

ORDER: CARNIVORA (Carnivores)

FAMILY: CANIDAE (Foxes, Wolves, and Relatives)

Coyote (*Canis latrans*)

Red Fox (*Vulpes vulpes*)

Gray Fox (*Urocyon cinereoargenteus*)

FAMILY: PROCYONIDAE (Raccoons and Relatives)

Ringtail (*Bassariscus astutus*)

Raccoon (*Procyon lotor*)

FAMILY: MUSTELIDAE (Weasels, Badgers, and Relatives)

Long-tailed Weasel (*Mustela frenata*)

Western Spotted Skunk (*Spilogale gracilis*)

Striped Skunk (*Mephitis mephitis*)

FAMILY: FELIDAE (Cats)

Feral Cat (*Felis cattus*)

Mountain Lion (*Felis concolor*)

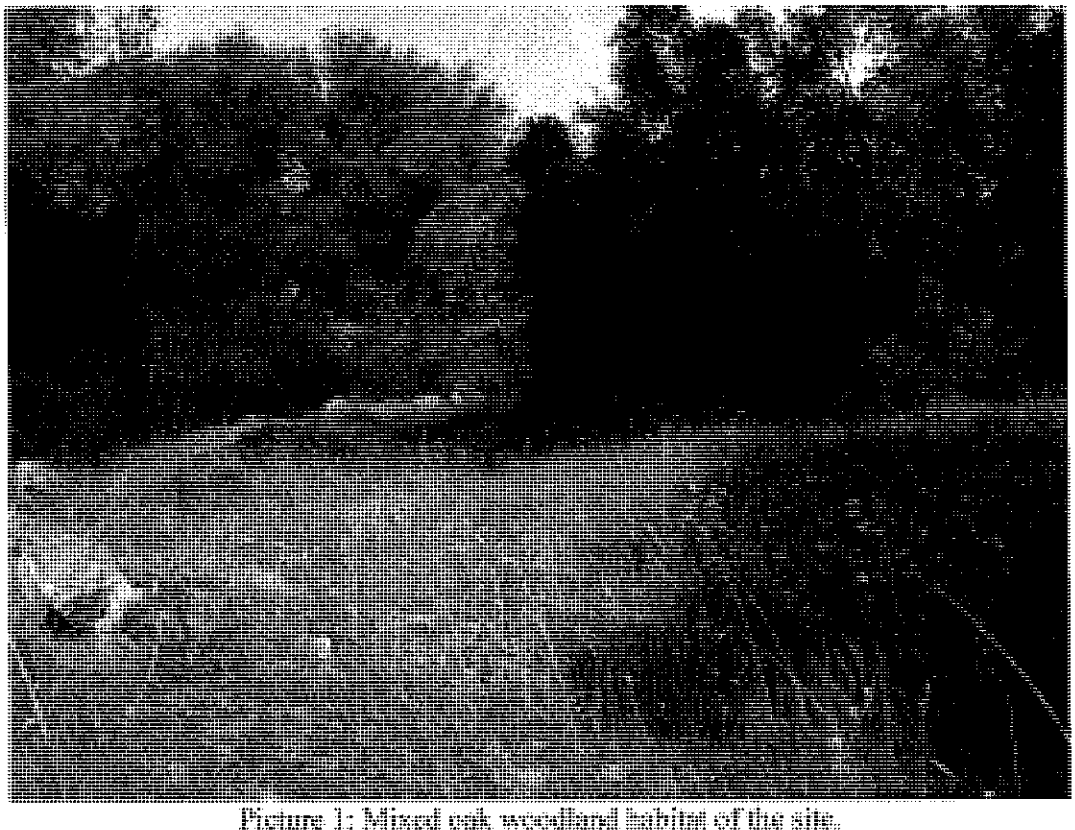
Bobcat (*Lynx rufus*)

ORDER: ARTIODACTYLA

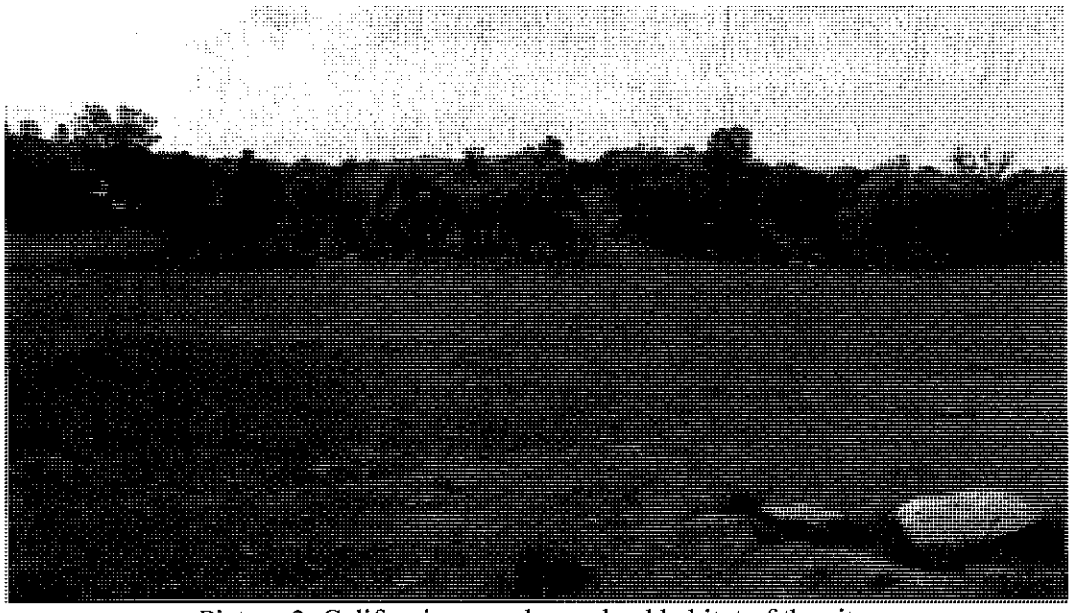
FAMILY: CERVIDAE (Deer, Elk, and Relatives)

Mule Deer (*Odocoileus hemionus*)

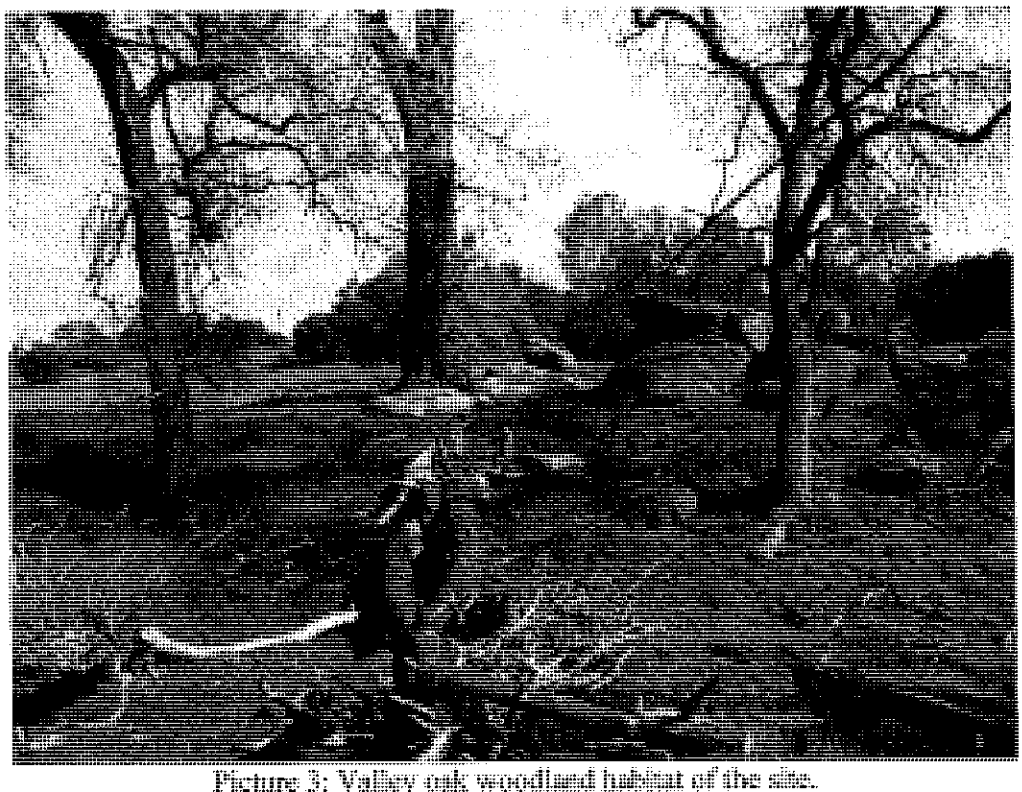
APPENDIX C: SELECTED PHOTOGRAPHS OF THE PROJECT SITE



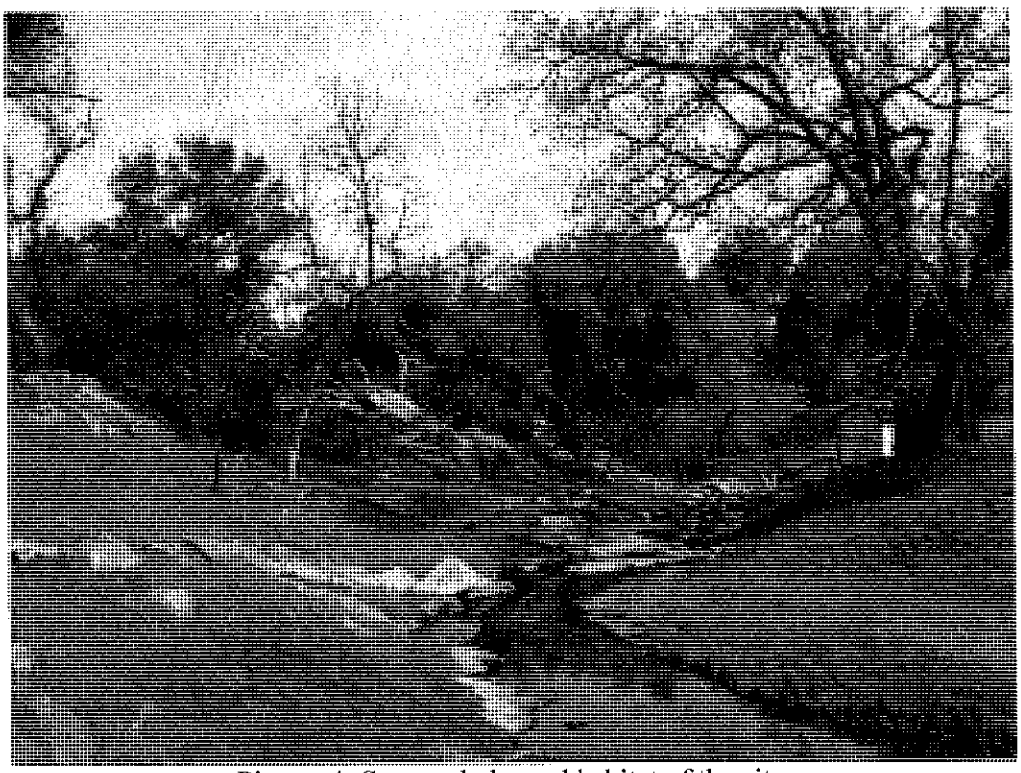
Picture 1: Mixed oak woodland habitat of the site.



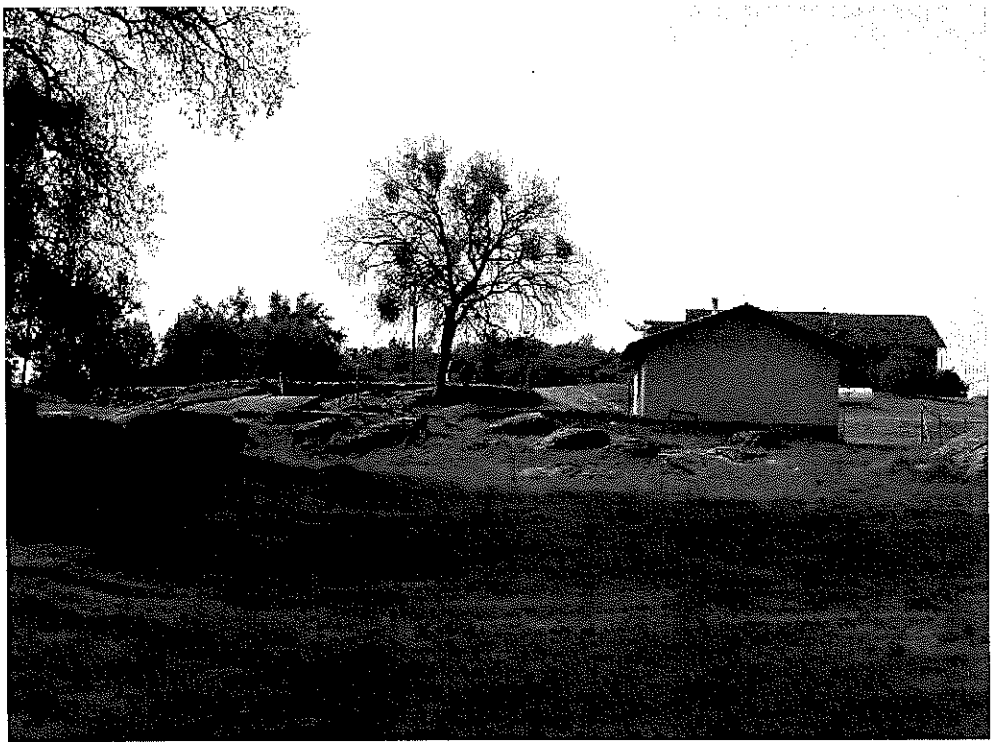
Picture 2: California annual grassland habitat of the site.



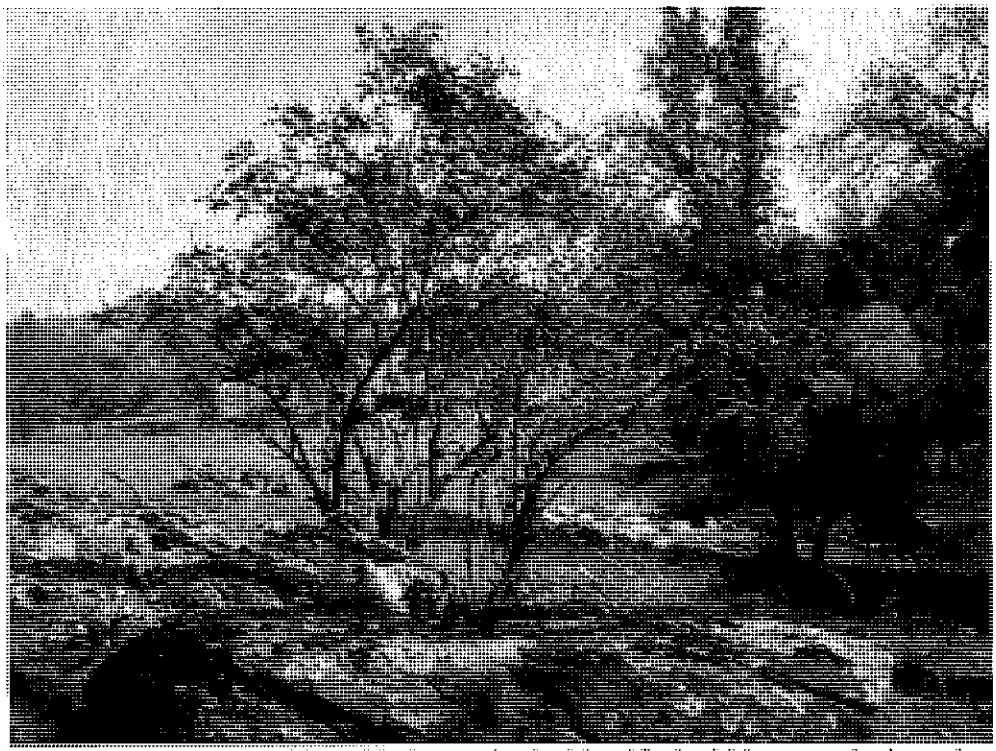
Picture 3: Valley oak woodland habitat of the site.



Picture 4: Seasonal channel habitat of the site.



Picture 5: Residential land use of the site.



Picture 6: One of the fourteen blue elderberry shrubs identified within or on the boundary of the site.

APPENDIX D: EARLY CONSULTATION/PROJECT REVIEW LETTER, CDFW NOVEMBER 27, 2012

EXHIBIT T

CONFIDENTIAL ARCHEOLOGICAL SURVEY DOCUMENT

EXHIBIT U

January 21, 2013

Norman L Allinder
Madera County Planning Director
Madera Ca

Dear Mr. Allinder:

I see where on February 11th the Madera County Board of Supervisors is taking up the application from Hershel Noonkaster to Amend the O'Neals plan.

I have lived and worked in the O'Neals Plan area for over 20 years, a good portion as the local newspaper Owner and Publisher. I have watched the steady residential growth in this area. Well planned and orderly.

I have also watched the flight of sales tax dollars to Fresno County. The reason for this!
No planned commercial development in the Orginal plan.

This area will continue to grow with or without the Amended plan. This is nice a area not to attract people wanting to get out of city life, clean air, open spaces and the like. What is lacking is well planned commercial development. This would reduce traffic on Hwy 41, cars going to shop in Fresno and spending their money at local shopping centers, plus creating jobs and most important Taxes for this county.

I pray that the Board will consider and approve the amended plan for all our benefits.

Volney L Willett
Coarsegold Ca
Volney L Willett

NOTE: PLEASE WRITE LEGIBILY OR TYPE:

Application(s): PRJ #2012-005

Return to: Jamie Bax, Planning Department

Jonathan, Dennis

EXHIBIT V

Responding Agency: Picayune Rancheria of Chukchansi Indians Date: 12-6-12

Respondent's Signature: Mary Hobbs - THPO / Cultural Resource Director

1. Does your Agency or Department have a recommendation regarding the approval or denial of this proje

_____ Approve _____ Deny

If your Agency or Department recommends denial of this project, please list the reasons below.

We do not approve or deny this project. More information is needed. We have serious concerns, to what adverse effects this project will have on natural & cultural resources located on and near the project area.

2. If the project is approved, what conditions of approval are recommended?

There are many concerns that need to be agreed before this project is approved:
- The increase in cross traffic turning into/from Hwy 41 and the project area causing more congestion on Hwy 41.
- The increase sewerage & its disposal by septic system
- The impact of increased water use, the drilling of wells
- What impacts will this project have on nearby streams, wetlands and natural/cultural resources?
- There are archaeological sites that will be impacted by the project; Mad-1276 is located to the south of the project, and actually may be within the area of potential effect. What measures will be taken to protect these sites?

3. Please identify any existing regulations, standards, or routine processing procedures which would mitigate the potential impacts?
- Tribal consultation under SB18, to mitigate any negative effects to pre-historic, historic or cultural resources in or near the area of potential effects.
- Phase I archaeological survey
- Completion of an environmental impact report

RECEIVED

DEC 10 2012

MADERA CO... PLANNING DE...T

4. General Comments - Please attach on additional sheet.

NOTE: PLEASE WRITE LEGIBILY OR TYPE: Application(s) PRJ #2012-005

Return to: Jamie Bax, Planning Department Jonathan, Dennis

Responding Agency: Picayune Rancheria of Chukchansi Indians

Contact Person.: Mary Motola Signature: Mary Motola

Telephone No.: (559) 683-6633 Date: 12-6-12

ENVIRONMENTAL REVIEW:

1. Is ther sufficient information for you to evaluate the probable environmental impacts of this project?

_____ Yes

_✓_ No, the following information is needed: More information about the potential adverse effects to traffic, water quality, prehistoric, historic and natural/cultural resources.

2. What potential impacts will the project result in (e.g. change in traffic volumes, water quality, land use, soils air quality, etc.)? Be as precise as possible and answer only for your area of expertise.

There are known prehistoric resources contiguous to/in the project area. There is a strong potential for the destruction/adverse effects to these cultural resources, which are nonrenewable resources.

3. Are the potential impacts identified in Question 2, significant enough to warrant the preparation of an EIR

_✓_ Yes _____ No

EXHIBIT W

JAN 31 2013

MADERA COUNTY
PLANNING DEPARTMENT

Norm Alinder
Madera County Planning Director
2037 West Cleveland Avenue
Madera, Ca. 93637

Dear Mr. Allinder,

My wife and I left Carmel and moved to the Coarsegold area 10 years ago. I am retired from the San Deigo Chargers and my wife is retired from American Airlines. We fell in love with the Sierra Nevada Mountains and the serenity that you find in this area. We raise cutting horses and also enjoy the beautiful trails in Yosemite.

One problem that we never contemplated when moving here is the lack of services we have in this area. We found we are forced to travel all the way to Fresno at least one or twice a week to purchase goods we cannot buy in the Coarsegold area. Our town is extremely limited and we don't enjoy the drive and the expense of traveling to Fresno.

We also have a small ranch in Idaho and the town has 2,000 less people than in Coarsegold. This town has two of everything that anyone could need. From any type of restaurant to cleaners, office supplies, landscape companies, furniture stores, etc. and of course all the usual stores. It has it all!

If we could only have some of the amenities that we need I think our beautiful town of Coarsegold would florish. Madera County would benefit from money generated from taxes, and our property values would go up from a "well thought out" development. Yosemite Plaza Center is just what we are needing. We are very much in favor of this development and believe it would improve out lifestyle innmensely.

Thank you for your consideration,

Gary Garrison

Heather Garrison