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For: Nevada County Planning Department
950 Maidu Avenue
Nevada City, CA 95959

Date: June 28, 2022

Re: Focused Special-Status Plant Survey (Blooming Time: May to June) for the 10780 Bennett Street, Grass Valley, CA Project

This Focused Special-Status Plant Survey Technical Memorandum (Tech Memo) is for the proposed development will include 10 parcels with a total gross acreage of 54 +/- acres located on Bennett Street within the unincorporated area, adjacent to the Grass Valley City limits (see attached Site Plan). A Biological Resources Assessment (dated March 2022) was developed for submission to the City of Grass Valley as part of project approvals for the project area. This Tech Memo includes the results of an additional special-status plant survey to ensure that such surveys cover the blooming period for each special-status plant species with the potential to occur within the project area.

The following mitigation measure (Section 6.1 of the Biological Resources Assessment for the proposed project dated March 2022) includes the following:

CNPS ranked plants and special-status plant surveys were conducted in January 2022, which is not within the blooming period for most CNPS ranked plants and special-status plant species with potential to occur within the project area. The blooming period for CNPS ranked plants and special-status plant species with the potential to occur within the project area range between April and July. The CNPS ranked or other special-status plants with potential to occur within the project area could be included in a single follow up focused survey during May to June in order to ensure that each species with the potential to occur within the project area has been surveyed during each of their blooming periods.

Therefore, prior to the implementation of future ground disturbing activities

within the project area, an additional special-status plant survey will be required to identify potential special-status plant species (May to June) special-status plant species within the project area given that surveys were not conducted during that time of the year prior to the development of this Biological Report [the Biological Resources Assessment dated March 2022]. The additional special-status plant surveys shall be conducted prior to such disturbance activities to document the presence or absence of each of the special-status plant species with potential to occur within the project area.

If any special-status plant species is documented within or directly adjacent to areas proposed for disturbance within the project area that are CNPS list 1A, 1B, 2A, or 2B per CEQA Guidelines Section 15380, or are listed under the ESA and/or CESA, protection of such plants would include complete avoidance, transplantation, and/or on- or offsite restoration of the special-status plant species that could be impacted by such site disturbance.

Additionally, if an ESA listed special-status plant species is identified within the project area and would be impacted by disturbance within the project area, then a consultation with USFWS would be required as part of any future project permitting within the project area and therefore, additional avoidance, minimization, mitigation, and monitoring requirements may be included as part of the development of a Biological Assessment (BA) to be submitted to the USFWS and a Biological Opinion (BO) developed by the USFWS through the ESA consultation process, whether Section 7 or Section 10 of the ESA.

Disturbance related impacts to CNPS list 3 and list 4 species would not be considered a "significant" impact requiring additional mitigation under CEQA Guidelines Section 15380.

Methods

Greg Matuzak therefore implemented a special-status plant survey for the May to June blooming season on June 20, 2022 within the entirety of the project area on foot with specific focus on the habitat types for the focal special-status plant species outlined below in this Tech Memo. Greg Matuzak is a pre-qualified biological resources consultant on the Nevada County Planning Department's consultants list. Mr. Matuzak developed the mitigation measure outlined above given the initial site visit and survey [for the development of the March 2022 Biological Resources Assessment] was conducted outside this blooming season time frame and special-status plant species with potential to occur within the project area bloom during the time frame of April through June. Therefore, this Tech Memo fulfills the recommendation outlined within the Biological Resources Assessment (dated March 2022) for the project.

The following special-status species were documented to have at least some potential to occur within the project area between April and June (their blooming period) and were the focal species of the special-status plant survey and this Tech Memo:

- *Stebbins' morning glory (Calystegia stebbinsii)*
- *Cedar Crest popcorn flower (Plagiobothrys glyptocarpus var. modestus)*
- *Dubious pea (Lathyrus sulphureus var. argillaceus)*
- *Finger rush (Juncus digitatus)*
- *Chaparral sedge (Carex xerophila)*
- *Red Hills soaproot (Chlorogalum grandiflorum)*
- *Sierra blue grass (Poa sierra)*
- *Cantelow's lewisia (Lewisia cantelovii)*
- *Butte County fritillary (Fritillaria eastwoodiae)*

Results

No special-status plant species were identified within the project area during the June 20, 2022 special-status plant survey of the project area. See the attached Photo Log documenting some of the focal habitats included in the special-status plant survey.

As concluded within the Biological Resources Assessment (dated March 2022), the Pine Hill flannelbush (*Fremontodendron decumbens),* which is a federally listed plant species (ESA listed as Endangered, State listed as Rare, California Native Plant Society List 1B.2), is considered absent from the project area based on the USFWS published 5-year review of the species covered under the recovery plan that includes the Pine Hill flannelbush where the USFWS concluded that the agency continues under the assumption that these plants (flannelbushes in the genus *Fremontodendron*) are not the listed entity species in Nevada and Yuba County given inconclusive genetics on the species in those counties (USFWS, 2019). Therefore, it is assumed that the Pine Hill flannelbush mapped within the Project area are not the listed entity per the USFWS 2019 5-year review of the species. It is assumed the species is not located within the Project area and no further review or mitigation is required for this species.

Below is a description of each of the special-status species that were the focus of the June 20, 2022 survey within the project area.

Stebbins' morning glory (Calystegia stebbinsii) – CA State and Federally Endangered and California Native Plant Society List 1B.1

Stebbins' morning glory inhabits chaparral and cismontane woodland. It is found in red clay soils of the pine hill formation on gabbro or serpentine soils in open areas, normally between 980 and 4,330 feet above MSL. The blooming period for this species is April to July. Potential for the occurrence of this species in openings and under chaparral in gabbroic soils within the project area is considered low. The species is known from a location to the east of the project area on gabbroic chaparral on Oceola Ridge. This species was a focus species of the follow up June 2022 special-status plant survey within the project area and the species was not identified within the project area during the June 2022 survey. Therefore, this species is considered absent from the project area.

Cedar Crest popcorn flower (Plagiobothrys glyptocarpus var. modestus) – California Native Plant Society List 3 (not rare or threatened)

The species is known to occur within cismontane woodland as well as valley and foothill grasslands (mesic), from 2,850-2,855 feet. This species is known from a historic collection potentially from nearby Cedar Ridge. The species is also known from historic collections in Nevada City. Suitable habitat for this species is present within the woodland areas within the project area. This species was not identified during field surveys conducted in January 2022; however, the blooming period for this species is April to June. The initial surveys were not conducted during the blooming period for this species. This species has a low potential to occur within the project area. This species was a focus species of the follow up June 2022 special-status plant survey within the project area and the species was not identified within the project area during the June 2022 survey. Therefore, this species is considered absent from the project area.

Dubious pea (Lathyrus sulphureus var. argillaceus) – California Native Plant Society List 3

Dubious pea inhabits lower and upper montane coniferous forest and cismontane woodlands, normally between 490 and 3,050 feet above MSL. This species has the potential to occur in forested areas of the Project area. The blooming period for this species is April to May. The surveys were not conducted during the blooming period for this species. This species has a low potential to occur within the project area. This species was a focus species of the follow up June 2022 special-status plant survey within the project area and the species was not identified within the project area during the June 2022 survey. Therefore, this species is considered absent from the project area.

Finger rush (Juncus digitatus) – California Native Plant Society List 1B.1

Finger rush inhabits open chaparral habitat surrounded by mixed oak/conifer woodland on low gradient, north-facing, and vernally moist slopes. This species also associates with sandy clay loam soil within substrates underlain by granitic bedrock. This species is found between 2,165 and 2,590 feet above MSL. There is potential for the occurrence of this

species in gravelly, seasonally moist openings within the project area. The species is known to occur near the intersection of Idaho-Maryland Road and Brunswick Road. The initial surveys were not conducted during the blooming period for this species. The blooming period for this species is May to June. This species has a low potential to occur within the project area. This species was a focus species of the follow up June 2022 special-status plant survey within the project area and the species was not identified within the project area during the June 2022 survey. Therefore, this species is considered absent from the project area.

Chaparral sedge (Carex xerophila) – California Native Plant Society List 1B.2

Chaparral sedge inhabits openings within chaparral habitat, cismontane woodland, and lower montane coniferous forests. This species is found in areas containing serpentine and gabbroic microhabitats between 1,400 and 2,525 feet above MSL. This species has been identified on the nearby Oceola Ridge in gabbroic chaparral. There is a low potential for occurrence of this species in openings and under chaparral in gabbroic soils within the project area. The blooming period for this species is March to June. The initial surveys were not conducted during the blooming period for this species. This species was a focus species of the follow up June 2022 special-status plant survey within the project area and the species was not identified within the project area during the June 2022 survey. Therefore, this species is considered absent from the project area.

Red Hills soaproot (Chlorogalum grandiflorum) – California Native Plant Society List 1B.2

Red Hills soaproot is found in chaparral, cismontane woodland, lower montane coniferous forests on serpentinite and gabbroic substrates, between 800 and 5,545 feet above MSL. The species has potential for occurrence within the Project area in openings and under chaparral in gabbroic soils; however, the species is known over 10 miles south in Bunch Canyon south of Colfax, with no known occurrences to north in the greater vicinity of the project area. This species was not identified during field surveys conducted in January 2022; however, the blooming period for this species is May to June. The initial surveys were not conducted during the blooming period for this species. The species has not been documented within 3 miles of the Project area. This species was a focus species of the follow up June 2022 special-status plant survey within the project area and the species was not identified within the project area during the June 2022 survey. Therefore, this species is considered absent from the project area.

Sierra blue grass (Poa sierra) – California Native Plant Society List 1B.3

Sierra blue grass is found in openings in lower montane coniferous forest, between 1,195 and 4,920 feet above MSL and blooms between April and July. There is only marginal suitable habitat for this species in the Project area, primarily in the montane hardwood-conifer forests. The species has not been previously documented within 3 miles of the project area (CNDDB 2022). This species was not identified during field surveys conducted

in January 2022. This species has a low potential to occur within the Project. This species was a focus species of the follow up June 2022 special-status plant survey within the project area and the species was not identified within the project area during the June 2022 survey. Therefore, this species is considered absent from the project area.

Cantelow's lewisia (Lewisia cantelovii) – California Native Plant Society List 1B.2

Cantelow's lewisia is found in moist, granitic areas in broadleaf upland forest, chaparral, cismontane woodland, lower montane coniferous forest mesic, sometimes serpentinite seeps between 1,080 and 4,495 feet above MSL. The species blooms between May and October. The species has not been previously documented within 3 miles of the project area (CNDDB, 2022). This species was not identified during field surveys conducted in January 2022. This species has a low potential to occur within the project area. This species was a focus species of the follow up June 2022 special-status plant survey within the project area and the species was not identified within the project area during the June 2022 survey. Therefore, this species is considered absent from the project area.

Butte County fritillary (Fritillaria eastwoodiae) – California Native Plant Society List 3.2 (not rare or threatened)

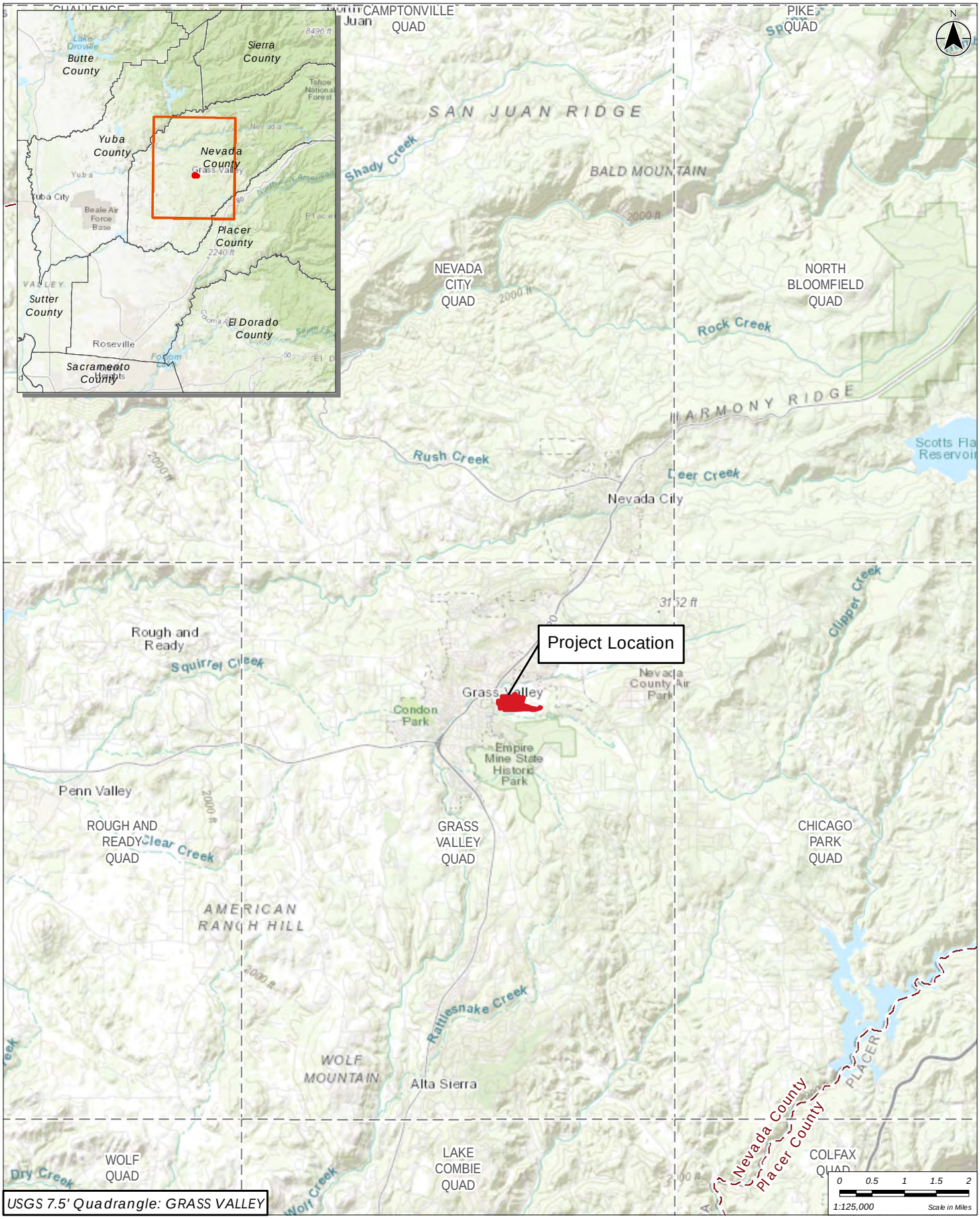
Butte County fritillary is found in openings in chaparral, cismontane woodland, and lower montane coniferous forest, sometimes serpentinite between 160 and 4,920 feet above MSL. The species blooms between March and June and there is potential for occurrence in open areas in the project area. There is a 1979 record for this species on the south side of the South Yuba River canyon north of the project area, and other occurrences on the Washington Ridge. The species has not been documented within 3 miles of the project area (CNDDB, 2022). Initial surveys were not conducted during the appropriate phenological period for this species; however, the potential for this species to occur within the project area is considered low. This species was a focus species of the follow up June 2022 special-status plant survey within the project area and the species was not identified within the project area during the June 2022 survey. Therefore, this species is considered absent from the project area.

Based on the results of the June 20, 2022 special-status plant survey conducted within the project area, no special-status plant species have been documented within the project area in 2022. The June 2022 special-status plant survey covered the blooming period for the special-status plant species that have some likelihood of occurring within the project area. Therefore, the results of the review of special-status plant species within the project area are considered conclusive.

Please let me know if you have any questions or comments on the results of this Tech Memo. I can be reached at the email address and phone number listed at the top of this reporting.

Regards,

Greg Matuzak, Principal Biologist
Greg Matuzak Environmental Consulting LLC



USGS 7.5' Quadrangle: GRASS VALLEY

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Tim Snow

Figure 1. Vicinity Map

Prepared: Melissa Nugent 3/25/2022 D:__GIS_Matuzak\20220324_NevCounty_TimSnow\mxd\Fig1_Vicinity_NevadaCnty_TimSnow.mxd

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Tim Snow

Figure 2. Project Location Map

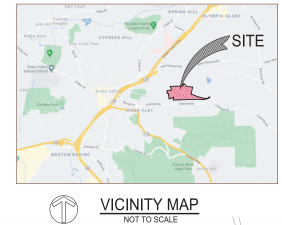
Prepared: Melissa Nugent 3/25/2022 D:__GIS_MatuzaK\20220324_NevCounty_TimSnow\mxd\Fig2_SiteMap_NevadaCnty_TimSnow..mxd

LEGEND

(solid black line)	PROPERTY LINE
(grey)	ASPHALT PAVEMENT
(yellow)	BUILDING ENVELOPES
(light blue)	LIGHT INDUSTRIAL
(green)	OPEN SPACE
(red dashed line)	PROPOSED TRAIL

UNIT COUNT

UNIT TYPE	# OF UNITS
APARTMENTS	160
TOWN HOMES	86
SINGLE FAMILY	83
TOTAL	329



VICINITY MAP
NOT TO SCALE

SITE STATISTICS

LAND AREA	AREA SF (ACRES)	% OF SITE
ASPHALT PAVEMENT	392,000 SF (9.0 AC)	~XX%
CONCRETE (WALKWAYS & PATIOS)	XXX SF (XXX AC)	~XX%
BUILDING (FOOTPRINT)	XXX SF (XXX AC)	~XX%
OPEN SPACE/LANDSCAPING	XXX SF (XXX AC)	~XX%
TOTAL	(53.75 AC)	100%

APARTMENT PARKING STATISTICS

PARKING TYPES	REQUIRED	PROPOSED	% of TOTAL	NOTES
STANDARD PARKING SPACES (9' x 20)		355	97%	
ADA PARKING SPACES (9' x 20')		10	3%	
TOTAL		365	100%	

NOTE: EV/CLEAN AIR VEHICLE STALLS WILL BE IN ACCORDANCE WITH CURRENT CAL GREEN CODE.

SHEET INDEX

MILLENNIUM
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471 Sutton Way, Suite 210
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www.millenniumpe.com

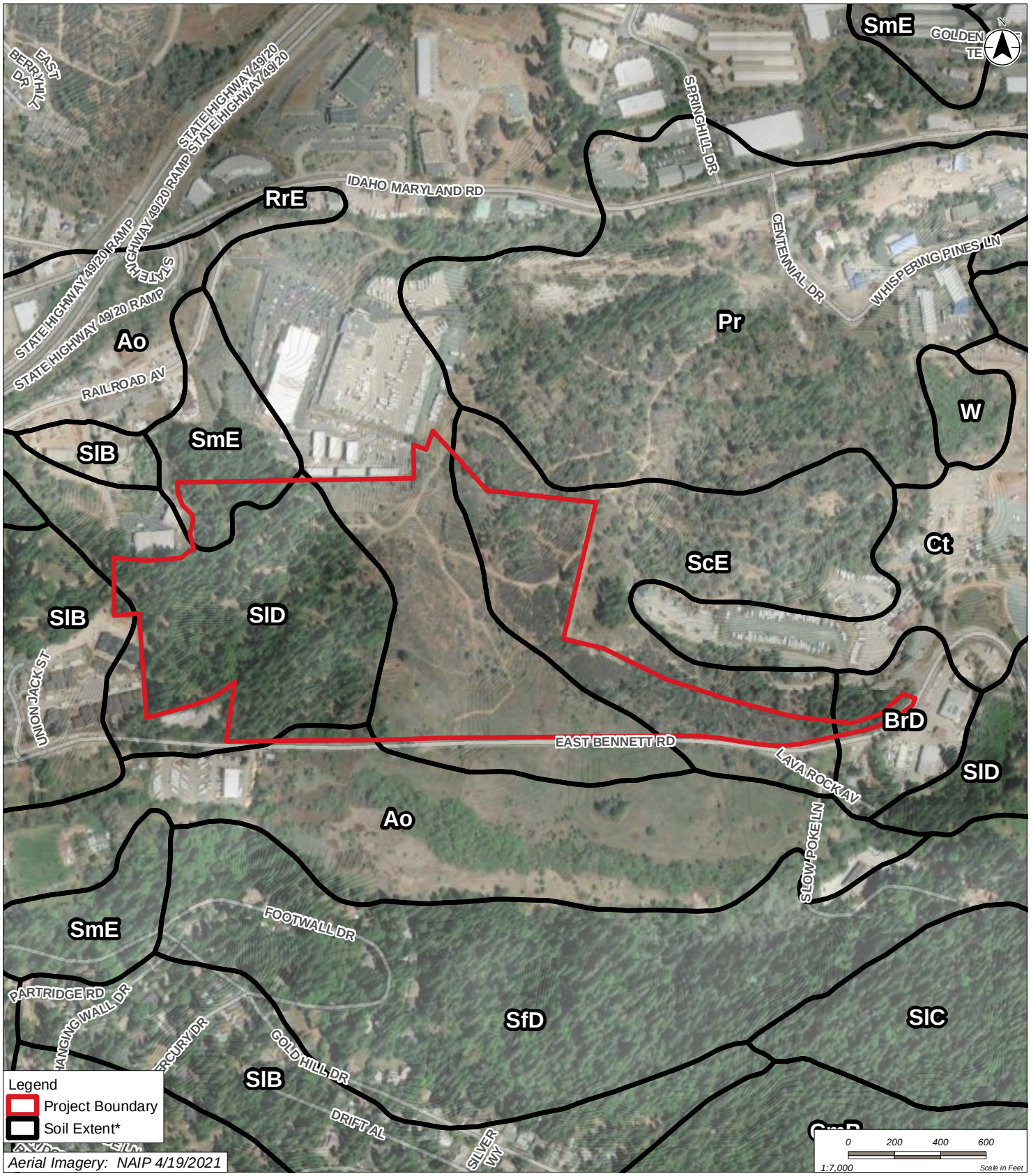
BENNETT STREET SITE PLAN
10780 E BENNETT STREET
CONCEPTUAL SITE PLAN

NEVADA COUNTY CALIFORNIA

REV.	DESCRIPTION	DATE

DESIGNED: REW
DRAWN: WRA
PROJ. NO: 21-0513
DWG: SEE DAYSTAMP
DATE: AUGUST, 2021

SHEET NUMBER
C1.0



SOIL TYPE*

Ao - Alluvial land, clayey
BrD - Boomer, hard bedrock - Rock outcrop complex, 5 to 30 percent slopes
CmB - Cohasset loam, summits, 2 to 15 percent slopes
Ct - Cut and fill land
Pr - Placer diggings
RrE - Rock outcrop-Dubakella complex, 5 to 50 percent slopes
ScE - Secca-Rock outcrop complex, 2 to 50 percent slopes
SfD - Sierra sandy loam, 15 to 30 percent slopes
SlB - Sites silt loam, 2 to 9 percent slopes, N low montane
SlC - Sites silt loam, 9 to 15 percent slopes, N low montane
SlD - Sites silt loam, 15 to 30 percent slopes, N low montane
SmE - Sites very stony loam, 15 to 50 percent slopes
W - Water

* Soil Survey Staff, Natural Resources Conservation Service, United States Department of Agriculture. Web Soil Survey. Available online. Accessed 11/11/2020

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Figure 4. Soils Map

Prepared: Melissa Nugent 3/25/2022 D:__GIS_Matuzak\20220324_NevCounty_TimSnow\mxd\Fig4_SoilsMap_NevadaCnty_TimSnow..mxd

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* Data downloaded from https://www.fws.gov/wetlands/Data/Data-Download.html 3/6/2019
** National Hydrography Dataset (NHD) downloaded from http://nhd.usgs.gov March, 2019

Prepared: Melissa Nugent 3/25/2022 D:__GIS_Matuzak\20220324_NevCounty_TimSnow\mxd\Fig5_NWI-NHD_NevadaCnty_TimSnow..mxd

Figure 5. Wetlands and Water Features Map

Photo Log of Project Area During Site Surveys on June 20th, 2022

Photo 1: Woodlands with adjacent open areas of grasslands and chaparral habitats.

Photo 2: Woodlands with adjacent open areas of grasslands and chaparral habitats as well as disturbed access roads and trails within the project area.

Photo 3: Woodlands with adjacent open areas of grasslands and chaparral habitats.

Photo 4: Woodlands with adjacent open areas of grasslands and chaparral habitats.

Photo 5: Woodlands with adjacent open areas of grasslands and chaparral habitats.

Photo 6: Woodlands with adjacent open areas of grasslands and chaparral habitats.

Photo 7: Open areas of grasslands with some shrubby cover.