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Biology Study

Gateway 24 Use Permit P24-00134-UP
Planning Commission Hearing Date (August 6, 2025)

MOORE BIOLOGICAL CONSULTANTS

June 6, 2024

Mr. Shea Rouda
Phelan Development
1999 Harrison Street, Ste. 1816
Oakland, CA 94612

Subject: 4.3+/- ACRE "GATEWAY ROAD" SITE, NAPA COUNTY, CALIFORNIA: BIOLOGICAL ASSESSMENT

Dear Shea:

Thank you for asking Moore Biological Consultants to prepare a biological assessment for this 4.3+/- acre site in Napa, Napa County, California (Figures 1 and 2). The purposes of this assessment are to describe existing biological resources in the project site, identify potentially significant impacts to biological resources from the project, and provide recommendations for how to reduce those impacts to a less-than-significant level. The work involved reviewing databases, aerial photographs, and documents, and conducting field surveys to document vegetation communities, potentially jurisdictional Waters of the U.S. and/or wetlands, and potentially suitable habitat for or presence of special-status species. This report details the methodology and results of our investigation.

Project Overview

The project site is an open field at the north end of Gateway Road East. The site is envisioned for industrial development, similar to relatively large buildings on surrounding parcels (Attachment A). Access to the site will be from Gateway Road East. The proposed project will connect to existing City infrastructure to provide sewer, water, and gas to the site. Stormwater will be collected, treated on site, and then discharged in to the City's storm drain system.

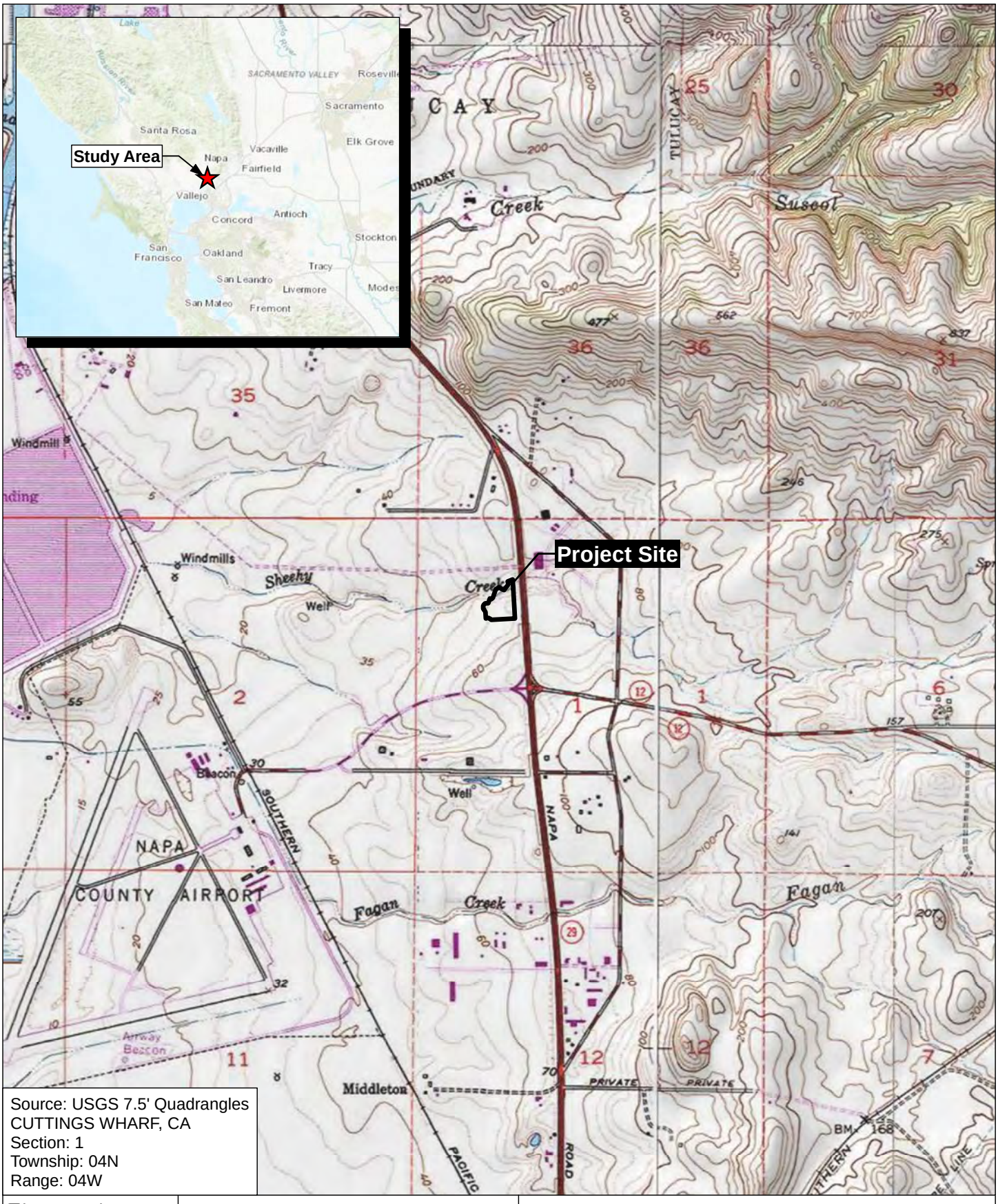

Figure 1

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Gateway Road

Napa County, CA

Moore Biological Consultants

Map Date: 04/17/2024

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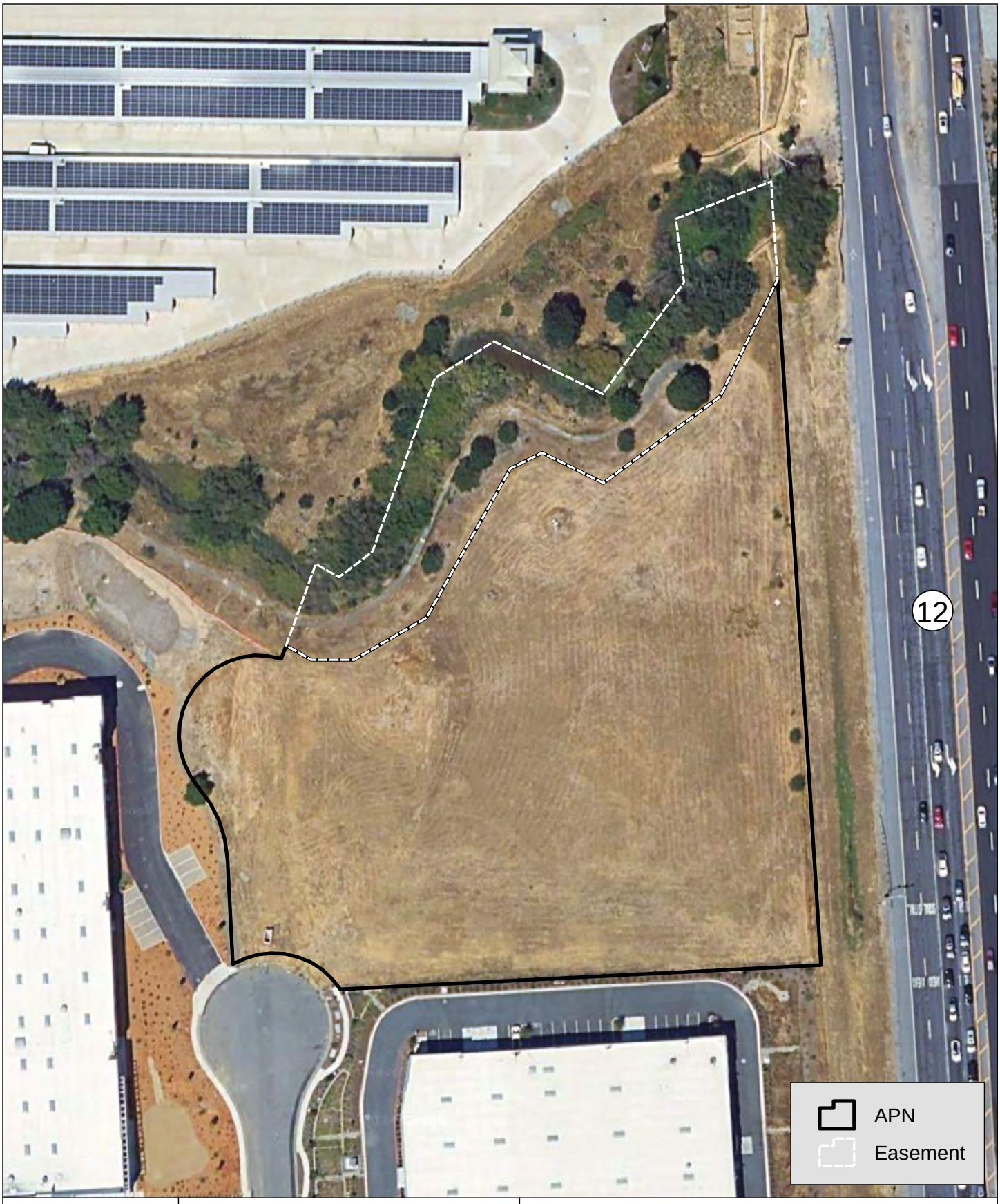

Figure 2

AERIAL

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Gateway Road

Napa County, CA

Moore Biological Consultants

Map Date: 04/17/2024
Aerial Source: Google Earth (08/2023)

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Methods

Prior to the field surveys, we conducted a search of California Department of Fish and Wildlife's (CDFW) California Natural Diversity Database (CNDDB, 2024). The CNDDB search included the USGS 7.5-minute Napa, Mt. George, Cuttings Wharf, and Cordelia topographic quadrangles, which encompass approximately 240 square miles surrounding the site. The United States Fish and Wildlife Service (USFWS*)* IPaC Trust Resource Report of Federally Threatened and Endangered species that may occur in or be affected by projects in the project vicinity was also reviewed. This information was used to identify wildlife and plant species that have been documented in the project vicinity or that may have the potential to occur if suitable habitat is present.

The National Marine Fisheries Service (NMFS) and USFWS on-line-maps of designated critical habitat and the National Wetland Inventory (NWI) were also reviewed.

Biologist Diane S. Moore, M.S., conducted field surveys on January 11 and April 23, 2024; Colleen Laskowski, M.S. Ms. Laskowski conducted surveys on April 23 and May 17, 2024. The surveys consisted of walking throughout the site making observations of habitat conditions, noting surrounding land uses, habitat types, and plant and wildlife species, and taking representative photographs.

The surveys included an assessment of the site for potentially jurisdictional Waters of the U.S. (a term that includes wetlands) as defined by the ACOE, 1987; 2008) and/or Waters of the State, including wetlands.

The site was for searched for special-status species and potentially suitable habitat for special-status species (e.g., vernal pools, areas with unusual soils). Additionally, trees near the site were assessed for the potential use by nesting raptors, especially Swainson's hawk (*Buteo swainsoni*). The grassland areas in

the site were searched for burrowing owls (*Athene cunicularia*) or ground squirrel burrows with evidence of past occupancy.

Under subcontract to Moore Biological, Salix Consulting, Inc. assessed the site for potentially suitable habitat for special-status plants and conducted rare plant surveys for potentially occurring special-status plants. Botanical surveys were conducted by Botanist Jeff Glazner on April 23 and May 10, 2024.

A table of "Special-Status Species" pursuant to CEQA was compiled from the results of the database searches. Special-status species include species that are currently listed as threatened or endangered, or species that are candidates for listing at the state or federal level, rare plants, and animals considered sensitive by CDFW, as described above. Common species identified in the CNDDB were not included the Special-Status Species table.

Results

GENERAL SETTING: The 4.3+/- acre "Gateway Road" site is in Napa, in Napa County, California. The site is in Section 1, in Township 4 North, Range 4 West of the USGS 7.5-minute Cuttings Wharf topographic quadrangle (Figure 1). The site slopes gently to the north, toward Sheehy Creek, ranging in elevations of approximately 40 to 55 feet above mean sea level. The body of the site, where development is proposed, is essentially level.

Aerial photographs confirm the site has been fallow for decades and subject to routine mowing and/or disking, presumably for weed abatement and fire suppression. Surrounding land uses in this portion of Napa County are primarily industrial and commercial. The site is bounded by Sheehy Creek to the north, Highway 12 to the east, and industrial development to the west and south (Figure 2 and photographs in Attachment C).

VEGETATION AND HABITAT TYPES: As described above, the grassland in the site is subject to routine mowing and/or disking, leaving it ruderal and highly disturbed. Vegetation communities in the project site correspond to the California Annual Grassland series and the Mixed Willow series (Sawyer and Keeler-Wolf, 1995), with the grasslands being in the development part of the site and the willow series along the Sheehy Creek.

Ruderal Grassland: Historically, the California Annual Grassland series was the most widespread upland vegetation type occurring in the greater project vicinity and was comprised of native grass and weed species. In contrast, the grasslands in the site have been subject to decades of disturbance, are highly disturbed, and comprised of mostly non-native species.

Oats (*Avena fatua*), Italian ryegrass (*Festuca perennis*), and wall barley (*Hordeum murinum*) are the dominant grasses in the site. Other grassland species such as common vetch (*Vicia sativa*), field bindweed (*Convolvulus arvensis*), and broad-leaf filaree (*Erodium botrys*) are intermixed with the grasses. A list of plant species observed in the study area is included in the Rare Plant Report (Attachment D).

Sheehy Creek Riparian Corridor: Almost all of the trees in the site are within the Sheehy Creek riparian corridor and will not be disturbed by project activities; almost all of the trees along Sheehy Creek have been planted. Dominant trees along the creek include Arroyo willow (*Salix lasiolepis*) and coast live oak (*Quercus agrifolia*); there are also coyote brush (*Baccharis pilularis*) and blue elderberry (*Sambucus nigra ssp. cerulea*) shrubs in the creek corridor.

In the development footprint, there is a small oak (*Quercus sp*.) along the west of the site and a few small ornamental bushes along the east fence line (Figure 2 and photographs in Attachment C). There are other landscape trees and ornamental shrubs and plants near the site, associated with nearby development.

WILDLIFE: A few birds were observed in the site during the field surveys. Representative species include great egret (*Ardea alba*), turkey vulture (*Cathartes aura*), red-shouldered hawk (*Buteo lineatus*), Swainson's hawk, American crow (*Corvus brachyrhynchos*), and European starling (*Sturnus vulgaris*). Table 1 is a list of birds and other wildlife species observed in the site.

The larger trees along Sheehy Creek are potentially suitable for nesting raptors. There are also several large trees in the project vicinity that are suitable for nesting raptors, including Swainson's hawk. Given the presence of large trees in and near the site and raptor foraging habitat (i.e., open fields) in and near the site, it is likely one or more pairs of raptors nest in and near the site during most years. A red-shouldered hawk was observed in creek corridor during every survey and may be nesting in the area.

Ground-nesting songbirds such as killdeer (*Charadrius vociferous*) may nest on the ground in and near the site and the grassland vegetation in parts of the site may be suitable for grassland-nesting species, such as red-winged blackbird (*Agelaius phoeniceus*). Songbirds associated with riparian habitats, such as tricolored blackbird (*Agelaius tricolor*) and other common bird species, may also nest within vegetation along Sheehy Creek.

A few common mammals have potential to occur in the site. No mammals were observed in the site during the field surveys, but sign from Botta's pocket gopher (*Thomomys bottae*) was observed. The site provides suitable habitat for mammals such as coyote (*Canis latrans*), black-tailed hare (*Lepus californicus*), desert cottontail (Sy*lvilagus bachmani*), raccoon (*Procyon lotor*), striped skunk (*Mephitis mephitis*), and Virginia opossum (*Didelphis virginiana*). No California ground squirrels (*Otospermophilus beecheyi*) or their burrows were observed in the site. Small rodents including mice (*Mus musculus, Reithrodontomys megalotis,* and *Peromyscus maniculatus*) and voles (*Microtus californicus*) may occur in or adjacent to the site.

TABLE 1

WILDLIFE SPECIES DOCUMENTED IN THE SITE

Birds	
Great egret	*Ardea alba*
Turkey vulture	*Cathartes aura*
Red-shouldered hawk	*Buteo lineatus*
Swainson's hawk	*Buteo swainsoni*
Anna's hummingbird	*Calypte anna*
Tree swallow	*Tachycineta bicolor*
American crow	*Corvus brachyrhynchos*
European starling	*Sturnus vulgaris*
Mammals	
Botta's pocket gopher	*Thomomys bottae*

Due to lack of suitable habitat, few amphibians and reptiles are expected to use habitats in the site and none were observed. The site is within the range of common reptiles such as western fence lizard (*Sceloporus occidentalis*), western skink (*Eumeces skiltonianus*), western terrestrial garter snake (*Thamnophis elegans*), and common king snake (*Lampropeltis getulus*); these and other common reptile species may occur in the site. A few common amphibians, such as red-eared slider (*Trachemys scripta elegans*), may occur in Sheehy Creek. However, the portion of Sheehy Creek in the site is heavily shaded, reducing the likelihood that turtles, including western pond turtles (*Emys marmorata*) utilize the creek or adjacent habitats in a significant way (e.g., swimming and nesting).

AQUATIC RESOURCES: Waters of the U.S., including wetlands, are defined under 33 Code of Federal Regulations (CFR) 328 to include navigable waterways, their tributaries, and adjacent wetlands. State and federal agencies

regulate these habitats and Section 404 of the Clean Water Act requires that a permit be secured prior to the discharge of dredged or fill materials into any Waters of the U.S. The California Regional Water Quality Control Board (RWQCB) implements Section 401 of the Clean Water Act by issuing 401 Certification in support of 404 permits. Many jurisdictional Waters of the U.S. in California are also Waters of the State, and also fall under the jurisdiction of CDFW.

"Waters of the U.S.", as defined in 33 CFR 328.4, encompasses Territorial Seas, Tidal Waters, and Non-Tidal Waters; Non-Tidal Waters includes interstate and intrastate rivers and streams, their tributaries, and their adjacent wetlands. The limit of federal jurisdiction of Non-Tidal Waters of the U.S. extends to the "ordinary high water mark" (OHWM). The OHWM is established by physical characteristics such as a natural water line impressed on the bank, presence of shelves, destruction of terrestrial vegetation, or the presence of litter and debris.

Wetlands are vegetated areas that meet specific vegetation, soil, and hydrologic criteria defined by the ACOE *Wetlands Delineation Manual* and Regional Supplement (ACOE, 1987; 2008). Wetlands that are adjacent to and hydrologically very closely associated with jurisdictional lakes, rivers, streams, and tributaries can also fall under ACOE jurisdiction as "adjacent wetlands". Pursuant to a May 2023 Supreme Court decision, adjacent wetlands must have a continuous surface connection with a jurisdictional Water of the U.S. Geographically and hydrologically isolated wetlands are outside federal jurisdiction, but are regulated by RWQCB as a "Water of the State".

Jurisdictional Waters of the U.S. and wetlands include, but are not limited to, most perennial and intermittent creeks and lakes, as well as adjacent wetlands such as riparian wetlands along the edges of rivers. Waters of the U.S., wetlands, and other aquatic habitats provide critical habitat components, such as nest sites and a reliable source of water, for a wide variety of wildlife species.

Sheehy Creek is the only potentially jurisdictional Waters of the U.S. or wetland in the site. Sheehy Creek is mapped as a “blue-line” steam on the USGS topographic map (Figure 1) and as a “Riverine” feature on the NWI map.

Sheehy Creek flows generally east to west along the north edge of the site in a well-defined channel situated in the central part of a broad riparian corridor. There is a pedestrian path in the creek corridor, approximately mid-way between the creek and the generally level area proposed for development. Very few trees are apparent along this section of Sheehy Creek in historical aerial photographs and the path was constructed well outside the discontinuous band of riparian vegetation along the banks. The topography and habitats in the creek corridor have been substantially modified by grading associated with construction of the path and riparian plantings. Today, there are numerous planted trees and shrubs in the creek corridor, evidenced by landscape fabric, tree protections sleeves, and irrigation lines. Historical aerial images also chronicle the establishment and growth of the broad band of vegetation over 2+/- decades.

The active channel of Sheehy Creek has near-vertical banks that are 3 to 5 feet tall. Along the north edge of the site, the distance between the active channel and the development site ranges from approximately 40 to 80 feet, with a mean distance of 50 to 55 feet. The riparian corridor is vegetated in willows, oaks, coyote bush, and other trees, shrubs, and vines, that stabilize the banks, preserve water quality in the creek by filtering runoff, and provide habitat for a variety of wildlife species.

The establishment of riparian plantings, construction of the pedestrian path, and protection of the Sheehy Creek corridor *Habitat Conservation and Open Space Access* easement was conducted in support of the Napa Valley Gateway Industrial Park. The *Habitat Conservation and Open Space Access* easement boundaries provide clear separation between the land approved for development

in the industrial park and the conservation and open space corridor along the creek. The easement is held by Napa County and was recorded "to provide long-term protection for the conservation and open space values created by the restoration, realignment, and enhancement of Sheehy Creek" pursuant to Section 1603 agreements (i.e., permits) between the developer and California Department of Fish and Wildlife (CDFW).

The proposed project will fully avoid the *Habitat Conservation and Open Space Access* easement; development will be restricted to upland grasslands south of easement. The proposed project is not expected to adversely impact Sheehy Creek flows or water quality, or to reduce the open space, riparian habitat, and wildlife functions and values of the Sheehy Creek corridor

SPECIAL-STATUS SPECIES: Special-status species are plants and animals that are legally protected under the state and/or federal endangered species acts or other regulations. The Federal Endangered Species Act (FESA) of 1973 declares that all federal departments and agencies shall utilize their authority to conserve endangered and threatened plant and animal species. The California Endangered Species Act (CESA) of 1984 parallels the policies of FESA and pertains to native California species.

Special-status species also include other species that are considered rare enough by the scientific community and trustee agencies to warrant special consideration, particularly with regard to protection of isolated populations, nesting or denning locations, communal roosts, and other essential habitats. The presence of species with legal protection under CESA and/or FESA often represents a major constraint to development, particularly when the species are wide-ranging or highly sensitive to habitat disturbance and where proposed development would result in a take of these species.

Special-status plants are those which are designated rare, threatened, or endangered and candidate species for listing by the USFWS. Special-status plants also include species considered rare or endangered under the conditions of Section 15380 of the California Environmental Quality Act Guidelines, such as those plant species identified on Lists 1A, 1B, and 2 in the Inventory of Rare and Endangered Vascular Plants of California (CNPS, 2024). Finally, special-status plants may include other species that are considered sensitive or of special concern due to limited distribution or lack of adequate information to permit listing or rejection for state or federal status, such as those included on CNPS List 3.

The likelihood of occurrence of listed, candidate, and other special-status species in the site is extremely low. Table 2 provides a summary of the listing status and habitat requirements of special-status species that have been documented in the greater project vicinity or for which there is potentially suitable habitat in the greater project vicinity. This table also includes an assessment of the likelihood of occurrence of each of these species in the site. The evaluation of the potential for occurrence of each species is based on the distribution of regional occurrences (if any), habitat suitability, and field observations.

SPECIAL-STATUS PLANTS: Twenty-nine (29) species of special-status plants were identified in the CNDDB (2024) search, most of which are several miles from the site (Table 2 and Attachment B). A total of nineteen (19) special-status plants have been found within five miles of the site: alkali milk-vetch (*Astragalus tener var. tener*), big-scale basalmroot (*Balsamorhiza macrolepis*), narrow-anthered brodiaea (*Brodiaea leptandra*), Lyngbye's sedge (*Carex lyngbyei*), Tiburon paintbrush (*Castilleja affinis var. neglecta*), holly-leaved ceanothus (*Ceanothus purpureus*), soft salty bird's-beak (*Chloropyron molle ssp. molle*), dwarf downingia (*Downingia pusilla*), Greene's narrow-leaved daisy (*Erigeron greenei*), San Joaquin spearscale (*Extriplex joaquinana*), Contra Costa goldfields (*Lasthenia conjugens*), delta tule pea (*Lathyrus jepsonii var. jepsonii*), Mason's lilaeopsis (*Lilaeopsis masonii*), Marin knotweed (*Polygonum marinense*), Suisun

marsh aster (*Symphyotrichum lentus*), Napa bluecurls (*Trichostema ruygtii*), two-fork clover (*Trifolium amoenum*), saline clover (*Trifolium hydrophilum*), and oval-leaved viburnum (*Viburnum ellipticum*) (Table 2 and Attachment B). The USFWS IPaC Trust Report includes a few of these same species identified on the CNDDB (2024) and also includes Lassics lupine (*Lupinus constancei*) (Attachment B).

Special-status plants generally occur in relatively undisturbed areas in vegetation communities such as vernal pools, marshes and swamps, chenopod scrub, seasonal wetlands, riparian scrub, chaparral, and areas with unusual substrates, such as serpentine or alkaline soils. In contrast, the ruderal grasslands in the site have been disturbed by historical agricultural uses, development on the site and in adjacent areas, construction staging, and periodic disking and/or mowing for weed abatement.

Rare plant surveys were conducted in the site on April 23 and May 10, 2024 by Salix Consulting (Attachment D). No special-status plants were observed in the site. Based on the disturbed condition of the habitats within the site, elevation of the site, substrates of the site, and the results of the field surveys, Salix concluded it is unlikely special-status plants occur in the site. Many of the special-status plant records in the CNDDB (2024) search area occur in specialty aquatic habitats, such as the expansive tidal marshes to the southwest of the site. Several of the special-status plant species are restricted to specific substrates, such as serpentine, which are not present on the site. The remaining special-status plant species occur in relatively more natural grassland, woodland, and/or chaparral habitats in higher elevations than the site.

SPECIAL-STATUS WILDLIFE: The potential for intensive use of the site by special-status wildlife species is generally low. A total of thirty-two (32) wildlife species are recorded in the CNDDB (2024) query, twenty-one (21) of which have been found within 5 miles of the site (Table 2 and Attachment B). These species

TABLE 3

SPECIAL-STATUS PLANT AND WILDLIFE SPECIES DOCUMENTED OR POTENTIALLY-OCCURRING IN THE PROJECT VICINITY

Common Name	Scientific Name	Federal Status[1]	State Status[2]	CNPS List[3]	Habitat	Potential for Occurrence in the Site
PLANTS						
Henderson's bent grass	*Agrostis hendersonii*	None	None	3	Valley and foothill grassland; vernal pools and seasonal wetlands.	Unlikely: the site does not provide suitable habitat for Henderson's bent grass and is below the elevation range of this species. The nearest occurrence of Henderson's bent grass in the CNDDB (2024) search area is over 5 miles from the site.
Franciscan onion	*Allium peninsulare var. franciscanum*	None	None	1B	Cismontane woodland, valley and foothill grassland.	Unlikely: the site does not provide suitable habitat for Franciscan onion and is below the elevation range of this species. The nearest record of this species in the CNDDB (2024) search area is over 5 miles from the site.
Alkali milk-vetch	*Astragalus tener var. tener*	None	None	1B	Alkali playas and vernal pools.	Unlikely: there are no alkali playas or vernal pools in the site. The nearest occurrence of alkali milk vetch in the CNDDB (2024) search area is approximately 2 miles northwest of the site.
Big-scale balsamroot	*Balsamorhiza macrolepis*	None	None	1B	Chaparral, valley and foothill grassland and cismontane woodland; sometimes serpentine soils.	Unlikely: the site does not provide suitable habitat for big-scale balsamroot and is below the elevation range of this species. The nearest occurrence of this species in the CNDDB (2024) search area is approximately 4 miles southeast of the site.
Narrow-anthered brodiaea	*Brodiaea leptandra*	None	None	1B	Broadleaf upland forest, chaparral, cismontane woodland, lower montane coniferous forest, valley and foothill grasslands.	Unlikely: the site does not provide suitable habitat for and is below the elevation range of narrow-anthered brodiaea. The nearest occurrence of narrow-anthered brodiaea in the CNDDB (2024) search area is approximately 2.5 miles northeast of the site.
Lyngbye's sedge	*Carex lyngbyei*	None	None	2	Marshes and swamps (brackish or freshwater).	Unlikely: there is no marsh or swamp habitat in the site; Sheehy Creek is a swiftly flowing stream. The nearest occurrence of Lyngbye's sedge in the CNDDB (2024) search area is approximately 3 miles southwest of the site.

TABLE 3

SPECIAL-STATUS PLANT AND WILDLIFE SPECIES DOCUMENTED OR POTENTIALLY-OCCURRING IN THE PROJECT VICINITY

Common Name	Scientific Name	Federal Status[1]	State Status[2]	CNPS List[3]	Habitat	Potential for Occurrence in the Site
Tiburon paintbrush	*Castilleja affinis ssp. neglecta*	E	T	1B	Valley and foothill grassland habitat at rocky serpentine sites.	Unlikely: there are no serpentine rocky areas in the site and the site is below the elevation range of this species. The nearest occurrence of Tiburon paintbrush in the CNDDB (2024) search area is approximately 4 miles southeast of the site.
Holly-leaved ceanothus	*Ceanothus purpureus*	None	None	1B	Chaparral and cismontane woodland in volcanic or rocky soils.	Unlikely: there is no chaparral or woodland habitat in the site. The nearest occurrence of holly-leaved ceanothus in the CNDDB (2024) search area is approximately 3 miles northeast of the site.
Pappose tarplant	*Centromadia parryi* spp*. parryi*	None	None	1B	Coastal prairie and salt marsh, meadows and seeps, vernally mesic areas in valley and foothill grassland.	Unlikely: the site does not provide suitable habitat for pappose tarplant. The nearest occurrence of this species in the CNDDB (2024) search area is over 5 miles from the site.
Soft salty bird's-beak	*Chloropyron molle ssp. molle*	E	R	1B	Meadows and seeps, playas, valley and foothill grasslands; in alkaline soils.	Unlikely: the site does not provide suitable habitat for this species; there are no alkaline soils in the site. The nearest occurrence of soft salty bird's-beak in the CNDDB (2024) search area is over 5 miles from the site. The site is not in designated critical habitat of this species (USFWS 2007).
Dwarf downingia	*Downingia pusilla*	None	None	2	Vernal pools.	Unlikely: there are no vernal pools in the site. The nearest occurrence of dwarf downingia in the CNDDB (2024) search area is approximately 0.5 miles northwest of site.
Greene's narrow-leaved daisy	*Erigeron greenei*	None	None	1B	Chaparral habitats; in serpentine and volcanic substrates	Unlikely: there is no chaparral habitat in the site. The nearest occurrence of Greene's narrow-leaved daisy in the CNDDB (2024) search area is approximately 2.5 miles northeast of the site.
Jepson's coyote thistle	*Eryngium jepsonii*	None	None	1B	Valley and foothill grasslands, within vernal pools.	Unlikely: the site does not provide suitable habitat for Jepson's coyote thistle; there are no vernal pools in the site. The nearest occurrence of this species in the CNDDB (2024) search area is over 5 miles from the site.

TABLE 3

SPECIAL-STATUS PLANT AND WILDLIFE SPECIES DOCUMENTED OR POTENTIALLY-OCCURRING IN THE PROJECT VICINITY

Common Name	Scientific Name	Federal Status[1]	State Status[2]	CNPS List[3]	Habitat	Potential for Occurrence in the Site
San Joaquin spearscale	*Extriplex joaquinana*	None	None	1B	Chenopod scrub, alkali meadow, valley and foothill grassland; in alkaline soils.	Unlikely: the site does not provide suitable habitat for San Joaquin spearscale. The nearest occurrence of this species in the CNDDB (2024) search area is approximately 3.5 miles northwest of the site.
Brewer's western flax	*Hesperolinon breweri*	None	None	1B	Chaparral, cismontane woodland, valley and foothill grassland; usually serpentine soils.	Unlikely: the site does not provide suitable habitat for Brewer's western flax; no areas of serpentine soils were observed in the site. The nearest occurrence of Brewer's western flax in the CNDDB (2024) search area is over 5 miles from the site.
Carquinez goldenbush	*Isocoma arguta*	None	None	1B	Valley and foothill grassland, in alkaline soils.	Unlikely: the grasslands in the site do not provide suitable habitat for Carquinez goldenbush. The nearest occurrence of this species in the CNDDB (2024) search area is over 5 miles from the site.
Contra Costa goldfields	*Lasthenia conjugens*	E	None	1B	Valley and foothill grassland within vernal pools and swales.	Unlikely: there are no vernal pools or seasonal wetland habitats in the site. The nearest occurrence of Contra Costa goldfields in the CNDDB (2024) is approximately 1 mile northwest of the site. The site is not in designated critical habitat of this species (USFWS 2005).
Delta tule pea	*Lathyrus jepsonii var. jepsonii*	None	None	1B	Freshwater or brackish marshes and swamps, usually along the edges of delta islands.	Unlikely: there is no marsh or swamp habitat in the site; Sheehy Creek is a swiftly flowing stream. The nearest occurrence of delta tule pea in the CNDDB (2024) search area is approximately 1.5 miles northwest of the site.
Legenere	*Legenere limosa*	None	None	1B	Vernal pools within the Central Valley.	Unlikely: there are no vernal pools in the site. The nearest occurrence of legenere in the CNDDB (2024) search area is over 5 miles from the site.
Jepson's leptosiphon	*Leptosiphon jepsonii*	None	None	1B	Chaparral, cismontane woodland.	Unlikely: there is no suitable habitat in the site to support Jepson's leptosiphon. The nearest occurrence of this species in the CNDDB (2024) search area is over 5 miles from the site.

TABLE 3

SPECIAL-STATUS PLANT AND WILDLIFE SPECIES DOCUMENTED OR POTENTIALLY-OCCURRING IN THE PROJECT VICINITY

Common Name	Scientific Name	Federal Status[1]	State Status[2]	CNPS List[3]	Habitat	Potential for Occurrence in the Site
Lassics lupine	*Lupinus constancei*	E	E	1B	Lower montane coniferous forest (serpentinite).	Unlikely: there is no suitable habitat for Lassics lupine in the site. There are no occurrences of this species in the CNDDB (2024) search area.
Mason's lilaeopsis	*Lilaeopsis masonii*	None	R	1B	Freshwater or brackish marshes, tidally inundated; swamps and riparian scrub.	Unlikely: there is no marsh or swamp habitat in the site; Sheehy Creek is a swiftly flowing stream. The nearest occurrence of Mason's lilaeopsis in the CNDDB (2024) search area is approximately 1.5 miles northwest of the site.
Marin knotweed	*Polygonum marinense*	None	None	3	Marshes and swamps.	Unlikely: there is no marsh or swamp habitat in the site; Sheehy Creek is a swiftly flowing stream. The nearest record of Marin knotweed in the CNDDB (2024) search area is approximately 2 miles southwest of the site.
California beaked-rush	*Rhynchospora californica*	None	None	1B	Freshwater seeps and open marshy areas.	Unlikely: there is no suitable habitat in the site to support this species. The nearest occurrence of California beaked-rush in the CNDDB (2024) search area is over 5 miles from the site.
Napa checkerbloom	*Sidalcea hickmanii ssp. napensis*	None	None	1B	Chaparral.	Unlikely: there is no chaparral in the site. The nearest occurrence of Napa checkerbloom in the CNDDB (2024) is over 5 miles from the site.
Suisun Marsh aster	*Symphyotrichum lentum*	None	None	1B	Freshwater and brackish marshes and swamps, usually along the edges of delta islands.	Unlikely: there is no marsh or swamp habitat in the site; Sheehy Creek is a swiftly flowing stream. The nearest occurrence of Suisun marsh aster in the CNDDB (2024) search area is approximately 1.5 miles southwest of the site.
Napa bluecurls	*Trichostema ruygtii*	None	None	1B	Chaparral, cismontane woodland, valley and foothill grassland, lower montane coniferous forest, vernal pools.	Unlikely: the site does not provide suitable habitat for and is below the elevation range of Napa bluecurls. The nearest occurrence of this species in the CNDDB (2024) search area is approximately 5 miles northeast of the site.

TABLE 3

SPECIAL-STATUS PLANT AND WILDLIFE SPECIES DOCUMENTED OR POTENTIALLY-OCCURRING IN THE PROJECT VICINITY

Common Name	Scientific Name	Federal Status[1]	State Status[2]	CNPS List[3]	Habitat	Potential for Occurrence in the Site
Two-fork clover	*Trifolium amoenum*	E	None	1B	Valley and foothill grassland and coastal bluff scrub, sometimes on serpentine soils.	Unlikely: the site does not contain suitable habitat for this species. The nearest occurrence of two-fork clover in the CNDDB (2024) search area is approximately 2.5 miles south of the site.
Saline clover	*Trifolium hydrophilum*	None	None	1B	Marshes and swamps, mesic areas in valley and foothill grassland, vernal pools.	Unlikely the site does not contain suitable habitat for saline clover. The nearest occurrence of saline clover in the CNDDB (2024) search area is approximately 1 mile north of the site.
Oval-leaved viburnum	*Viburnum ellipticum*	None	None	2	Chaparral, cismontane woodland, and lower montane coniferous forest.	Unlikely: the site does not contain suitable habitat for oval-leaved viburnum. The nearest occurrence of this species in the CNDDB (2024) search area is approximately 3 miles northeast of the site.
WILDLIFE						
Birds						
California least tern	*Sternula antillarum browni*	E	E	N/A	Estuaries and bays; nests on exposed tidal flats or beaches.	Very unlikely: the site does not contain suitable habitat for California least tern. There are no occurrences of this species in the CNDDB (2024) search area.
California Ridgway's rail	*Rallus obsoletus obsoletus*	E	E	N/A	Salt water and brackish marshes traversed by tidal sloughs in the San Francisco Bay; associated with pickleweed.	Very unlikely: there is no suitable marsh habitat in the site to support California Ridgway's rail. The nearest occurrence of this species in the CNDDB (2024) search area is approximately 1.5 miles southwest of the site.
Swainson's hawk	*Buteo swainsoni*	None	T	N/A	Nests in large trees, usually within riparian corridors. Forages in agricultural fields and annual grassland.	Moderate: while the grassland in the site is weedy and provides poor quality foraging habitat, there are large trees in close proximity to the site that are suitable for nesting Swainson's hawks. The CNDDB contains four records of nesting Swainson's hawks within 0.5 miles of the site. Swainson's hawks were seen soaring north of the site during the field surveys.

TABLE 3

SPECIAL-STATUS PLANT AND WILDLIFE SPECIES DOCUMENTED OR POTENTIALLY-OCCURRING IN THE PROJECT VICINITY

Common Name	Scientific Name	Federal Status[1]	State Status[2]	CNPS List[3]	Habitat	Potential for Occurrence in the Site
Northern spotted owl	*Strix occidentalis caurina*	T	T	N/A	Mixed aged stands of old growth and mature trees; usually damp, dense, shaded forests. Occasionally found in younger forests.	Unlikely: the site does not provide suitable habitat for this species. There are no occurrences of northern spotted owl in the CNDDB (2024) search area.
Tricolored blackbird	*Agelaius tricolor*	None	T	N/A	Open water and protected nesting substrate, usually cattails and riparian scrub.	Unlikely: tricolored blackbird may fly over or forage in the site, but is not expected to nest along Sheehy Creek due to limited potential nesting habitat, surrounding development, and high levels of noise and human activity. The nearest occurrence of tricolored blackbirds in the CNDDB (2024) search area is approximately 0.5 miles south of the site.
California black rail	*Laterallus jamaicensis coturniculus*	None	T	N/A	Mainly inhabits salt marshes bordering larger bays.	Very unlikely: the site does not provide suitable habitat for California black rail. The nearest occurrence of California black rail in the CNDDB (2024) search area is approximately 1.5 miles southwest of the site.
Western snowy plover	*Charadrius alexandrinus nivosus*	T	SC	N/A	Sandy beaches, salt pond levees and shores of large alkali lakes.	Unlikely: the site does not provide suitable habitat for western snowy plover. The nearest occurrence of this species in the CNDDB (2024) search area is approximately 4 miles southwest of the site.
Golden eagle	*Aquila chrysaetos*	None	FP	N/A	Nesting areas are associated with cliff-walled canyons and large trees. Forages in rolling hills and mountain areas	Unlikely: there are a few large trees in the project vicinity, but golden eagles are not expected to nest in trees in such close proximity to development. The nearest occurrence of golden eagle in the CNDDB (2024) search area is approximately 2.5 miles northwest of the site.
White-tailed kite	*Elanus leucurus*	None	FP	N/A	Herbaceous lowlands with variable tree growth and dense population of voles.	Low: while the grassland in the site is weedy and are large trees in the site and in surrounding parcels that may be used by nesting white-tailed kite. The nearest occurrence of this species in the CNDDB (2024) search area is approximately 3 miles northwest of the site.

TABLE 3

SPECIAL-STATUS PLANT AND WILDLIFE SPECIES DOCUMENTED OR POTENTIALLY-OCCURRING IN THE PROJECT VICINITY

Common Name	Scientific Name	Federal Status[1]	State Status[2]	CNPS List[3]	Habitat	Potential for Occurrence in the Site
Saltmarsh common yellowthroat	*Geothlypis trichas sinuosa*	None	SC	N/A	San Francisco Bay fresh and saltwater marshes. Requires thick, continuous cover down to water surface for foraging.	Very unlikely: the site does not provide suitable habitat for saltmarsh common yellowthroat; this species is known to occur in and near marsh environments. The nearest occurrence of this species in the CNDDB (2024) search area is approximately 2.5 miles southwest of the site.
San Pablo song sparrow	*Melospiza melodia samuelis*	None	SC	N/A	Salt marshes bordering the north side of San Francisco Bay and San Pablo Bay.	Unlikely: the site does not contain marsh habitat for this species. The nearest occurrence of San Pablo song sparrow in the CNDDB (2024) search area is approximately 2 miles southwest of the site.
Yellow rail	*Coturnicops noveboracensis*	None	SC	N/A	Fresh water marshlands, summer residence in eastern Sierra Nevada in Mono County.	Very unlikely: the site does not provide suitable marsh habitat for this species. The nearest occurrence of yellow rail in the CNDDB (2024) search area is over 5 miles from the site.
Bank swallow	*Riparia riparia*	None	T	N/A	Nests colonially in riparian habitats; requires vertical banks and cliffs with fine-textured soils.	Unlikely: there is no suitable nesting habitat for this species in or adjacent to the site and no bank swallows were observed during the field surveys. The nearest record of bank swallow in the CNDDB (2024) search area is over 5 miles from the site.
Suisun song sparrow	*Melospiza melodia maxillaris*	None	SC	N/A	Brackish water marshes in and near Suisun Bay. Inhabits cattails, tules, and tangles bordering sloughs.	Very unlikely: the site does not provide suitable habitat for Suisun song sparrow. The nearest occurrence of this species in the CNDDB (2024) search area is over 5 miles from the site.
Northern harrier	*Circus hudsonius*	None	SC	N/A	Coastal salt & freshwater marsh; nest and forage in grasslands.	Unlikely: there is no suitable habitat in the site to support northern harrier. The nearest occurrence of this species in the CNDDB (2024) search area is approximately 4 miles southwest of the site.

TABLE 3

SPECIAL-STATUS PLANT AND WILDLIFE SPECIES DOCUMENTED OR POTENTIALLY-OCCURRING IN THE PROJECT VICINITY

Common Name	Scientific Name	Federal Status[1]	State Status[2]	CNPS List[3]	Habitat	Potential for Occurrence in the Site
Burrowing owl	*Athene cunicularia*	None	SC	N/A	Open, dry annual or perennial grasslands, deserts and scrublands characterized by low-growing vegetation.	Unlikely: the grassland in the site is weedy and provides poor quality habitat for burrowing owls. No burrowing owls or ground squirrel burrows were observed in the site. The nearest occurrence of this species in the CNDDB (2024) search area is a record within 0.5 miles northwest of the site.
Mammals						
Suisun shrew	*Sorex ornatus sinuosus*	None	SC	N/A	Tidal marshes of the northern shores of San Pablo Bay and Suisun Bay.	Very unlikely: the project site does not contain suitable habitat for this species. The nearest occurrence of Suisun shrew in the CNDDB (2024) search area is over 5 miles from the site.
Salt-marsh harvest mouse	*Reithrodontomys raviventris*	E	E	N/A	Saline emergent wetlands dominated by pickleweed.	Very unlikely: the site does not provide suitable habitat for salt-marsh harvest mouse; no areas of pickleweed were observed in or adjacent to the site. The nearest occurrence of this species in the CNDDB (2024) search area is approximately 1.5 miles southwest of the site.
American badger	*Taxidea taxus*	None	SC	N/A	Drier open stages of most shrub, forest, and herbaceous habitats, with friable soils	Unlikely: the site does not provide suitable habitat for American badger. The nearest record of this species in the CNDDB (2024) search area is approximately 3.5 miles northwest of the site.
Pallid bat	*Antrozous pallidus*	None	SC	N/A	Open and dry habitats with rocky areas for roosting.	Unlikely: the site does not provide suitable habitat for pallid bat. The nearest record of this species in the CNDDB (2024) search area is approximately 3.5 miles northwest of the site.
Reptiles & Amphibians						
California red-legged frog	*Rana draytonii*	T	SC	N/A	Lowlands and foothills in or near permanent sources of deep water with dense, shrubby or emergent riparian vegetation.	Unlikely: Sheehy Creek is relatively shallow, lacks plunge pools, and does not provide suitable aquatic habitat for California red-legged frog. The nearest record of this species in the CNDDB (2024) search area is approximately 2.5 miles southeast of the site. The site is not in designated critical habitat for California red-legged frog (USFWS, 2006).

TABLE 3

SPECIAL-STATUS PLANT AND WILDLIFE SPECIES DOCUMENTED OR POTENTIALLY-OCCURRING IN THE PROJECT VICINITY

Common Name	Scientific Name	Federal Status[1]	State Status[2]	CNPS List[3]	Habitat	Potential for Occurrence in the Site
Foothill yellow-legged frog – north coast DPS	*Rana boylii pop. 1*	None	SC	N/A	Perennial water bodies (i.e., streams and ponds) with abundant riparian vegetation.	Very unlikely: there is no aquatic habitat for foothill yellow-legged frog in or adjacent to the site; Sheehy Creek does not contain the aquatic characteristics to support this species. The nearest occurrence of this species in the CNDDB (2024) search area is approximately 3 miles southeast of the site.
Green sea turtle	*Chelonia mydas*	T	None	N/A	Tropical and subtropical waters along continental coasts.	Very unlikely: the site does not provide suitable habitat for this species. There are no occurrences of green sea turtle recorded in the CNDDB (2024) in the search area.
California giant salamander	*Dicamptodon ensatus*	None	SC	N/A	Coastal forests; breeds in streams.	Unlikely: there is no suitable breeding habitat in or near the site for California giant salamander. The nearest occurrence of this species in the CNDDB (2024) search area is over 5 miles from the site.
Western spadefoot	*Spea hammondii*	None	SC	N/A	Breeds and lays eggs in seasonal water bodies such as deep vernal pools or stock ponds.	Unlikely: there is no suitable breeding habitat for western spadefoot in or adjacent to the site. There are no occurrences of this species in the CNDDB (2024) search area.
Western pond turtle	*Emys marmorata*	PT	SC	N/A	Ponds, marshes, streams, and ditches with emergent aquatic vegetation and basking areas.	Low: Although Sheehy Creek is highly shaded, western pond turtles may occur in this creek and travel on to the adjacent uplands to nest. The nearest occurrence of this species in the CNDDB (2024) search area is approximately 2.5 miles southwest of the site.
Fish						
Longfin smelt	*Spirinchus thaleichthys*	PT	T	N/A	Brackish estuarine habitats.	None: Sheehy Creek does not provide suitable habitat for this species. The nearest occurrence of longfin smelt in the CNDDB (2024) search area is approximately 1.5 miles west of the site.
Tidewater goby	*Eucyclogobius newberryi*	E	None	N/A	Coastal lagoons and the uppermost brackish water zones of larger estuaries.	None: there is no aquatic habitat in the site. There are no occurrences of tidewater goby in the CNDDB (2024) search area.

TABLE 3

SPECIAL-STATUS PLANT AND WILDLIFE SPECIES DOCUMENTED OR POTENTIALLY-OCCURRING IN THE PROJECT VICINITY

Common Name	Scientific Name	Federal Status[1]	State Status[2]	CNPS List[3]	Habitat	Potential for Occurrence in the Site
Delta smelt	*Hypomesus transpacificus*	T	E	N/A	Shallow lower delta waterways with submersed aquatic plants and other suitable refugia.	None: Sheehy Creek does not provide suitable habitat for this species. The nearest occurrence of delta smelt in the CNDDB (2024) is over 5 miles from the site. The project site is not in delta smelt designated critical habitat (USFWS, 1994)
Steelhead - Central California coast DPS	*Oncorhynchus mykiss irideus pop. 8*	T	SC	N/A	Riffle and pool complexes with adequate spawning substrates within Central Valley drainages.	None: Sheehy Creek does not provide suitable habitat for this species. The nearest record of steelhead in the CNDDB (2024) is approximately 3 miles southwest of the site. The site is not within designated critical habitat for Central California coast DPS steelhead (NOAA, 2005).
Green sturgeon – southern DPS	*Acipenser medirostris pop.1*	T	SC	N/A	Non-spawning adults occupy marine/estuarine waters; Delta estuary important for rearing juveniles. Spawning occurs in cool sections of mainstem rivers in deep pools.	None: Sheehy Creek does not provide suitable habitat for this species. The nearest occurrence of green sturgeon in the CNDDB (2024) search area is approximately 3.5 miles southwest of the site. The site is not in designated critical habitat for green sturgeon (NMFS, 2009).
Sacramento splittail	*Pogonichthys macrolepidotus*	None	SC	N/A	Endemic to the lakes and rivers of the Central Valley; now confined to the delta, Suisun Bay, and associated marshes.	None: Sheehy Creek does not provide suitable habitat for this species. The nearest occurrence of Sacramento splittail in the CNDDB (2024) search area is over 5 miles from the site.
Invertebrates						
Conservancy fairy shrimp	*Branchinecta conservatio*	E	None	N/A	Vernal pools.	Very unlikely: there are no seasonal wetlands of vernal pools in the site. There are no occurrences of Conservancy fairy shrimp in the CNDDB (2024) search area. The site is not in Conservancy fairy shrimp designated critical habitat (USFWS 2005).
California freshwater shrimp	*Syncaris pacifica*	E	E	N/A	Low-elevation perennial streams in the northern Bay Area.	Unlikely: Sheehy Creek does not provide suitable habitat for this species. The nearest occurrence of California freshwater shrimp in the CNDDB (2024) search area is over 5 miles from the site.

TABLE 3

SPECIAL-STATUS PLANT AND WILDLIFE SPECIES DOCUMENTED OR POTENTIALLY-OCCURRING IN THE PROJECT VICINITY

Common Name	Scientific Name	Federal Status[1]	State Status[2]	CNPS List[3]	Habitat	Potential for Occurrence in the Site
Vernal pool fairy shrimp	*Branchinecta lynchi*	T	None	N/A	Vernal pools.	Very unlikely: there are no seasonal wetlands of vernal pools in the site. The nearest occurrence of vernal pool fairy shrimp in the CNDDB (2024) search area is approximately 2 miles southwest of the site. The site is not in designated critical habitat of this species (USFWS 2005).
Valley elderberry longhorn beetle	*Desmocerus californicus dimorphus*	T	None	N/A	Elderberry shrubs in the Central Valley and surrounding foothills.	Unlikely: while there are blue elderberry shrubs in the Sheehy Creek riparian corridor, the site is outside the species' range. The nearest occurrence of valley elderberry longhorn beetle in the CNDDB (2024) search area is over 5 miles from the site. The site is not in designated critical habitat for this species (USFWS 1980).
Callippe silverspot butterfly	*Speyeria callippe callippe*	E	None	N/A	Restricted to the northern coastal scrub of the San Francisco Peninsula; host plant is *Viola pedunculata.*	Unlikely: the site does not provide suitable habitat for Callippe silverspot butterfly. The nearest occurrence of this species in the CNDDB (2024) search area is over 5 miles from the site.
Monarch butterfly	*Danaus plexippus*	C	None	N/A	Winter roost sites extend along the coast from northern Mendocino to Baja California, Mexico.	Unlikely: Monarch butterfly may fly over the site during its migration, but is not expected to occur in the site in a meaningful capacity due to a lack of floristic resources. This species is also commonly known to overwinter in coastal environments. There are no occurrences of monarch butterfly in the CNDDB (2024) search area.
Western bumble bee	*Bombus occidentalis*	None	CE	N/A	Meadows and grasslands with abundant floral resources, usually high elevation.	Unlikely: the site does not provide suitable habitat for western bumble bee and this species is known from higher elevation habitats. The nearest occurrence of this species in the CNDDB (2024) search area is over 5 miles from the site.

1 T= Threatened; E = Endangered; PT = Proposed for Threatened Listing; C = Candidate for Listing.

2 T = Threatened; E = Endangered; CE = Candidate for Endangered Listing; R = Rare; FP = Fully Protected Species; SC = State of California Species of Special Concern.

3 CNPS (California Native Plant Society) List 1B includes species that are rare, threatened, or endangered in California and elsewhere; List 2 includes plants that are rare, threatened or endangered in California but are more common elsewhere; List 3 includes plants about which more information is needed.

include: Swainson's hawk, tricolored blackbird (*Agelaius tricolor*), white-tailed kite (*Elanus leucurus*), burrowing owl, California Ridgway's rail (*Rallus obsoletus obsoletus*), golden eagle (*Aquila chrysaetos*), northern harrier (*Circus hudsonius),* San Pablo song sparrow (*Melospiza melodia samuelis*)*,* western snowy plover (*Charadrius nivosus nivosus*), saltmarsh common yellowthroat (*Geothlypis trichas sinuosa*), California black rail (*Laterallus jamaicensis coturniculus*), American badger (*Taxidea taxus*), pallid bat (*Antrozous pallidus*), salt-marsh harvest mouse (*Reithrodontomys raviventris*), California red-legged frog (*Rana draytonii*), foothill yellow-legged frog (*Rana boylii*), western pond turtle (*Emys marmorata*), steelhead (*Oncorhynchus mykiss irideus*), green sturgeon (*Acipenser medirostris*), longfin smelt (*Spirinchus thaleichthys*), and vernal pool fairy shrimp (*Branchinecta lynchi*).

The USFWS IPaC Trust Report includes a few of these same species and also includes California least tern (*Sterna antillarum browni*), northern spotted owl (*Strix occidentalis caurina*), green sea turtle (*Chelonia mydas*), western spadefoot (*Spea hammondii*), tidewater goby (*Eucyclogobius newberryi*), monarch butterfly (*Danaus plexippus*), and Conservancy fairy shrimp (*Branchinecta conservatio*) (Attachment B).

While the site may have provided habitat for one or more special-status wildlife species at some time in the past, agriculture and development have substantially modified natural habitats in the greater project vicinity, including those within the site. Swainson's hawk could nest in trees in close proximity to the site and could be disturbed by construction. Western pond turtle may also occur in the site; these species are discussed further below. Due to a lack of suitable habitat, the remaining wildlife species in Table 2 have essentially no potential to occur in or near the site on more than a transitory basis.

SWAINSON'S HAWK: The Swainson's hawk is a migratory hawk listed by the State of California as a Threatened species. The Migratory Bird Treaty Act (MBTA) and

Fish and Game Code of California (FGCC) protect Swainson's hawks year-round, as well as their nests during the nesting season (March 1 through September 15). Swainson's hawks are found in the Central Valley primarily during their breeding season, a population is known to winter in the San Joaquin Valley.

Swainson's hawks prefer nesting sites that provide sweeping views of nearby foraging grounds consisting of grasslands, irrigated pasture, hay, and wheat crops. Most Swainson's hawks are migratory, wintering in Mexico and breeding in California and elsewhere in the western United States. This raptor generally arrives in the Central Valley in mid-March, and begins courtship and nest construction immediately upon arrival at the breeding sites. The young fledge in early July, and most Swainson's hawks leave their breeding territories by late August.

The CNDDB (2024) contains 13 records of Swainson's hawks within 2 miles of the site. The nearest record of nesting Swainson's hawk in the CNDDB (2024) search area is a record within a notable row of large trees along N. Kelly Road, approximately 1,500 feet northeast of the site. Swainson's hawk was a focal species during the two field surveys, which were conducted in the heart of the nesting season for this species.

Swainson's hawks were observed soaring to the north of the site during both surveys. Each day, a Swainson's hawk was seen flying from east to west, foraging in an open field northwest of the site and then returning back to the row of trees along N. Kelly Road, to the northeast. No raptor stick nests were observed in the trees along the Sheehy Creek corridor or in trees visible from the site with binoculars. We also drove around the site, as access and visibility allowed, to search large trees in the project vicinity for Swainson's hawks. No other Swainson's hawks were seen other than the pair associated with the tree cluster along N. Kelly Road.

The conversion of 4.3+/- acres of potential low-quality potential Swainson's hawk foraging habitat to developed uses is viewed as less than significant. The grasslands in the site, which are weedy and highly disturbed by disking, provide low quality potential foraging habitat for this species. The potential use of the grasslands for foraging is also reduced by the small size of the field and surrounding development.

Large trees in and near the site and in the general project vicinity are potentially suitable for nesting Swainson's hawks, which are known to nest in the area. Although considered unlikely, Swainson's hawk may nest in the site, in large trees along Sheehy Creek.

WESTERN POND TURTLE: Western pond turtle is a state species of concern, and was recently proposed for listing as a federally threatened species. Western pond turtles are associated with permanent or nearly permanent bodies of water with adequate basking sites such as logs, rocks or open mud banks. Pond turtles construct nests in sandy banks along slow-moving streams and ponds in the spring and the young usually hatch in 2 to 3 months. The nearest occurrence of western pond turtle in the CNDDB (2024) search area is approximately 2.5 miles southwest of the site.

No western pond turtles were observed in the site during the 2024 surveys; the active channel and banks of Sheehy Creek were searched during each survey. The portion of Sheehy Creek in the site is extremely shaded, reducing the likelihood that western pond turtle would bask in this portion of the creek. Other portions of Sheehy Creek may be better suitable for this species and western pond turtle may occasionally swim through the site. Although considered unlikely due to its disturbed nature, western pond turtles from Sheehy Creek may travel across the site on occasion and could potentially nest in grasslands in or near the site.

OTHER SPECIAL-STATUS WILDLIFE SPECIES: The site does not provide highly suitable habitat for other special-status wildlife species. Special-status birds may fly over the area, but are not be expected to nest in or immediately adjacent to the project site, primarily due to lack of habitat. For example, tricolored blackbird may fly over or forage in the site on occasion, but the location of the site in a developed area reduces the likelihood that tricolored blackbird, a colonial-nesting species, would nest within the small Sheehy Creek corridor in the site. Similarly, white-tailed kite may occur in the area, but the limited number of trees and surrounding development reduces the likelihood that kites would nest in or adjacent to the site. No California ground squirrel burrows were observed in the site to provide habitat for burrowing owl. The suitability of the site for burrowing owls is also reduced by the weediness of the grassland and routine disking. The site does not provide suitable habitat for northern spotted owl. Golden eagle is not expected to occur or nest in the are due to levels of development and the species' preference to nest on large cliffs or in mature trees. The remaining special-status birds including northern harrier, bank swallow (*Riparia riparia*), western snowy plover, yellow rail (*Coturnicops noveboracensis*), California black rail, saltmarsh common yellowthroat, Suisun song sparrow (*Melospiza melodia maxillaris*), San Pablo song sparrow, and California Ridgway's rail are highly associated with large bodies of water or tidal marsh habitat, which do not occur in or near the site.

None of the special-status mammals in Table 2 are expected to occur on-site due to a lack of suitable habitat. Pallid bat may fly over or forage in the area, but there is no roosting habitat in or adjacent to the site. The disked grassland does not provide high-quality habitat for American badger, a species which is found in more natural areas away from development. Suisun shrew (*Sorex ornatus sinuosus*) and salt-marsh harvest mouse are highly associated with marsh and wetland habitats that are not present in or near the site.

There is no suitable aquatic habitat in the site for green sea turtle, California giant salamander, western spadefoot, California red-legged frog, foothill yellow-legged frog, Sacramento splittail (*Pogonichthys macrolepidotus*), steelhead, green sturgeon, longfin smelt, tidewater goby, or other special-status fish.

There are no vernal pools or seasonal wetlands in the site to support vernal pool fairy shrimp, California freshwater shrimp (*Syncaris pacifica*), or Conservancy fairy shrimp. There are a few blue elderberry shrubs along Sheehy Creek, but the site is outside of the known species range for valley elderberry longhorn beetle (*Desmocerus californicus dimorphus*) and vegetation along Sheehy Creek will not be disturbed.

Monarch butterfly may fly over the site during its migration, but this species is more known to occur in coastal environments and would not be expected to utilize the site for overwintering. Callippe silverspot butterfly (*Speyeria callippe callippe*) is restricted to coastal scrub and is not known from the area. The site lacks the floristic requirements for intensive use by special-status bee species, including western bumble bee (*Bombus occidentalis*), which its current range is also restricted to higher elevations.

CRITICAL HABITAT: The site is not in designated critical habitat of federally listed vernal pool shrimp or plants (USFWS, 2005), California red-legged frog (USFWS, 2006), soft salty bird's-beak (USFWS, 2007), valley elderberry longhorn beetle (USFWS, 1980), green sturgeon (NOAA, 2009), western snowy plover (USFWS 2012), or other federally listed species (Attachment F).

WILDLIFE MOVEMENT CORRIDORS: Well-developed riparian corridors are often utilized for movement by wildlife species such as deer, coyote, red fox (*Vulpes vulpes*), and bobcat (*Felis rufus*), as well as a variety of amphibians, reptiles, and fish. Although Sheehy Creek primarily contains planted species, this creek corridor may be utilized by a handful of common species for movement. The

Sheehy Creek corridor is not within the footprint of development and will not be impacted by project activities.

HABITAT CONSERVATION PLANS: The project will not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

Conclusions and Recommendations

- The site is comprised of ruderal grassland; grassland habitat in the site is best described as highly disturbed.

- Sheehy Creek is a potential Water of the U.S. and Water of the State. The proposed project will fully avoid Sheehy Creek; development will be restricted to upland grasslands south of the Sheehy Creek corridor *Habitat Conservation and Open Space Access* easement.

- Beyond Sheehy Creek, there are no potentially jurisdictional Waters of the U.S. or wetlands in the site. There are also no other areas in the site meeting the criteria of Waters of the State, including wetlands.

- Due to a lack of suitable habitat, it is unlikely that special-status plants occur in the site. No special-status plants were observed and none are expected to occur in the site.

- The site provides low quality potential foraging habitat for Swainson's hawk The conversion of 4.3+/- acres of potential low-quality potential Swainson's hawk foraging habitat to developed uses is viewed as less than significant.

- Sheehy Creek provides low quality potential habitat for western pond turtle. Although considered unlikely, western pond turtles from Sheehy Creek may travel across the site on occasion and could potentially nest in grasslands in or near the site.

- Due to a lack of suitable habitat, it is unlikely other special-status wildlife species occur in the site on more than a transitory or very occasional basis.

- The site is not within designated critical habitat for any federally listed species.

- The project will not result in adverse impacts to wildlife movement corridors. The Sheehy Creek corridor will be fully avoided by project development.

- The project will not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

- Pre-construction surveys for nesting Swainson's hawks within 0.25 miles of the study area are recommended within 15 days prior to the commencement of construction between March 1 and August 31. The surveys should incorporate methodologies from the Swainson's Hawk Technical Advisory Committee (SHTAC, 2000) survey guidelines. If active nests are found, it is recommended a qualified biologist should determine the need (if any) for temporal restrictions on construction pursuant to criteria outlined by the SHTAC, 2000).

- Pre-construction surveys for western pond turtle and their nests are recommended prior to the commencement of construction during April 1 through October 31. This would involve a search for nests in uplands in the site. If nest sites are located, a 50-foot buffer area around the nest should

be staked and work should be delayed until hatching is complete and the young have left the nest site.

- The trees and grasslands in the site could be used by birds protected by the MBTA or FGCC. If vegetation removal or construction commences during the nesting season of raptors (January 1 through July 31), a pre-construction survey for nesting raptors is recommended. If vegetation removal or construction commences during the general avian nesting season (March 1 through July 31), a pre-construction survey for all species of nesting birds is recommended. If active nests are found, work in the vicinity of the nests should be delayed until the young fledge.

Please call me at (209) 745-1159 with any questions.

Sincerely,

Diane S. Moore, M.S.
Principal Biologist

References and Literature Consulted

ACOE (U.S. Army Corps of Engineers). 1987. Technical Report Y87-1. U.S. Army Corps of Engineers Waterways Experiment Station, Vicksburg, MI.

ACOE. 2008. Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Arid West Region. U.S. Army Engineer Research and Development Center, Vicksburg, MS. September.

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National Oceanic and Atmospheric Administration (NOAA). 2009. Endangered and Threatened Wildlife and Plants: Final Rulemaking to Designate Critical Habitat for the Threatened Southern Distinct Population Segment of North American Green Sturgeon; Final Rule. Federal Register 74 (196): 52299-52351. November 9.

Sawyer & Keeler-Wolf. 1995. A Manual of California Vegetation. California Native Plant Society, Sacramento. California.

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USFWS. 2005. Part II, Department of the Interior, Fish and Wildlife Service. 50 CFR Part 17: Endangered and Threatened Wildlife and Plants; Final Designation of Critical Habitat for Four Vernal Pool Crustaceans and Eleven Vernal Pool Plants in California and Southern Oregon; Evaluation and Economic Exclusions from August 2003 Final Designation, Final Rule. Federal Register Vol. 70, No. 154, August 11.

USFWS. 2006. Part II, Department of the Interior, Fish and Wildlife Service. 50 CFR Part 17: Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for California Red-Legged Frog, and Special Rule Exemption

Associated with Final Listing for Existing Routine Ranching Activities, Final Rule. Federal Register Vol. 71, No. 71, April 13.

USFWS. 2007. Department of the Interior, Fish and Wildlife Service. 50 CFR Part 17: Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for Cirsium hydrophilum var. hydrophilum (Suisun thistle) and Cordylanthus mollis ssp. mollis (soft bird's-beak). Final Rule. Federal Register Vol. 72, No. 70, April 12.

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Attachment A

Conceptual Site Plan

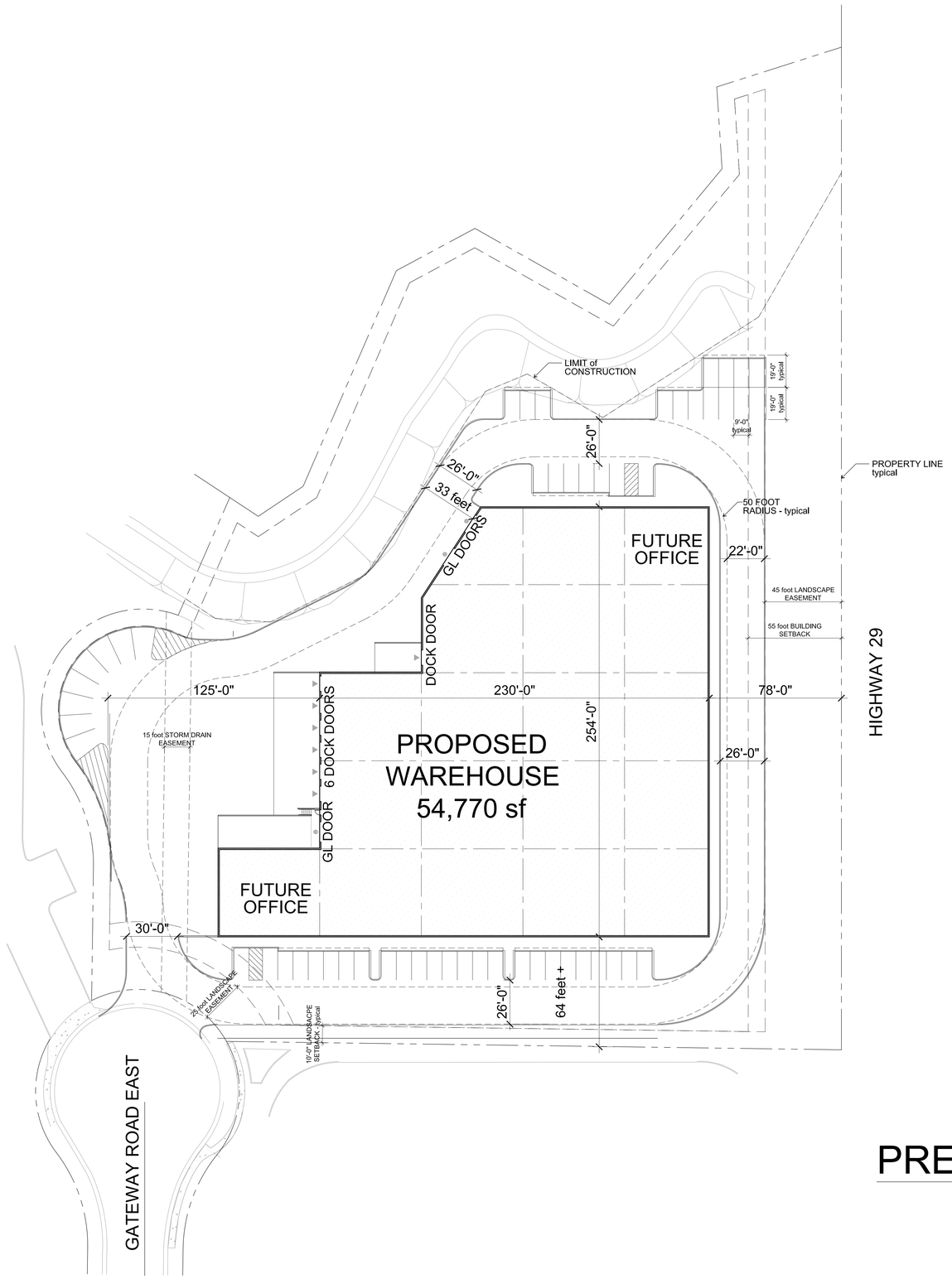
BUILDING AREA:	54,770 sf
PARKING REQUIRED	50 spaces
OFFICE (5,000 sf at 1:250 sf)	20 spaces
WAREHOUSE (FIRST 10,000 sf AT 1:1,000 sf)	10 spaces
WAREHOUSE (39,770 sf at 1:2,000 sf)	20 spaces
PARKING PROVIDED:	54 spaces
STANDARD:	50 spaces
ACCESSIBLE:	4 spaces

10 January 2024

p:\2023\23510 phd\23510.04 gateway road, napa, ca\23510.04 site plan scheme 6r4.dwg

BUILDING DESCRIPTION:

- TYPE V CONSTRUCTION
- ARTICULATED TILT-UP CONCRETE WALLS
- 32 feet MINIMUM CLEAR HEIGHT
- 2% SKYLIGHTS
- ESFR FIRE SPRINLER SYSTEM
- METAL ROLL UP DOORS at DOCKS and RAMPS
- BLUE GLAZING in ALUMINUM STOREFRONT
- METAL EYEBROW CANOPIES at OFFICE ENTRIES



PRELIMINARY SITE PLAN
SCHEME 6r4

10 January 2024

Carlile Coatsworth Architects, Inc
18600 MacArthur Boulevard - Suite 300 - Irvine, CA 92612 - Phone: (949) 833-1930

Gateway Road
Napa County, California

0' 15' 30' 60'
SCALE: 1" = 30'

PHELAN HAUGEN
DEVELOPMENT

Attachment B

CNDDB Summary Report and Exhibits

& USFWS IPaC Trust Resource Report

Selected Elements by Scientific Name

California Department of Fish and Wildlife

California Natural Diversity Database

Query Criteria: Quad IS (Napa (3812233) OR Mt. George (3812232) OR Cuttings Wharf (3812223) OR Cordelia (3812222))

Species	Element Code	Federal Status	State Status	Global Rank	State Rank	Rare Plant Rank/CDFW SSC or FP
Acipenser medirostris pop. 1 green sturgeon - southern DPS	AFCAA01031	Threatened	None	G2T1	S1	SSC
Agelaius tricolor tricolored blackbird	ABPBXB0020	None	Threatened	G1G2	S2	SSC
Agrostis hendersonii Henderson's bent grass	PMPOA040K0	None	None	G2Q	S2	3.2
Allium peninsulare var. franciscanum Franciscan onion	PMLIL021R1	None	None	G4G5T2	S2	1B.2
Antrozous pallidus pallid bat	AMACC10010	None	None	G4	S3	SSC
Aquila chrysaetos golden eagle	ABNKC22010	None	None	G5	S3	FP
Astragalus tener var. tener alkali milk-vetch	PDFAB0F8R1	None	None	G2T1	S1	1B.2
Athene cunicularia burrowing owl	ABNSB10010	None	None	G4	S2	SSC
Balsamorhiza macrolepis big-scale balsamroot	PDAST11061	None	None	G2	S2	1B.2
Bombus occidentalis western bumble bee	IIHYM24252	None	Candidate Endangered	G3	S1	
Bombus pensylvanicus American bumble bee	IIHYM24260	None	None	G3G4	S2	
Branchinecta lynchi vernal pool fairy shrimp	ICBRA03030	Threatened	None	G3	S3	
Brodiaea leptandra narrow-anthered brodiaea	PMLIL0C022	None	None	G3?	S3?	1B.2
Buteo regalis ferruginous hawk	ABNKC19120	None	None	G4	S3S4	WL
Buteo swainsoni Swainson's hawk	ABNKC19070	None	Threatened	G5	S4	
Calasellus californicus An isopod	ICMAL34010	None	None	G2	S3	
Carex lyngbyei Lyngbye's sedge	PMCYP037Y0	None	None	G5	S3	2B.2
Castilleja affinis var. neglecta Tiburon paintbrush	PDSCR0D013	Endangered	Threatened	G4G5T1T2	S1S2	1B.2
Ceanothus purpureus holly-leaved ceanothus	PDRHA04160	None	None	G2	S2	1B.2

Species	Element Code	Federal Status	State Status	Global Rank	State Rank	Rare Plant Rank/CDFW SSC or FP
Centromadia parryi ssp. parryi pappose tarplant	PDAST4R0P2	None	None	G3T2	S2	1B.2
Charadrius nivosus nivosus western snowy plover	ABNNB03031	Threatened	None	G3T3	S3	SSC
Chloropyron molle ssp. molle soft salty bird's-beak	PDSCR0J0D2	Endangered	Rare	G2T1	S1	1B.2
Circus hudsonius northern harrier	ABNKC11011	None	None	G5	S3	SSC
Coastal Brackish Marsh Coastal Brackish Marsh	CTT52200CA	None	None	G2	S2.1	
Coturnicops noveboracensis yellow rail	ABNME01010	None	None	G4	S2	SSC
Desmocerus californicus dimorphus valley elderberry longhorn beetle	IICOL48011	Threatened	None	G3T3	S3	
Dicamptodon ensatus California giant salamander	AAAAH01020	None	None	G2G3	S2S3	SSC
Downingia pusilla dwarf downingia	PDCAM060C0	None	None	GU	S2	2B.2
Elanus leucurus white-tailed kite	ABNKC06010	None	None	G5	S3S4	FP
Emys marmorata western pond turtle	ARAAD02030	Proposed Threatened	None	G3G4	S3	SSC
Erigeron greenei Greene's narrow-leaved daisy	PDAST3M5G0	None	None	G3	S3	1B.2
Eryngium jepsonii Jepson's coyote-thistle	PDAPI0Z130	None	None	G2	S2	1B.2
Extriplex joaquinana San Joaquin spearscale	PDCHE041F3	None	None	G2	S2	1B.2
Falco peregrinus anatum American peregrine falcon	ABNKD06071	Delisted	Delisted	G4T4	S3S4	
Geothlypis trichas sinuosa saltmarsh common yellowthroat	ABPBX1201A	None	None	G5T3	S3	SSC
Gonidea angulata western ridged mussel	IMBIV19010	None	None	G3	S2	
Hesperolinon breweri Brewer's western flax	PDLIN01030	None	None	G2	S2	1B.2
Hydroprogne caspia Caspian tern	ABNNM08020	None	None	G5	S4	
Hypomesus transpacificus Delta smelt	AFCHB01040	Threatened	Endangered	G1	S1	
Isocoma arguta Carquinez goldenbush	PDAST57050	None	None	G1	S1	1B.1

Species	Element Code	Federal Status	State Status	Global Rank	State Rank	Rare Plant Rank/CDFW SSC or FP
Lasthenia conjugens Contra Costa goldfields	PDAST5L040	Endangered	None	G1	S1	1B.1
Laterallus jamaicensis coturniculus California black rail	ABNME03041	None	Threatened	G3T1	S2	FP
Lathyrus jepsonii var. jepsonii Delta tule pea	PDFAB250D2	None	None	G5T2	S2	1B.2
Legenere limosa legenere	PDCAM0C010	None	None	G2	S2	1B.1
Leptosiphon jepsonii Jepson's leptosiphon	PDPLM09140	None	None	G2G3	S2S3	1B.2
Lilaeopsis masonii Mason's lilaeopsis	PDAPI19030	None	Rare	G2	S2	1B.1
Melospiza melodia maxillaris Suisun song sparrow	ABPBXA301K	None	None	G5T3	S2	SSC
Melospiza melodia samuelis San Pablo song sparrow	ABPBXA301W	None	None	G5T2	S2	SSC
Northern Coastal Salt Marsh Northern Coastal Salt Marsh	CTT52110CA	None	None	G3	S3.2	
Northern Vernal Pool Northern Vernal Pool	CTT44100CA	None	None	G2	S2.1	
Nycticorax nycticorax black-crowned night heron	ABNGA11010	None	None	G5	S4	
Oncorhynchus mykiss irideus pop. 8 steelhead - central California coast DPS	AFCHA0209G	Threatened	None	G5T3Q	S3	SSC
Pogonichthys macrolepidotus Sacramento splittail	AFCJB34020	None	None	G3	S3	SSC
Polygonum marinense Marin knotweed	PDPGN0L1C0	None	None	G2Q	S2	3.1
Rallus obsoletus obsoletus California Ridgway's rail	ABNME05011	Endangered	Endangered	G3T1	S2	FP
Rana boylii pop. 1 foothill yellow-legged frog - north coast DPS	AAABH01051	None	None	G3T4	S4	SSC
Rana draytonii California red-legged frog	AAABH01022	Threatened	None	G2G3	S2S3	SSC
Reithrodontomys raviventris salt-marsh harvest mouse	AMAFF02040	Endangered	Endangered	G1G2	S3	FP
Rhynchospora californica California beaked-rush	PMCYP0N060	None	None	G1	S1	1B.1
Riparia riparia bank swallow	ABPAU08010	None	Threatened	G5	S3	
Serpentine Bunchgrass Serpentine Bunchgrass	CTT42130CA	None	None	G2	S2.2	

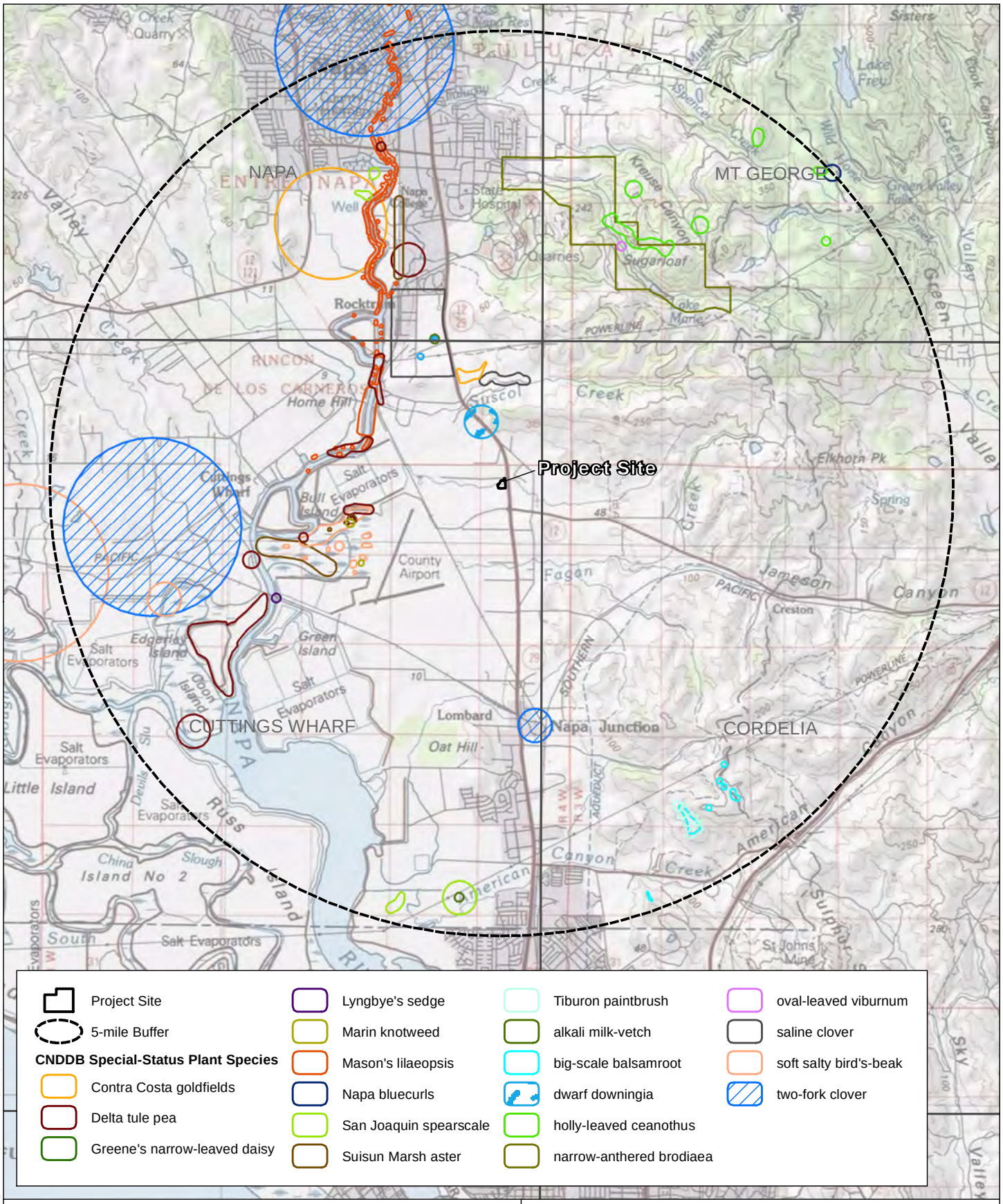
Selected Elements by Scientific Name

California Department of Fish and Wildlife

California Natural Diversity Database

Species	Element Code	Federal Status	State Status	Global Rank	State Rank	Rare Plant Rank/CDFW SSC or FP
Sidalcea hickmanii ssp. napensis Napa checkerbloom	PDMAL110A6	None	None	G2T1	S1	1B.1
Sorex ornatus sinuosus Suisun shrew	AMABA01103	None	None	G5T1T2Q	S1S2	SSC
Speyeria callippe callippe callippe silverspot butterfly	IILEPJ6091	Endangered	None	G5T1	S1	
Spirinchus thaleichthys longfin smelt	AFCHB03010	Proposed Endangered	Threatened	G5	S1	
Symphyotrichum lentum Suisun Marsh aster	PDASTE8470	None	None	G2	S2	1B.2
Syncaris pacifica California freshwater shrimp	ICMAL27010	Endangered	Endangered	G2	S2	
Taxidea taxus American badger	AMAJF04010	None	None	G5	S3	SSC
Trichostema ruygtii Napa bluecurls	PDLAM220H0	None	None	G1G2	S2	1B.2
Trifolium amoenum two-fork clover	PDFAB40040	Endangered	None	G1	S1	1B.1
Trifolium hydrophilum saline clover	PDFAB400R5	None	None	G2	S2	1B.2
Viburnum ellipticum oval-leaved viburnum	PDCPR07080	None	None	G4G5	S3	2B.3

Record Count: 72



CNDDB - PLANT

Gateway Road

Napa County, CA

Moore Biological Consultants

Map Date: 05/07/2024
Source: CDFW, USA Topo Maps (2024)

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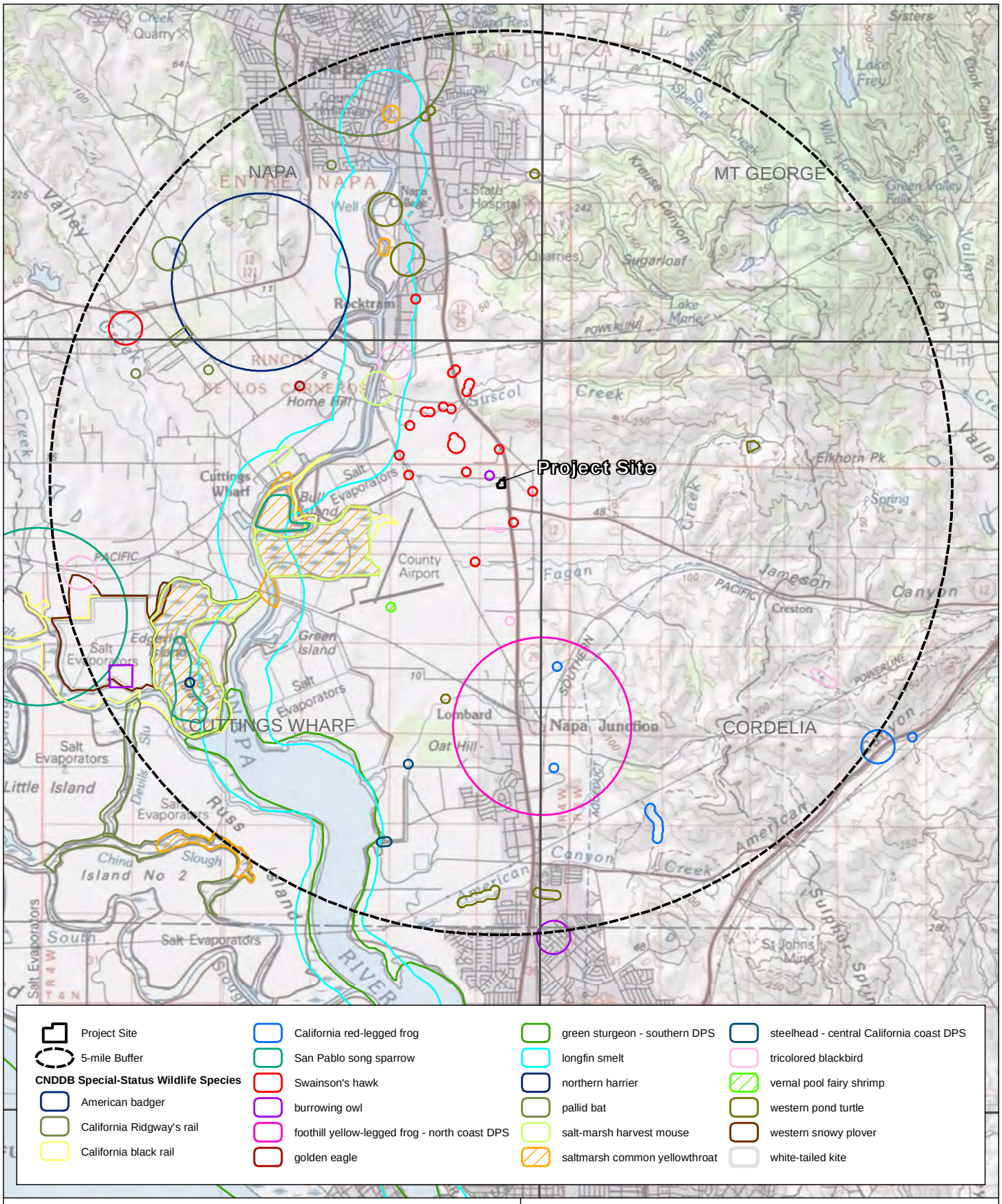

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Moore Biological Consultants

Map Date: 05/07/2024
Source: CDFW, USA Topo Maps (2024)

CNDDB - WILDLIFE

Gateway Road

Napa County, CA

IPaC **U.S. Fish & Wildlife Service**

IPaC resource list

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

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

Location

Napa County, California

Local office

Sacramento Fish And Wildlife Office

(916) 414-6600
(916) 414-6713

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

Endangered species

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

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

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

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

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

Listed species[1] and their critical habitats are managed by the Ecological Services Program of the U.S. Fish and Wildlife Service (USFWS) and the fisheries division of the National Oceanic and Atmospheric Administration (NOAA Fisheries[2]).

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

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

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

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

Mammals

NAME	STATUS
Salt Marsh Harvest Mouse Reithrodontomys raviventris Wherever found No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/613	Endangered

Birds

NAME	STATUS
California Least Tern Sternula antillarum browni Wherever found No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/8104	Endangered
California Ridgway''s Rail Rallus obsoletus obsoletus Wherever found No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/4240	Endangered
Northern Spotted Owl Strix occidentalis caurina Wherever found There is **final** critical habitat for this species. Your location does not overlap the critical habitat. https://ecos.fws.gov/ecp/species/1123	Threatened
Western Snowy Plover Charadrius nivosus nivosus There is **final** critical habitat for this species. Your location does not overlap the critical habitat. https://ecos.fws.gov/ecp/species/8035	Threatened

Reptiles

NAME	STATUS

Green Sea Turtle Chelonia mydas No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/6199	Threatened
Northwestern Pond Turtle Actinemys marmorata Wherever found No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/1111	Proposed Threatened

Amphibians

NAME	STATUS
California Red-legged Frog Rana draytonii Wherever found There is **final** critical habitat for this species. Your location does not overlap the critical habitat. https://ecos.fws.gov/ecp/species/2891	Threatened
Western Spadefoot Spea hammondii Wherever found No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/5425	Proposed Threatened

Fishes

NAME	STATUS
Tidewater Goby Eucyclogobius newberryi Wherever found There is **final** critical habitat for this species. Your location does not overlap the critical habitat. https://ecos.fws.gov/ecp/species/57	Endangered

Insects

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

Crustaceans

NAME	STATUS
Conservancy Fairy Shrimp Branchinecta conservatio Wherever found There is **final** critical habitat for this species. Your location does not overlap the critical habitat. https://ecos.fws.gov/ecp/species/8246	Endangered
Vernal Pool Fairy Shrimp Branchinecta lynchi Wherever found There is **final** critical habitat for this species. Your location does not overlap the critical habitat. https://ecos.fws.gov/ecp/species/498	Threatened

Flowering Plants

NAME	STATUS
Contra Costa Goldfields Lasthenia conjugens Wherever found There is **final** critical habitat for this species. Your location does not overlap the critical habitat. https://ecos.fws.gov/ecp/species/7058	Endangered
Showy Indian Clover Trifolium amoenum Wherever found No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/6459	Endangered
Soft Bird's-beak Cordylanthus mollis ssp. mollis Wherever found There is **final** critical habitat for this species. Your location does not overlap the critical habitat. https://ecos.fws.gov/ecp/species/8541	Endangered
Tiburon Paintbrush Castilleja affinis ssp. neglecta Wherever found No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/2687	Endangered

Critical habitats

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

There are no critical habitats at this location.

You are still required to determine if your project(s) may have effects on all above listed species.

Bald & Golden Eagles

Bald and golden eagles are protected under the Bald and Golden Eagle Protection Act[1] and the Migratory Bird Treaty Act[2].

Any person or organization who plans or conducts activities that may result in impacts to bald or golden eagles, or their habitats[3], should follow appropriate regulations and consider implementing appropriate conservation measures, as described in the links below. Specifically, please review the "Supplemental Information on Migratory Birds and Eagles".

Additional information can be found using the following links:

- Eagle Management https://www.fws.gov/program/eagle-management
- Measures for avoiding and minimizing impacts to birds https://www.fws.gov/library/collections/avoiding-and-minimizing-incidental-take-migratory-birds
- Nationwide conservation measures for birds https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf
- Supplemental Information for Migratory Birds and Eagles in IPaC https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action

There are likely bald eagles present in your project area. For additional information on bald eagles, refer to Bald Eagle Nesting and Sensitivity to Human Activity

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

NAME	BREEDING SEASON
Bald Eagle Haliaeetus leucocephalus This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/1626	Breeds Jan 1 to Aug 31
Golden Eagle Aquila chrysaetos This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/1680	Breeds Jan 1 to Aug 31

Probability of Presence Summary

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read "Supplemental Information on Migratory Birds and Eagles", specifically the FAQ section titled "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

Probability of Presence (■)

Each green bar represents the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during a particular week of the year. (A year is represented as 12 4-week months.) A taller bar indicates a higher probability of species presence. The survey effort (see below) can be used to establish a level of confidence in the presence score. One can have higher confidence in the presence score if the corresponding survey effort is also high.

How is the probability of presence score calculated? The calculation is done in three steps:

1. The probability of presence for each week is calculated as the number of survey events in the week where the species was detected divided by the total number of survey events for that week. For example, if in week 12 there were 20 survey events and the Spotted Towhee was found in 5 of them, the probability of presence of the Spotted Towhee in week 12 is 0.25.
2. To properly present the pattern of presence across the year, the relative probability of presence is calculated. This is the probability of presence divided by the maximum probability of presence across all weeks. For example, imagine the probability of presence in week 20 for the Spotted Towhee is 0.05, and that the probability of presence at week 12 (0.25) is the maximum of any week of the year. The relative probability of presence on week 12 is 0.25/0.25 = 1; at week 20 it is 0.05/0.25 = 0.2.

3. The relative probability of presence calculated in the previous step undergoes a statistical conversion so that all possible values fall between 0 and 10, inclusive. This is the probability of presence score.

To see a bar's probability of presence score, simply hover your mouse cursor over the bar.

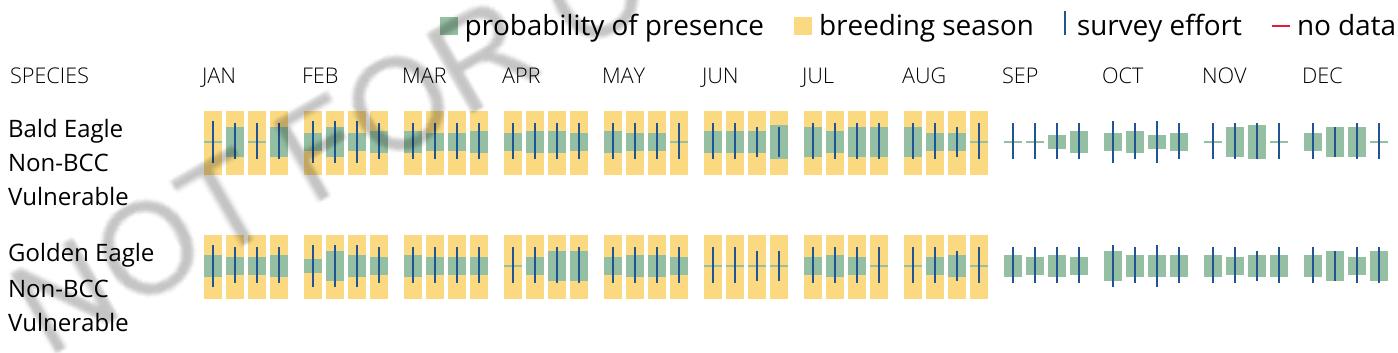
Breeding Season (▪)
Yellow bars denote a very liberal estimate of the time-frame inside which the bird breeds across its entire range. If there are no yellow bars shown for a bird, it does not breed in your project area.

Survey Effort (|)
Vertical black lines superimposed on probability of presence bars indicate the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps. The number of surveys is expressed as a range, for example, 33 to 64 surveys.

To see a bar's survey effort range, simply hover your mouse cursor over the bar.

No Data (–)
A week is marked as having no data if there were no survey events for that week.

Survey Timeframe
Surveys from only the last 10 years are used in order to ensure delivery of currently relevant information. The exception to this is areas off the Atlantic coast, where bird returns are based on all years of available data, since data in these areas is currently much more sparse.



What does IPaC use to generate the potential presence of bald and golden eagles in my specified location?

The potential for eagle presence is derived from data provided by the Avian Knowledge Network (AKN). The AKN data is based on a growing collection of survey, banding, and citizen science datasets and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle (Eagle Act requirements may apply). To see a list of all birds potentially present in your project area, please visit the Rapid Avian Information Locator (RAIL) Tool.

What does IPaC use to generate the probability of presence graphs of bald and golden eagles in my specified location?

The Migratory Bird Resource List is comprised of USFWS Birds of Conservation Concern (BCC) and other species that may warrant special attention in your project location.

The migratory bird list generated for your project is derived from data provided by the Avian Knowledge Network (AKN). The AKN data is based on a growing collection of survey, banding, and citizen science datasets and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle (Eagle Act requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, please visit the Rapid Avian Information Locator (RAIL) Tool.

What if I have eagles on my list?

If your project has the potential to disturb or kill eagles, you may need to obtain a permit to avoid violating the Eagle Act should such impacts occur. Please contact your local Fish and Wildlife Service Field Office if you have questions.

Migratory birds

Certain birds are protected under the Migratory Bird Treaty Act[1] and the Bald and Golden Eagle Protection Act[2].

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats[3] should follow appropriate regulations and consider implementing appropriate conservation measures, as described in the links below. Specifically, please review the "Supplemental Information on Migratory Birds and Eagles".

1. The Migratory Birds Treaty Act of 1918.
2. The Bald and Golden Eagle Protection Act of 1940.

Additional information can be found using the following links:

- Eagle Management https://www.fws.gov/program/eagle-management
- Measures for avoiding and minimizing impacts to birds https://www.fws.gov/library/collections/avoiding-and-minimizing-incidental-take-migratory-birds
- Nationwide conservation measures for birds https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf
- Supplemental Information for Migratory Birds and Eagles in IPaC https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action

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

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

NAME	BREEDING SEASON
Allen's Hummingbird Selasphorus sasin This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9637	Breeds Feb 1 to Jul 15
Bald Eagle Haliaeetus leucocephalus This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/1626	Breeds Jan 1 to Aug 31
Belding's Savannah Sparrow Passerculus sandwichensis beldingi This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA https://ecos.fws.gov/ecp/species/8	Breeds Apr 1 to Aug 15
Black Swift Cypseloides niger This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/8878	Breeds Jun 15 to Sep 10

Black Turnstone Arenaria melanocephala — Breeds elsewhere
This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Bullock's Oriole Icterus bullockii — Breeds Mar 21 to Jul 25
This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA

California Gull Larus californicus — Breeds Mar 1 to Jul 31
This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

California Thrasher Toxostoma redivivum — Breeds Jan 1 to Jul 31
This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Clark's Grebe Aechmophorus clarkii — Breeds Jun 1 to Aug 31
This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Common Yellowthroat Geothlypis trichas sinuosa — Breeds May 20 to Jul 31
This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA
https://ecos.fws.gov/ecp/species/2084

Golden Eagle Aquila chrysaetos — Breeds Jan 1 to Aug 31
This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities.
https://ecos.fws.gov/ecp/species/1680

Marbled Godwit Limosa fedoa — Breeds elsewhere
This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.
https://ecos.fws.gov/ecp/species/9481

Northern Harrier Circus hudsonius — Breeds Apr 1 to Sep 15
This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA
https://ecos.fws.gov/ecp/species/8350

Oak Titmouse Baeolophus inornatus — Breeds Mar 15 to Jul 15
This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.
https://ecos.fws.gov/ecp/species/9656

Olive-sided Flycatcher Contopus cooperi — Breeds May 20 to Aug 31
This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.
https://ecos.fws.gov/ecp/species/3914

Red Knot Calidris canutus roselaari — Breeds elsewhere
This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.
https://ecos.fws.gov/ecp/species/8880

Short-billed Dowitcher Limnodromus griseus — Breeds elsewhere
This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.
https://ecos.fws.gov/ecp/species/9480

Tricolored Blackbird Agelaius tricolor — Breeds Mar 15 to Aug 10
This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.
https://ecos.fws.gov/ecp/species/3910

Western Grebe aechmophorus occidentalis — Breeds Jun 1 to Aug 31
This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.
https://ecos.fws.gov/ecp/species/6743

Western Gull Larus occidentalis — Breeds Apr 21 to Aug 25
This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Willet Tringa semipalmata — Breeds elsewhere
This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Wrentit Chamaea fasciata — Breeds Mar 15 to Aug 10
This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Probability of Presence Summary

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read "Supplemental Information on Migratory Birds and Eagles", specifically the FAQ section titled "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

Probability of Presence (■)

Each green bar represents the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during a particular week of the year. (A year is represented as 12 4-week months.) A taller bar indicates a higher probability of species presence. The survey effort (see below) can be used to establish a level of confidence in the presence score. One can have higher confidence in the presence score if the corresponding survey effort is also high.

How is the probability of presence score calculated? The calculation is done in three steps:

1. The probability of presence for each week is calculated as the number of survey events in the week where the species was detected divided by the total number of survey events for that week. For example, if in week 12 there were 20 survey events and the Spotted Towhee was found in 5 of them, the probability of presence of the Spotted Towhee in week 12 is 0.25.
2. To properly present the pattern of presence across the year, the relative probability of presence is calculated. This is the probability of presence divided by the maximum probability of presence across all weeks. For example, imagine the probability of presence in week 20 for the Spotted Towhee is 0.05, and that the probability of presence at week 12 (0.25) is the maximum of any week of the year. The relative probability of presence on week 12 is 0.25/0.25 = 1; at week 20 it is 0.05/0.25 = 0.2.
3. The relative probability of presence calculated in the previous step undergoes a statistical conversion so that all possible values fall between 0 and 10, inclusive. This is the probability of presence score.

To see a bar's probability of presence score, simply hover your mouse cursor over the bar.

Breeding Season (■)
Yellow bars denote a very liberal estimate of the time-frame inside which the bird breeds across its entire range. If there are no yellow bars shown for a bird, it does not breed in your project area.

Survey Effort (|)
Vertical black lines superimposed on probability of presence bars indicate the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps. The number of surveys is expressed as a range, for example, 33 to 64 surveys.

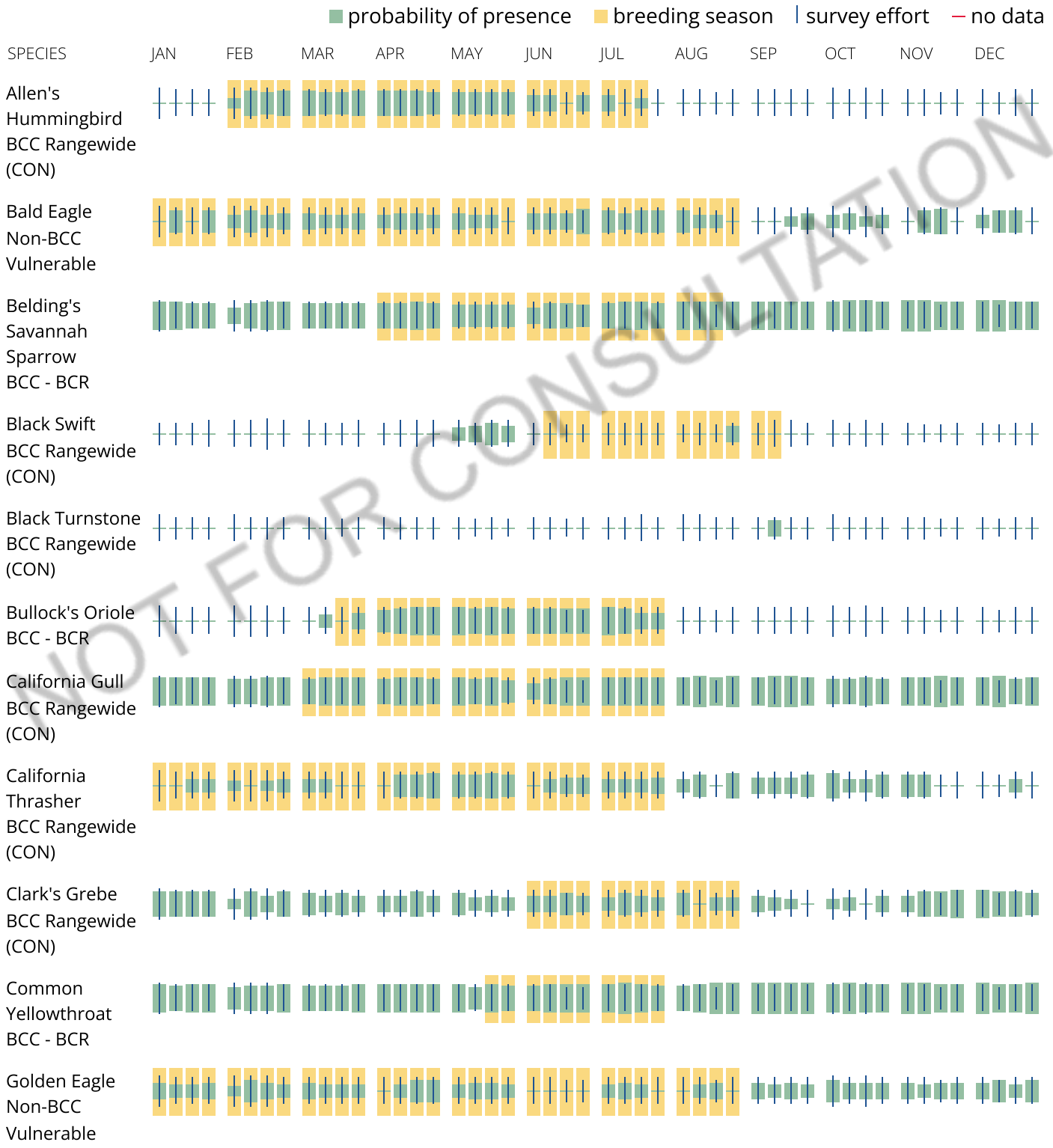
To see a bar's survey effort range, simply hover your mouse cursor over the bar.

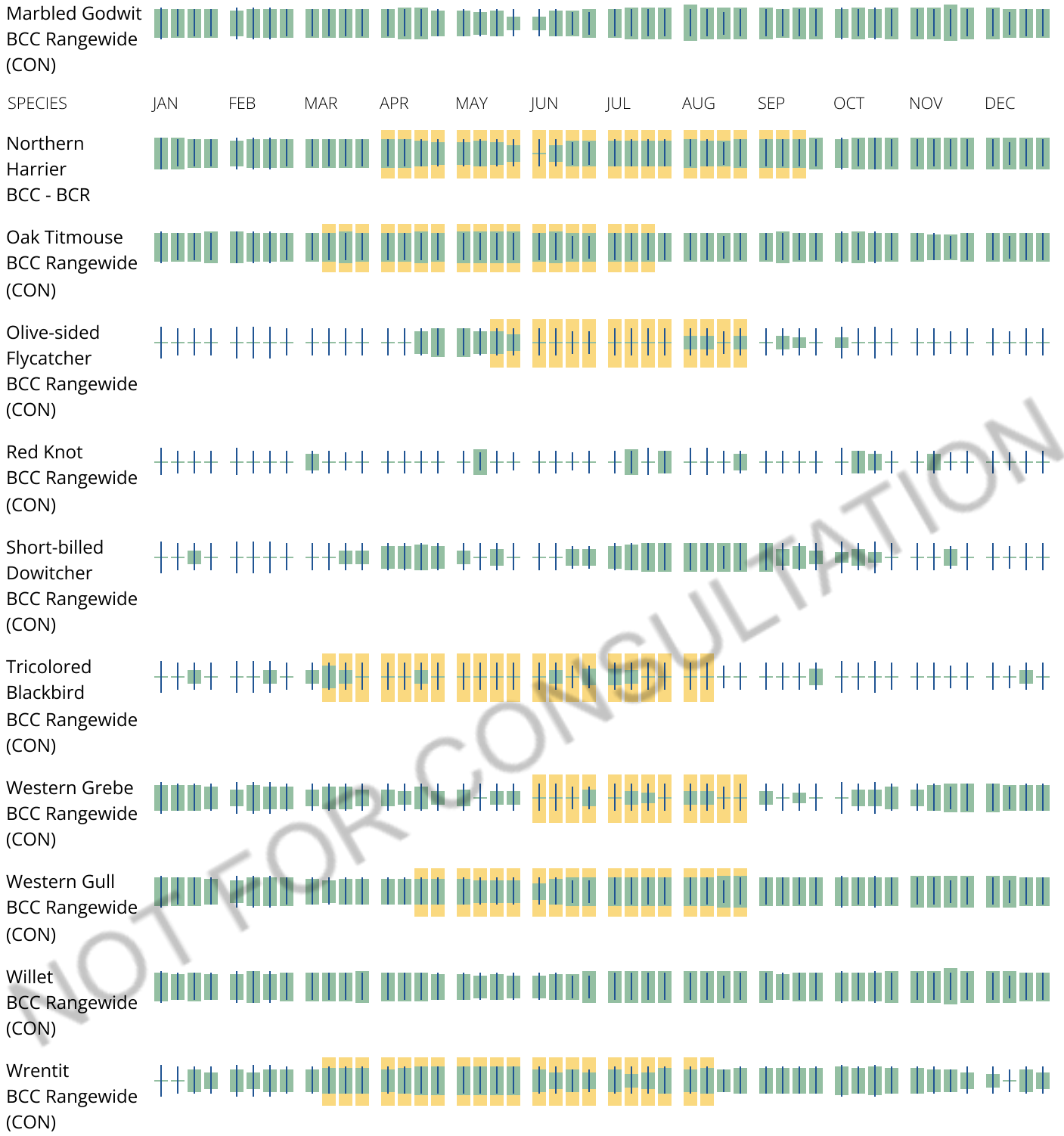
No Data (–)

A week is marked as having no data if there were no survey events for that week.

Survey Timeframe

Surveys from only the last 10 years are used in order to ensure delivery of currently relevant information. The exception to this is areas off the Atlantic coast, where bird returns are based on all years of available data, since data in these areas is currently much more sparse.





Tell me more about conservation measures I can implement to avoid or minimize impacts to migratory birds.

Nationwide Conservation Measures describes measures that can help avoid and minimize impacts to all birds at any location year round. Implementation of these measures is particularly important when birds are most likely to occur in the project area. When birds may be breeding in the area, identifying the locations of any active nests and avoiding their destruction is a very helpful impact minimization measure. To see when birds are most likely to occur and be breeding in your project area, view the Probability of Presence Summary. Additional measures or permits may be advisable depending on the type of activity you are conducting and the type of infrastructure or bird species present on your project site.

What does IPaC use to generate the list of migratory birds that potentially occur in my specified location?

The Migratory Bird Resource List is comprised of USFWS Birds of Conservation Concern (BCC) and other species that may warrant special attention in your project location.

The migratory bird list generated for your project is derived from data provided by the Avian Knowledge Network (AKN). The AKN data is based on a growing collection of survey, banding, and citizen science datasets and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle (Eagle Act requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, please visit the Rapid Avian Information Locator (RAIL) Tool.

What does IPaC use to generate the probability of presence graphs for the migratory birds potentially occurring in my specified location?

The probability of presence graphs associated with your migratory bird list are based on data provided by the Avian Knowledge Network (AKN). This data is derived from a growing collection of survey, banding, and citizen science datasets.

Probability of presence data is continuously being updated as new and better information becomes available. To learn more about how the probability of presence graphs are produced and how to interpret them, go the Probability of Presence Summary and then click on the "Tell me about these graphs" link.

How do I know if a bird is breeding, wintering or migrating in my area?

To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating or year-round), you may query your location using the RAIL Tool and look at the range maps provided for birds in your area at the bottom of the profiles provided for each bird in your results. If a bird on your migratory bird species list has a breeding season associated with it, if that bird does occur in your project area, there may be nests present at some point within the timeframe specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

What are the levels of concern for migratory birds?

Migratory birds delivered through IPaC fall into the following distinct categories of concern:

1. "BCC Rangewide" birds are Birds of Conservation Concern (BCC) that are of concern throughout their range anywhere within the USA (including Hawaii, the Pacific Islands, Puerto Rico, and the Virgin Islands);
2. "BCC - BCR" birds are BCCs that are of concern only in particular Bird Conservation Regions (BCRs) in the continental USA; and
3. "Non-BCC - Vulnerable" birds are not BCC species in your project area, but appear on your list either because of the Eagle Act requirements (for eagles) or (for non-eagles) potential susceptibilities in offshore areas from certain types of development or activities (e.g. offshore energy development or longline fishing).

Although it is important to try to avoid and minimize impacts to all birds, efforts should be made, in particular, to avoid and minimize impacts to the birds on this list, especially eagles and BCC species of rangewide concern. For more information on conservation measures you can implement to help avoid and minimize migratory bird impacts and requirements for eagles, please see the FAQs for these topics.

Details about birds that are potentially affected by offshore projects

For additional details about the relative occurrence and abundance of both individual bird species and groups of bird species within your project area off the Atlantic Coast, please visit the Northeast Ocean Data Portal. The Portal also offers data and information about other taxa besides birds that may be helpful to you in your project review. Alternately, you may download the bird model results files underlying the portal maps through the NOAA NCCOS Integrative Statistical Modeling and Predictive Mapping of Marine Bird Distributions and Abundance on the Atlantic Outer Continental Shelf project webpage.

Bird tracking data can also provide additional details about occurrence and habitat use throughout the year, including migration. Models relying on survey data may not include this information. For additional information on marine bird tracking data, see the Diving Bird Study and the nanotag studies or contact Caleb Spiegel or Pam Loring.

What if I have eagles on my list?

If your project has the potential to disturb or kill eagles, you may need to obtain a permit to avoid violating the Eagle Act should such impacts occur.

Proper Interpretation and Use of Your Migratory Bird Report

The migratory bird list generated is not a list of all birds in your project area, only a subset of birds of priority concern. To learn more about how your list is generated, and see options for identifying what other birds may be in your project area, please see the FAQ "What does IPaC use to generate the migratory birds potentially occurring in my specified location". Please be aware this report provides the "probability of presence" of birds within the 10 km grid cell(s) that overlap your project; not your exact project footprint. On the graphs provided, please also look carefully at the survey effort (indicated by the black vertical bar) and for the existence of the "no data" indicator (a red horizontal bar). A high survey effort is the key component. If the survey effort is high, then the probability of presence score can be viewed as more dependable. In contrast, a low survey effort bar or no data bar means a lack of data and, therefore, a lack of certainty about presence of the species. This list is not perfect; it is simply a starting point for identifying what birds of concern have the potential to be in your project area, when they might be there, and if they might be breeding (which means nests might be present). The list helps you know what to look for to confirm presence, and helps guide you in knowing when to implement conservation measures to avoid or minimize potential impacts from your project activities, should presence be confirmed. To learn more about conservation measures, visit the FAQ "Tell me about conservation measures I can implement to avoid or minimize impacts to migratory birds" at the bottom of your migratory bird trust resources page.

Facilities

National Wildlife Refuge lands

Any activity proposed on lands managed by the National Wildlife Refuge system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

There are no refuge lands at this location.

Fish hatcheries

There are no fish hatcheries at this location.

Wetlands in the National Wetlands Inventory (NWI)

Impacts to NWI wetlands and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local U.S. Army Corps of Engineers District.

Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

This location overlaps the following wetlands:

FRESHWATER EMERGENT WETLAND

- PEM1Ch
- PEM1B

FRESHWATER POND

- PUBHx

RIVERINE

- R3UBH

R4SBA
R4SBC
R4SBAx
R3UBHx
R4SBCx

A full description for each wetland code can be found at the National Wetlands Inventory website

NOTE: This initial screening does **not** replace an on-site delineation to determine whether wetlands occur. Additional information on the NWI data is provided below.

Data limitations

The Service's objective of mapping wetlands and deepwater habitats is to produce reconnaissance level information on the location, type and size of these resources. The maps are prepared from the analysis of high altitude imagery. Wetlands are identified based on vegetation, visible hydrology and geography. A margin of error is inherent in the use of imagery; thus, detailed on-the-ground inspection of any particular site may result in revision of the wetland boundaries or classification established through image analysis.

The accuracy of image interpretation depends on the quality of the imagery, the experience of the image analysts, the amount and quality of the collateral data and the amount of ground truth verification work conducted. Metadata should be consulted to determine the date of the source imagery used and any mapping problems.

Wetlands or other mapped features may have changed since the date of the imagery or field work. There may be occasional differences in polygon boundaries or classifications between the information depicted on the map and the actual conditions on site.

Data exclusions

Certain wetland habitats are excluded from the National mapping program because of the limitations of aerial imagery as the primary data source used to detect wetlands. These habitats include seagrasses or submerged aquatic vegetation that are found in the intertidal and subtidal zones of estuaries and nearshore coastal waters. Some deepwater reef communities (coral or tuberficid worm reefs) have also been excluded from the inventory. These habitats, because of their depth, go undetected by aerial imagery.

Data precautions

Federal, state, and local regulatory agencies with jurisdiction over wetlands may define and describe wetlands in a different manner than that used in this inventory. There is no attempt, in either the design or products of this inventory, to define the limits of proprietary jurisdiction of any Federal, state, or local government or to establish the geographical scope of the regulatory programs of government agencies. Persons intending to engage in activities involving modifications within or adjacent to wetland areas should seek the advice of appropriate Federal, state, or local agencies concerning specified agency regulatory programs and proprietary jurisdictions that may affect such activities.

Attachment C

Photographs

Attachment D

Rare Plant Survey Report

June 5, 2024

Diane Moore
Moore Biological Consultants
10330 Twin Cities Road, Ste. 30
Galt, CA 95632

RE: Rare Plant Survey for the ±4.3-acre Gateway Road East Project, Napa County, CA

Dear Ms. Moore:

Salix Consulting has conducted a rare plant survey on a ±4.3-acre parcel located on Gateway Road near Napa County Airport in Napa County, California. The property is bound on the east by State Highway 12 (Napa Valley Highway). Gateway Road East ends in a cul-de-sac at the southwest corner. Large big box buildings are located adjacent to the property to the south and west and the northern boundary is Sheehy Creek. This area corresponds to Section 1, Township 4 North, Ranch 4 West of the Cuttings Wharf USGS quadrangles (Figures 1 and 2). The proposed project is a large warehouse similar to those nearby.

SETTING

The study area is an infill property along Highway 12; commercial buildings occupy the lots south and west and the Sheehy Creek corridor is the northern boundary. The site is relatively flat, ranging from approximately 52 feet to 58 feet on the terrace adjacent to the creek corridor, and drops down to 40 feet along Sheehy Creek. The Sheehy Creek Corridor is protected by a Conservation Easement put in place as mitigation for the Napa Valley Gateway Industrial Park. It supports a riparian corridor that was planted with many native species about twenty years ago. Irrigation lines and other remnant landscaping materials are still evident although the corridor is thriving under natural conditions now.

The property on the higher ground is ruderal due to frequent disking and weed abatement. Most of the biomass in the ruderal area are non-native annual species.

METHODS

The California Natural Diversity Data Base (CNDDB) was queried for location records for special-status species known to occur in the 4-quadrangle region surrounding the Study Area. Quadrangles in the query were Cuttings Wharf, Napa, Mare Island and Cordelia. Salix also reviewed the USFWS Information for Planning and Consultation (IPaC) database (USFWS) for occurrences of special-status plant species in the region surrounding the study area, and the California Native Plant Society Inventory (CNPS) was queried for special-status plants occurring in the 4-quad area.

For the purposes of this report, special-status species are those that fall into one or more of the following categories, including those:

- listed as endangered or threatened under the federal Endangered Species Act (including candidates and species proposed for listing),
- listed as endangered or threatened under the California Endangered Species Act (including candidates and species proposed for listing),
- designated as rare, protected, or fully protected pursuant to California Fish and Game Code,
- designated a Species of Concern by the California Department of Fish and Wildlife (CDFW),
- defined as rare or endangered under Section 15380 of the California Environmental Quality Act (CEQA), or
- designated as Ranks 1, 2, or 3 on lists maintained by the California Native Plant Society.

In addition to special status species queries, soil mapping was assessed through the USDA/NRCS database (USDA 2024) for mapped soils in the study area. The results of this query are presented below.

The rare plant survey was floristic in nature (each species encountered was identified to its taxonomic name). The survey was conducted in general conformance with the *Protocol for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities* (CDFW 2018) to determine the presence or absence of rare species.

Two field surveys of the study area were conducted, one on April 23 and the second on May 10, 2024 by Botanist Jeff Glazner. The site was systematically walked along regular transects. The timing of the two surveys were selected to coincide with the best chance of detecting the target species, if present. The surveys were conducted on foot with all areas visually inspected. The area within the Conservation Easement was assessed as well even through it will not be impacted by the proposed project. Plant species observed during the surveys are presented in Appendix A.

FINDINGS

Soils

One soil unit is mapped by the USDA/NRCS within the study area -- Haire loam, 2 to 9 percent slopes (Figure 3). It is a bit peculiar that Sheehy Creek is not a different soil unit. The Haire soil series is fine, mixed, superactive, thermic Typic Haploxerults. It is a member of the clayey, mixed, thermic family of Typic Haploxerults. Typically, Haire soils have gray and grayish brown, neutral or slightly acid, light clay loam A horizons, pale brown, strongly acid, clay B2t horizons, and pale yellow, strongly acid, gravelly clay loam C horizons. Haire soils are do not exhibit serpentinite or alkaline properties and support a typical flora.

Biological Communities

There are two distinct biological communities/landcover types on this parcel; ruderal grassland and riparian corridor. The ruderal grassland occurs on the upper terrace and the riparian corridor occurs along Sheehy Creek. The ruderal grassland surface is regularly disked. Grasses and a few forbs are the most common species including wild oats (*Avena fatua*), wall barley (*Hordeum murinum*), soft chess (*Bromus hordeaceus*), Italian ryegrass (*Festuca perennis*), and harding grass (*Phalaris aquatica*). Common non-grass forbs include

winter vetch (*Vicia villosa*), little hop clover (*Trifolium hirtum*), yellow glandweed (*Parentucellia viscosa*), bristly ox-tounge (*Helminthotheca echiodes*), and smooth cat's-ear (*Hypochaeris glabra*).

The Sheehy Creek riparian corridor supports a dense scrub and woodland due to the presence of near continuous water. The stream receives urban runoff in the dry season. Many native species were planted when the corridor was put into conservation and those species are, for the most part, thriving. Common riparian species include arroyo willow (*Salix lasiolepis*), black elderberry (*Sambucus nigra*), California rose (*Rosa californica*), California bay (*Umbellularia californica*), and coyote bush (*Baccharis pilularis*). Coast live oak (*Quercus agrifolia*) is also planted along the creek but in transition to the uplands.

Site photos of the upper ruderal grassland area are presented in Figure 4a and site photos of the riparian corridor are presented in Figure 4b.

Special-Status Species

The database queries produced a list of 29 regionally-occurring special-status plant species that are known to occur within study area region. Species occurring within five miles of the property are shown in Figure 5.

After an examination of each species' distribution and habitat requirements, and evaluation of the property for potential habitat, we have determined that none are likely to occur on the property. Each species was eliminated by either its elevational requirement or its lack of suitable niche habitat. Below are the plant groupings that are improbable to occur in the study area based on habitat.

Of the 29 plants on the list, 10 of these species occur only above 100 feet in elevation and have limited or no potential to occur due to the elevational limit. These were dismissed from further consideration:

Species	Common Name	Status*	Low Elev	High Elev
Allium peninsulare var. franciscanum	*Franciscan onion*	*1B.2*	*170'*	*1000'*
Amorpha californica var. napensis	*Napa false indigo*	*1B.2*	*165*	*6560*
Balsamorhiza macrolepis	*big-scale balsamroot*	*1B.2*	*150*	*5100*
Brodiaea leptandra	*narrow-anthered brodiaea*	*1B.2*	*360*	*3000*
Castilleja affinis var. neglecta	*Tiburon paintbrush*	*FE/CT/1B.2*	*195*	*1310*
Erigeron biolettii	*streamside daisy*	*3*	*100*	*3610*
Erigeron greenei	*Greene's daisy*	*1B.2*	*260*	*3295*
Helianthella castanea	*Diablo helianthella*	*1B.2*	*195*	*4265*
Leptosiphon jepsonii	*Jepson's leptosiphon*	*1B.2*	*330*	*1640*
Trichostema ruygtii	*Napa bluecurls*	*1B.2*	*100*	*2230*

Seven of the species were dismissed because they require specific substrate, such as serpentine, alkaline or sandy substrate. These edaphic features are not present in the study area and the following species were dismissed from further consideration:

Species	Common Name	Status*	Low Elev	High Elev
Astragalus tener var. tener	*alkali milk-vetch*	*1B.2*	*5'*	*195'*
Extriplex joaquinana	*San Joaquin spearscale*	*1B.2*	*5*	*2740*
Fritillaria liliacea	*fragrant fritillary*	*1B.2*	*10*	*1345*
Isocoma arguta	*Carquinez goldenbush*	*1B.1*	*5*	*65*

Lessingia hololeuca	*woolly-headed lessingia*	*3*	*50*	*1000*
Senecio aphanactis	*chaparral ragwort*	*2B.2*	*50*	*2625*
Trifolium amoenum	*two-fork clover*	*FE/1B.1*	*15*	*1360*

The remaining 12 species occur in aquatic areas such as vernal pools, alkaline flats, or estuarine marshes. None of the target species are known from stream corridors. Those with no suitable aquatic habitat and were dismissed from further consideration include:

Species	**Common Name**	**Status***	**Low Elev**	**High Elev**
Carex lyngbyei	*Lyngbye's sedge*	*2B.2*	*0'*	*35'*
Centromadia parryi ssp. parryi	*pappose tarplant*	*1B.2*	*0*	*1380*
Chloropyron molle ssp. molle	*soft salty bird's-beak*	*FE/CR/1B.2*	*0*	*10*
Downingia pusilla	*dwarf downingia*	*2B.2*	*5*	*1460*
Eryngium jepsonii	*Jepson's coyote-thistle*	*1B.2*	*10*	*985*
Lasthenia conjugens	*Contra Costa goldfields*	*FE/1B.1*	*0*	*1540*
Lathyrus jepsonii var. jepsonii	*Delta tule pea*	*1B.2*	*0*	*15*
Legenere limosa	*legenere*	*1B.1*	*5*	*2885*
Lilaeopsis masonii	*Mason's lilaeopsis*	*CR/1B.1*	*0*	*35*
Polygonum marinense	*Marin knotweed*	*3.1*	*0*	*35*
Symphyotrichum lentum	*Suisun Marsh aster*	*1B.2*	*0*	*10*
Trifolium hydrophilum	*saline clover*	*1B.2*	*0*	*985*

***Status Codes**

1B - Plants rare, threatened, or endangered in California and elsewhere
2B - Plants rare, threatened, or endangered in California but more common elsewhere
3 - Review List: Plants about which more information is needed
CR - California listed at Rare
FE - Federally listed as Endangered

The floristic survey was timed appropriately and confirmed the pre-survey assumptions that due to the lack of suitable habitat for any of the regionally-occurring special status plant species, none were detected.

CONCLUSION

We conducted a rare plant survey on the ±4.3-acre Gateway Road East project site located along Highway 12 at Gateway Road East in Napa County on April 23 and May 10, 2024. The floristic survey was timed to coincide with the optimal survey window to detect the maximum number of species including potentially-occurring special-status species listed above. No special-status plant species were observed within the study area.

Thank you for the opportunity to conduct this survey. Please contact me if you have any questions or need additional information.

Sincerely,

Jeff Glazner
Principal Biologist/Botanist

Attachments:

Figure 1.	USGS Site and Vicinity Map
Figure 2.	Aerial Photo
Figure 3.	Soils Map
Figures 4a-b.	Site Photos
Figure 5.	CNDDB Five-mile Radius Plant Occurrence Map

Appendix A-	Plants Observed within the Gateway Road East Study Area, April and May 2024

REFERENCES

California Department of Fish and Wildlife (CDFW). 20 March 2018. Protocols for surveying and evaluating impacts to special status native plant populations and natural communities. California Natural Resources Agency, California Department of Fish and Wildlife, Sacramento, CA.

California Department of Fish and Wildlife (CDFW). Accessed April 2024. Biogeographic Information and Observation System: BIOS. https://wildlife.ca.gov/Data/CNDDB/Maps-and-Data#43018408-cnddb-in-bios

California Native Plant Society (CNPS). Accessed April 2024. Inventory of rare and endangered plants. California Native Plant Society, Sacramento, CA. http://www.rareplants.cnps.org/

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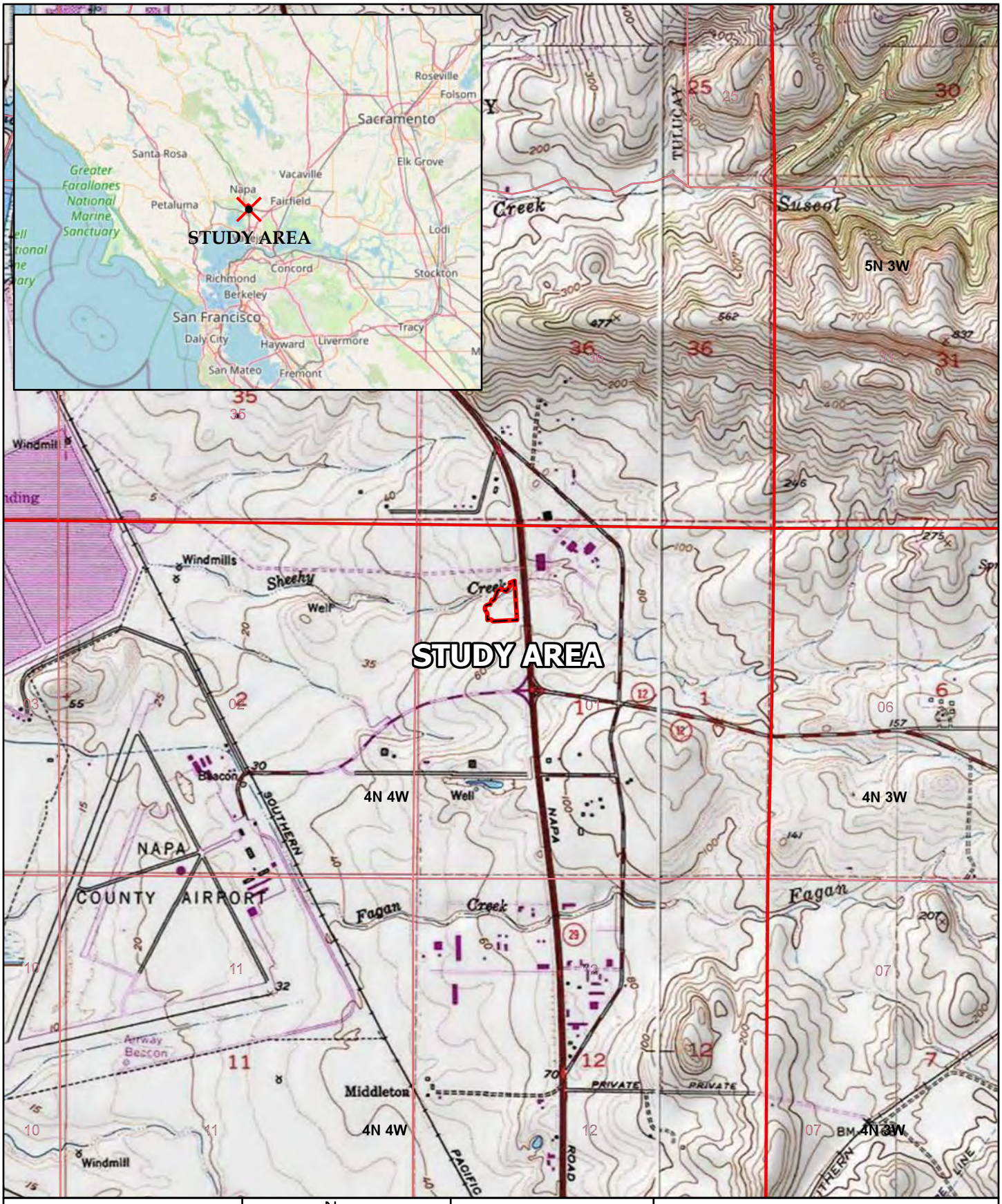
U.S. Fish and Wildlife Service. 2024. Information for Planning and Consultation (IPaC). https://ipac.ecosphere.fws.gov/. Accessed April 2024.



Salix consulting, inc.

N

0 50 100

Feet

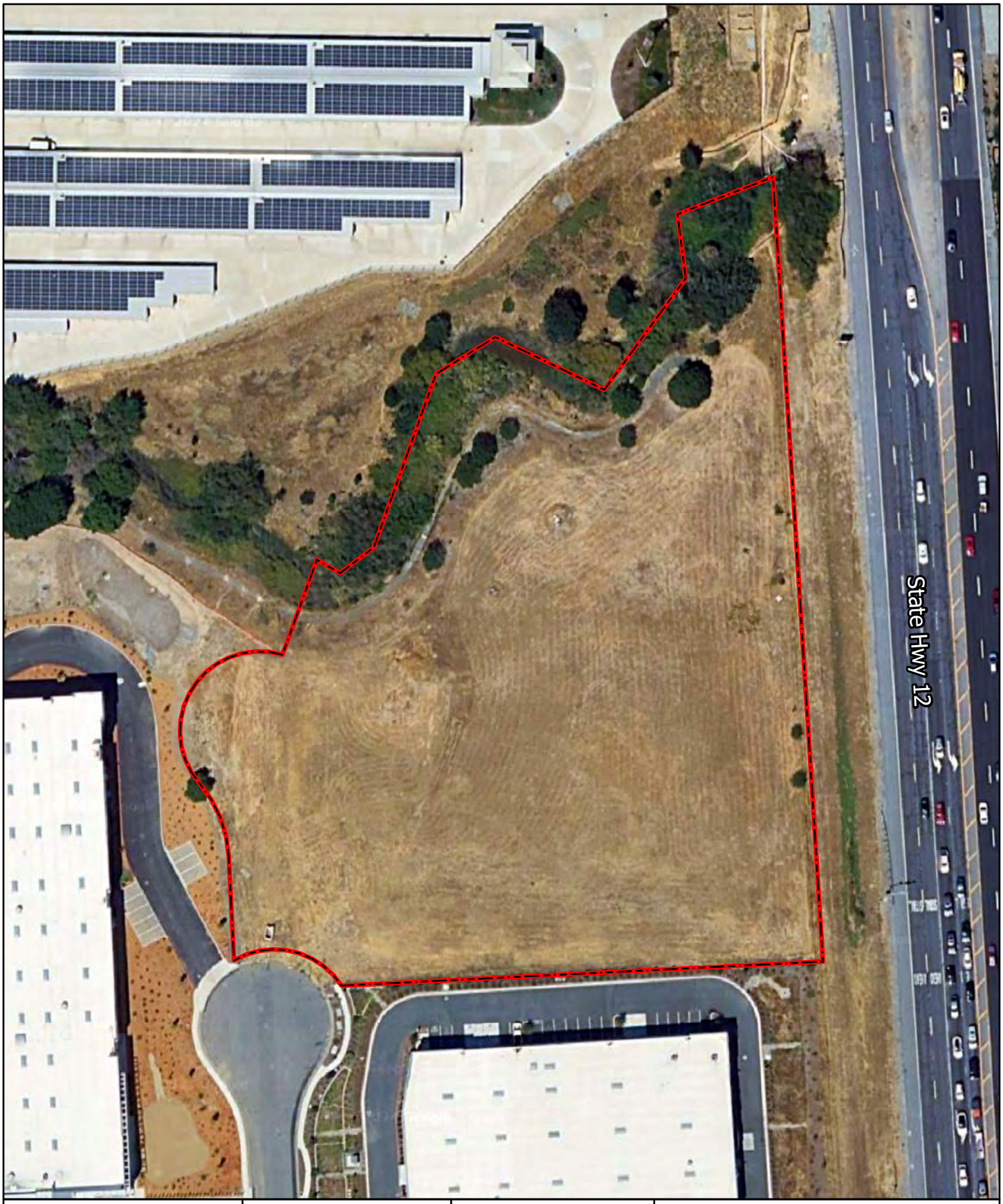
Source Map:
USGS Topographic Map
Cuttings Wharf Quad 1:24,000
S01 T04N R04W

Figure 1

SITE AND VICINITY MAP

Gateway Road East

Napa County, CA



Salix consulting, inc.

N

0 50 100

Feet

Study Area (±4.3 acres)

Imagery Source:
Google Earth (08-2023)

Figure 2

AERIAL PHOTO

Gateway Road East

Napa County, CA

Salix consulting, inc.

N

0 50 100

Feet

Study Area (±4.3 acres)

Imagery Source:
Google Earth (08-2023)
Data Source: Natural Resources Conservation Service (2024)

Figure 3

SOILS MAP

Gateway Road East

Napa County, CA

Looking southwest across parcel towards Gateway Road East.
Photo date 4-23-24.

Looking northwest across parcel. *Photo date 5-10-24.*

Salix consulting, inc.

Figure 4a

SITE PHOTOS

Gateway Road East

Napa County, CA

Looking northwest into riparian corridor. *Photo date 4-23-24.*

Looking northeast into riparian area at northeast corner of parcel. *Photo date 5-10-24.*

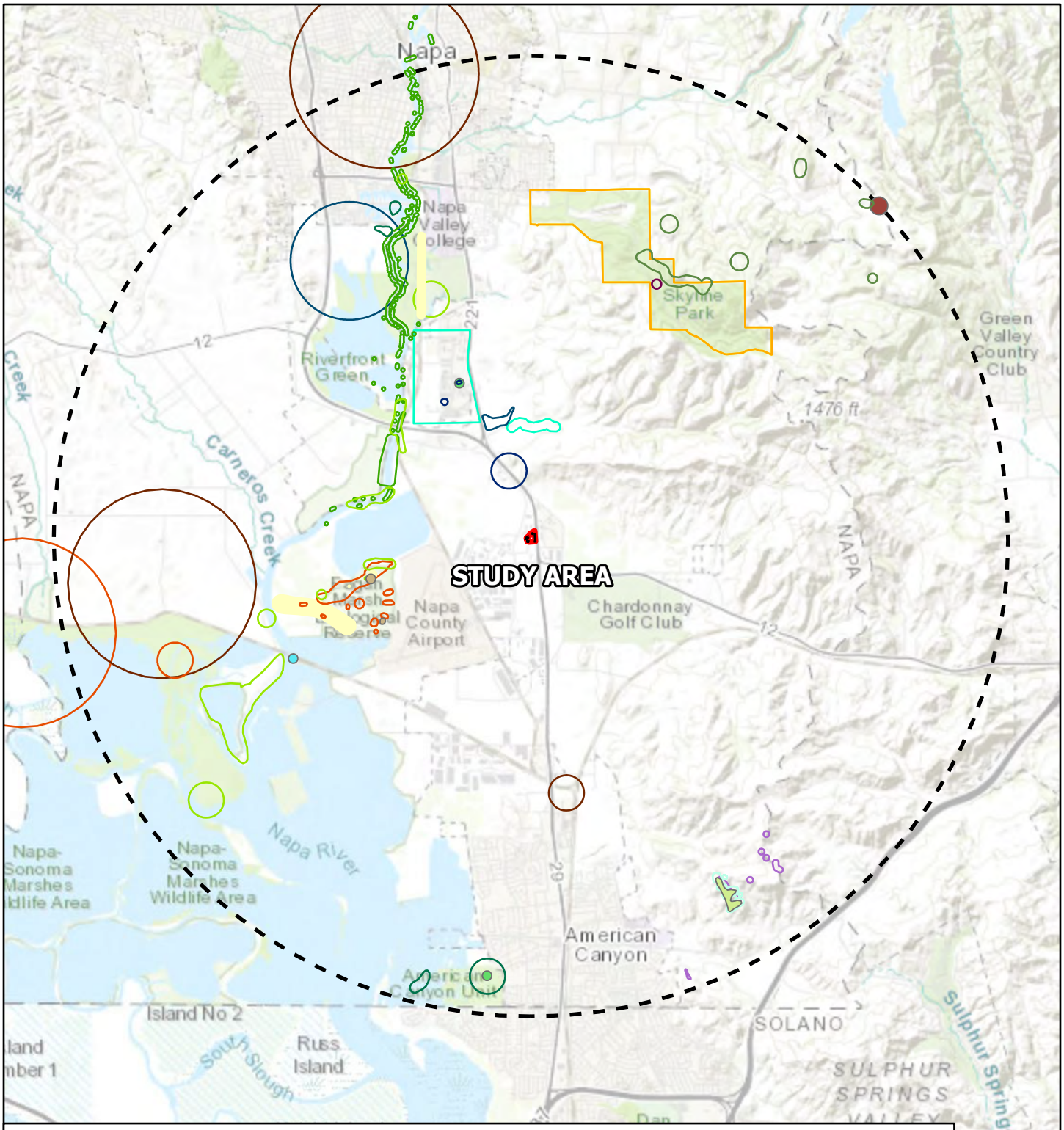
Salix consulting, inc.

Figure 4b

SITE PHOTOS

Gateway Road East

Napa County, CA



Salix consulting, inc.

Figure 5

CNDDB OCCURRENCES MAP

Gateway Road

Napa County, CA

Appendix A
Plants Observed within the Study Area
April and May 2024

Appendix 1

Plant Species Observed April and May 2024

Ferns and Allies

Equisetaceae - Horsetail Family

Equisetum arvense	Common horsetail

Angiosperms - Dicots

Adoxaceae - Muskroot Family

Sambucus nigra	Black elderberry

Apiaceae (Umbelliferae) - Carrot Family

**Foeniculum vulgare*	Sweet fennel

Asteraceae (Compositae) - Sunflower Family

Baccharis pilularis	Coyote brush
**Carduus pycnocephalus*	Italian thistle
**Centaurea solstitialis*	Yellow starthistle
**Cichorium intybus*	Chicory
**Dittrichia graveolens*	Stinkwort
**Helminthotheca echioides*	Bristly ox-tongue
**Hypochaeris glabra*	Smooth cat's-ear
**Hypochaeris radicata*	Rough cat's-ear
**Lactuca serriola*	Prickly lettuce
**Sonchus asper subsp. asper*	Prickly sow-thistle
**Tragopogon porrifolius*	Common salsify

Brassicaceae (Cruciferae) - Mustard Family

**Hirschfeldia incana*	Short-podded mustard
**Raphanus sativus*	Wild radish

Convolvulaceae - Morning-Glory Family

**Convolvulus arvensis*	Bindweed

Fabaceae (Leguminosae) - Legume Family

**Lotus corniculatus*	Bird's-foot trefoil
**Medicago polymorpha*	California burclover
**Trifolium dubium*	Little hop clover
**Trifolium hirtum*	Rose clover
**Vicia sativa*	Common vetch
**Vicia villosa*	Winter vetch

Fagaceae - Oak Family

Quercus agrifolia	Coast live oak

Geraniaceae - Geranium Family

**Erodium botrys*	Broad-leaf filaree
**Geranium dissectum*	Cut-leaf geranium
**Geranium molle*	Dove's-foot geranium
**Geranium robertianum*	Herb Robert

Lauraceae - Laurel Family

Umbellularia californica	California bay

Lythraceae - Loosestrife Family

**Lythrum hyssopifolia*	Hyssop loosestrife

Myrsinaceae - Myrsine Family

**Lysimachia arvensis*	Scarlet pimpernel

Onagraceae - Evening Primrose Family

Epilobium brachycarpum	Summer cottonweed

Orobanchaceae - Broomrape Family

**Bellardia trixago*	Mediterranean linseed
**Parentucellia viscosa*	Yellow glandweed

Plantaginaceae - Plantain Family

**Plantago lanceolata*	English plantain

Polygonaceae - Buckwheat Family

**Rumex acetosella*	Sheep sorrel
**Rumex crispus*	Curly dock

Rosaceae - Rose Family

Rosa californica	California rose
**Rubus armeniacus*	Himalayan blackberry

Rubiaceae - Madder Family

Galium aparine	Goose grass

Salicaceae - Willow Family

Salix laevigata	Red willow
Salix lasiolepis	Arroyo willow

Verbenaceae - Vervain Family

Phyla nodiflora	Common frog-fruit

Angiosperms -Monocots

Cyperaceae - Sedge Family

Carex praegracilis	Clustered field-sedge
Schoenoplectus acutus	Hardstem bulrush

Juncaceae - Rush Family

Juncus balticus	Baltic rush
Juncus bufonius	Toad rush

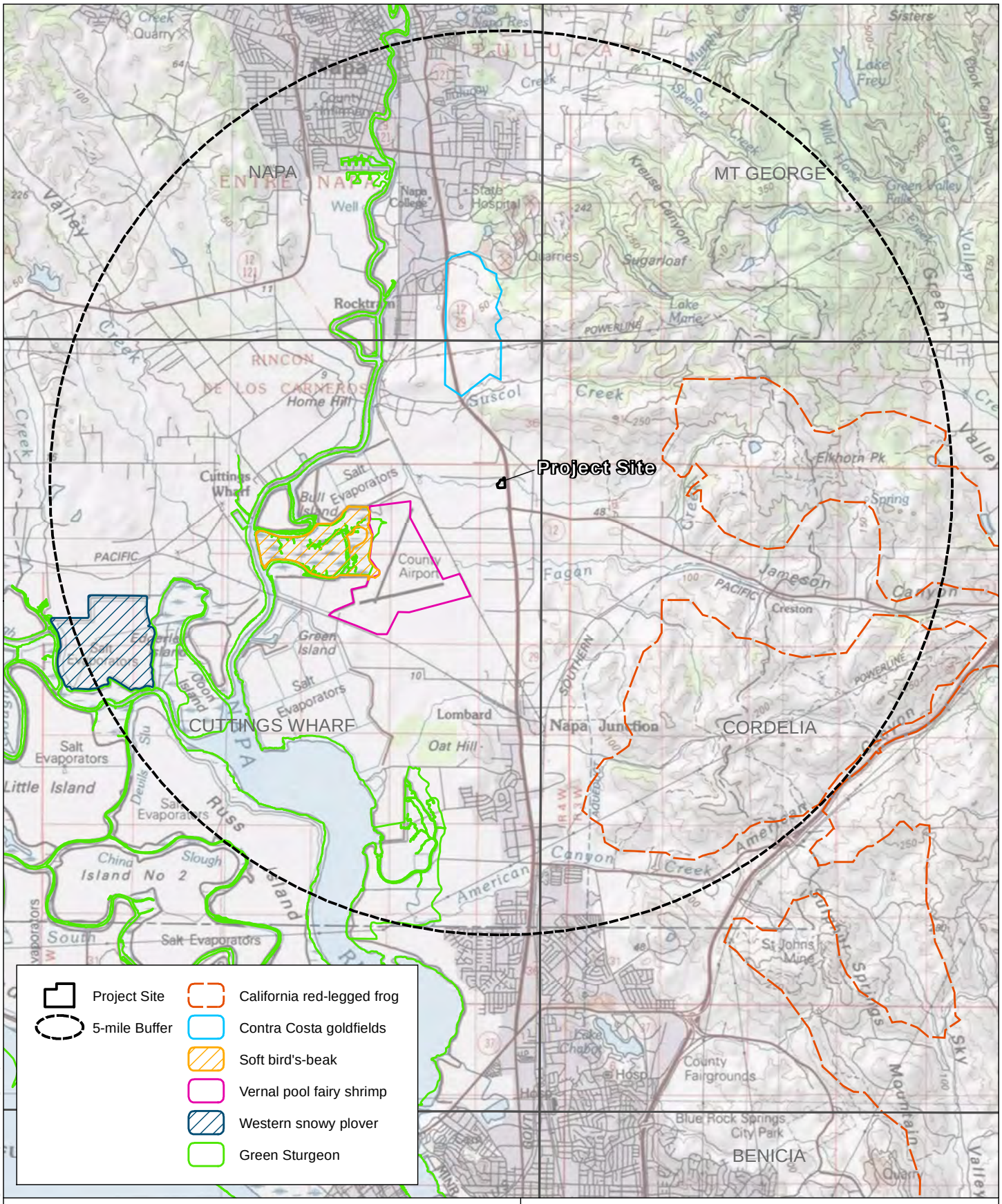
Poaceae (Gramineae) - Grass Family

**Aira caryophyllea*	Silver European hairgrass
**Avena fatua*	Wild oat
**Briza minor*	Small quaking grass
**Bromus diandrus*	Ripgut grass
**Bromus hordeaceus*	Soft chess
**Cortaderia selloana*	Selloa pampas grass
**Cynodon dactylon*	Bermudagrass
Danthonia californica	California oatgrass
**Elymus caput-medusae*	Medusahead
**Festuca perennis*	Italian ryegrass
Hordeum brachyantherum	Meadow barley

**Hordeum marinum subsp. gussoneanum*	Mediterranean barley
**Hordeum murinum*	Wall barley
**Phalaris aquatica*	Harding grass
Stipa pulchra	Purple needlegrass

Attachment E

Designated Critical Habitat



CRITICAL HABITAT

Gateway Road

Napa County, CA

Moore Biological Consultants

Map Date: 04/17/2024
Source: USFWS; NOAA (2024); USA Topo Maps (2024)

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MOORE BIOLOGICAL CONSULTANTS

February 7, 2024

Mr. Mark Eshelman
Phelan Development
1999 Harrison Street, Ste. 1816
Oakland, CA 94612

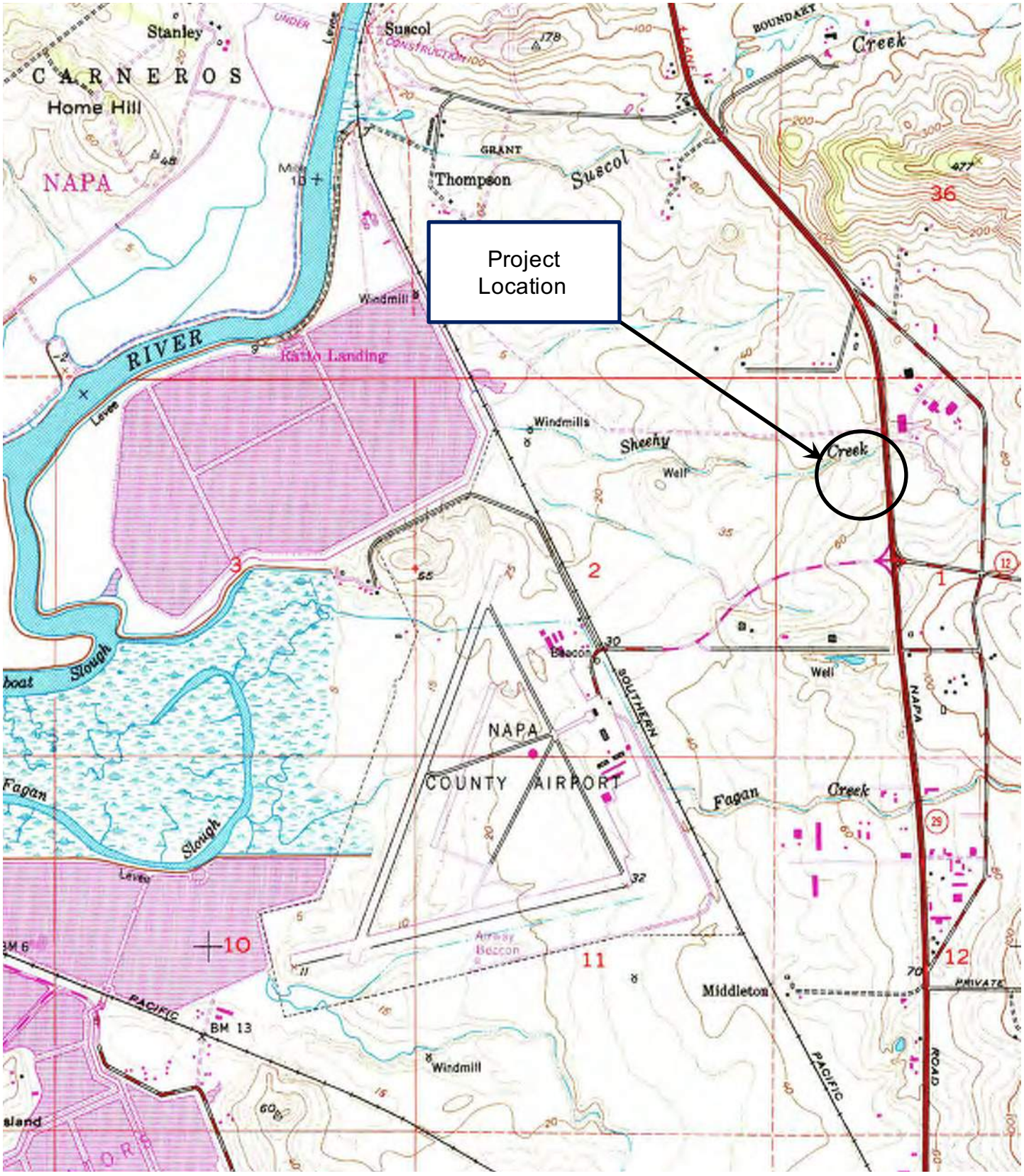
Subject: 4.3+/- ACRE "GATEWAY ROAD" SITE, NAPA COUNTY, CALIFORNIA: SHEEHY CREEK SETBACK

Dear Mark:

Thank you for asking Moore Biological Consultants to recommend an appropriate stream setback on this 4.3+/- acre parcel in the Napa Valley Gateway Industrial Park, in Napa County, California (Figure 1). Prior to the field survey, I reviewed USGS topographic maps, historical aerial photographs of the area, the County's *Water Quality & Tree Protection Ordinance Implementation Guide*, and the easement deed for *Habitat Conservation and Open Space Access* along Sheehy Creek. On January 11, 2024, I conducted a field survey of the site and surrounding areas, with a focus on Sheehy Creek.

The project site is a 4.3+/- acre parcel bounded by Sheehy Creek on the north, Highway 29 on the east, and industrial development to the south and west (Figure 2 and photographs in Attachment B). The body of the site, where development is proposed, is essentially level. The site supports ruderal grassland vegetation that is routinely disked and/or mowed; the body of the site is biologically unremarkable. There are no wetlands or sensitive habitats of any kind in the proposed development footprint.

10330 Twin Cities Road, Suite 30 • P.O. Box 822 • Galt, CA 95632
(209) 745–1159 • *e-mail: moorebio@softcom.net*



Source: USGS 7.5-minute Cuttings Worth topographic quadrangle

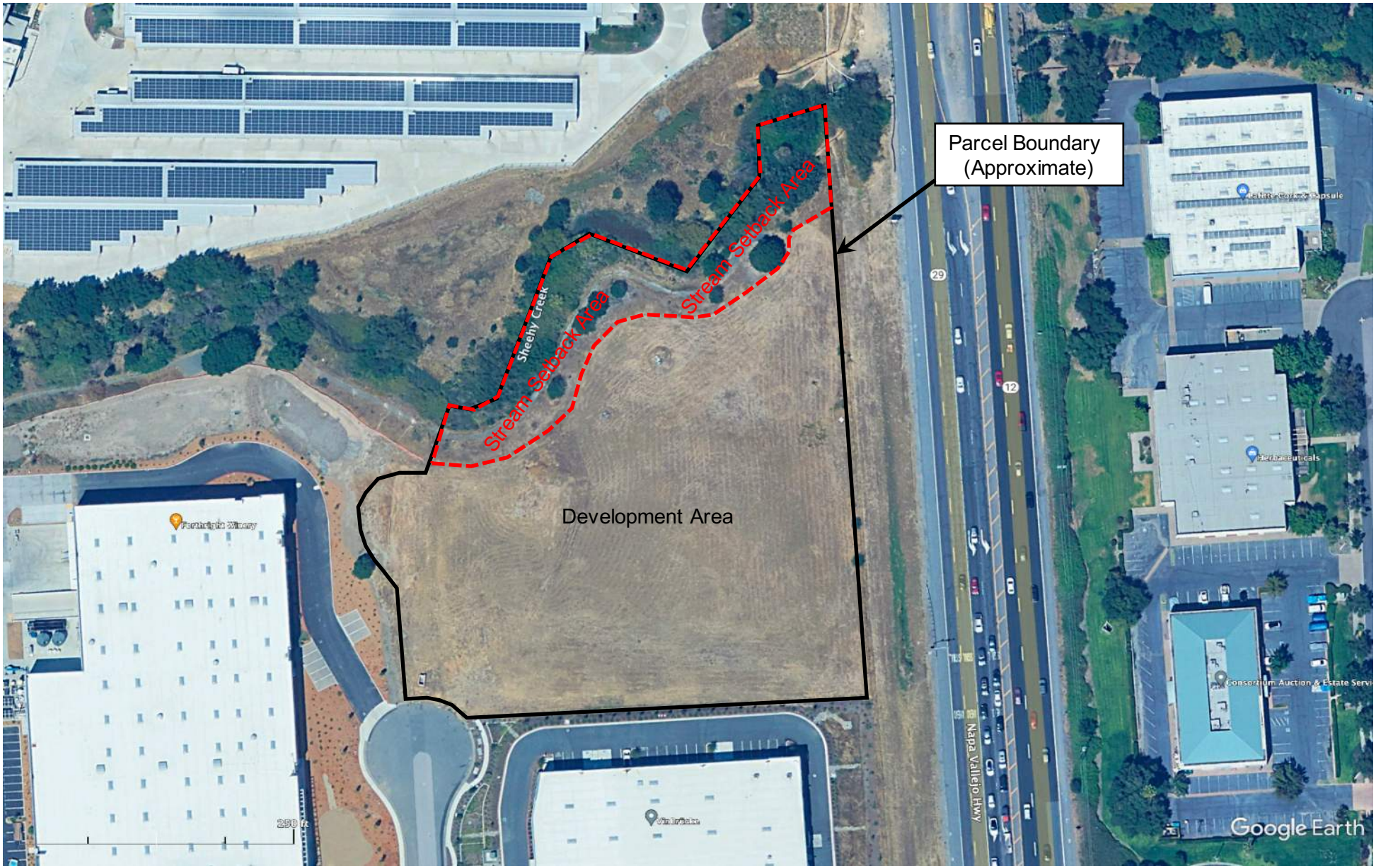
Moore Biological

N
W E
S

0 2000 4000 Feet

FIGURE 2

PROJECT LOCATION



Source (Basemap): Google Earth

Scale: 1 inch = 125+/- feet

Moore Biological Consultants

N
W E
S

FIGURE 2

AERIAL PHOTOGRAPH

Sheehy Creek flows generally east to west along the north edge of the site in a well-defined channel situated in the central part of a broad riparian corridor. There is a pedestrian path in the creek corridor, approximately mid-way between the creek and the generally level area proposed for development. Very few trees are apparent along this section of Sheehy Creek in historical aerial photographs and the path was constructed well outside the discontinuous band of riparian vegetation along the banks. The topography and habitats in the creek corridor have been substantially modified by grading associated with construction of the path and riparian plantings. Today, there are numerous planted trees and shrubs in the creek corridor, evidenced by landscape fabric, tree protections sleeves, and irrigation lines. Historical aerial images also chronicle the establishment and growth of the broad band of vegetation over 2+/- decades.

The active channel of Sheehy Creek has near-vertical banks that are 3 to 5 feet tall. Along the north edge of the site, the distance between the active channel and the development site ranges from approximately 40 to 80 feet, with a mean distance of 50 to 55 feet. The riparian corridor is vegetated in willows, oaks, coyote bush, and other trees, shrubs, and vines, that stabilize the banks, preserve water quality in the creek by filtering runoff, and provide habitat for a variety of wildlife species.

The establishment of riparian plantings, construction of the pedestrian path, and protection of the Sheehy Creek corridor *Habitat Conservation and Open Space Access* easement was conducted in support of the Napa Valley Gateway Industrial Park. The *Habitat Conservation and Open Space Access* easement boundaries provide clear separation between the land approved for development in the industrial park and the conservation and open space corridor along the creek. The easement is held by Napa County and was recorded “to provide long-term protection for the conservation and open space values created by the restoration, realignment, and enhancement of Sheehy Creek” pursuant to

Section 1603 agreements (i.e., permits) between the developer and California Department of Fish and Wildlife (CDFW).

I have concluded the easement boundary is an appropriate setback from Sheehy Creek on the 4.3+/- acre parcel. The easement boundary and the north edge of the essentially level body of the site are within a few feet of each other. This setback appears consistent with the setback on nearby industrial parcels along Sheehy Creek that have been developed to within 35 to 50 feet from the top of bank of the active channel. Most importantly this setback will protect water quality, open space, riparian habitat, and wildlife functions and values of the Sheehy Creek corridor.

Please call me at (209) 745-1159 with any questions.

Sincerely,

Diane S. Moore, M.S.
Principal Biologist

Attachment A

Conceptual Site Plan

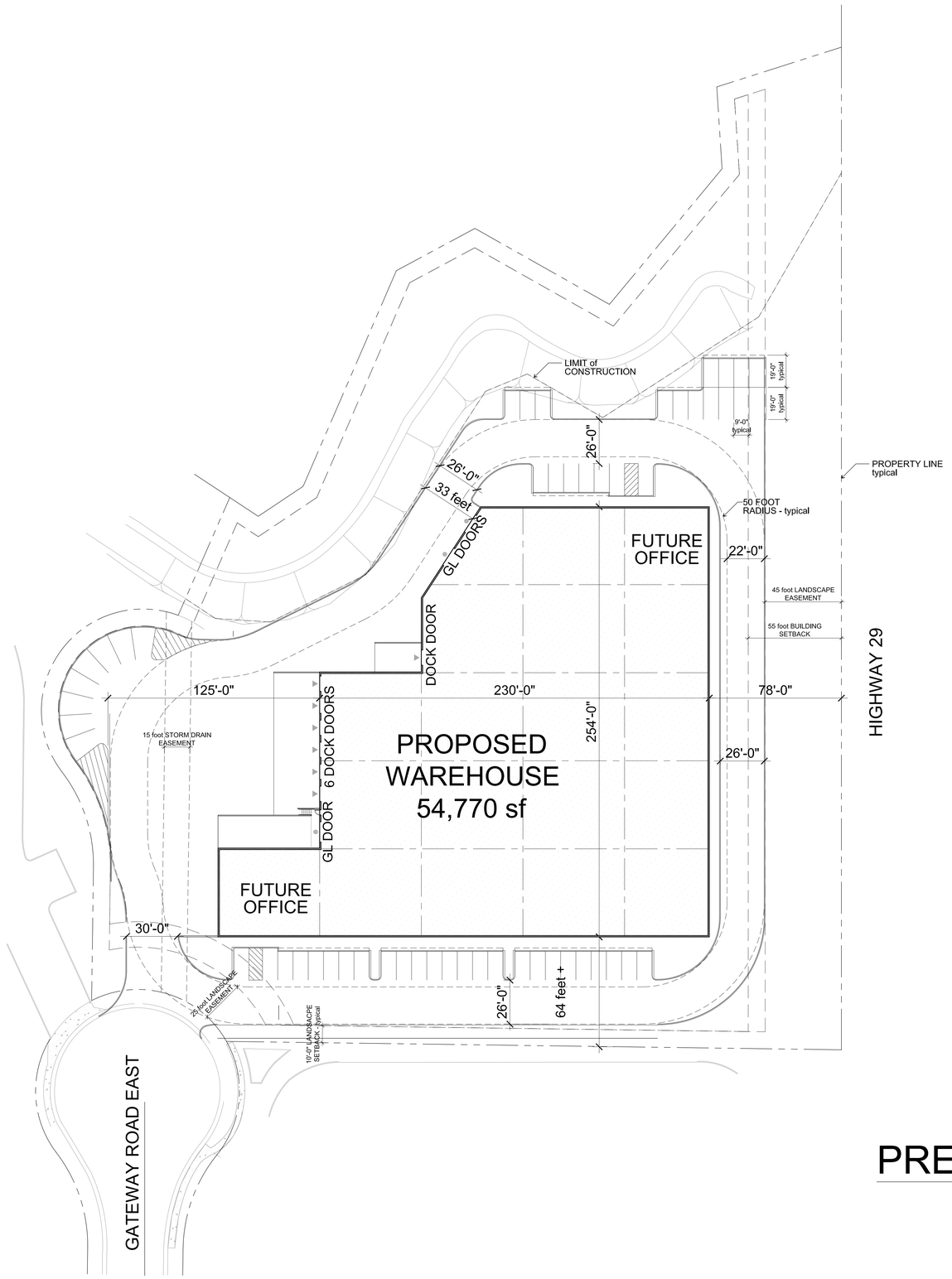
BUILDING AREA:	54,770 sf
PARKING REQUIRED	50 spaces
OFFICE (5,000 sf at 1:250 sf)	20 spaces
WAREHOUSE (FIRST 10,000 sf AT 1:1,000 sf)	10 spaces
WAREHOUSE (39,770 sf at 1:2,000 sf)	20 spaces
PARKING PROVIDED:	54 spaces
STANDARD:	50 spaces
ACCESSIBLE:	4 spaces

10 January 2024

p:\2023\23510 phd\23510.04 gateway road, napa, ca\23510.04 site plan scheme 6r4.dwg

BUILDING DESCRIPTION:

- TYPE V CONSTRUCTION
- ARTICULATED TILT-UP CONCRETE WALLS
- 32 feet MINIMUM CLEAR HEIGHT
- 2% SKYLIGHTS
- ESFR FIRE SPRINLER SYSTEM
- METAL ROLL UP DOORS at DOCKS and RAMPS
- BLUE GLAZING in ALUMINUM STOREFRONT
- METAL EYEBROW CANOPIES at OFFICE ENTRIES



PRELIMINARY SITE PLAN
SCHEME 6r4

10 January 2024

Carlile Coatsworth Architects, Inc
18600 MacArthur Boulevard - Suite 300 - Irvine, CA 92612 - Phone: (949) 833-1930

Gateway Road
Napa County, California

0' 15' 30' 60'
SCALE: 1" = 30'

PHELAN HAUGEN
DEVELOPMENT

Attachment B

Photographs

Level field vegetated in upland grasses and weeds, looking north from the Gateway Road cul-de-sac; 01/11/24.

Project site, looking northwest from the southeast corner of the site; 01/11/24.

East edge of the site, adjacent to Highway 12, looking north; 01/11/24.

Leveled field, looking west from the southeast corner of the site; 01/11/24.

North edge of the generally level field that appears suitable for development, looking southwest; 01/11/24. The limit of mowing approximately follows the Sheehy Creek Habitat Conservation and Open Space Access easement boundary.

North edge of the generally level field a bit further to the west, looking southwest; 01/11/24. The level field is a few feet in elevation above the banks of Sheehy Creek.

North edge of the proposed development area in the west part of the site, looking west; 01/11/24. The basin associated with the building to the west is set back approximately 35 feet from the top of the bank of Sheehy Creek.

West part of the walking path (noted) in the Sheehy Creek Habitat Conservation and Open Space Access easement, looking southwest; 01/11/24.