

**From:** [Evans, Florence](#)  
**To:** [Clerk of the Board Public Email](#)  
**Cc:** [frawley@kw.com](mailto:frawley@kw.com)  
**Subject:** 5-21-20 SRC Item 2 Public Comments  
**Date:** Wednesday, May 20, 2020 6:53:53 PM  
**Attachments:** [SubdivisionReview Comm 05212020.pdf](#)

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For the record. Public comment received in person.

**Florence Evans**

Clerk of the Board of Supervisors | 700 H Street, Suite 2450, Sacramento, CA 95814 | P 916-874-5451

# KATHLEEN FRAWLEY

8235 Excelsior Road · (916) 730-4404  
frawley@kw.com

County Clerk  
[BoardClerk@saccounty.net](mailto:BoardClerk@saccounty.net)

RE:  
Control number PLNP2018-00054  
Assessor's Parcel 123-0080-005  
Project Name: Excelsior Ranch tentative parcel map

2020 MAY 20 PM 4: 44  
COUNTY OF SACRAMENTO  
BOARD OF SUPERVISORS

DEAR SUBDIVISION REVIEW COMMITTEE,

- We have been fighting this development since 2005.
- The proposed map does not include requirements or access as determined in 2005
- I have included documents and requirements.
- This borders a working farm and is located on a higher level.
- The initial DERA study was disputed.

Initially all the neighbors and attorneys were involved. I thought all that work would remain in the record. The entire package is over 100 pages and I will be dropping it off.

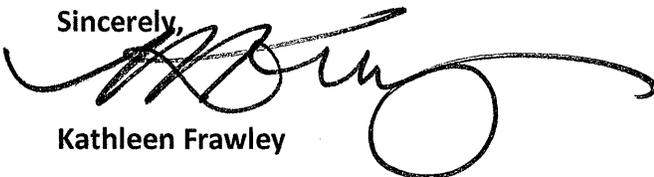
Highlights include:

1. Keeping the ability for Paint, Dirks and Refuge hollow to join so not land locking the neighbors.
2. Maintaining an 8-foot wall. (right to farm was sited)
3. Accessing public water and sewer only so local wells are not further compromised.
4. The wetland area is connected to three other properties.

I have lived here since 1992 and have built a self-sustaining farm with reserved wetlands.

I feed myself and many others. I would like to keep it that way.

Sincerely,



Kathleen Frawley

**SACRAMENTO COUNTY  
SUBDIVISION REVIEW COMMITTEE  
LEGAL NOTICE OF PUBLIC HEARING**

**Request for a Tentative Parcel Map and Design Review**

NOTICE IS HEREBY GIVEN that a Public Hearing will be held before the Subdivision Review Committee of Sacramento County for the purpose of considering a request for a **Tentative Parcel Map and Design Review** pursuant to provisions of the Sacramento County Land Development Ordinance for the following described property.

**CONTROL NO.: PLNP2018-00054**

**ASSESSOR'S PARCEL NO.: 123-0080-005**

**PROJECT NAME: EXCELSIOR RANCH TENTATIVE PARCEL MAP**

**LOCATION:** Located At 8171 Excelsior Road, Approximately 2,600 Feet North Of Calvine Road In The Vineyard Community.

**APPLICANT:**

Real Investing LLC  
8359 Elk Grove Florin Road, STE 103-318  
Sacramento, CA 95829  
Attn.: Jess Singh

**OWNER:**

Surwinder Gill  
8171 Excelsior Road  
Sacramento, CA 95829

**REQUEST:** Tentative Parcel Map To Divide A 10-Acre Property Into Four Two-Acre Lots And One Two-Acre Remainder Lot In The AR-2 Zone. Design Review To Comply With The Countywide Design Guidelines.

**ENVIRONMENTAL DETERMINATION:** Mitigated Negative Declaration

**HEARING DATE: Thursday, May 21, 2020 At 9:00 AM Via Teleconference-Video**

**ANNOUNCEMENT**

In compliance with directives of the County, State, and Centers for Disease Control and Prevention (CDC), this meeting is live stream and closed to the public. Temporary procedures are subject to change pursuant to guidelines related to social distancing and minimizing person-to-person contact.

Members of the public are encouraged to submit public comments in writing. Public comments will be distributed to members of the Board and filed in the meeting record. Public comments may be related to a specific agenda item number or for a matter that is not posted on the agenda, referred to as an "off agenda" item.

**How to make a public comment**

- Email BoardClerk@saccounty.net. Include agenda item number and it is optional to include first and last name.
- Mail or Drop off at 700 H Street, Suite 2450, Sacramento, CA 95814

**Accommodations**

Requests for accommodations pursuant to the Americans with Disabilities Act (ADA) should be made with the Clerk of the Board by telephone at (916) 874-5411 (voice) and CA Relay Services 711 (for the hearing impaired), as soon as reasonably possible, prior to the meeting.

The Agricultural-Residential designation provides for rural residential uses, such as animal husbandry, small-scale agriculture, and other limited agricultural activities. This designation is typical of established rural communities where between one and ten acres per unit is allowed, resulting in a development density of 2.5 to 0.25 persons per acre.

The proposed change in land use designations is consistent with the existing General Plan designation for the site.

The SZC indicates the purpose of the Agricultural-Residential land use zone is as follows:

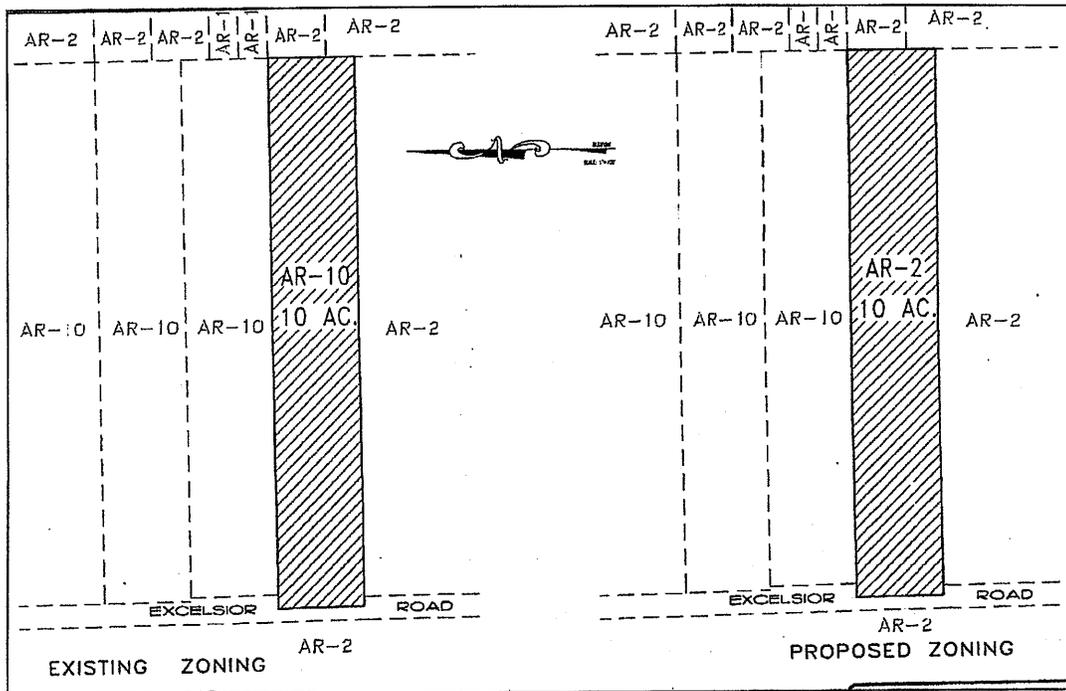
- a) To establish living areas within the County where development is limited to low density concentrations of single-family dwellings;
- b) To limit the number of permitted nonresidential uses so as to promote and encourage a suitable environment for family life on parcels of land larger than generally is provided in residential zones;
- c) To protect estate areas against fire, explosions, and other hazards, and against offensive noises, odors, glare, and other objectionable influences;
- d) To provide adequate open space and access of light and air for privacy by controls over the spacing and height of building;
- e) To permit those religious, educational, recreational, and public cultural facilities which serve the needs of the nearby residents and which generally perform their own activities more effectively in a residential environment and which do not create objectionable influences;
- f) To promote the most desirable use of land and direction of building development in accord with the General Plan, to promote stability of land development, to conserve the value of land and improvements, and to protect the County's tax revenues;
- g) To regulate the development of land when not served with both public water supply and public sewerage facilities; and
- h) To avoid undue concentration of population and overcrowding of land to lessen congestion in the streets.

The AR-2 land use zone specifically provides for parcels with a minimum gross area of two acres. If approved, the proposed project would change the land uses from A-10/AR-10 to AR-2, increasing the permitted density of development on the site.

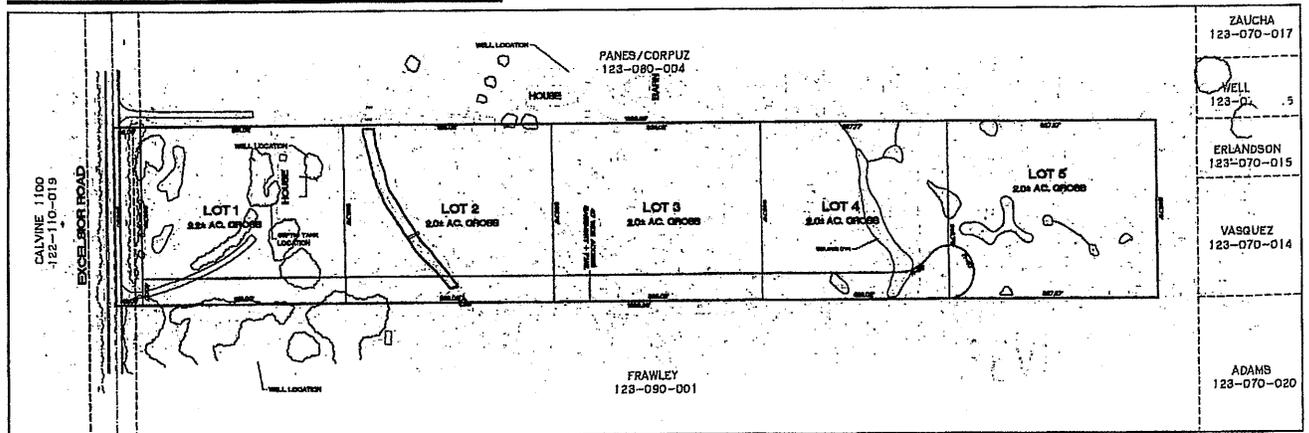
However, the proposed project maintains the Agricultural-Residential character of the site and is consistent with the purpose of the General Plan designation. In addition, a large AR-1 subdivision is located across Excelsior west of the project site, and to the east and south is AR-1 zoned property.

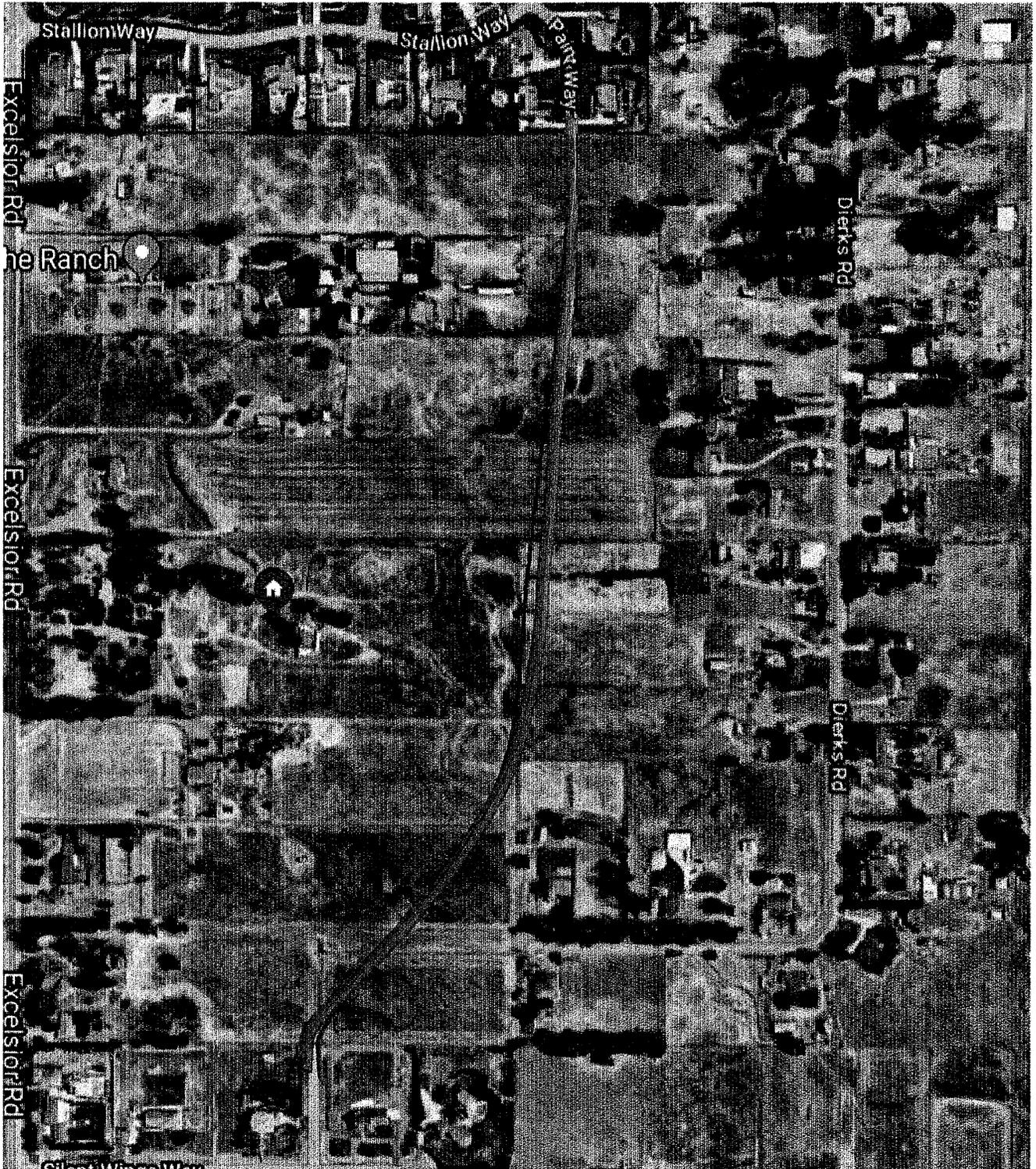
The project is considered compatible with surrounding land uses and the change in land use classification is not expected have any significant environmental impacts.

**Plate B, Rezone Exhibit**



**PLATE C, TENTATIVE SUBDIVISION MAP**





III. COMMUNITY COUNCIL COMMENTS RECEIVED:

- A. Community Council: The Vineyard Community Planning Advisory Council is scheduled to consider this project on October 5, 2004.

IV. REZONE CONDITIONS:

Any approval of the Rezone should be subject to the following conditions:

1. Grant the County right-of-way on Excelsior Road based upon an 84-foot standard width and install public street improvements pursuant to the Sacramento County Improvement Standards and to the satisfaction of the County Department of Transportation.
2. Prior to issuance of building permits, the property owner shall comply with Chapter 16.82 of the Sacramento County Code, and shall follow the development fee payment procedures outlined in the Elk Grove-West Vineyard Public Facilities Financing Plan, including any authorized adjustments and updates thereto.
3. Prior to the approval of Improvement Plans or Building Permits, whichever occurs first, implement one of the following options to mitigate for the loss of 10.2± acres of Swainson's hawk foraging habitat on the project site.
  - a. The project proponent shall preserve 7.65 acres (0.75 acre for each acre lost) of similar habitat within a 10-mile radius of the project site. This land shall be protected through fee title or conservation easement (acceptable to the California Department of Fish and Game).
  - b. The project proponent shall, to the satisfaction of the California Department of Fish and Game, prepare and implement a Swainson's hawk mitigation plan that will include preservation of Swainson's hawk foraging habitat.
  - c. The project proponent shall submit payment of a Swainson's hawk impact mitigation fee per acre impacted to the Department of Planning and Community Development in the amount as set forth in Chapter 16.130 of the Sacramento County Code as such may be amended from time to time and to the extent that said Chapter remains in effect. (Note: Based on the current impact mitigation fee of \$2500.00 per acre, an administrative fee not to exceed \$382.00 per impact mitigation fee submitted to County, an operations and management fee of \$333.00 per acre and an impact area of 10.2 acres this fee is estimated to be \$29,278.60.)

- d. Should the County Board of Supervisors adopt a Swainson's hawk mitigation policy/program (which may include a mitigation fee payable prior to issuance of building permits) prior to the implementation of one of the measures above, the project proponent may be subject to that program instead.
4. Prior to the approval of Improvement Plans or Building Permits, whichever occurs first, mitigate for impacts to .32 acre of vernal pools and wet swales through the purchase of .64 vernal pool preservation credits at an approved mitigation bank and purchase at least .32 creation vernal pool credits. Credits shall be purchased at a Corps- and USFWS- approved mitigation bank servicing Sacramento County prior to impacting the on-site wetlands.
5. Comply with the Mitigation Monitoring and Reporting program for this project as follows:
  - a. The proponent shall comply with the MMRP for this project, including the payment of 100% of the Department of Environmental Review and Assessment staff costs, and the costs of any technical consultant services incurred during implementation of the MMRP. The initial estimate of these costs is \$700.00 for each of the two parcel maps. If the initial estimate exceeds the actual monitoring costs, the balance shall be refunded to the proponent, and if the actual monitoring costs exceed the initial estimate, the proponent shall be responsible to pay the additional amount.
  - b. Until the MMRP has been recorded and the estimated MMRP fee has been paid, no final parcel map or final subdivision map for the subject property shall be approved; and no encroachment, grading, building, sewer connection, water connection or occupancy permit from Sacramento County shall be approved.

**V. SUBDIVISION REVIEW COMMITTEE REPORT - RECOMMENDED CONDITIONS:**

The following conditions are prepared for consideration by the Subdivision Review Committee. It is important that these conditions be reviewed by the applicant and, if there are any problems, that they be brought to the attention of the Committee. The function of the Committee meeting is to resolve technical problems and coordinate and recommend conditions applicable to the map. The Committee will prepare a summary of its meeting which will replace this page in the final staff report to the Planning Commission, and with conditions as may be revised.

1. The development approved by this action is for 5 lots in substantial compliance with Exhibit "X".

**EXCELSIOR RANCH**

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2. This action does not relieve the applicant of the obligation to comply with all ordinances, statutes, regulations and procedures. Any required subsequent procedural actions shall take place within 36 months of the date on which the permit became effective or this action shall automatically be null and void.
3. Provide public water supply facilities to the satisfaction of the Sacramento County Water Agency.
4. The Improvement Requirement Certificate shall indicate that private septic systems are allowed.
5. Construct a dry public sewer collector to the satisfaction of County Sanitation District-1.
6. Destroy all abandoned wells in accordance with the requirements of the Sacramento County Environmental Health Division of the Environmental Management Department. Clearly show all abandoned/destroyed wells on the improvement plans. Prior to abandoning any existing agricultural wells, developer shall use the water from the agricultural wells for grading and construction.
7. Provide access arrangements and install working fire hydrants that meet the required fire flow demands pursuant to the requirements of the fire district having jurisdiction prior to any combustible construction.
8. Dedicate right-of-way for the proposed cul-de-sac, and install public street improvements pursuant to the Sacramento County Improvement Standards.
9. Grant the County right-of-way for Excelsior Road, based on an 84-foot standard, and install public street improvements pursuant to the Sacramento County Improvement Standards. The west 100 feet shall be widened to 50 feet.
10. Dedicate to the County direct vehicular access rights to Excelsior Road.
11. The final map shall show easements or other mapped provisions for the placement of centralized mail delivery units. Developers will construct a concrete base for placement of the centralized mail delivery unit after construction of curb, gutter and sidewalk. Specifications and location of such base shall be determined pursuant to the applicable requirements of the Postal Service and the Sacramento County Municipal Services Agency, with due consideration of street light location, traffic safety, security, and consumer convenience.

12. Provide a 20-foot wide flowage easement over the existing drainage on Lots 1 and 2, and a floodplain easement (as the floodplain is delineated in the Baker-Williams Drainage Study) also on Lots 1 and 2, and install facilities pursuant to the Sacramento County Floodplain Management Ordinance, Sacramento County Water Agency Code, and Sacramento County Improvement Standards, including any fee required by the Sacramento County Water Agency Code.
13. Prior to any construction, file a Notice of Intent (NOI) with the State Water Resources Control Board to obtain coverage under the State's General Construction Activity Stormwater Permit. As a condition of the General Permit, a Stormwater Pollution Prevention Plan (SWPPP) shall be developed for the project.
14. Annex to the County of Sacramento Stormwater Utility pursuant to the Sacramento County Water Agency Code and the Sacramento County Improvement Standards.
15. Dedicate a 12.5-foot public utility easement for overhead and underground facilities and appurtenances adjacent to Excelsior Road.
16. Dedicate a 12.5-foot public utility easement for underground facilities and appurtenances adjacent to the proposed public cul-de-sac.
17. Disclose to future/potential buyers the existing 69Kv line located along Excelsior Road.
18. Prior to the approval of Improvement Plans or Building Permits, whichever occurs first, implement one of the following options to mitigate for the loss of 10.2± acres of Swainson's hawk foraging habitat on the project site.
  - a. The project proponent shall preserve 7.65 acres (0.75 acre for each acre lost) of similar habitat within a 10-mile radius of the project site. This land shall be protected through fee title or conservation easement (acceptable to the California Department of Fish and Game).
  - b. The project proponent shall, to the satisfaction of the California Department of Fish and Game, prepare and implement a Swainson's hawk mitigation plan that will include preservation of Swainson's hawk foraging habitat.
  - c. The project proponent shall submit payment of a Swainson's hawk impact mitigation fee per acre impacted to the Department of Planning and Community Development in the amount as set forth in Chapter 16.130 of the Sacramento County Code as such may be amended from time to time and to the extent that said Chapter remains in effect. (Note: Based on the current impact mitigation fee of \$2500.00 per acre, an administrative fee not

**EXCELSIOR RANCH**

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123-0080-005

to exceed \$382.00 per impact mitigation fee submitted to County, an operations and management fee of \$333.00 per acre and an impact area of 10.2 acres this fee is estimated to be \$29,278.60.)

- d. Should the County Board of Supervisors adopt a Swainson's hawk mitigation policy/program (which may include a mitigation fee payable prior to issuance of building permits) prior to the implementation of one of the measures above, the project proponent may be subject to that program instead.
19. Prior to the approval of Improvement Plans or Building Permits, whichever occurs first, mitigate for impacts to .32 acre of vernal pools and wet swales through the purchase of .64 vernal pool preservation credits at an approved mitigation bank and purchase at least .32 creation vernal pool credits. Credits shall be purchased at a Corps- and USFWS- approved mitigation bank servicing Sacramento County prior to impacting the on-site wetlands.
  20. Comply with the Mitigation Monitoring and Reporting Program (MMRP) for this project as follows:
    - a. The project proponent shall comply with the MMRP for this project, including the payment of 100% of the Department of Environmental Review and Assessment staff costs, and the costs of any technical consultant services incurred during implementation of the MMRP. The initial estimate of these costs is \$700.00. If the initial estimate of these costs exceeds the actual monitoring costs, the balance shall be refunded to the proponent, and if the actual monitoring costs exceed the initial estimate, the proponent shall be responsible for paying the additional amount.
    - b. Until the MMRP has been recorded and the estimated MMRP fee has been paid, no final parcel map or final subdivision map for the subject property shall be approved; and no encroachment, grading, building, sewer connection, water connection or occupancy permit from Sacramento County shall be approved.

**EXCELSIOR RANCH**  
03-CZB-SDP-0120  
123-0080-005

**VI. ATTACHMENTS:**

- A. DERA Negative Declaration/Initial Study
- B. Exhibit "X" - Tentative Subdivision Map
- C. Southgate Recreation and Parks Department Correspondence
- D. CPAC Referral (if received)

This report was prepared by Dick Frascetti.

9/10/04



# Sacramento Metropolitan Fire District

3012 Gold Canal Dr. · Rancho Cordova, Ca 95670-6116 · Phone (916) 942-3300 · Fax (916) 942-3400

**RICK MARTINEZ**  
Fire Chief

June 19, 2003

**RECEIVED**

**JUN 20 2003**

County of Sacramento  
Planning and Community Development Department  
827 7<sup>th</sup> Street, Room #202  
Sacramento, CA 95814

**PLANNING DEPT.**  
**County of Sacramento**

**Attention:** Nick Pascoe,

**Subject:** Control No. 03-CZB-SDP-0120  
APN: 123-0080-005  
Location: East side Excelsior

Dear Nick Pascoe,

A review has been completed by the Sacramento Metropolitan Fire District for noted project.

THE FOLLOWING ITEMS ARE STANDARD FIRE DEPARTMENT COMMENTS CLEARLY ADDRESSED IN POLICY AND GUIDELINES. THIS INFORMATION IS OFFERED TO ASSIST THE APPLICANT AND SHOULD BE SHOWN IN THE FINAL DEVELOPMENT PLANS:

Plans shall be submitted to this office showing hydrant locations for review and approval prior to construction. **FIRE HYDRANT DETAIL AND FIRE DEPARTMENT NOTES SHALL BE SHOWN ON CIVIL PLANS OR IMPROVEMENT DRAWINGS.** UFC 903.2 (Sacramento County)

**NOTE:** Specifications for fire hydrants are available at the Fire Prevention office.

1. An approved water supply capable of supplying the required fire flow for fire protection shall be provided to all premises upon which facilities, buildings or portions of buildings are hereafter constructed or moved into or within the jurisdiction. When any portion of the facility or building protected is in excess of 150 feet from a water supply on a public street, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains capable of supplying the required fire flow shall be provided when required by the Chief. UFC 903.2

**EXCEPTION:** A. Group R, Division 3 Occupancies provided with an automatic fire sprinkler system approved by the adopted NFPA Standard in areas not provided with a public water supply. B. Group U, Division 1 Occupancies.

2. In-Group R Occupancies, the roof covering shall not be less than Class C when there is no public water supply source with a distribution system conforming to County Standards. Sacramento County Code 16.04.060.
3. Provide access roadways with all-weather driving surface of not less than 20 feet of unobstructed width, with a minimum turning radius of 22 feet inside/40 feet outside dimension capable of supporting the imposed loads of fire apparatus and having a minimum of 13 feet, 6 inches of vertical clearance. The access roadway shall be extended to within 150 feet of all portions of the exterior walls of the first story of any building. Dead-end fire department access roads in excess of 150 feet long shall be provided with approved provisions for the turning around of fire apparatus. **Show "turnaround" on appropriate drawings and submit to this office for review and approval prior to construction. UFC 902**

**NOTE:** The tentative parcel map drawings, as submitted do not show the above turnaround requirements.

4. FIRE DEPARTMENT NOTE:

**IN SERVICE FIRE HYDRANT ASSEMBLIES SUPPLYING THE REQUIRED FIRE FLOW AND AN ALL-WEATHER ACCESS SURFACE CAPABLE OF SUPPORTING EMERGENCY VEHICLES SHALL BE PROVIDED PRIOR TO ANY COMBUSTIBLE CONSTRUCTION OR STORAGE OF COMBUSTIBLE MATERIALS. UFC 901.3**

5. If there are no immediate plans for new construction or storage of combustible materials on this project, the above mentioned requirements may be held in abeyance until such time that development occurs. It is important to note that if the property is sold, the seller of the property is encumbered to disclose the above requirements to the buyer.
6. There shall be no parking on any street narrower than 28 feet. Parking shall be allowed only on one (1) side on streets from 28 feet to 36 feet wide. Streets that are wider than 36 feet, parking shall be allowed on both sides. Measurements shall be from edge of pavement to edge of pavement. UFC 901.4
7. Provide approved address numbers on the building in such a position as to be plainly visible and legible from the street or road fronting the property. Said numbers shall contrast with their background and on all new buildings, shall be illuminated at night. UFC 901.4.4

**NOTE:** In order to meet this requirement the following methods are acceptable:

1. Name the access road and ensure that the new addresses be listed for the newly named "street, and meet the requirement above or...

8. Should security gates be considered for this project, the developer shall contact this office for approval of specific clearances, locking mechanisms, or systems which will accommodate emergency fire department use and then follow established permit procedures pursuant to Sacramento County Code, Chapter 16.70 Further information can be obtained by calling the Crime Prevention Unit of the Sacramento county sheriff's Office at (916) 440-5151. UFC 1208
9. Remove from any roof, court, yard, vacant lot or open space all accumulations of wastepaper, hay, grass, straw, weeds, litter or combustible or flammable waste material, waste petroleum products or rubbish of any kind. All weeds, grass, vines or other growth, when same endangers property or is liable to be fired, shall be cut down and removed by the owner or occupant of the property. When total removal of growth from a piece of property is impractical due to size or to environmental factors, approved fuel breaks may be established between the land and the endangered property. The width of the fuel break shall be determined by height, type and amount of growth wind conditions, geographical conditions and type of exposures threatened. UFC 1103.2.4 (Minimum width of clearance shall be 30 feet or to the property line, whichever is less. Specific conditions may require additional clearance width. UFC APPENDIX II-A,16)
10. All fire protection equipment to be maintained in operative condition. UFC 1001.5.1
11. Our review is not to be construed as encompassing the structural integrity of the facility, nor abrogating the requirements of existing codes or ordinances applicable at the time of building permit application or more restrictive requirements by other agencies having jurisdiction. Exceptions shall be as approved by the authority having jurisdiction. Final acceptance is subject to field inspection and necessary tests.

NOTIFY THIS OFFICE UPON COMPLETION OF PROJECT, PRIOR TO OCCUPANCY, FOR FINAL INSPECTION.

If you have any questions, call Inspector Sigl

7. Public water is available within 500 feet of the site.

C. Land Use Relationships with Adjacent Properties:

	<u>Existing Land Use</u>	<u>Zoning and Community Plan Designations</u>
Subject Property	Single Family	AR-10
North	Single Family	AR-10
East	Single Family	AR-1 and AR-2
South	Single Family	AR-2
West	Vacant and Single Family	AR-1 and AR-2

D. General Plan Designation: Agricultural-Residential.

E. Prior Zoning Agreements: None.

II. PROJECT ANALYSIS:

This request is consistent with much of the development on the east and west sides of Excelsior Road north of Calvine Road. The area is indicated for agricultural-residential use on the General Plan. The Agricultural-Residential zoning varies. The most prevalent is AR-1 which dominates the west side of Excelsior Road, and AR-2 which dominates the east side of the road. AR-1 and AR-2 zones are generally not supported by staff for approval unless a public water supply is available. This requirement is to prevent well contamination from a proliferation of private septic systems and wells. According to Public Works, public water is available 500 feet north of the site. This appears close enough to require a tie in. Use of private septic systems, under this condition, is acceptable.

There does not appear to be any major constraints to 2-acre lot development. Minor wetlands have been identified and the standard Swainson's hawk mitigation is included as conditions of approval. The Southgate Recreation and Parks Department made several requests. None of these should apply since by code (Section 22.40.055c of the Land Development Code) exempts projects with these size lots from park dedication requirements.

It is not clear whether the proposed cul-de-sac is to be public or private. Staff recommends it be public in order to accommodate future division of the 13-acre AR-2 site immediately south of the subject property. This will reduce conflict points on Excelsior Road, a future 4-lane arterial. Condition number 8 below is consistent with this recommendation.

**SUPPLEMENTAL INFORMATION**

LAND USE CONSISTENCY	Current Land Use Designation	Consistent	Not Consistent	Comments
General Plan	Agricultural-Residential	X		
Community Plan	AR-10		X	Will be consistent upon project approval
Land Use Zone	A-10		X	Will be consistent upon project approval

- <sup>i</sup> Potentially Significant indicates there is substantial evidence that an effect MAY be significant. If there are one or more "Potentially Significant" entries and Environmental Impact Report (EIR) is required. Further research of a potentially significant impact may reveal that the impact is actually less than significant or less than significant with mitigation.
- <sup>ii</sup> Less than Significant with Mitigation applies where an impact could be significant but specific mitigation has been identified that reduces the impact to a less than significant level.
- <sup>iii</sup> Less than Significant or No Impact indicates that either a project will have an impact but the impact is considered minor or that a project does not impact the particular resource.

DEIRA Initial Study Checklist

	Potentially Significant	Less Than Significant with Mitigation <sup>ii</sup>	Less Than Significant or No Impact <sup>iii</sup>	Comments
c. Introduce incompatible uses in the vicinity of existing agricultural uses?			X	Though in an area currently used for agricultural production, the area is designated for urban uses by the Sacramento County General Plan.
<b>4. AESTHETICS - Would the project:</b>				
a. Substantially alter existing viewsheds such as scenic highways, corridors or vistas?			X	The project does not occur in the vicinity of any scenic highways, corridors, or vistas.
b. Substantially degrade the existing visual character or quality of the site and its surroundings?			X	Construction will not substantially degrade the visual character or quality of the project site.
c. Create a new source of substantial light, glare or shadow that would result in safety hazards or adversely affect day or nighttime views in the area?			X	The project would not result in substantial new sources of light, glare or shadow.
<b>5. AIRPORTS - Would the project:</b>				
a. Result in a safety hazard for people residing or working in the vicinity of an airport/airstrip?			X	The project occurs outside of any identified public or private airport/airstrip safety zones.
b. Expose people residing or working in the project area to aircraft noise levels in excess of applicable standards?			X	The project is not located in the vicinity of an airport or airstrip.
c. Result in a substantial adverse effect upon the safe and efficient use of navigable airspace by aircraft?			X	The project does not affect navigable airspace.
d. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location, that results in substantial safety risks?			X	The project does not involve or affect air traffic movement.
<b>6. PUBLIC SERVICES - Would the project:</b>				

EG Water Service

Excelsior Ranch

IS-3

03-CZB-SDP-0120r

*Don Napoli*

**Initial Study Checklist**

	Potentially Significant <sup>i</sup>	Less Than Significant with Mitigation <sup>ii</sup>	Less Than Significant or No Impact <sup>iii</sup>	Comments
<b>1 LAND USE - Would the project:</b>				
a. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including but not limited to a general plan, specific plan or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	*		X	Upon project approval, the project is consistent with environmental policies of the Sacramento County General Plan, Vineyard Community Plan, and Sacramento County Zoning Code.
b. Physically disrupt or divide an established community?	*		X	The project will not create physical barriers that substantially limit movement within or through the community.
<b>2 POPULATION/HOUSING - Would the project:</b>				
a. Induce substantial unplanned population growth in an area either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extension of infrastructure)?			X	The project does not propose new unplanned homes, businesses or extension of infrastructure.
b. Displace substantial amounts of existing housing, necessitating the construction of replacement housing elsewhere?			X	The project will not result in the removal of existing housing.
<b>3 AGRICULTURAL RESOURCES - Would the project:</b>				
a. Convert Prime Farmland, Unique Farmland, Farmland of Statewide Importance or areas containing prime soils to uses not conducive to agricultural production?	*		X	The project site is not considered Prime Farmland, Unique Farmland, or Farmland of Statewide Importance nor does it contain prime soils.
b. Conflict with any existing Williamson Act contract?			X	No Williamson Act contracts apply to the project site.

3. The owner/developer of the above noted property must disclose to future/potential buyer the following existing and potential 69 Kv facilities. There is an existing overhead electrical 69 Kv line located along Excelsior Road.

**F. County Sanitation District 1 (CSD-1)**

1. Each parcel shall have a separate connection to the public sewer system.

2. Construction of dry public sewer collector will be required to the satisfaction of CSD-1 to provide for future public sewer service.

3. The subject property is outside the boundaries of CSD-1 and Sacramento Regional County Sanitation District (SRCSD) but within the Urban Service Boundary shown on the Sacramento County General Plan. Environmental Management Department approval will be required for the on-site waste disposal facilities.

**Sacramento Metropolitan Fire District**

See Appendix B

**ENVIRONMENTAL MITIGATION MEASURES:**

A. Prior to the approval of Improvement Plans or Building Permits, whichever occurs first, implement one of the following options to mitigate for the loss of 10.2± acres of Swainson's hawk foraging habitat on the project site:

1. The project proponent shall preserve 7.65 acres (0.75 acre for each acre lost) of similar habitat within a 10-mile radius of the project site. This land shall be protected through fee title or conservation easement (acceptable to the California Department of Fish and Game).

2. The project proponent shall, to the satisfaction of the California Department of Fish and Game, prepare and implement a Swainson's hawk mitigation plan that will include preservation of Swainson's hawk foraging habitat.

3. The project proponent shall submit payment of a Swainson's hawk impact mitigation fee per acre impacted to the Department of Planning and Community Development in the amount as set forth in Chapter 16.130 of the Sacramento County Code as such may be amended from time to time and to the extent that said Chapter remains in effect. (Note: Based on the current impact mitigation fee of \$2500.00 per acre, an administrative fee not to exceed \$382.00 per impact mitigation fee submitted to County, an operations and management fee of \$333.00 per acre and an impact area of 10.2 acres this fee is estimated to be \$29,278.60.)

County Water Agency Code, and Sacramento County Improvement Standards, including any fee required by the Sacramento County Water Agency Code.

2. Provide onsite driveway culverts in accordance with Sacramento County Improvements Standards.

3. Incorporate stormwater quality measures in conformance with applicable County ordinances & standards, and state and federal law pursuant to Table 2-1 of the County of Sacramento "Guidance Manual for On-Site Stormwater Quality Control Measures."

4. A Notice of Intent (NOI) must be filed with the state Water Resources Control Board prior to construction to obtain coverage under the State's General Construction Activity Stormwater Permit. As a condition of the General Permit, a Stormwater Pollution Prevention Plan (SWPPP) must be developed for the project.

5. On-site source control measures shall be required for this project in accordance with the latest version of the City and County of Sacramento's Guidance Manual for On-Site Stormwater Quality Control Measures.

#### D. Water Supply Section

1. Destroy all abandoned wells on the proposed project site in accordance with the requirements of the Sacramento County Environmental Health Division. Clearly show all abandoned/destroyed wells on the improvement plans for the project. Prior to abandoning any existing agricultural wells, applicant shall use water from agricultural wells for grading and construction.
2. The Sacramento County Water Agency (SCWA) will not issue water connection permits or sign improvement plans until adequate water supplies have been identified and secured to the satisfaction of SCWA.
3. The project is required to connect to the existing Sacramento County Water Agency System. To date, the nearest water mains are located 1,600 feet south at the intersection of Silent Wings Way and Excelsior Road. Costs associated with the transmission main extension shall be reimbursed on an extended payback period to be determined by SCWA.

#### E. Sacramento Municipal Utility District (SMUD)

1. Dedicate a 12.5-foot public utility easement, or Irrevocable Offer of Dedication and 12.5 feet adjacent thereto as a public utility easement for overhead and underground facilities and appurtenances.
2. Dedicate any private drive, ingress and egress easement, or Irrevocable Offer of Dedication and 12.5 feet adjacent thereto as a public utility easement for overhead and underground facilities and appurtenances.

surveys, no special status plants or active raptor nests were observed in the project area. In addition, there was no indication that burrowing owls were utilizing the site.

**REQUESTS/REQUIREMENTS OF VARIOUS AGENCIES:**

**A. Department of Transportation**

1. Grant the County of Sacramento right-of-way on Excelsior Road based on an 84-foot standard width and install public street improvements pursuant to Sacramento County Improvement Standards and to the satisfaction of the Department of Transportation.

2. Grant the right of direct vehicular access to the County of Sacramento along Excelsior Road except for street intersections approved by the Department of Transportation.

3. Dedicate right-of-way to the County of Sacramento for 50-foot street section for the proposed street approach to Excelsior Road for a distance of 100 feet per the Sacramento County Improvement Standards and to the satisfaction of the Department of Transportation.

**B. Land Division and Site Improvement Review**

1. Grant the County right-of-way for Excelsior Road, based on an 84-foot standard and install public street improvements pursuant to the Sacramento County Improvement Standards.

2. Construction of the private street(s) shall be a standard of 2 inches of asphaltic concrete over a minimum of 6 inches aggregate base to a 20-foot section width, including adequate turnaround facilities at the end of the road. Secure approval of a civil engineered site improvement plan from the LD&SIR Section of the Public Works Agency for construction of the private road.

3. Record a maintenance agreement involving all the parcels of the subject map assuring timely maintenance of the private street.
4. Dedicate a standard 12.5-foot Public Utility Easement for overhead and underground facilities and appurtenances adjacent to all public ways, private drives and/or Irrevocable Offer of Dedication (IOD).

**C. Department of Water Resources**

1. Provide a 20-foot wide flowage easement over the existing drainage on Parcels 1 and 2, and a floodplain easement (as the floodplain is delineated in the Baker-Williams Drainage Study) also on Parcels 1 and 2, and install facilities pursuant to the Sacramento County Floodplain Management Ordinance, Sacramento

increased the Impact Mitigation Fee to \$2,500 per acre and added an operations and Management Fee of \$333 per acre. In addition the applicability of the Ordinance was expanded to include any parcel south of the American River within Sacramento County. The project site is located south of the American River; therefore, the Ordinance applies to the current project. The project proponent will need to compensate for loss of Swainson's hawk foraging habitat. The following is recommended:

Prior to the approval of Improvement Plans or Building Permits, or filing of the Final Parcel Map, whichever occurs first, implement one of the following options to mitigate for the loss of 10.2± acres of Swainson's hawk foraging habitat on the project site.

- a. The project proponent shall preserve 7.65 acres (0.75 acre for each acre lost) of similar habitat within a 10-mile radius of the project site. This land shall be protected through fee title or conservation easement (acceptable to the California Department of Fish and Game).

- b. The project proponent shall, to the satisfaction of the California Department of Fish and Game, prepare and implement a Swainson's hawk mitigation plan that will include preservation of Swainson's hawk foraging habitat.

- c. The project proponent shall submit payment of a Swainson's hawk impact mitigation fee per acre impacted to the Department of Planning and Community Development in the amount as set forth in Chapter 16.130 of the Sacramento County Code as such may be amended from time to time and to the extent that said Chapter remains in effect. (Note: Based on the current impact mitigation fee of \$2500.00 per acre, an administrative fee not to exceed \$382.00 per impact mitigation fee submitted to County, an operations and management fee of \$333.00 per acre and an impact area of 10.2 acres this fee is estimated to be \$29,278.60.)

- d. Should the County Board of Supervisors adopt a Swainson's hawk mitigation policy/program (which may include a mitigation fee payable prior to issuance of building permits) prior to the implementation of one of the measures above, the project proponent may be subject to that program instead.

Mitigation measures for the replacement of the loss of Swainson's foraging habitat should reduce singular and cumulative impacts to less than significant levels.

### Special Status Species

Biological consultants, Gibson & Skordall LLC, conducted focused field studies on April 8 and May, 2003 to determine the presence or absence of special status species in the project area. The surveys targeted the following plant species: Boggs' lake hedge-hysope, dwarf downingia, legene, slender orcutt grass, and Sanford's arrowhead. The consultants also surveyed for nesting raptors including: great horned owl, Swainson's hawk, red-tailed hawk, white-tailed kite, and burrowing owl. During the

acquisition or conservation easement. The amount of land varies based upon the project site's distance from an active nest. The staff report reads as follows:

To mitigate for the loss of foraging habitat (as specified in this document), the Management Authorization holder/project sponsor shall provide Habitat Management (HM) lands to the Department based on the following ratios:

- a) Projects within 1 mile of an active nest tree shall provide:
  - one acre of HM land (at least 10% of the HM land requirements shall be met by fee title acquisition or a conservation easement allowing for the active management of the habitat, with the remaining 90% of the HM lands protected by a conservation easement [acceptable to the Department] on agricultural lands or other suitable habitats which provide foraging habitat for Swainson's hawk) for each acre of development authorized (1:1 ratio); or
  - one-half acre of HM land (all of the HM land requirements shall be met by fee title acquisition or a conservation easement [acceptable to the Department] which allows for the active management of the habitat for prey production on the HM lands) for each acre of development authorized (0.5:1 ratio).

- b) Projects within 5 miles of an active nest tree but greater than 1 mile from the nest tree shall provide 0.75 acres of HM land for each acre of urban development authorized (0.75:1 ratio). All HM lands protected under this requirement may be protected through fee title acquisition or conservation easement (acceptable to the Department) on agricultural lands or other suitable habitats which provide foraging habitat for Swainson's hawk.

- c) Projects within 10 miles of an active nest tree but greater than 5 miles from an active nest tree shall provide 0.5 acres of HM land for each acre of urban development authorized (0.5:1 ratio). All HM lands protected under this requirement may be protected through fee title acquisition or conservation easement (acceptable to the Department) on agricultural lands or other suitable habitats which provide foraging habitat for Swainson's hawk.

As noted earlier, active Swainson's hawk nesting habitat is located approximately two miles from the subdivision site, therefore measure (b) above applies to the project site. Mitigation for foraging habitat for the Swainson's hawk is only feasible when replacement habitat is provided within the known foraging radius for the hawk. Provision of lands for habitat by a project proponent may not always be feasible. On November 5, 1997, the Board of Supervisors adopted the Swainson's Hawk Ordinance (SCC-1093), which was subsequently amended by the Board on April 1, 1998 (SCC-1107), that provides for the establishment of impact mitigation fees for the actual acquisition of foraging habitat. The Board adopted additional amendments to the Ordinance on August 26, 2003 that became effective on September 26, 2003. The 2003 amendments

Mr Michael Finan

3

and a sufficient endowment fund to manage the site in perpetuity in accordance with the management plan.

The proposed project will result in direct adverse effects to 0.31 acre of vernal pools/swales that are suitable habitat for the two federally listed vernal pool crustaceans. Indirect effects to vernal pools/swales of the same habitat are 0.01 acre. Therefore, the total adversely affected acreage is 0.32 acre of vernal pools/swales. The applicant has identified and agrees to purchase 0.64 preservation and 0.32 creation credits at a Service-approved conservation bank that serves the Urban Service Area of Sacramento County whose service areas provide for the purchase of the kinds of credits necessary to compensate for adverse effects to federally listed invertebrate species. Credits for both preservation and creation will be purchased prior to any fill of any vernal pool/swale areas.

The applicant has proposed the following conservation measures and responsibilities:

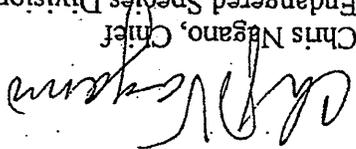
1. Prior to any ground breaking for the proposed project, the applicant will purchase at least 0.64 vernal pool preservation credits a Service-approved ecosystem preservation bank located inside the the Urban Services Area Sacramento County.

2. Prior to any ground breaking for the proposed project, the applicant will purchase at least 0.32 creation vernal pool credits at a Service-approved vernal pool creation bank servicing Sacramento County.

This concludes the Service's review of the Albama-Group Excelsior proposed project. As provided in 50 CFR §402.16, reinitiation of formal consultation is required where discretionary Federal agency involvement or control over the action has been maintained (or is authorized by law) and if (1) the amount or extent of incidental take is exceeded, (2) new information reveals effects of the agency action that may affect listed species or critical habitat in a manner or to an extent not considered in this opinion, (3) the agency action is subsequently modified in a manner that causes an effect to the listed species or critical habitat that was not considered in this opinion, or (4) a new species is listed or critical habitat designated that may be affected by the action. In instances where the amount or extent of incidental take is exceeded, any operations causing such take must cease pending reinitiation.

If you have any questions regarding this letter, please contact Ken Fuller or the Sacramento Valley Branch Chief, Justin Ly at (916) 414-6645.

Sincerely,

  
Chris Nagano, Chief  
Endangered Species Division

cc:

ARD (ES) Portland, OR  
Gibson and Skordal, LLC, Sacramento, CA  
CDFG, Rancho Cordova, CA (Attn: Terry Roscoe)  
CRWQCB, Sacramento, CA (Attn: Gary Carlton)



Excelsior  
United States Department of the Interior

FISH AND WILDLIFE SERVICE  
Sacramento Fish and Wildlife Office  
2800 Cottage Way, Suite W2605  
Sacramento, California 95825-1846

IN REPLY REFER TO:  
1-1-03-F-0123

AUG 1 2003

Mr. Mike Finan  
Chief, Delta Office  
Department of the Army  
U.S. Army Engineer District, Sacramento  
Corps of Engineers  
1325 J Street  
Sacramento, California 95814-2922

Subject: Review of the Albani Group-Excelsior Road Project (Corps # 200200111), Sacramento County, California, for Inclusion with the Vernal Pool Crustaceans Programmatic Consultation (1-1-96-F-0001)

Dear Mr. Finan:

This responds to your March 10, 2003, request for initiation of formal consultation with the U.S. Fish and Wildlife Service (Service) on the Albani Group-Excelsior Road Project, Sacramento County, California. The Sacramento Fish and Wildlife Office has determined that this proposed project may be appended to the Service's *Programmatic Formal Endangered Species Act Consultation on the Issuance of 404 Permits for Projects with Relatively Small Effects on Listed Vernal Pool Crustaceans within the Jurisdiction of the Sacramento Field Office, California* (Programmatic Consultation). The Service has reviewed the biological information submitted by your office describing the effects of the proposed on the endangered vernal pool tadpole shrimp (*Lepidurus packardii*) and the threatened vernal pool fairy shrimp (*Branchinecta lynchi*). This response is in accordance with section 7 of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*)(Act).

The findings and recommendations in this consultation are based on: (1) a U.S. Army Corps (Corps) March 10, 2003, letter to the Service requesting initiation of formal consultation under Nationwide Permit No. 39, Residential, Commercial, and Institutional Developments; (2) a February 17, 2003, *Preconstruction Notification for the Albania-Excelsior Road Property*; (3) a December 2002 *Jurisdictional Delineation and Special Status Species Evaluation* completed by Gibson and Skordal, LLC Wetland Consultants (Gibson and Skordal); (4) an April 8, 2003, site visit attended by the applicant, Dennis Albani, Ken Fuller of the Service, and Dave Skordal and Ginger Fodge of Gibson and Skordal; (5) a May 16, 2003, revised wetland delineation map and results of rare plant surveys from Gibson and Skordal; and (6) a letter, received July 23, 2003, from Dennis Albani to the Service regarding the commitment to purchase vernal pool preservation and creation credits as compensation for the proposed projects' adverse effects.

Please refer to identification number 200300111 in any future correspondence concerning this project. If you have any questions, please write to Mr. Jason Gipson at the letterhead address, or e-mail [jason.a.gipson@usace.army.mil](mailto:jason.a.gipson@usace.army.mil), or telephone 916-557-7735.

Sincerely,



Michael Finan  
Chief, Delta Office

Enclosure(s)

Copies furnished: w/o Enclosure(s)

George Day, Storm Water and Water Quality Certification Unit, Central Valley Regional  
Water Quality Control Board, 3443 Routier Road, Suite A, Sacramento, California  
95827-3003

Ginger Fodge, Gibson & Skordal, LLC, 2277 Fair Oaks Blvd, Suite 395, Sacramento,  
California 95825-5500



REPLY TO  
ATTENTION OF

DEPARTMENT OF THE ARMY  
U.S. ARMY ENGINEER DISTRICT, SACRAMENTO  
CORPS OF ENGINEERS  
1325 J STREET  
SACRAMENTO, CALIFORNIA 95814-2922

June 3, 2003

Regulatory Branch (200300111)

Dennis Albiani  
P.O. Box 827  
Sloughouse, California 95683-0827

Dear Mr. Albiani:

This letter concerns the May 29, 2003, wetland delineation for the proposed Albiani Excelsior Road project site, submitted to this office for verification on your behalf by Gibson and Skordal, LLC. This 10-acre site is located in Section 14, Township 7 North, Range 6 East, MDB&M, Sacramento County, California.

Based on the information you provided, we concur with the estimate of waters of the United States, as depicted on the May 27, 2003, **Jurisdictional Delineation Albiani Group Excelsior Road**, drawing. Approximately 0.42 acres of waters of the United States, including wetlands, are present within the surveyed area. These waters are regulated by this office under Section 404 of the Clean Water Act since they are tributary, or adjacent to a tributary, to Laguna Creek.

Under Section 404 of the Clean Water Act, a Department of the Army (DA) permit is required prior to discharging dredged or fill materials into waters of the United States. The type of permit required will depend on a number of factors, including the type and amount of waters affected by the discharge. For more information on how to obtain a DA permit from our office, please visit our website at <http://www.spk.usace.army.mil/cespk-co/regulatory/>.

This verification is valid for five years from the date of this letter unless new information warrants revision of the determination before the expiration date. A notice of appeal options is enclosed. You should provide a copy of this to all other affected parties.

Mr. Dennis Albani  
May 13, 2003  
Page 2

If you have any questions or need additional information, please call Ginger Fodge or me at (916) 569-1830.

Sincerely,



David L. Skordal  
Principal

DLS:bjs

cc: ✓ Mr. Kent Baker  
Baker-Williams Engineering Group  
6020 Rutland Drive, Suite 19  
Carmichael, California 95608

utilize a 48-inch concrete culvert and will not impede flow of the swale, as is currently the case with the existing crossing. Photo 1 shows the current condition of this swale, after removal of some of the illegal trailer residences.

### Existing Waters of the United States:

A delineation of waters of the United States was conducted for the project site in December 2002, and is included as an attachment to this notification. The delineation identified a total of 0.40 acre of waters of the U.S. on the site, consisting of 0.29 acre of vernal pools and 0.11 acre of wet swales.

Twelve vernal pools were identified on the project site. Two of the vernal pools are located at the westernmost property boundary, immediately adjacent to Excelsior Road. The remaining ten vernal pools are located in the eastern third of the property, within two of the proposed residential lots. The vernal pools range in size from 111 square feet to 4,583 square feet. The pools occur in shallow to medium-depth depressions that sustain long-term ponding and saturated soil conditions that persist through the winter rainy season before drying up in the spring.

The shallow vernal pools typically sustain ponding conditions of less than 6 inches at maximum depth, and generally dry up by early April. They support a wetland plant community characterized by Mediterranean barley, coyote thistle (*Eryngium vaseyi*), and purple hairgrass (*Deschampsia danthonoides*). Other common associates include loosestrife (*Lythrum hyssopifolia*), perennial rye, goldfields (*Lasthenia sp.*), and brodiaea (*Brodiaea sp.*). See Photo 2.

The deeper vernal pools may sustain ponding conditions of 6 to 12 inches or more that persist into late April or early May in some years. They support a wetland plant community typically dominated by Carter's buttercup (*Ranunculus alveolatus*), creeping spikerush (*Eleocharis macrostachya*), and slender popcorn flower (*Plagiobothrys stipitatus*). Other common associates may include bractless hedge-hyssop (*Gratiola ebracteata*), annual rabbit-foot grass (*Polypogon monspeliensis*), downingia (*Downingia sp.*), and goldfields (*Lasthenia sp.*).

In the eastern third of the property where the majority of the vernal pools are located, four wet swales were delineated. One swale connects vernal pools 2 and 3; the other three swales connect vernal pools 8 and 9, and drain north to the adjacent property.

The fifth wet swale identified in the delineation is a broad linear swale that bisects the western portion of the property. This swale is contained within the proposed Lot 2, and is discussed in the "Project Description" section above. The swale enters at the southern boundary of the property and flows north, where it exits the property and continues to the west through the adjoining property. This swale currently receives a significant amount of run-off from the resident homes and trailers. As a result, the swale supports a wetland plant community characterized by mannagrass (*Glyceria sp.*), tall flatsedge (*Cyperus eragrostis*), and floating primrose (*Ludwigia peploides*). Other common associates include knot grass (*Paspalum distichum*) and Bermuda grass (*Cynodon dactylon*).

Since the findings of the wetland delineation are considered preliminary until verified by the U.S. Army Corps of Engineers (Corps), we assume for purposes of this notification that all the potential waters of the U.S. identified on the property will be considered jurisdictional by the Corps. A more detailed discussion of the jurisdictional status of the vernal pools and swales is provided in the delineation report. A summary of potential waters of the U.S. on the project site is provided below.

**Table 1. Potential Waters of the U.S. on the Excelsior Road Property**

<u>Identification number</u>	<u>Habitat Type</u>	<u>Area (square feet)</u>
VP-1	vernal pool	161
VP-2	vernal pool	171
VP-3	vernal pool	183
VP-4	vernal pool	2,422
VP-5	vernal pool	171
VP-6	vernal pool	1,241
VP-7	vernal pool	467
VP-8	vernal pool	479
VP-9	vernal pool	4,583
VP-10	vernal pool	470
VP-11	vernal pool	1,611
VP-12	vernal pool	663
WS-1	wet swale	206
WS-2	wet swale	156
WS-3	wet swale	81
WS-4	wet swale	156
WS-5	wet swale	4,354
<b>Total</b>		<b>17,575 sq. ft. = 0.40 acre</b>

**Impacts to Waters of the United States:**

Direct Impacts: Development of the five residential lots will result in the permanent fill of all the vernal pools on the property, as well as wet swales WS1-WS4. Construction of the access road will require installation of a 48-inch culvert within WS-5, and will result in the fill of approximately 750 square feet of the wet swale. Permanent impacts to waters of the U.S. on the project site are shown below.

**Table 2. Permanent Impacts to Waters of the U.S.**

<u>Identification number</u>	<u>Habitat Type</u>	<u>Impact Area (square feet)</u>
VP-1	vernal pool	161
VP-2	vernal pool	171
VP-3	vernal pool	183
VP-4	vernal pool	2,422
VP-5	vernal pool	171
VP-6	vernal pool	1,241
VP-7	vernal pool	467
VP-8	vernal pool	479
VP-9	vernal pool	4,583
VP-10	vernal pool	470
VP-11	vernal pool	1,611
VP-12	vernal pool	663
WS-1	wet swale	206
WS-2	wet swale	156
WS-3	wet swale	81
WS-4	wet swale	156
WS-5	wet swale	750
<b>Total</b>		<b>13,971 sq. ft. = 0.32 acre</b>

In addition to the permanent impacts discussed above, wet swale WS-5 will be temporarily impacted by activities related to the removal of debris from the swale. The property currently has numerous illegal trailers on it, as well as several grazing animals. This illegal activity has resulted in the deposit of trash, rubbish, and untreated sewage in the swale. A limited amount of excavation with hand tools and a backhoe will be conducted to remove debris from the swale. The current dimensions of the swale will not be altered, and the swale bottom will be "smoothed", if required, after the debris is removed.

Indirect Impacts: WS-5 will be left as an open drainage swale; there should be no adverse indirect impacts to this feature, as the hydrology will be maintained. There should be an improvement to the water quality of this swale once the illegal residences are removed from the property.

The adjoining properties were not accessible to determine the exact location and dimensions of any waters of the U.S. that may exist on these properties. However, on February 7, 2003, the adjoining properties were observed for indications of ponding, in order to assess potential indirect impacts to vernal pool or other wetland habitat. Based on the observations made from the project site, it appears that VP-9 does not extend onto the property to the south, but rather is fed by a not-well defined swale that crosses the southern property and enters the project site at VP-9. Photo 3 shows the location of this swale; no indication of ponded water could be observed. Other than WS-5 discussed above, no other potential waters of the U.S. could be observed on this property.

The adjoining property to the north (downstream) of the project site has been altered by the construction of a home and outbuildings, by possible grading activities, and by ongoing ranching activities (horse grazing). However, several areas of ponded water could be observed on the property. The majority of these areas are located within the easternmost third of the property, where the topography generally drains due west, toward wet swale WS-4. Construction of the proposed project should not affect the hydrology of these pools, since any runoff these pools would receive would flow from the east rather than from the south. However, two ponded areas were observed approximately 40 feet west of WS-4, approximately 25 feet from the property line. These pools appeared to be approximately 10 feet by 20 feet in size, and are shown in Photo 4. The pools do not appear to have a direct hydrological connection to either WS-4 or any other swale on the Albani property, and are currently within a heavily grazed area. In other words, it appears that these pools and other wetlands on this adjoining property to the north are currently subject to indirect impacts due to the land use of the site. It would be unfair to expect the project applicant to mitigate for indirect impacts due to the proposed project when these areas are already in a degraded condition.

#### **Avoidance and Minimization of Impacts to Waters of the U.S.**

Because of the small size of the project site (10 acres), it is not possible to avoid the waters of the U.S. and still provide five viable residential parcels. Construction of the access road will impact WS-5, regardless of where it is placed on the property. The proposed project would place the road crossing in the same location where an existing dirt road crosses the swale, thereby minimizing the amount of new fill necessary in the swale. It is not practicable to try to preserve vernal pools VP-11 and VP-12, since they are located within the future widened alignment of Excelsior Road. Avoidance of vernal pools VP-1 through VP-10 (including a 250-foot buffer from any development) would cause the loss of three lots, and would make the project economically infeasible.

#### **Impacts to Federally-Listed Species**

The following questions and responses are provided as required by the Corps' March 2000 letter addressing information required for initiation of consultation under Section 7 of the Endangered Species Act:

- a) *A description of the action to be considered.* See project description above.
- b) *A description of the specific area that may be affected by the action.* See location information above and enclosed figure and exhibits.
- c) *A description of any listed species or critical habitat that may be affected by the action.* Species potentially affected by the proposed project include the federally-listed vernal pool crustaceans (fairy shrimp). The vernal pools and wet swales WS1 through WS-4 are considered potential habitat for the fairy shrimp. Although the project site has not been surveyed for the presence of the listed vernal pool crustaceans, the presence of these species is assumed for purposes of this notification.

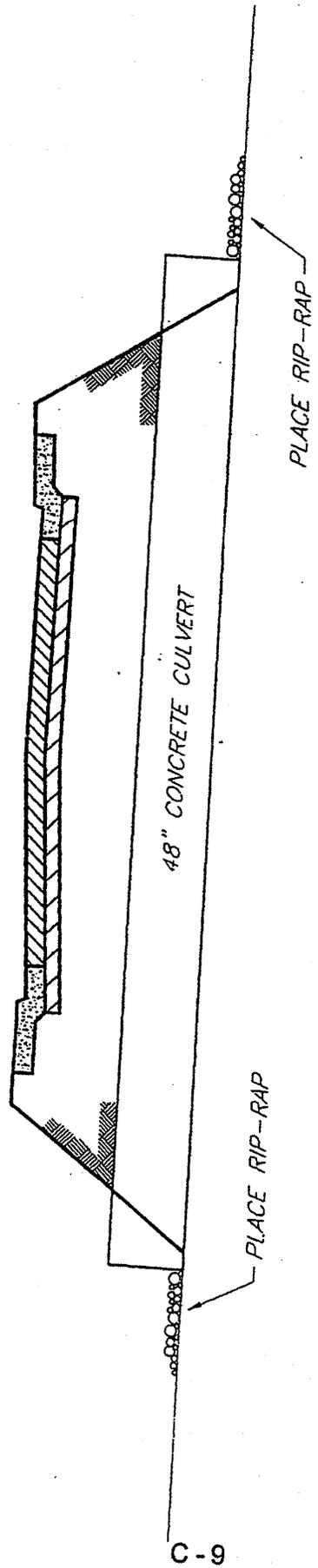
No other federally-listed species or their critical habitat are known or thought to occur on the project site. There are no elderberry shrubs on the site, and the large wet swale that bisects the property (WS-5) is considered low to marginal habitat for the listed giant garter snake (*Thamnophis gigas*). In addition, the swale lacks connectivity to known giant garter snake occurrences. Please see the attached *Jurisdictional Delineation and Special Status Species Evaluation, Albani Group, Excelsior Road, December 2002*, for additional discussion regarding federally-listed species.

- d) *A description of the manner in which the action may affect any listed species or critical habitat and an analysis of any cumulative impacts.* The listed vernal pool crustaceans may be affected by direct fill of wetlands constituting suitable habitat to support the species. Indirect effects may also be considered to occur to any suitable habitat located within 250 feet of construction activities.

Wetlands on and adjacent to the project site that are considered to be potential habitat for the listed crustacean species are characterized by defined depressions that sustain seasonal ponding for long durations during the winter and dry up in early to late April in most years. Based on the hydrology of the vernal pools and wet swales located on and adjacent to the property, direct and indirect impacts to potential habitat for the listed vernal pool crustaceans are described below:

**Table 3. Direct Impacts to Potential Vernal Pool Crustacean Habitat**

<u>Identification number</u>	<u>Habitat Type</u>	<u>Impact Area (square feet)</u>
VP-1	vernal pool	161
VP-2	vernal pool	171
VP-3	vernal pool	183
VP-4	vernal pool	2,422
VP-5	vernal pool	171
VP-6	vernal pool	1,241
VP-7	vernal pool	467
VP-8	vernal pool	479
VP-9	vernal pool	4,583
VP-10	vernal pool	470
VP-11	vernal pool	1,611
VP-12	vernal pool	663
WS-1	wet swale	206
WS-2	wet swale	156
WS-3	wet swale	81
WS-4	wet swale	156
<b>Total</b>		<b>13,221 sq. ft. = 0.30 acre</b>



TYPICAL CULVERT CROSSING

NO SCALE

# JURISDICTIONAL DELINEATION

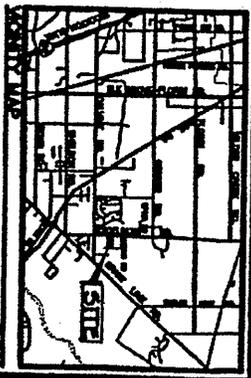
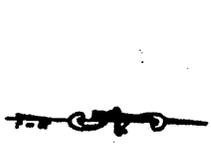
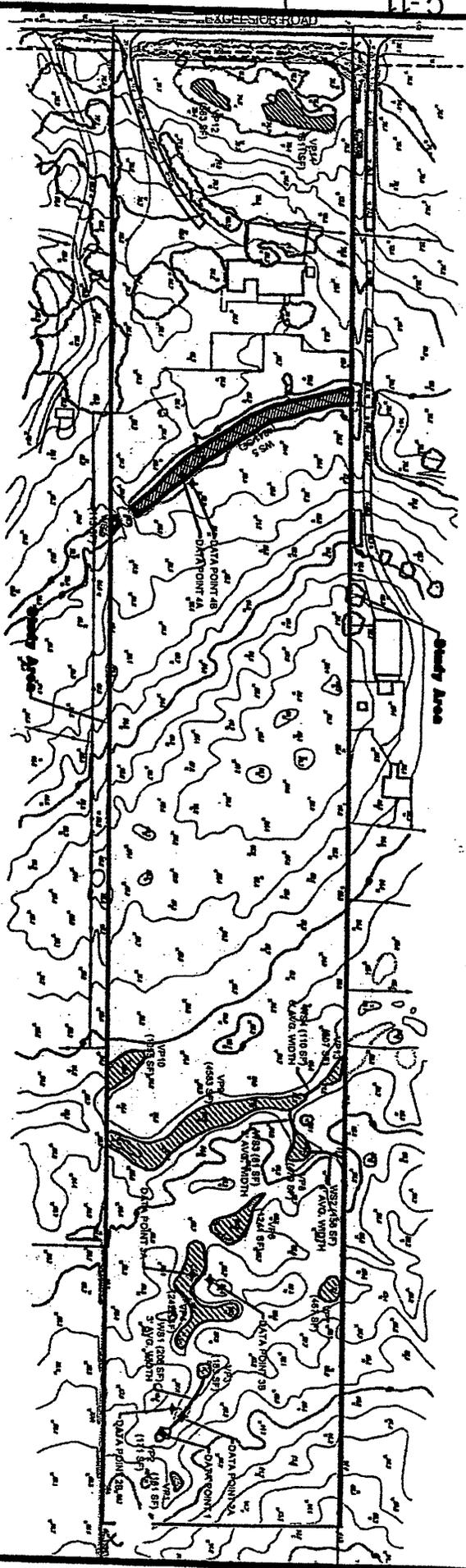
## Albani Group Excelsior Road

SACRAMENTO COUNTY, CALIFORNIA  
 DECEMBER, 2002  
 REVISED APRIL 2003

SCALE: 1"=50'

**LEGEND:**

-  VPI - VPI4, VPI8 - VPI13
-  VERNAL POOL (0.31 ACRES)
-  OR
-  VPI1 - VPI3
-  SEASONAL WETLAND (0.11 ACRES)
-  DATA POINT 1 - 48



**BW** BAKER-WILLIAMS ENGINEERING GROUP  
 ENGINEERING / SURVEYING / GEOTECHNICAL ENGINEERING / CIVIL ENGINEERING  
 2277 FAIR OAKS BLVD., SUITE 395  
 SACRAMENTO, CALIFORNIA 95825

JURISDICTIONAL DELINEATION  
 JURISDICTIONAL DELINEATION  
 SACRAMENTO COUNTY  
 CALIFORNIA

DELINEATION PREPARED BY  
**GIBSON and SKORDAL, LLC**  
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May 13, 2003

Mr. Dennis Albiani  
The Albiani Group  
P.O. Box 827  
Sloughouse, California 95683

**Subject: Special Status Species Surveys – Albiani Group-Excelsior Road Property (Excelsior Ranch), Sacramento County, California**

Dear Mr. Albiani:

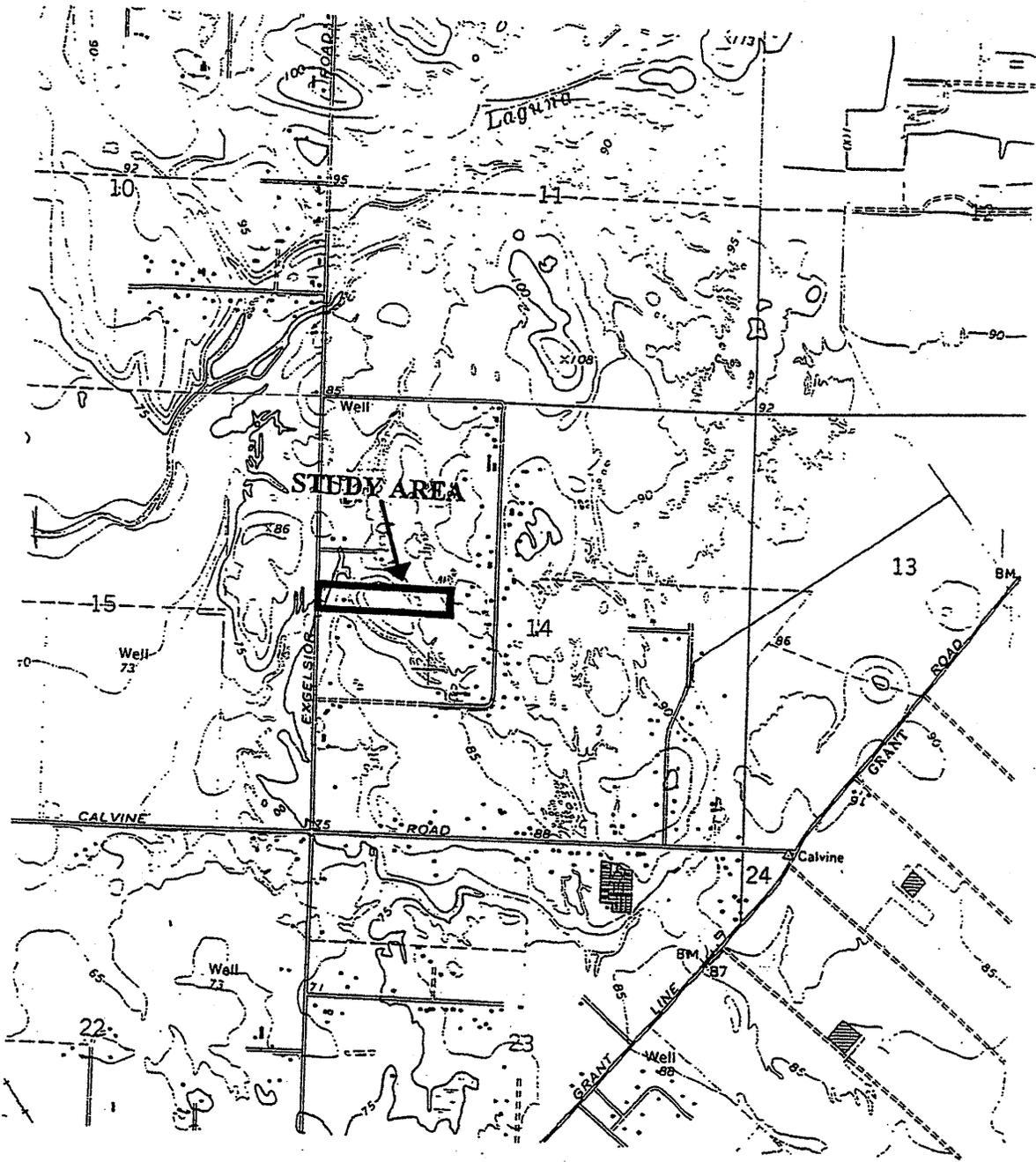
The purpose of this letter is to present the findings of supplemental field surveys to determine presence or absence of special status species in the project area including special status plants and nesting raptors.

The project area includes a 10-acre parcel located roughly ½ mile north of Calvine Road, 0.4 mile south of Dierks Road, and immediately east of Excelsior Road. It lies in the northwest ¼ of Section 14, Township 7 North, and Range 6 East of Sacramento County, California (Latitude 38°27' North, Longitude 121°17' West). The attached Figure 1 is a vicinity map.

Focused field studies were conducted on April 8 and May 7, 2003 to determine presence or absence of special status plants in the project area. Target plant species included Bogg's lake hedge-hyssop (*Gratiola heterosepala*), dwarf downingia (*Downingia pusila*), legenere (*Legenere limosa*), slender orcutt grass (*Orcuttia tenuis*), and Sanford's arrowhead (*Sagittaria sanfordii*). Field survey methodology included a botanical inventory of existing wetlands and waters in the project area. The timing of field surveys was scheduled to coincide with the peak flowering period in the vernal pools and wet swales. Field surveys also included a field reconnaissance to determine if any raptors including great horned owl (*Bubo virginianus*), Swainson's hawk (*Buteo swainsoni*), red-tailed hawk (*Buteo jamaicensis*), white-tailed kite (*Elanus leucurus*), and burrowing owl (*Athene cunicularia*) are currently nesting at the site.

Based on our field surveys, we did not identify any special status plants in the project area. Additionally, we did not observe any active raptor nest in the project area, and we did not observe any indication that burrowing owls are currently utilizing the site.

**FIGURE 1**  
**VICINITY MAP**



Scale: 1 Inch = 2000 Feet

Source: Elk Grove 7.5 Minute USGS Topographic Quadrangle

Topography consists of flat to gently undulating terrain that generally slopes to the center of the site and then drains to the north. Soils are mapped as Redding gravelly loam, 0 to 8 percent slopes. Redding soils are moderately deep, moderately well drained soils that formed on high terraces or terrace remnants. Although they are not considered to be hydric soils, Redding soils do have hydric inclusions in depressions and drainageways. Figure 2 is a soils map.

## EXISTING WATERS AND WETLANDS

We identified a total of 0.4 acre of wetlands in the study area comprised of 0.29 acre of vernal pools and 0.11 acre of wet swales. Table 1 gives the areas of wetlands listed by wetland type and reference number. Appendix B provides a delineation map showing the study area boundary, location of representative data points, and location and size of wetlands. Appendix C provides a partial list of plants observed in the study area including their status as wetland indicator species.

### Vernal Pools

We identified a total of twelve (12) vernal pools in the study that range from 111 sq. ft. to 4,583 sq. ft. in area. The vernal pools occur in shallow to medium depth depressions that sustain long-term ponding and saturated soil conditions that persist through the winter rainy season before drying up in the spring. The soils in most of the vernal pools do not exhibit typical hydric soil color morphology (i.e. low chroma w/mottles). In these areas, hydric soils were assumed present based on clear indication of the presence of an aquic moisture regime.

The shallow vernal pools typically sustain ponding conditions of less than 6 inches at maximum depth, and they generally dry up by early April. They support a wetland plant community characterized by Mediterranean barley, coyote thistle (*Eryngium vaseyi*), and purple hairgrass (*Deschampsia danthonioides*). Other common species include loosestrife (*Lythrum hyssopifolia*), perennial rye, goldfields (*Lasthenia sp.*), and brodiaea (*Brodiaea sp.*).

The deeper vernal pools may sustain ponding conditions of 6 to 12 inches or more that persist into late April or early May in some years. They support a wetland plant community typically dominated by Carter's buttercup (*Ranunculus alveolatus*), creeping spikerush (*Eleocharis macrostachya*), slender popcorn flower (*Plagiobothrys stipitatus*). Other common species may include bractless hedge-hyssop (*Gratiola ebracteata*), annual rabbit-foot grass (*Polypogon monspeliensis*), downingia (*Downingia sp.*), and goldfields.

The transition from wetland to upland is typically characterized by a higher landscape position, a lack of hydric soils and/or wetland hydrology indicators, and the emergence of an upland grassland community.

Detailed data on vegetation, soils, and hydrology characteristics was taken in the field. Data sheets documenting the basis for determining which areas are wetland or upland are provided in Appendix A.

### Special Status Species Evaluation

The special status species evaluation includes those species that have been identified as having relative scarcity and/or declining populations by the United States Fish & Wildlife Service (FWS) or California Department of Fish & Game (CDFG). Special status species include those formally listed as threatened or endangered, those proposed for formal listing, candidates for Federal listing, and those considered to be Species of Concern by FWS or Species of Special Concern by CDFG. In addition to these, we also included those species considered to be "special animals" or "fully protected" by the CDFG and those plant species considered to be rare, threatened or endangered in California by the California Native Plant Society (CNPS).

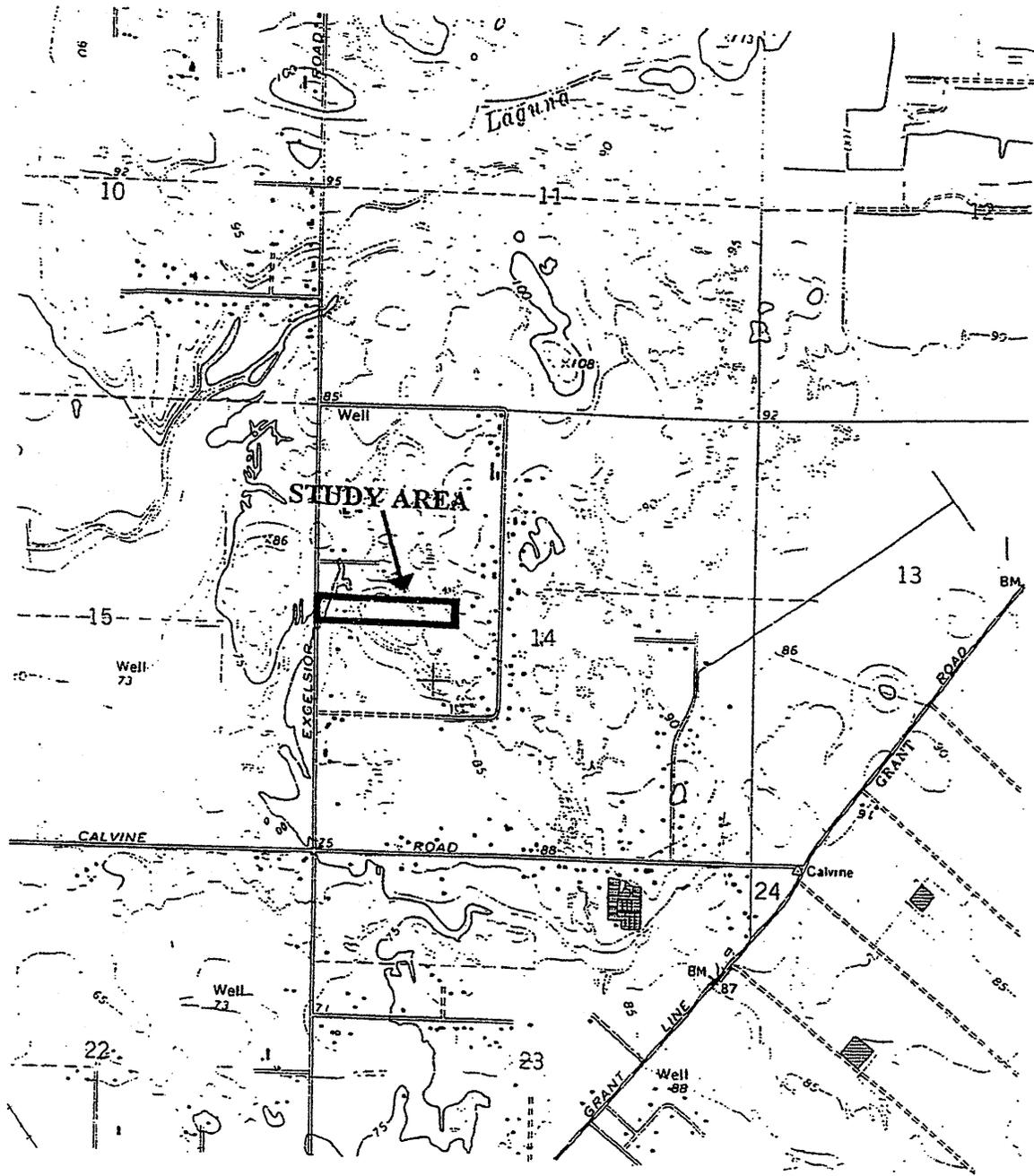
In our evaluation, we considered those special status species documented by the California Natural Diversity Database (NDDB) as occurring in the vicinity of the study area. A record search of the NDDB was conducted for the Elk Grove 7.5 Minute USGS Quadrangle to identify all documented sightings of special status species in the vicinity of the study area. In addition to these species, we included other special status species that may have some potential for occurring in the study area based on historical range data and/or the presence of suitable habitat.

### **GENERAL SITE CONDITIONS AND HABITATS**

The study area is bordered by Excelsior Road to the west, and primarily undeveloped grassland/pasture and ranchettes to the north, south, and east. A majority of the study area has been utilized as grazing pasture for cattle and horses in the past. A home site with multiple trailers, houses, and related out-structures is located on the west side of study area adjacent to Excelsior Road. A number of large eucalyptus trees (*Eucalyptus sp.*) occur around the home site.

A majority of the study area situated east of the home site supports open grassland/pasture that is currently used for cattle grazing. The grassland was heavily grazed at the time of field studies. Grassland habitat is generally characterized by non-native annual species including tarweed (*Holocarpha virgata*), soft chess (*Bromus mollis*), Mediterranean barley (*Hordeum hystrix*), perennial rye (*Lolium perenne*), filaree (*Erodium botrys*), and rattail fescue (*Vulpia myuros*). Other species include prickly lettuce (*Lactuca serriola*), clustered dock (*Rumex conglomeratus*), English plantain (*Plantago lanceolata*), annual bluegrass (*Poa annua*), brodiaea (*Brodiaea sp.*), barley (*Hordeum leporinum*), and rip-gut brome (*Bromus diandrus*).

**FIGURE 1**  
**VICINITY MAP**



Scale: 1 Inch = 2000 Feet

Source: Elk Grove 7.5 Minute USGS Topographic Quadrangle  
B-25

## INTRODUCTION

The purpose of this report is to present the results of a jurisdictional delineation and special status species evaluation conducted for the Albiani Group-Excelsior Road Property.

## LOCATION

The study area is an approximately 10-acre parcel located roughly ½ mile north of Calvine Road, 0.4 mile south of Dierk's Road, and immediately east of Excelsior Road. It lies in the northwest ¼ of Section 14, Township 7 North, and Range 6 East of Sacramento County, California (Latitude 38°27' North, Longitude 121°17' West). Figure 1 is a vicinity map.

## METHODOLOGY

Field studies were conducted on December 5, 2002 for the purpose of delineating all potential waters and wetlands in the study area and conducting an evaluation of special status species and their habitats.

### Jurisdictional Delineation

The boundaries of all waters including wetlands were delineated and surveyed in the field by Gibson & Skordal, LLC utilizing a Trimble GPS data logger with sub-meter accuracy. The delineation map was prepared by Baker-Williams Engineering Group in cooperation with Gibson & Skordal, LLC using the GPS field data.

The "Corps of Engineers Wetlands Delineation Manual"<sup>1</sup> was used as the standard of determining whether specific areas are wetlands potentially subject to regulation under Section 404 of the Clean Water Act. Corps of Engineers' regulations (33 CFR 328) were used to determine the presence of waters of the United States other than wetlands. The "National List of Plant Species That Occur in Wetlands: California (Region 0)"<sup>2</sup> was used to determine the wetland indicator status of plants observed in the study area. The "Soil Survey of Sacramento County, California"<sup>3</sup> was used to evaluate soil mapping in the study area.

<sup>1</sup> Environmental Laboratory. 1987. Corps of Engineers Wetlands Delineation Manual. Technical Report Y-87-1, U.S. Army Engineer Waterways Experiment Station. Vicksburg, Miss.

<sup>2</sup> Reed, P.B. 1988. National List of Plant Species That Occur In Wetlands: California (Region 0). Biological Report 88(26.10). May 1988. National Ecology Research Center, National Wetlands Inventory, U.S. Fish & Wildlife Service, St. Petersburg, Florida.

<sup>3</sup> USDA, Soil Conservation Service. 1991. Soil Survey of Sacramento County, California.

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**JURISDICTIONAL  
DELINEATION AND SPECIAL STATUS  
SPECIES EVALUATION**

**ALBIANI GROUP - EXCELSIOR ROAD**

**SACRAMENTO COUNTY,  
CALIFORNIA**

**DECEMBER 2002**

**Prepared For:**

**ALBIANI GROUP  
9370 W. Stockton Blvd., Suite 100  
Elk Grove, California 95738**

**Prepared By:**

**GIBSON & SKORDAL, LLC  
Wetland Consultants  
2277 Fair Oaks Blvd., Suite 395  
Sacramento, California 95825**

**DEPARTMENT OF ENVIRONMENTAL REVIEW AND ASSESSMENT  
INITIAL STUDY**

**CONTROL NUMBER:** 03-CZB-SDP-0120

**NAME:** EXCELSIOR RANCH COMMUNITY PLAN AMENDMENT REZONE &  
TENTATIVE SUBDIVISION MAP

**LOCATION:** The project site is located on the east side of Excelsior Road, 2,700-feet north of Calvine Road in the Vineyard Community Planning Area.

**ASSESSOR'S PARCEL NUMBER:** 123-0080-005

**OWNER:**

Dennis Albani  
9370 West Stockton Boulevard, #100  
Elk Grove, CA 95758

**APPLICANT:**

Baker-Williams Engineering Group  
6020 Rutland Drive, Suite #19  
Carmichael, CA 95608

**PROJECT DESCRIPTION:**

1. A **Community Plan Amendment** and corresponding **Rezone** to change the land use designation of 10.2 acres from AR-10 (A-10) to AR-2.
2. A **Tentative Subdivision Map** to create five residential lots.

**ENVIRONMENTAL SETTING**

The 10-acre site, currently zoned AR-10, is located on the east side of Excelsior Road, approximately ½ mile north of Calvine Road in the Vineyard Community Planning Area (Plate A, Location/ Zoning). The site is developed with one single-family residence. The majority of the site is comprised of open grassland. There are several large trees on the site including eucalyptus, cottonwoods and mulberry trees. The site is accessed via a paved driveway extending from Excelsior Road. There are two approximately 32-inch wide pipes that bring runoff under Excelsior Road and empty into the drainage swale that fronts the project property.

Surrounding land uses are agricultural-residential. To the west is the Silver Springs subdivision, zoned AR-1. Between the Silver Springs Subdivision and Excelsior Road to

**NEGATIVE DECLARATION**

Pursuant to Division 6, Title 14, Chapter 3, Article 6, Sections 15070 and 15071 of the California Administrative Code and pursuant to the Procedures for Preparation and Processing of Environmental Impact Reports adopted by the County of Sacramento pursuant to Sacramento County Ordinance No. SCC-116, the Environmental Coordinator of Sacramento County, State of California, does prepare, make, declare, publish, and cause to be filed with the County Clerk of Sacramento County, State of California, this Negative Declaration re: The Project described as follows:

1. **Control Number:** 03-CZB-SDP-0120
2. **Title and Short Description of Project:** EXCELSIOR RANCH COMMUNITY PLAN AMENDMENT REZONE & TENTATIVE SUBDIVISION MAP  
A **Community Plan Amendment** and corresponding **Rezone** to change the land use designation of 10.2 acres from AR-10 (A-10) to AR-2.  
A **Tentative Subdivision Map** to create five residential lots.
3. **Assessor's Parcel Number:** 123-0080-005
4. **Location of Project:** The project site is located on the east side of Excelsior Road, 2,700-foot north of Calvine Road in the Vineyard Community Planning Area.
5. **Project Applicant:** Baker-Williams Engineering Group
6. Said project will not have a significant effect on the environment for the following reasons:
  - a) It will not have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory.
  - b) It will not have the potential to achieve short-term, to the disadvantage of long-term, environmental goals.
  - c) It will not have impacts, which are individually limited, but cumulatively considerable.
  - d) It will not have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly.
7. As a result thereof, the preparation of an environmental impact report pursuant to the Environmental Quality Act (Division 13 of the Public Resources Code of the State of California) is not required.
8. The attached Initial Study has been performed by the Sacramento County Department of Environmental Review and Assessment in support of this Negative Declaration. Further information may be obtained by contacting the Department of Environmental Review and Assessment at 827 Seventh Street, Room 220, Sacramento, California, 95814, or phone (916) 874-7914.

**Joyce Horizumi**  
ENVIRONMENTAL COORDINATOR OF  
SACRAMENTO COUNTY, STATE OF CALIFORNIA

Document Released 8-20-04

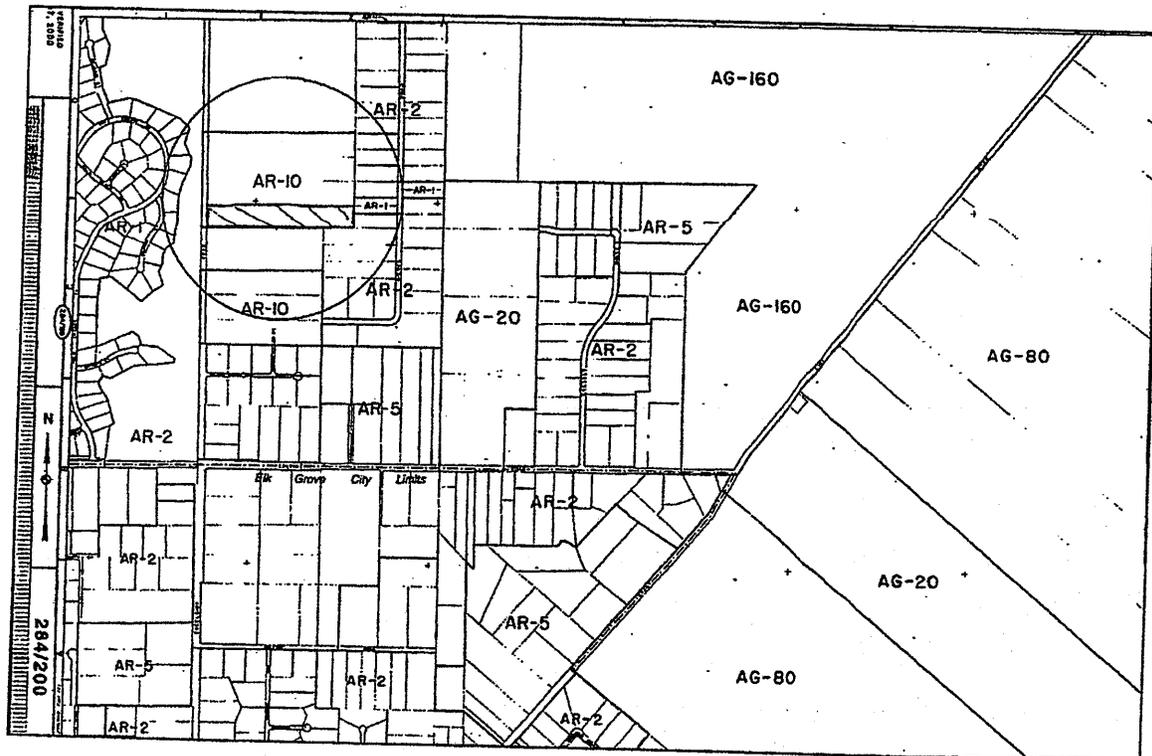
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the west is vacant land (vernal pool preserve) zoned AR-2. To the north and south are ranchettes in the AR-10 zone. To the east agricultural residential parcels, zoned AR-1 and AR-2

## ENVIRONMENTAL EFFECTS

See the Initial Study Checklist attached to this report and the following discussion.

## PLATE A, LOCATION/ZONING



## Land Use

The proposed project consists of a Community Plan Amendment and corresponding Rezone to change the land use designation of 10.2 acres from AR-10 (A-10) to AR-2 (Plate B). In addition, the application includes a request for a Tentative Subdivision map to create five residential lots (Plate C). The entire site is currently designated for agricultural-residential land uses by the Sacramento County General Plan and for AR-10 land uses by the Vineyard community plan, and is within the AR-10 land use zone.

The Sacramento County General Plan defines the Agricultural-Residential designation as follows:

The Agricultural-Residential designation provides for rural residential uses, such as animal husbandry, small-scale agriculture, and other limited agricultural activities. This designation is typical of established rural communities where between one and ten acres per unit is allowed, resulting in a development density of 2.5 to 0.25 persons per acre.

The proposed change in land use designations is consistent with the existing General Plan designation for the site.

The SZC indicates the purpose of the Agricultural-Residential land use zone is as follows:

- a) To establish living areas within the County where development is limited to low density concentrations of single-family dwellings;
- b) To limit the number of permitted nonresidential uses so as to promote and encourage a suitable environment for family life on parcels of land larger than generally is provided in residential zones;
- c) To protect estate areas against fire, explosions, and other hazards, and against offensive noises, odors, glare, and other objectionable influences;
- d) To provide adequate open space and access of light and air for privacy by controls over the spacing and height of building;
- e) To permit those religious, educational, recreational, and public cultural facilities which serve the needs of the nearby residents and which generally perform their own activities more effectively in a residential environment and which do not create objectionable influences;
- f) To promote the most desirable use of land and direction of building development in accord with the General Plan, to promote stability of land development, to conserve the value of land and improvements, and to protect the County's tax revenues;
- g) To regulate the development of land when not served with both public water supply and public sewerage facilities; and
- h) To avoid undue concentration of population and overcrowding of land to lessen congestion in the streets.

The AR-2 land use zone specifically provides for parcels with a minimum gross area of two acres. If approved, the proposed project would change the land uses from A-10/AR-10 to AR-2, increasing the permitted density of development on the site. However, the proposed project maintains the Agricultural-Residential character of the site and is consistent with the purpose of the General Plan designation. In addition, a large AR-1 subdivision is located across Excelsior west of the project site, and to the east and south is AR-1 zoned property.

The project is considered compatible with surrounding land uses and the change in land use classification is not expected have any significant environmental impacts.

Plate B. Rezone Exhibit

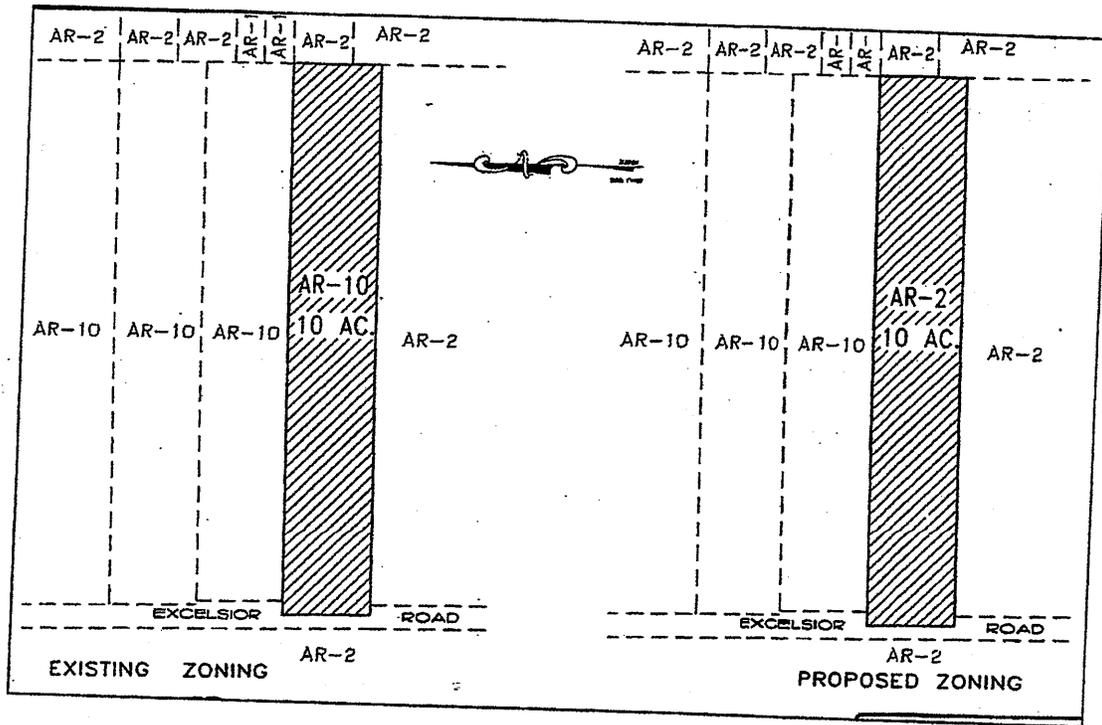
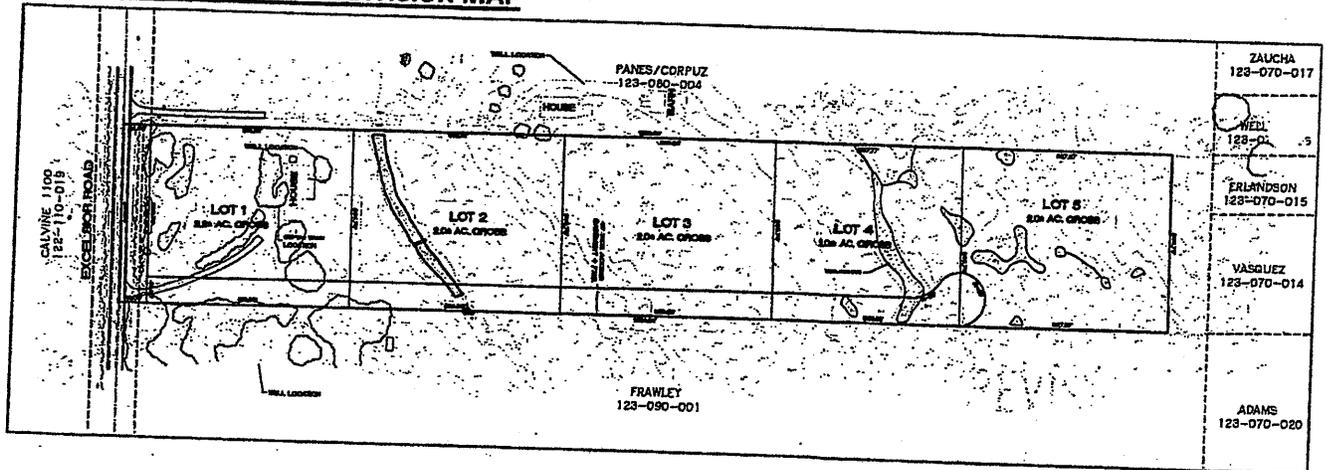


PLATE C. TENTATIVE SUBDIVISION MAP



## Public Services

### **Water Supply**

The project includes a request for an Exception from the public water supply provisions of the Land Development ordinance, Title 22, to allow the project to be served by private wells. The applicant provided the following justification statement:

The current land use is one residence on 10 acres. The existing home is served by a private well and has septic system. This residence will remain and is proposed to be served by the existing well. The proposal is to subdivide the property into 5 two-acre parcels. Four lots will be unimproved, while we will retain the existing home, well and septic on the front parcel.

While developing the plan for this property, we evaluated both public and private water supplies. We chose to go with private wells because it was economically infeasible to pull water lines 1600 feet to serve the five lots, especially considering that one of the parcels is already served by the existing well. Also looking to serve adjacent parcels was not an option because they are all currently served by private wells and there are not known immediate plans to develop the adjacent properties. Therefore, for these reasons we request a waiver from Title 22.

Sacramento County Department of Water Resources Water Supply Section staff (Gardner) reviewed the project and recommended the following conditions of approval:

1. Destroy all abandoned wells on the proposed project site in accordance with the requirements of the Sacramento County Environmental Health Division. Clearly show all abandoned/destroyed wells on the improvement plans for the project. Prior to abandoning any existing agricultural wells, applicant shall use water from agricultural wells for grading and construction.
2. The Sacramento County Water Agency (SCWA) will not issue water connection permits or sign improvement plans until adequate water supplies have been identified and secured to the satisfaction of SCWA.
3. The project is required to connect to the existing Sacramento County Water Agency System. To date, the nearest water mains are located 1,600 feet south at the intersection of Silent Wings Way and Excelsior Road. Costs associated with the transmission main extension shall be reimbursed on an extended payback period to be determined by SCWA.

Subsequent consultation with staff (Gardner) indicated that County water mains are now located approximately 500 feet north of the project at the northern edge of the adjacent parcel. If the project proponent is required to connect to the Sacramento County Water System, a pipe would be installed beneath the pavement of Excelsior Road. No

significant environmental impacts are anticipated whether the project connects to the County Water Supply or utilizes private wells.

### **Sewage Disposal**

The project site currently lies outside the boundaries of the Sacramento Regional County Sanitation District (SRCSD) and County Sanitation District 1 (CSD-1). No public sewer service is currently available at the project site. However, the subject properties are located within Sacramento County's Urban Service Boundary (USB), which indicates that ultimately public services are to be provided to the area. The Tentative Subdivision Map indicates that's septic systems will be used for sewage disposal.

County Sanitation District 1 staff (Atteberry) reviewed the proposed project and recommended the following conditions of approval:

- Each parcel shall have a separate connection to the public sewer system.
- Construction of dry public sewer collector will be required to the satisfaction of CSD-1 to provide for future public sewer service.
- The subject property is outside the boundaries of CSD-1 and Sacramento Regional County Sanitation District (SRCSD) but within the Urban Service Boundary shown on the Sacramento County General Plan. Environmental Management Department approval will be required for the on-site waste disposal facilities.

According to County Sanitation District 1 staff (Morgan), the project proponents would not be required to hook up to the public sewer system as a condition of this project. The recommendation that each parcel shall have a separate connection to the public sewer system is meant to address the design of the dry sewer connection. The dry collector should not be designed where one parcel's sewage flows into another parcel's system before reaching the public sewer pipe.

### Septic

The USDA Soil Conservation Service's Soil Survey of Sacramento County (1993) shows that the soils on the project site are very poor for septic system absorption fields. Soil limitations can cause the failure of poorly designed sewage disposal systems. Table 14 of the Soil Survey for sanitary facilities indicates that the soils are "severe" for septic tank absorption fields. "Severe" soils are defined as "soil properties or site features...so unfavorable or so difficult to overcome that special design, significant increase in construction costs, and possible increased maintenance are required." The "special design" normally required in Sacramento County is the installation of seepage pits below the hardpan layer. The seepage pits are generally 35 feet deep and 3 feet in diameter, and one seepage pit per bedroom is typically required. All septic systems must comply with the requirements of the County Environmental Management Department, Environmental Health Division, as set forth in Chapter 6.32 of the County Code.

**DERA Initial Study**

Environmental Management Division (EMD) staff (F. King) considers properties of two acres or larger to be of sufficient size to accommodate both wells and septic systems for private domestic use. EMD recommends percolation tests to determine the most appropriate design for future septic systems. Subject to EMD approval and compliance with current standards, adverse impacts from septic systems on this site are not expected.

**Access**

Access is proposed via a 40-foot wide private drive that extends east from Excelsior Road. The project was reviewed by the Department of Transportation (DOT) and the following conditions of approval were recommended:

- Grant the County of Sacramento right-of-way on Excelsior Road based on an 84-foot standard width and install public street improvements pursuant to Sacramento County Improvement Standards and to the satisfaction of the Department of Transportation.
- Grant the right of direct vehicular access to the County of Sacramento along Excelsior Road except for street intersections approved by the Department of Transportation.
- Dedicate right-of-way to the County of Sacramento for 50-foot street section for the proposed street approach to Excelsior Road for a distance of 100 feet per the Sacramento County Improvement Standards and to the satisfaction of the Department of Transportation.

In addition, the project was reviewed by Land Division and Site Improvement Review (LD&SIR) and the following conditions of approval were recommended:

- Grant the County right-of-way for Excelsior Road, based on an 84-foot standard and install public street improvements pursuant to the Sacramento County Improvement Standards.
- Construction of the private street(s) shall be a standard of 2 inches of asphaltic concrete over a minimum of 6 inches aggregate base to a 20-foot section width, including adequate turnaround facilities at the end of the road. Secure approval of a civil engineered site improvement plan from the LD&SIR Section of the Public Works Agency for construction of the private road.
- Record a maintenance agreement involving all the parcels of the subject map assuring timely maintenance of the private street.
- Dedicate a standard 12.5-foot Public Utility Easement for overhead and underground facilities and appurtenances adjacent to all public ways, private drives and/or Irrevocable Offer of Dedication (IOD).

The proposed access exceeds the requirements of DOT and LD&SIR.  
No significant access related impacts have been identified.

### Traffic Generation

The Department of Transportation has reviewed the project application and provided the following trip generation table for the existing zoning and the proposed zoning.

Condition	Zoning or Use (Area)	Source	Daily Trip Rate	Daily Trips	P.M. Peak Hour Trip Rate	P.M. Peak Hour Trips
<b>Existing Zoning</b>	AR-10 (10.2 AC, 1 DU)	ITE (210)	9.57 VTE/DU	10	1.01 VTE/DU	1
<b>Proposed Zoning</b>	AR-2 (10.2 AC, 5 DU)	ITE (210)	9.57 VTE/DU	48	1.01 VTE/DU	5
<b>Increase in trips for the proposed zoning as compared to the existing zoning</b>				<b>38</b>		<b>4</b>

Notes: AC = Acre VTE = Vehicle trip ends DU = Dwelling Unit ITE = Institute of Transportation Engineers

As shown on the trip generation table, the additional new trips generated in the p.m. peak hour by the proposed zoning is less than 100; therefore, a traffic study for the proposed project is not recommended. Impacts to traffic are expected to be less than significant.

### Drainage

To determine the potential impacts associated with drainage, the proposed project was reviewed by the Department of Water Resources (DWR) staff (Forrest) in August 2003. DWR determined that a local flood hazard exists on the project site and off-site improvements including a detention basin were recommended in order to mitigate for the drainage impacts of the proposed development. In March 2004, the project proponent submitted a drainage study completed by Baker Williams Engineering Group.

Subsequently DWR provided the following revised comments and conditions, which no longer require a detention basin or off-site improvements:

The drainage indicated on proposed Lot 2 drains north onto the next adjacent parcel and then curves back goes along the frontage of this project. The Upper Laguna Drainage Master Plan (ULDMP) indicates that the contributing watershed at Excelsior is 499 acres. In addition, the ULDMP indicates a local detention basin (UL50) with 10 acre-feet of flood control detention and 7 acre-feet of stormwater quality detention. The project and water shed cannot increase the peak runoff across Excelsior Road. A drainage study has been submitted and reviewed by SCDWR. The results of the revised drainage study have reduced the contributing watershed down to about 240 acres with about 1.5 to 2 acre-feet of detention. In the existing condition, flow overtops Excelsior Road. That relatively high tailwater condition from the flow overtopping Excelsior makes placement of a detention basin within Excelsior Ranch adjacent to Excelsior Rd very inefficient. SCDWR thinks that the best locations for the basin would be on the parcel north of this proposed project possibly extending into Excelsior Ranch. SCDWR will not require detention mitigation from this project in that the increase in zoning will not cause a significant impact. SCDWR will require dedication of a flowage easement over the existing drainage on Parcel 1 and 2, and a floodplain easement over the extents of the 100-year floodplain as delineated in the Drainage Study submitted by Baker-Williams (Plate D, Floodplain Exhibit).

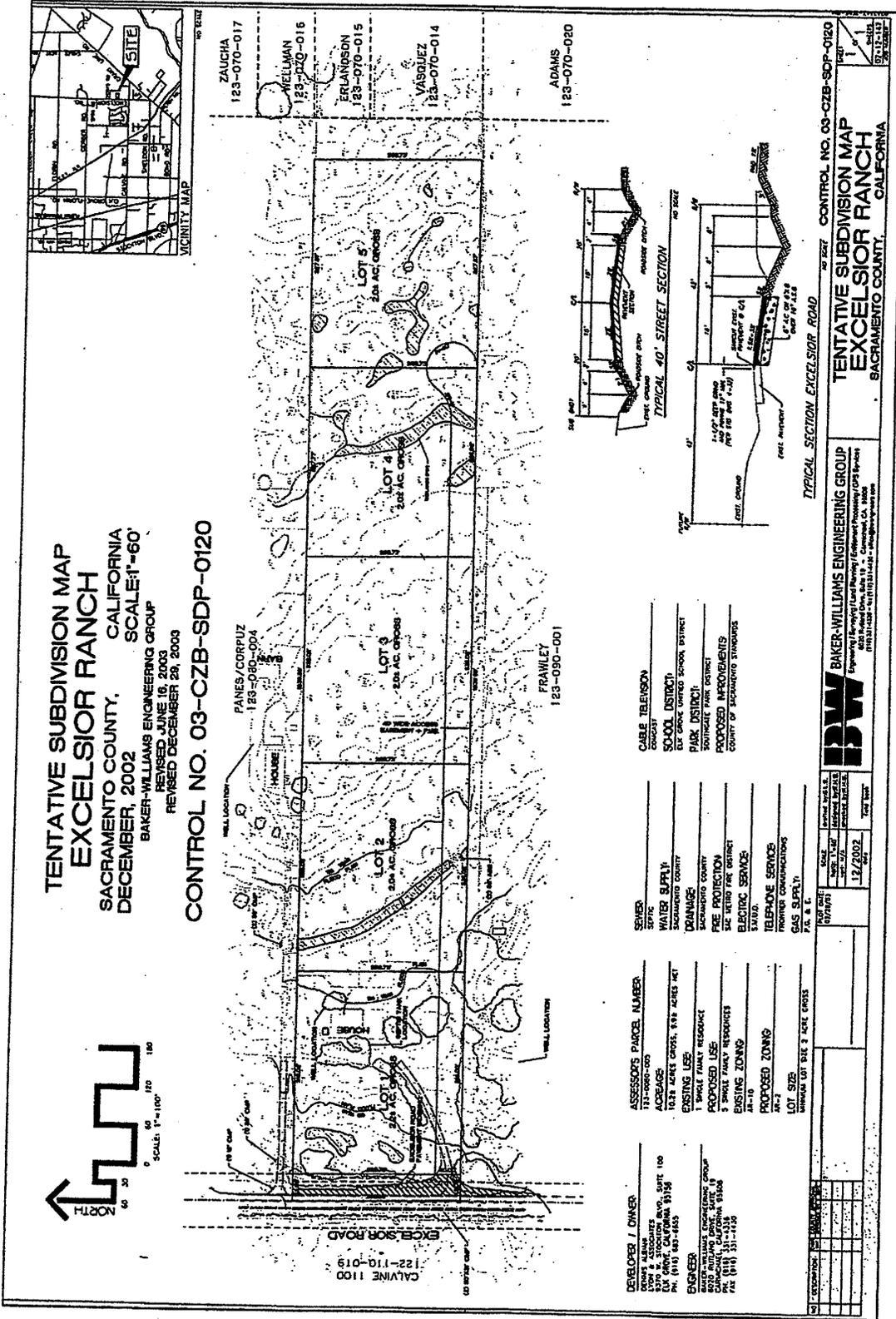
Conditions of Approval recommended by DWR:

1. Provide a 20-foot wide flowage easement over the existing drainage on Parcels 1 and 2, and a floodplain easement (as the floodplain is delineated in the Baker-Williams Drainage Study) also on Parcels 1 and 2, and install facilities pursuant to the Sacramento County Floodplain Management Ordinance, Sacramento County Water Agency Code, and Sacramento County Improvement Standards, including any fee required by the Sacramento County Water Agency Code.
2. Provide onsite driveway culverts in accordance with Sacramento County Improvements Standards.
3. Incorporate stormwater quality measures in conformance with applicable County ordinances & standards, and state and federal law pursuant to Table 2-1 of the County of Sacramento "Guidance Manual for On-Site Stormwater Quality Control Measures."
4. A Notice of Intent (NOI) must be filed with the state Water Resources Control Board prior to construction to obtain coverage under the State's General Construction Activity Stormwater Permit. As a condition of the General Permit, a Stormwater Pollution Prevention Plan (SWPPP) must be developed for the project.

5. On-site source control measures shall be required for this project in accordance with the latest version of the City and County of Sacramento's Guidance Manual for On-Site Stormwater Quality Control Measures.

The flowage easements recommended by DWR approximately follow the delineated drainage swale that transects Parcel 2 and runs adjacent to Excelsior Road on Parcel 1. According to DWR staff (Forrest), developing the driveway culverts in accordance with Sacramento County Improvement standards will ensure that construction of the private drive does not restrict flow within the drainage easements. Compliance with the recommendations of DWR will ensure that impacts to drainage are less than significant.

PLATE D, FLOODPLAIN EXHIBIT



## **Biological Resources**

### **Wetlands**

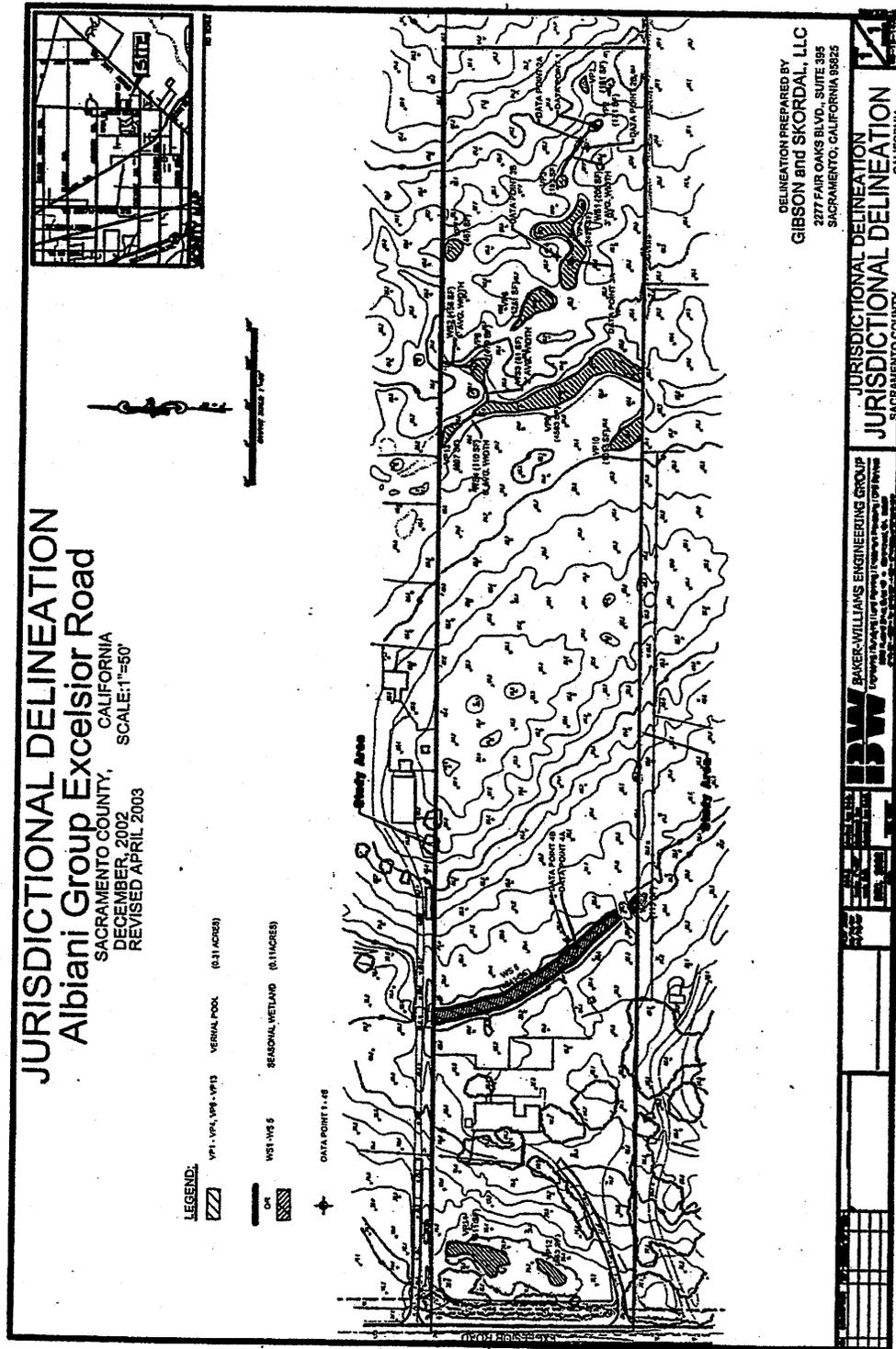
The project site consists of a home site and grazing pasture on gently undulating terrain. The undulating topography and soils at the project site combine with the Sacramento Valley climate to create vernal pool wetlands. Vernal pools are seasonally inundated depressions with an impermeable soil layer that causes water to be retained for extended periods of time. Vernal pools were once common in the Central Valley, but due to ongoing development this valuable biological resource is rapidly declining. Vernal pools are important to migratory waterfowl because they provide them with food and a resting place. Vernal pools are also important for the preservation of native plant species in California. Furthermore, vernal pools, such as those located on the project site are potential habitat for endangered species, such as the vernal pool fairy shrimp. The applicant supplied a Wetlands Delineation prepared by Gibson & Skordal, LLC, in December 2002, (Appendix A) which indicated a total of 0.29 acre of vernal pools and .11 acre of wet swales. See Plate E for exhibit of delineated wetlands. Based on the drainage patterns, the report considered the on-site wetlands to be jurisdictional wetlands regulated by the Army Corps of Engineers.

The Wetlands Delineation was also provided to the Army Corp of Engineers for verification. According to correspondence from Corps Delta Office Chief, M. Finan, the Corps concurs with the delineation of on-site wetlands and the determination that the wetlands are jurisdictional and regulated by the corps under Section 404 of the Clean Water Act, since they are tributary, or adjacent to a tributary, to Laguna Creek.

Because of the small size of the project site, it is not feasible to avoid the wetlands and develop the project as proposed. Development of the project will result in the permanent fill of all the vernal pools, as well as two of the wet swales. The largest swale is being preserved on-site and will be encumbered by a 20-foot wide drainage easement. However, construction of the access road will require installation of a 48-inch culvert within the preserved swale (WS-5), and approximately 750 square feet of the swale will be filled. The project will result in permanent impacts to .32 acre of vernal pools and wet swales. The applicant proposes to mitigate for impacts to wetlands through the purchase of .64 vernal pool preservation credits at an approved mitigation bank. . In addition, the applicant will purchase at least .32 creation vernal pool credits. Credits would be purchased at a Corps- and USFWS- approved mitigation bank servicing Sacramento County prior to impacting the on-site wetlands

The Sacramento County General Plan contains specific policies regarding wetland impacts resulting from development projects, especially when vernal pools are involved. Conservation Element Policies CO-83 through CO-87 specifically address development activities and vernal pools. In general these policies require no net loss of vernal pools, advocate preservation when reasonable, and provide for adequate compensation for loss of vernal pools. Policy CO-96 states specific guidelines by which loss of wetlands may be mitigated:

PLATE E, WETLAND EXHIBIT



DELINEATION PREPARED BY  
**GIBSON and SKORDAL, LLC**  
 2777 FAIR OAKS BLVD., SUITE 308  
 SACRAMENTO, CALIFORNIA 95825

**Baker-Williams Engineering Group**  
 1000 W. 14th Street, Suite 100  
 Sacramento, CA 95811  
 (916) 441-1111  
 www.bakerwilliams.com

**JURISDICTIONAL DELINEATION**  
**JURISDICTIONAL DELINEATION**  
 SACRAMENTO COUNTY  
 CALIFORNIA

S:\BMEG Jobs\2002 Jobs\0212147 8171 Excelsior Road\Exhibits\EXH-Wetland Delineation.dwg, 04/12/2003 10:23:15 AM, GaryB

All wetland acreage proposed to be disturbed by any project over which the Board of Supervisors has discretionary approval shall be mitigated/compensated for by either one or a combination of the following:

1. Preserve or create wetlands sufficient to result in no net loss of wetland acreage and protect their required watersheds as is necessary for the continued function of wetlands on the project site. The appropriate hearing body shall determine that project design, configuration, and wetland management plan provide reasonable assurances that the wetlands will be protected and their long-term ecological health maintained.
2. Where a Section 404 Permit has been issued by the Corps of Engineers or an application has been made to obtain a Section 404 Permit, the Mitigation and Management Plan required by that permit or proposed to satisfy the requirements of the Corps for granting a permit may be submitted for purposes of satisfying paragraph 1, provided a no net loss of wetlands is achieved and provided, further, that such mitigation and management plan shall be subject to the independent, discretionary approval of the Board of Supervisors.
3. Pay to the County of Sacramento an amount based on a rate of \$35,000 per acre for the unmitigated/uncompensated wetlands, which shall constitute mitigation for purposes of implementing adopted no net loss policies and CEQA required mitigation. The payment shall be collected by the Department of Planning and Community Development at the time of Improvement Plan or Building Permit approval, whichever occurs earlier, and deposited into the Wetlands Restoration Trust Fund.

### **Vernal Pool Crustaceans**

In 1994, the US Fish and Wildlife Service (USFWS) formally listed three crustacean species (the conservancy fairy shrimp, the longhorn fairy shrimp, and the vernal pool tadpole shrimp) as endangered species and one crustacean species (the vernal pool fairy shrimp) as a threatened species, pursuant to the Federal Endangered Species Act (FESA). These species are known to occur in vernal pool and other seasonal wetlands in the Central Valley. The FESA now affords legal protection to these four species and prohibits "taking" of the species, which would include any activity, which results in adverse impacts upon their habitat. The vernal pools on the project site are potential habitat for the listed shrimp species.

The "take" of a federally listed species incidental to an otherwise lawful activity may be authorized by one of two procedures. If a federal agency is involved with the permitting of a project (i.e. the Corps of Engineers through the Clean Water Act Section 404 process), initiation of a formal consultation is required between that agency and the USFWS pursuant to Section 7 of the FESA if it is determined that the proposed project may affect a federally listed species. Such a consultation would result in a biological opinion that addresses the anticipated effects of the project to the listed species and may authorize a limited level of "take".

The project complies with the #2 mitigation measure outlined above. The Army Corps of Engineers is responsible for issuing permits, pursuant to the requirements of the Federal Clean Water Act Section 404, for activities involving the filling of jurisdictional wetlands. In February 2003, the applicant submitted to the Corps a Pre-construction Notification requesting authorization of the proposed project under Nationwide Permit 39. Based on the Corps initiation of formal consultation under the Nationwide Permit 39, the Preconstruction Notification, wetland delineation, and special status species surveys, in August 2003, the USFWS determined that the project may be appended to the *Programmatic Formal Endangered Species Act Consultation on the Issuance of 404 Permits for Projects with Relatively Small Effects on Listed Vernal Pool Crustaceans within the Jurisdiction of the Sacramento Field Office*. See Appendix C for Pre-construction Notification, USFWS letter, and Corps verification.

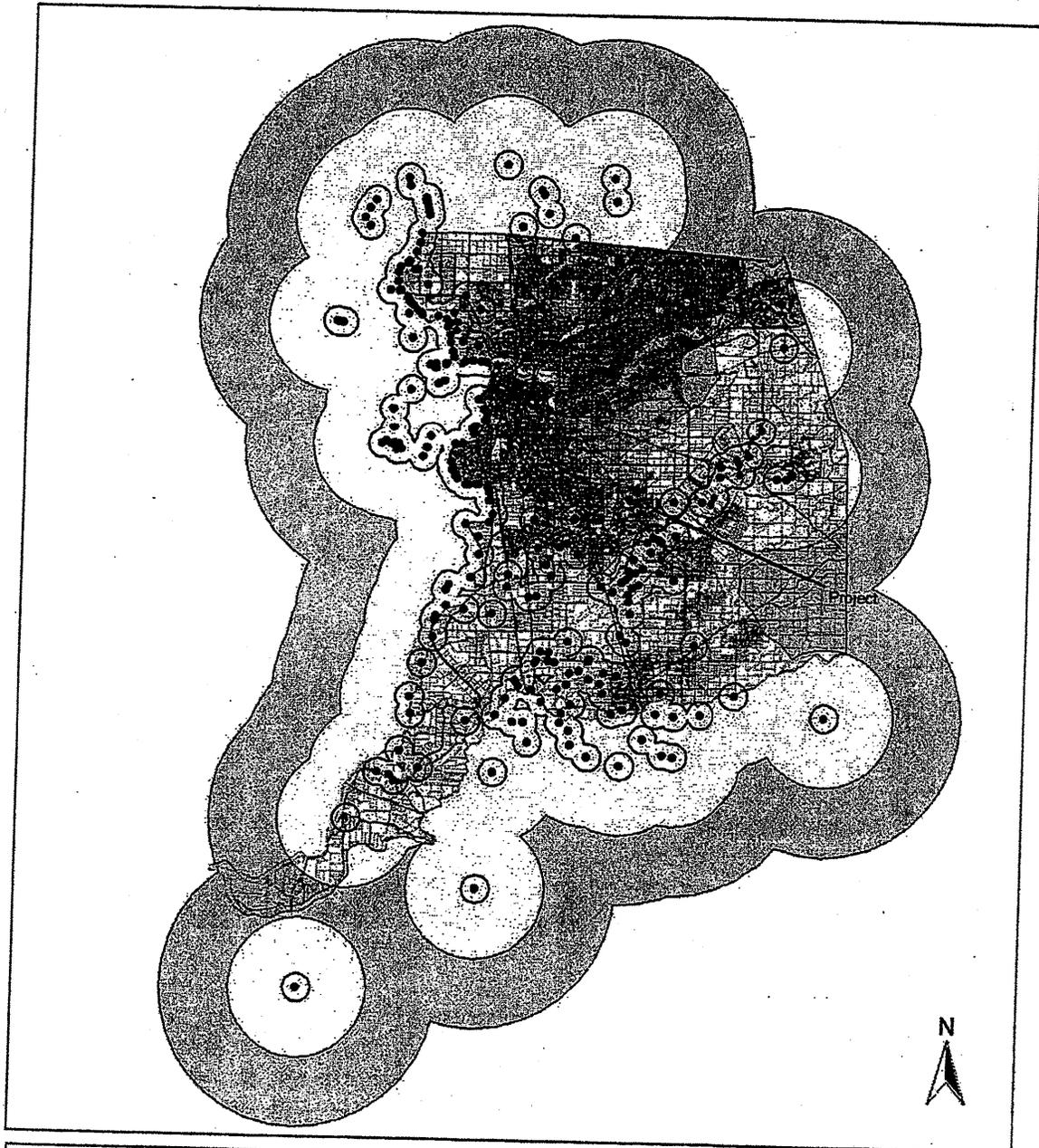
If there is no net loss of wetlands and all appropriate permits are obtained and complied with, impacts to wetlands and special status vernal pool species as a result of the proposed project would be considered less than significant

### **Swainson's Hawk**

The project site includes 10.2± acres of suitable foraging habitat for the Swainson's Hawk. The California Department of Fish and Game Natural Diversity Database indicates nest sites approximately two miles from the project site (Plate F). Currently, the Swainson's hawk is listed as a threatened species pursuant to the California Endangered Species Act (CESA). At a Federal level, the Swainson's hawk is provided protection under the Migratory Bird Treaty Act (MBTA). Impacts associated with Swainson's hawk include loss of foraging habitat on the proposed subdivision site.

The Swainson's hawk is a large (1.75-2 pounds), broad winged bird-of-prey that frequents open country. It is a long distance migrator, nesting in North America (Canada, western United States, and Mexico) and overwintering in South America. It was estimated that approximately 80% of the total statewide population of breeding pairs are found in the Central Valley (Estep, 1989). Swainson's hawk nests are generally found in scattered trees or along riparian systems adjacent to agricultural fields or pastures. These open fields and pastures are the primary foraging areas. Suitable foraging habitat is necessary to provide an adequate energy source for breeding adults, particularly for the support of nestlings and fledglings. If prey resources are not sufficient, or adults must hunt long distances from the nest site, the excess energy expended in the foraging effort may result in reduced nestling vigor with an increased likelihood of disease and/or starvation, or nest abandonment. A ten-mile radius is generally the maximum flight distance between active and successful nest sites and suitable foraging habitat.

**PLATE F, SWAINSON'S HAWK  
MAP**



Swainson's Hawk nest location data was provided by The California Department of Fish and Game's California Natural Diversity Data Base, September 2002

**County of Sacramento  
Swainson's Hawk Nest Sites**

- Swainson's Hawk Nest Site
- ▬ Mitigation Boundary
- ▬ Urban Services Boundary
- 1 Mile Radius
- 5 Mile Radius
- 10 Mile Radius
- ▬ Parcel Boundary

June 24, 2003

The Swainson's hawk was historically regarded as one of the most common and numerous raptor (bird-of-prey) species in the state. The breeding population has declined by an estimated 91% in California since the turn of the century (Bloom, 1980). This dramatic population decline has been attributed to loss of native nesting and foraging habitat, and more recently to the loss of suitable nesting trees and the conversion of agricultural lands. Due to this precipitous decline, the California Fish and Game Commission in accordance with the California Endangered Species Act (CESA) has classified the Swainson's hawk (*Buteo swainsoni*) as Threatened. CESA was passed in 1984 by the State of California to recognize and protect species that are endangered or threatened with extinction within the state of California. The California Endangered Species Act is intended to operate in conjunction with the California Environmental Quality Act (CEQA) to help protect the ecosystems upon which endangered and threatened species depend.

Sacramento, Yolo, and San Joaquin Counties support most of the Central Valley's breeding population of Swainson's hawk. Management and mitigation strategies for this population should be designed to ensure that suitable nesting habitat continues to be available by protecting existing nesting habitat and increasing the number of suitable nest trees. In addition, suitable foraging habitat must be made available by maintaining or creating foraging habitat in areas of existing and potential nest sites and along migration paths.

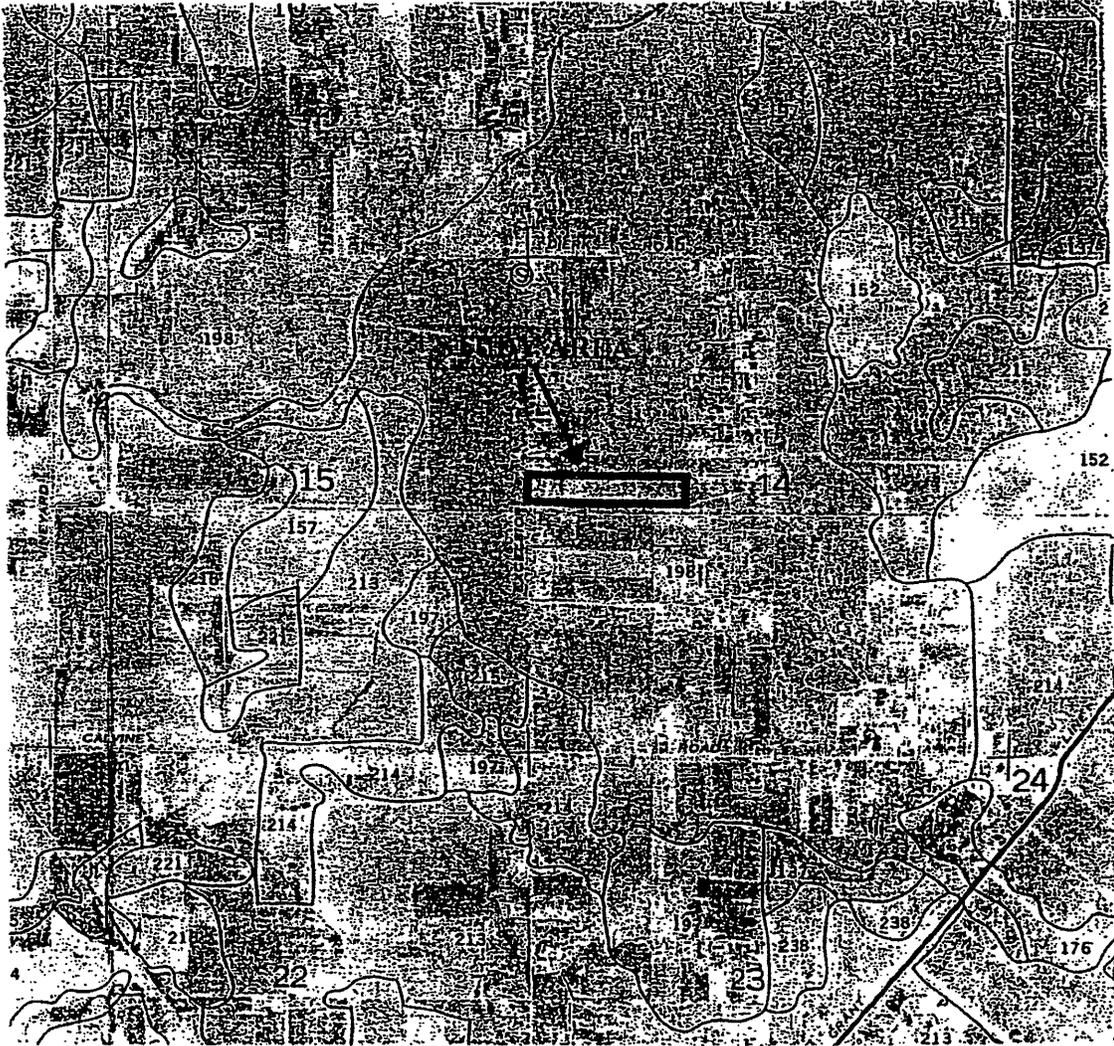
CDFG recommends implementing the mitigation measures set forth in the CDFG Staff Report Regarding Mitigation for Impacts to Swainson's Hawks (*Buteo swainsoni*) in the Central Valley of California (November 1, 1994). These state that no intensive new disturbances (e.g., heavy equipment operation associated with construction) should be initiated within ¼ mile of an active Swainson's hawk nest in an urban setting or within ½ mile in a rural setting between March 1 and September 15. The project site does not appear to be located within ½ mile of an active nest site. Therefore, construction activities on the subdivision site would not be expected to impact an active nest. Field studies were conducted on April 8 and May 7, 2003 by Gibson & Skordal, LLC. No active raptor nests were observed in the project area. A pre-construction survey for the project is not necessary.

The 1994 guidelines also call for mitigation when there is a loss of foraging habitat as a result of project construction. CDFG has determined that parcels of land 5 acres in size or larger are recognized to be the minimum acreage required for viable foraging habitat. The project site consists of 10.2 ± acres of open space. Project approval of the subdivision would allow parcelization of the project site resulting in the loss of foraging habitat. Loss of Swainson's hawk foraging habitat as a result of project implementation would contribute cumulatively to a regionally significant impact.

CDFG-recommended mitigation measures require setting aside other lands that provide Swainson's hawk foraging habitat and protecting those lands through fee title

# FIGURE 2

## SOILS MAP



<u>Soil Unit</u>	<u>Soil Name</u>	<u>Soil Classification</u>	<u>Drainage Class</u>
198	Redding gravelly loam, 0 to 8 percent slopes	Abruptic Durixeralfs	moderately well drained

Source: USDA, Soil Conservation Service. 1991. Soil Survey of Sacramento  
County, California

**TABLE 1**  
**AREAS OF WETLANDS**

**Vernal Pools:**

<u>Ref. No.</u>	<u>Area (Sq.Ft.)</u>	<u>Ref. No.</u>	<u>Area (Sq.Ft.)</u>
VP1	161	VP7	467
VP2	171	VP8	479
VP3	183	VP9	4,583
VP4	2,422	VP10	470
VP5	171	VP11	1,611
VP6	1,241	VP12	663
<b>Total</b>			<b>= 12,622 Sq. Ft. or 0.29 Acre</b>

**Wet Swales:**

<u>Ref. No.</u>	<u>Area (Sq.Ft.)</u>
WS1	206
WS2	156
WS3	81
WS4	156
WS5	4,354
<b>Total</b>	<b>= 4,953 Sq. Ft. or 0.11 Acre</b>

### Wet Swales

Wet swales in the study area that occur in linear sloping drainages ranging from roughly 2 feet to 15 feet in average width. The shallow wet swales, including WS1-WS4, sustain long-term saturated soils conditions following periods of heavy rainfall, but they typically do not pond water for long duration. WS1-WS4 support seasonal wetland plant communities characterized by Mediterranean barley and perennial rye. Other common associates include loosestrife, toad rush (*Juncus bufonius*), and filaree (*Erodium sp.*).

WS5 is a broad linear swale that bisects the western portion of the study area extending from east to west. The swale drains off-site to the north and meanders to the west across the adjacent property. WS5 currently receives significant run-off from the resident homes and trailers. As a result, it supports a wetland plant community characterized by mannagrass (*Glyceria sp.*), tall flatsedge (*Cyperus eragrostis*), and floating primrose (*Ludwigia peploides*). Other common species include knot grass (*Paspalum distichum*) and Bermuda grass (*Cynodon dactylon*).

### Jurisdictional Status

Vernal pools VP11 and VP12, located at the western edge of the study area, may potentially overflow and drain into a roadside storm drain during and immediately following periods of heavy precipitation. The larger wet swale, WS5, drains off-site across the adjacent property to the north and connects into the roadside storm drain along Excelsior Road. The storm drain connects to a surface tributary to the west that eventually feeds into Laguna Creek.

The remainder of the vernal pools and wet swales in the study area appear to spill directly into and/or drain overland into a seasonal swale feature during periods of heavy precipitation. The swale flows off-site to the north, meanders across the adjacent property, and eventually connects to a surface tributary system that drains into Laguna Creek to the west of Excelsior Road.

Based on the drainage patterns discussed above, it is our opinion that most if not all of the existing 0.29 acre of vernal pools and 0.11 acre of wet swales in the study area will be regulated as jurisdictional wetlands by the Corps of Engineers (Corps) under Section 404 of the Clean Water Act. However, the final jurisdictional determination will be made by the Corps of Engineers, and they may not necessarily concur with our findings.

## SPECIAL STATUS SPECIES

Table 2 provides a list of special status species that were evaluated including their listing status, habitat associations, and whether potential habitats occur in the study area. Of the twenty-two special status species evaluated in Table 2, seven species including Swainson's hawk, giant garter snake, vernal pool fairy shrimp, vernal pool tadpole shrimp, valley elderberry longhorn beetle, Bogg's Lake hedge-hyssop, and slender orcutt grass are Federal and/or State listed threatened and/or endangered species.

### Swainson's Hawk and Other Raptors

Swainson's hawk (*Buteo swainsoni*) is a raptor species currently listed as threatened in California by the CDFG. They typically nest in tall cottonwoods, valley oaks, or willows associated with riparian corridors, grassland, irrigated pasture and other cropland with a high density of rodents. The Central Valley population typically breeds and nests in late spring through early summer before migrating to Central America and South America for the winter.

The closest documented Swainson's hawk nests, based on historical NDDDB records, are located on Deer Creek and the Cosumnes River situated between 3 miles and 5 miles south of the study area. We did not observe any potential raptor nests in or immediately adjacent to the study area during our field studies. However, the taller eucalyptus trees associated with the home site could potentially be used for nesting by Swainson's hawk in the future. Additionally, the open grassland/pasture habitat in the study area provides potential foraging habitat for this species. There is potential nesting and foraging habitat for a variety of other raptors including white-tailed kite, great horned owl, and red-tailed hawk. In addition, there is potential foraging habitat for northern harrier and Cooper's hawk.

Burrowing owl (*Athene cunicularia*) is a ground nesting raptor species that is afforded protection by CDFG as a species of special concern due to potentially declining populations in the Central Valley of California. They typically inhabit open grassland habitats where they nest in abandoned ground squirrel burrows and other nesting cavities associated with raised mounds, levees, or soft berm features.

We did not observe any burrowing owls in the study area nor did we observe any potential nesting burrows during our recent field studies. However, there is marginal nesting habitat and suitable foraging habitat present in the study area that could be used by burrowing owls in the future.

TABLE 2

EVALUATION OF SPECIAL STATUS SPECIES AND THEIR HABITATS

	State Status	Federal Status	CNPS Listing (plants)	Habitat Association	Potential Habitat In Study Area
<b>Birds</b>					
Accipiter cooperi (Cooper's hawk)	Species of Special Concern	None		Inhabits forested habitats, forest edge, and riparian habitat, may forage in adjacent grassland and fields.	Yes (marginal foraging habitat)
Agelaius tricolor (tricolored blackbird)	Species of Special Concern	Species of Concern		Colonial nester in cattails, bullrush, or blackberries associated with marsh habitats.	No
Ardea alba (great egret)	CDFG-Special Animals	None		Rivers, streams, lakes, marsh and other aquatic habitats.	Yes (marginal habitat)
Ardea herodias (great blue heron)	CDFG-Special Animals	None		Rivers, streams, lakes, marsh and other aquatic habitats.	Yes (marginal habitat)
Athene cunicularia (burrowing owl)	Species of Special Concern	Species of Concern		Nests in abandoned ground squirrel burrows associated with open grassland habitats.	Yes (nesting & foraging)
Buteo swainsoni (Swainson's hawk)	Threatened	None		Nests in tall cottonwoods, valley oaks or willows. Forages in fields, cropland, irrigated pasture, and grassland near large riparian corridors.	Yes (nesting & foraging)
Circus cyaneus (northern harrier)	Species of Special Concern	None		Forages in open grasslands, nests on ground in shrubby vegetation.	Yes (foraging only)
Elanus leucurus (white-tailed kite)	Fully Protected	None		Nests in riparian areas associated with rivers, streams, and wetlands. Forages in nearby grasslands or open fields.	Yes (nesting & foraging)
Eremophila alpestris actia (California horned lark)	Species of Special Concern	None		Forages in open grasslands and fields.	Yes (nesting & foraging)
<b>Amphibians &amp; Reptiles</b>					
Ambystoma trigrinum (California tiger salamander)	Species of Special Concern	Candidate		Breeds in vernal pools, seasonal wetlands and associated swales. Forages and hibernates in adjacent grasslands.	Yes
Clemmys marmorata (western pond turtle)	Species of Special Concern	Species of Concern		Ponds, rivers, streams, wetlands, and irrigation ditches with associated marsh habitat.	Yes

TABLE 2

(Continued)

	State Status	Federal Status	CNPS Listing (plants)	Habitat Association	Potential Habitat In Study Area
<i>Thamnophis gigas</i> (giant garter snake)	Threatened	Threatened		Rivers, canals, irrigation ditches, rice fields, and other aquatic habitats with slow moving water and heavy emergent vegetation.	Marginal habitat present, but lacks connectivity w/documentated sightings
<b>Invertebrates</b>					
<i>Branchinecta lynchi</i> (vernal pool fairy shrimp)	None	Threatened		Vernal pools and seasonal wetlands	Yes
<i>Branchinecta mesoallensis</i> (midvalley fairy shrimp)	None	None		Vernal pools and seasonal wetlands	Yes
<i>Desmocerus californicus dimorphus</i> (valley elderberry longhorn beetle)	None	Threatened		Dependent upon elderberry plant ( <i>Sambucus mexicana</i> ) as primary host species	No
<i>Lepidurus packardii</i> (vernal pool tadpole shrimp)	None	Endangered		Vernal pools and seasonal wetlands	Yes
<i>Linderiella occidentalis</i> (California linderiella)	None	None		Vernal pools and seasonal wetlands	Yes
<b>Plants</b>					
<i>Downingia pusilla</i> (dwarf downingia)	None	None	CNPS-2	Vernal pools	Yes
<i>Gratiola heterosepala</i> (Bogg's Lake hedge-hyssop)	Endangered	None	CNPS-1B	Vernal pools and margins of lakes/ponds	Yes
<i>Legenere limosa</i> (legenere)	None	Species of Concern	CNPS-1B	Vernal pools	Yes
<i>Orcuttia tenuis</i> (slender orcutt grass)	Endangered	Threatened	CNPS-1B	Vernal pools	Yes
<i>Sagittaria sanfordii</i> (Sanford's arrowhead)	None	Species of Concern	CNPS-1B	Emergent marsh habitat, typically associated with drainages, canals, or irrigation ditches.	Potential habitat present, plant was not found in field surveys.

### Tricolored Blackbird

Tricolored blackbirds (*Agelaius tricolor*) are afforded protection by CDFG as a species of special concern due to declining populations in the region. They are colonial nesters preferring to nest in dense stands of cattails and/or bullrush, but they also commonly nest in blackberry thickets associated with drainages, ditches, and canals. There have been a number of documented sightings of tricolored blackbird nesting colonies in the general vicinity of the study area, but the precise locations have been excluded from NDDB records for protection issues.

The absence of suitable nesting habitat in or immediately adjacent to the study area would indicate little if any potential for these birds to utilize the site. We did not observe tricolored blackbirds in the study area during our field studies.

### California Tiger Salamander

The California tiger salamander (*Ambystoma trigrinum californiense*) is Federal Candidate for formal listing and a California Species of Special Concern that breeds in vernal pool/swale complexes associated with grassland communities.

The vernal pools and wet swales in the study area provide suitable habitat for California tiger salamander. However, field surveys have not been conducted to determine presence or absence of this species.

### Giant Garter Snake

Giant garter snake (*Thamnophis gigas*) is designated as a Federal threatened and State threatened species afforded special protection by FWS and CDFG. The snakes are generally associated with larger canals, irrigation ditches, and other semi-permanent to permanent aquatic sites with slow moving water and an abundance of emergent vegetation.

Based on NDDB records, giant garter snake have not been documented as occurring east of Highway 99 in the south portion of Sacramento County. The closest documented sighting of giant garter snake, based on historical NDDB records, occurred roughly 6 miles southwest of the study area near the confluence of Elk Grove Creek and Laguna Creek on the west side of Highway 99.

Suitable habitat for giant garter snake is not present in the study area, although the larger wet swale (WS5) may provide low potential habitat for this species. There is no apparent aquatic habitat connection between the study area and documented giant garter snake habitat. Given this, there is little if any reasonable potential for the snakes occur in the study area.

### Valley Elderberry Longhorn Beetle

The valley elderberry longhorn beetle (*Desmocerus californicus*) is a Federal threatened species that is dependent upon the elderberry plant (*Sambucus sp.*) as a primary host species. Elderberry shrubs are a common component of riparian areas throughout the Sacramento Valley region, and they have been documented as occurring at numerous locations in the vicinity of the study area.

Given the absence of elderberry shrubs in the study area, there is no potential for elderberry longhorn beetle to occur at the site.

### Vernal Pool Branchiopods

Federally listed vernal pool branchiopods including the threatened vernal pool fairy shrimp (*Branchinecta lynchi*) and the endangered vernal pool tadpole shrimp (*Lepidurus packardii*) have been documented as occurring in Elk Grove and Florin USGS quadrangles. Other non-listed branchiopods known to occur in the region include California linderiella (*Linderiella occidentalis*) and midvalley fairy shrimp (*Branchinecta mesovallensis*). They occur in vernal pools and/or other seasonally ponded wetlands that sustain inundation during the winter before drying up in the late spring.

The vernal pools in the study area, including VP1-VP12, provide potential habitat for federally listed branchiopods including vernal pool fairy shrimp and vernal pool tadpole shrimp. The vernal pools also provide potential habitat for non-listed branchiopods including California linderiella and mid-valley fairy shrimp. However, protocol surveys have not been conducted to determine presence or absence of these species. Any proposed impacts to potential habitat for federally listed branchiopods will require formal consultation with and authorization from FWS.

### Special Status Plants

Special status plant species identified on the NDDB as occurring in the Elk Grove and Florin USGS quadrangles include dwarf downingia (*Downinia pusila*), Bogg's Lake hedge-hyssop (*Gratiola heterosepala*), legenere (*Legenere limosa*), slender orcutt grass (*Orcuttia tenuis*), and Sanford's arrowhead (*Sagittaria sanfordii*). Dwarf downingia, legenere, and slender orcutt grass are strongly associated with vernal pools and other seasonally ponded wetlands. Bogg's Lake hedge-hyssop may occur in deeper vernal pools or around the perimeter of ponds and lakes.

The vernal pools, including VP1-VP12, provide potential habitat for dwarf downingia, legenere, slender orcutt grass, and Bogg's Lake hedge-hyssop. Bogg's Lake hedge-hyssop has been historically documented as occurring on a property situated roughly 1/4 mile north of the study

area. We were unable to determine presence or absence of these plants due to the late timing for field studies.

Sanford's arrowhead (*Sagittaria sanfordii*) is a special status plant that generally occurs in deep aquatic habitats associated with drainages, canals, and larger ditches that sustain inundation into early summer. WS5 provides potential habitat for Sanford's arrowhead, but the habitat is only marginally suitable for this plant. Given this and given that we did not observe any plants present during our field studies, it is unlikely that Sanford's arrowhead occurs in the study area.

### SUMMARY

There are a total of 0.4 acre of wetlands in the study area including 0.29 acre of vernal pools and 0.11 acre of wet swales. Most, if not all, of these wetlands are subject to regulation by the Corps under Section 404 of the Clean Water Act.

A number of special status raptors including Swainson's hawk, white-tailed kite, northern harrier, and burrowing owl have a reasonable potential for occurring in the study area based on the presence of suitable foraging habitat. In addition, there is suitable nesting habitat for Swainson's hawk, white-tailed kite, and burrowing owl. If future development of the property will occur during the raptor nesting season of February-September, we recommend that a pre-construction raptor nesting survey be conducted by a qualified biologist prior to the start of project construction.

The vernal pools in the study area provide potential habitat for federally listed branchiopods including vernal pool fairy shrimp and vernal pool tadpole shrimp, and they also provide potential habitat for the non-listed California linderiella and mid-valley fairy shrimp. Any proposed impacts to potential habitat for federally listed branchiopods will require formal consultation with and authorization from FWS.

The vernal pools in the study area also provide potential habitat for special status plants including Bogg's Lake hedge-hyssop, dwarf downingia, legenera, and slender orcutt grass. Species specific surveys have not been conducted to determine presence or absence of these plants. Additionally, the westernmost wet swale (WS-5) in the study area may provide somewhat marginal habitat for Sanford's arrowhead. Given that we did not observe any plants present during our field studies, it is unlikely that this species occurs in the study area.

# APPENDIX A

## DATA FORMS

ROUTINE WETLAND DETERMINATION  
DATA FORM

Project/Site: <u>Abiani Group - Excelsior Rd.</u> Applicant/Owner: _____ Investigator(s): <u>D. Skordal</u>	Date: <u>12-5-02</u> City/County: <u>Sacramento</u> State: <u>CA</u>
Do Normal Circumstances exist on the site? <input checked="" type="radio"/> Yes <input type="radio"/> No Is the site significantly disturbed (Atypical Situation)? Yes <input checked="" type="radio"/> No <input type="radio"/> Yes Is the area a potential Problem Area? (If needed, explain on reverse.) Yes <input checked="" type="radio"/> No <input type="radio"/> Yes	Community ID: <u>Vernal pool</u> Transect ID: _____ Data Point ID: <u>1</u>

VEGETATION

Plant Species	Plant Species
Dominant (D) - Associate (A)	Dominant (D) - Associate (A)
Stratum	Stratum
Indicator	Indicator
1. <u>Hordeum hystrix (D)</u>	9. _____
2. <u>Elymus veseyi (D)</u>	10. _____
3. <u>Lythrum hyssopifolia (A)</u>	11. _____
4. <u>Erodium botrys (A)</u>	12. _____
5. <u>Prodraca sp. (A)</u>	13. _____
6. <u>Lolium perenne (A)</u>	14. _____
7. <u>Deschampsia dentonoides (A)</u>	15. _____
8. _____	16. _____

Percent of Dominant Species that are OBL, FACW or FAC (excluding FAC-): 100%

Remarks: Heavily grazed

HYDROLOGY

Recorded Data (Describe in Remarks): <input type="checkbox"/> Streams, Lake, or Tide Gauge <input type="checkbox"/> Aerial Photographs <input type="checkbox"/> Other <input type="checkbox"/> No Recorded Data Available	Wetland Hydrology Indicators: Primary Indicators: <input type="checkbox"/> Inundated: <input type="checkbox"/> Saturated in Upper 12 inches <input type="checkbox"/> Water Marks <input type="checkbox"/> Drift Lines <input checked="" type="checkbox"/> Sediment Deposits/Organic Detritus <input type="checkbox"/> Drainage Patterns in Wetlands Secondary Indicators (2 or more required): <input checked="" type="checkbox"/> Oxidized Root Channels in Upper 12 inches <input type="checkbox"/> Water-Stained Leaves <input type="checkbox"/> Local Soil Survey Data <input type="checkbox"/> FAC-Neutral Test <input checked="" type="checkbox"/> Other (Explain in Remarks) <u>hoof marks</u>
Field Observations: Depths of Surface Water: _____ (in.) Depth to Free Water in Pit: _____ (in.) Depth to Saturated Soil: _____ (in.)	
Remarks: <u>Shallow, defined basin w/ slight algae matting, and hoof marks, and oxidized root channels.</u>	

Map Unit Name Redding gravelly loam  
 (Series and Phase): 0-8 percent slopes  
 Taxonomy (Subgroup): Abrupt Durixeralf  
 Drainage Class: Moderately well drained  
 Field Observations  
 Confirm Mapped Type? Yes No

Profile Description:

Depth (inches)	Matrix Color (Munsell Moist)	Mottle Colors (Munsell Moist)	Mottle Abundance/Contrast	Texture, Concretions, Structure, etc.
1-10	10YR 3/3	yes	—	silt loam

Hydric Soil Indicators:

- Histosol
- Histic Epipedon
- Sulfidic Odor
- Aquic Moisture Regime
- Reducing Conditions
- Gleyed or Low-Chroma Colors
- Concretion in upper 3 inches
- High Organic Content in Surface Layer in Sandy Soils
- Organic Streaking in Sandy Soils
- Listed on Local Hydric Soils List
- Listed on National Hydric Soils List
- Other (Explain in Remarks)

Remarks: Hydric soils assumed!

WETLAND DETERMINATION

Hydrophytic Vegetation Present?  Yes  No  
 Wetland Hydrology Present?  Yes  No  
 Hydric Soils Present?  Yes  No  
 Is this Data Point Within a Wetland?  Yes  No

Remarks: Vernal pool

ROUTINE WETLAND DETERMINATION  
DATA FORM

Project/Site: <u>Abiani Group - Excelsior Rd.</u> Applicant/Owner: _____ Investigator(s): <u>D. Skordal</u>	Date: <u>12- -02</u> City/County: <u>Sacramento</u> State: <u>CA</u>
Do Normal Circumstances exist on the site? <input checked="" type="radio"/> Yes <input type="radio"/> No Is the site significantly disturbed (Atypical Situation)? Yes <input type="radio"/> Yes <input checked="" type="radio"/> No Is the area a potential Problem Area? (If needed, explain on reverse.) Yes <input type="radio"/> Yes <input checked="" type="radio"/> No	Community ID: <u>Wet Swale (shallow)</u> Transect ID: <u>2</u> Data Point ID: <u>A</u>

VEGETATION

Plant Species	Stratum	Indicator	Plant Species	Stratum	Indicator
Dominant (D) - Associate (A)			Dominant (D) - Associate (A)		
1. <u>Hordeum hystrix (D)</u>		<u>FAC</u>	9. _____		
2. <u>Lolium perenne (D)</u>		<u>FAC</u>	10. _____		
3. <u>Tenax bufonius (A)</u>		<u>FACW</u>	11. _____		
4. <u>Erodium sp. (A)</u>		<u>UPL</u>	12. _____		
5. <u>Holocarpha virgata (A)</u>		<u>UPL</u>	13. _____		
6. _____			14. _____		
7. _____			15. _____		
8. _____			16. _____		

Percent of Dominant Species that are OBL, FACW or FAC (excluding FAC-). 100% FAC

Remarks: Heavily grazed

HYDROLOGY

<input type="checkbox"/> Recorded Data (Describe in Remarks): <input type="checkbox"/> Streams, Lake, or Tide Gauge <input type="checkbox"/> Aerial Photographs <input type="checkbox"/> Other  <input type="checkbox"/> No Recorded Data Available	Wetland Hydrology Indicators: Primary Indicators: <input type="checkbox"/> Inundated: <input type="checkbox"/> Saturated in Upper 12 inches <input type="checkbox"/> Water Marks <input type="checkbox"/> Drift Lines <input checked="" type="checkbox"/> Sediment Deposits/Organic Detritus <input type="checkbox"/> Drainage Patterns in Wetlands Secondary Indicators (2 or more required): <input checked="" type="checkbox"/> Oxidized Root Channels in Upper 12 inches <input type="checkbox"/> Water-Stained Leaves <input type="checkbox"/> Local Soil Survey Data <input type="checkbox"/> FAC-Neutral Test <input checked="" type="checkbox"/> Other (Explain in Remarks) <u>hoop marks</u>
Field Observations:  Depths of Surface Water: _____ (in.)  Depth to Free Water in Pit: _____ (in.)  Depth to Saturated Soil: _____ (in.)	
Remarks: <u>Shallow linear swale connecting (drainage) from vernal pool to vernal pool.</u>	

Map Unit Name Redding gravelly loam  
(Series and Phase): 0-8 percent slopes

Drainage Class: Moderately well drained  
Field Observations  
Confirm Mapped Type? Yes No

Taxonomy (Subgroup): Abrupt Durixeralf

Profile Description:

Depth (inches)	Matrix Color (Munsell Moist)	Mottle Colors (Munsell Moist)	Mottle Abundance/Contrast	Texture, Concretions, Structure, etc.
<u>1-8</u>	<u>7.5 YR 3/3</u>	<u>Yes</u>	<u>—</u>	<u>Silt loam / sandy loam</u>

Hydric Soil Indicators:

- Histosol
- Histic Epipedon
- Sulfidic Odor
- Aquic Moisture Regime
- Reducing Conditions
- Gleyed or Low-Chroma Colors
- Concretion in upper 3 inches
- High Organic Content in Surface Layer in Sandy Soils
- Organic Streaking in Sandy Soils
- Listed on Local Hydric Soils List
- Listed on National Hydric Soils List
- Other (Explain in Remarks)

Remarks: Hydric soils assumed.

WETLAND DETERMINATION

Hydrophytic Vegetation Present?	<input checked="" type="radio"/> Yes	No	Is this Data Point Within a Wetland?	<input checked="" type="radio"/> Yes	No
Wetland Hydrology Present?	<input checked="" type="radio"/> Yes	No			
Hydric Soils Present?	<input checked="" type="radio"/> Yes	No			

Remarks: Wet Seale

ROUTINE WETLAND DETERMINATION  
DATA FORM

Project/Site: <u>Abiani Group - Excelsior Rd.</u> Applicant/Owner: _____ Investigator(s): <u>D. Skordal</u>	Date: <u>12- -02</u> City/County: <u>Sacramento</u> State: <u>CA</u>
Do Normal Circumstances exist on the site? <input checked="" type="radio"/> Yes <input type="radio"/> No Is the site significantly disturbed (Atypical Situation)? Yes <input checked="" type="radio"/> No <input type="radio"/> Yes Is the area a potential Problem Area? (If needed, explain on reverse.) Yes <input checked="" type="radio"/> No <input type="radio"/> Yes	Community ID: <u>Adjacent upland</u> Transect ID: <u>2</u> Data Point ID: <u>B</u>

VEGETATION

Plant Species	Stratum	Indicator	Plant Species	Stratum	Indicator
Dominant (D) - Associate (A)			Dominant (D) - Associate (A)		
1. <u>Holcus virgatus (D)</u>		<u>UPL</u>	9. _____		
2. <u>Bromus mollis (D)</u>		<u>FACW</u>	10. _____		
3. <u>Hordeum hystris (D)</u>		<u>FAC</u>	11. _____		
4. <u>Lolium perenne (A)</u>		<u>FAC</u>	12. _____		
5. <u>Erodium cicutarium (A)</u>		<u>UPL</u>	13. _____		
6. <u>Hordeum leporinum (A)</u>		<u>UPL</u>	14. _____		
7. _____			15. _____		
8. _____			16. _____		

Percent of Dominant Species that are OBL, FACW or FAC (excluding FAC-): 33%

Remarks: Heavily grazed.

HYDROLOGY

___ Recorded Data (Describe in Remarks): ___ Streams, Lake, or Tide Gauge ___ Aerial Photographs ___ Other ___ No Recorded Data Available	Wetland Hydrology Indicators: Primary Indicators: ___ Inundated: ___ Saturated in Upper 12 inches ___ Water Marks ___ Drift Lines ___ Sediment Deposits/Organic Detritus ___ Drainage Patterns in Wetlands Secondary Indicators (2 or more required): ___ Oxidized Root Channels in Upper 12 inches ___ Water-Stained Leaves ___ Local Soil Survey Data ___ FAC-Neutral Test ___ Other (Explain in Remarks)
Field Observations: Depths of Surface Water: _____ (in.) Depth to Free Water in Pit: _____ (in.) Depth to Saturated Soil: _____ (in.)	
Remarks: <u>Located on sloping terrain ± 1 ft. above elev. of adjacent swale.</u>	

Map Unit Name: Redding gravelly loam  
 (Series and Phase): 0-8 percent slopes

Drainage Class: Moderately well drained  
 Field Observations  
 Confirm Mapped Type? Yes No

Taxonomy (Subgroup): Abrupt Durixeralf

Profile Description:

Depth (inches)	Matrix Color (Munsell Moist)	Mottle Colors (Munsell Moist)	Mottle Abundance/Contrast	Texture, Concretions, Structure, etc.
<u>1-8"</u>	<u>7.5 YR 3/3</u>	<u>—</u>	<u>—</u>	<u>Silt loam / Sandy loam</u>

Hydric Soil Indicators:

- Histosol
- Histic Epipedon
- Sulfidic Odor
- Aquic Moisture Regime
- Reducing Conditions
- Gleyed or Low-Chroma Colors
- Concretion in upper 3 inches
- High Organic Content in Surface Layer in Sandy Soils
- Organic Streaking in Sandy Soils
- Listed on Local Hydric Soils List
- Listed on National Hydric Soils List
- Other (Explain in Remarks)

Remarks: Lacks hydric soil indicators.

WETLAND DETERMINATION

Hydrophytic Vegetation Present?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Is this Data Point Within a Wetland?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Wetland Hydrology Present?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
Hydric Soils Present?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		

Remarks: Non-wetland

ROUTINE WETLAND DETERMINATION  
DATA FORM

Project/Site: <u>Abiani Group - Excelsior Rd.</u> Applicant/Owner: _____ Investigator(s): <u>D. Skordal</u>	Date: <u>12- -02</u> City/County: <u>Sacramento</u> State: <u>CA</u>
Do Normal Circumstances exist on the site? <input checked="" type="radio"/> Yes <input type="radio"/> No Is the site significantly disturbed (Atypical Situation)? Yes <input type="radio"/> Yes <input checked="" type="radio"/> No Is the area a potential Problem Area? (If needed, explain on reverse.) Yes <input type="radio"/> Yes <input checked="" type="radio"/> No	Community ID: <u>Verbal pool (deep)</u> Transect ID: <u>3</u> Data Point ID: <u>A</u>

VEGETATION

Plant Species	Stratum	Indicator	Plant Species	Stratum	Indicator
<u>1. Ranunculus alveolatus (D)</u>		<u>OBL</u>	9. _____		
<u>2. Eleocharis macrostachya (D)</u>		<u>OBL</u>	10. _____		
<u>3. Elymus veseyi (D)</u>		<u>FACW</u>	11. _____		
<u>4. Distichlis spicata (D)</u>		<u>OBL</u>	12. _____		
<u>5. Gratiola sp. (A)</u>		<u>OBL</u>	13. _____		
<u>6. Dolphoson monspeliensis (A)</u>		<u>FACW</u>	14. _____		
<u>7. Deschampsia dentonoides (A)</u>		<u>FACW</u>	15. _____		
<u>8. Lactuca sp. (A)</u>		<u>FACW-OBL</u>	16. _____		

Percent of Dominant Species that are OBL, FACW or FAC (excluding FAC-): 100%

Remarks: Heavily grazed

HYDROLOGY

___ Recorded Data (Describe in Remarks): ___ Streams, Lake, or Tide Gauge ___ Aerial Photographs ___ Other ___ No Recorded Data Available	Wetland Hydrology Indicators: Primary Indicators: ___ Inundated: ___ Saturated in Upper 12 inches ___ Water Marks ___ Drift Lines <input checked="" type="checkbox"/> Sediment Deposits/Organic Detritus ___ Drainage Patterns in Wetlands Secondary Indicators (2 or more required): <input checked="" type="checkbox"/> Oxidized Root Channels in Upper 12 inches ___ Water-Stained Leaves ___ Local Soil Survey Data <input checked="" type="checkbox"/> FAC-Neutral Test <input checked="" type="checkbox"/> Other (Explain in Remarks) <u>HOOF MARKS</u>
Field Observations: Depths of Surface Water: _____ (in.) Depth to Free Water in Pit: _____ (in.) Depth to Saturated Soil: _____ (in.)	
Remarks: <u>Deep, defined basin w/ algae mucky, hoof marks, and oxidized root channels.</u>	

Map Unit Name Redding gravelly loam  
 (Series and Phase): 0-8 percent slopes

Drainage Class: Moderately well drained

Taxonomy (Subgroup): Abrupt Durixeralf

Field Observations  
 Confirm Mapped Type? Yes No

Profile Description:

Depth (inches)	Matrix Color (Munsell Moist)	Mottle Colors (Munsell Moist)	Mottle Abundance/Contrast	Texture, Concretions, Structure, etc.
1-10	10 YR 4/3	yes	—	Sandy loam / silt loam

Hydric Soil Indicators:

- Histosol
- Histic Epipedon
- Sulfidic Odor
- Aquic Moisture Regime
- Reducing Conditions
- Gleyed or Low-Chroma Colors
- Concretion in upper 3 inches
- High Organic Content in Surface Layer in Sandy Soils
- Organic Streaking in Sandy Soils
- Listed on Local Hydric Soils List
- Listed on National Hydric Soils List
- Other (Explain in Remarks)

Remarks: Hydric soils assumed!

WETLAND DETERMINATION

Hydrophytic Vegetation Present?	<input checked="" type="radio"/> Yes <input type="radio"/> No	Is this Data Point Within a Wetland?	<input checked="" type="radio"/> Yes <input type="radio"/> No
Wetland Hydrology Present?	<input checked="" type="radio"/> Yes <input type="radio"/> No		
Hydric Soils Present?	<input checked="" type="radio"/> Yes <input type="radio"/> No		

Remarks: Vernal pool

ROUTINE WETLAND DETERMINATION  
DATA FORM

Project/Site: <u>Abiani Group - Excelsior Rd.</u> Applicant/Owner: _____ Investigator(s): <u>D. Skordal</u>	Date: <u>12- -02</u> City/County: <u>Sacramento</u> State: <u>CA</u>
Do Normal Circumstances exist on the site? <input checked="" type="radio"/> Yes <input type="radio"/> No Is the site significantly disturbed (Atypical Situation)? Yes <input type="radio"/> No <input checked="" type="radio"/> Is the area a potential Problem Area? (If needed, explain on reverse.) Yes <input type="radio"/> No <input checked="" type="radio"/>	Community ID: <u>Adjacent upland - grassland</u> Transect ID: <u>3</u> Data Point ID: <u>B</u>

VEGETATION

Plant Species	Stratum	Indicator	Plant Species	Stratum	Indicator
Dominant (D) - Associate (A)			Dominant (D) - Associate (A)		
1. <u>Holocarpha virgate (D)</u>	_____	<u>UPL</u>	9. _____	_____	_____
2. <u>Erodium botrys (D)</u>	_____	<u>UPL</u>	10. _____	_____	_____
3. <u>Vulpia myuros (A)</u>	_____	<u>FACW-</u>	11. _____	_____	_____
4. <u>Hordeum hystrix (A)</u>	_____	<u>FAC</u>	12. _____	_____	_____
5. <u>Bromus mollis (A)</u>	_____	<u>FACU-</u>	13. _____	_____	_____
6. _____	_____	_____	14. _____	_____	_____
7. _____	_____	_____	15. _____	_____	_____
8. _____	_____	_____	16. _____	_____	_____

Percent of Dominant Species that are OBL, FACW or FAC (excluding FAC-): None

Remarks: Heavily grazed

HYDROLOGY

Recorded Data (Describe in Remarks): <input type="checkbox"/> Streams, Lake, or Tide Gauge <input type="checkbox"/> Aerial Photographs <input type="checkbox"/> Other <input checked="" type="checkbox"/> No Recorded Data Available	Wetland Hydrology Indicators: Primary Indicators: <input type="checkbox"/> Inundated: <input type="checkbox"/> Saturated in Upper 12 inches <input type="checkbox"/> Water Marks <input type="checkbox"/> Drift Lines <input type="checkbox"/> Sediment Deposits/Organic Detritus <input type="checkbox"/> Drainage Patterns in Wetlands Secondary Indicators (2 or more required): <input type="checkbox"/> Oxidized Root Channels in Upper 12 inches <input type="checkbox"/> Water-Stained Leaves <input type="checkbox"/> Local Soil Survey Data <input type="checkbox"/> FAC-Neutral Test <input type="checkbox"/> Other (Explain in Remarks)
Field Observations: Depths of Surface Water: _____ (in.) Depth to Free Water in Pit: _____ (in.) Depth to Saturated Soil: _____ (in.)	
Remarks: <u>Located on slope above (~12") adj. vernal pool; area lacks wetland hydrology indicators.</u>	

Map Unit Name Redding gravelly loam  
 (Series and Phase): 0-8 percent slopes

Drainage Class: Moderately well drained  
 Field Observations  
 Confirm Mapped Type? Yes No

Taxonomy (Subgroup): Abruptic Durixeralfs

Profile Description:

Depth (inches)	Matrix Color (Munsell Moist)	Mottle Colors (Munsell Moist)	Mottle Abundance/Contrast	Texture, Concretions, Structure, etc.
<u>1-10</u>	<u>7.5 YR 3/4</u>	<u>None</u>	<u>—</u>	<u>Sandy loam</u>

Hydric Soil Indicators:

- Histosol
- Histic Epipedon
- Sulfidic Odor
- Aquic Moisture Regime
- Reducing Conditions
- Gleyed or Low-Chroma Colors
- Concretion in upper 3 inches
- High Organic Content in Surface Layer in Sandy Soils
- Organic Streaking in Sandy Soils
- Listed on Local Hydric Soils List
- Listed on National Hydric Soils List
- Other (Explain in Remarks)

Remarks: Lacks hydric soil indicators.

WETLAND DETERMINATION

Hydrophytic Vegetation Present?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Is this Data Point Within a Wetland?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Wetland Hydrology Present?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
Hydric Soils Present?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		

Remarks: Non-wetland

ROUTINE WETLAND DETERMINATION  
DATA FORM

Project/Site: <u>Abiani Group - Excelsior Rd.</u> Applicant/Owner: _____ Investigator(s): <u>D. Skordal</u>	Date: <u>12- -02</u> City/County: <u>Sacramento</u> State: <u>CA</u>
Do Normal Circumstances exist on the site? <input checked="" type="radio"/> Yes <input type="radio"/> No Is the site significantly disturbed (Atypical Situation)? Yes <input type="radio"/> Yes <input checked="" type="radio"/> No Is the area a potential Problem Area? (If needed, explain on reverse.) Yes <input type="radio"/> Yes <input checked="" type="radio"/> No	Community ID: <u>Wet Swale (deep)</u> Transect ID: <u>4</u> Data Point ID: <u>A</u>

VEGETATION

Plant Species	Stratum	Indicator	Plant Species	Stratum	Indicator
Dominant (D) - Associate (A)			Dominant (D) - Associated (A)		
1. <u>Glyceria sp. (D)</u>		<u>OBL</u>	9. _____		
2. <u>Cyperus eragrostis (D)</u>		<u>FACW</u>	10. _____		
3. <u>Paspalum distichum (A)</u>		<u>OBL</u>	11. _____		
4. <u>Cynodon dactylon (A)</u>		<u>FAC</u>	12. _____		
5. <u>Ludwigia peploides (A)</u>		<u>OBL</u>	13. _____		
6. _____			14. _____		
7. _____			15. _____		
8. _____			16. _____		

Percent of Dominant Species that are OBL, FACW or FAC (excluding FAC-). \_\_\_\_\_

Remarks: \_\_\_\_\_

HYDROLOGY

Recorded Data (Describe in Remarks): <input type="checkbox"/> Streams, Lake, or Tide Gauge <input type="checkbox"/> Aerial Photographs <input type="checkbox"/> Other <input type="checkbox"/> No Recorded Data Available	Wetland Hydrology Indicators: Primary Indicators: <input checked="" type="checkbox"/> Inundated <input checked="" type="checkbox"/> Saturated in Upper 12 inches <input type="checkbox"/> Water Marks <input type="checkbox"/> Drift Lines <input checked="" type="checkbox"/> Sediment Deposits/Organic Detritus <input checked="" type="checkbox"/> Drainage Patterns in Wetlands Secondary Indicators (2 or more required): <input checked="" type="checkbox"/> Oxidized Root Channels in Upper 12 inches <input type="checkbox"/> Water-Stained Leaves <input type="checkbox"/> Local Soil Survey Data <input checked="" type="checkbox"/> FAC-Neutral Test <input type="checkbox"/> Other (Explain in Remarks)
Field Observations: Depths of Surface Water: <u>8"</u> (in.) Depth to Free Water in Pit: _____ (in.) Depth to Saturated Soil: <u>Subtle</u> (in.)	

Remarks:

Swale receives run-off (i.e. grey water) from home site. In the absence of urban run-off, the swale sustains seasonal saturation and ponding.

Map Unit Name Redding gravelly loam  
(Series and Phase): 0-8 percent slopes

Drainage Class: Moderately well drained  
Field Observations  
Confirm Mapped Type? Yes No

Taxonomy (Subgroup): Abrupt Durixeralf

Profile Description:

Depth (inches)	Matrix Color (Munsell Moist)	Mottle Colors (Munsell Moist)	Mottle Abundance/Contrast	Texture, Concretions, Structure, etc.

Hydric Soil Indicators:

- Histosol
- Histic Epipedon
- Sulfidic Odor
- Aquic Moisture Regime
- Reducing Conditions
- Gleyed or Low-Chroma Colors
- Concretion in upper 3 inches
- High Organic Content in Surface Layer in Sandy Soils
- Organic Streaking in Sandy Soils
- Listed on Local Hydric Soils List
- Listed on National Hydric Soils List
- Other (Explain in Remarks)

Remarks: Hydric soils assumed based on aquic moisture regime.

WETLAND DETERMINATION

Hydrophytic Vegetation Present?  Yes  No  
Wetland Hydrology Present?  Yes  No  
Hydric Soils Present?  Yes  No

Is this Data Point Within a Wetland?  Yes  No

Remarks: Wet Swale

ROUTINE WETLAND DETERMINATION  
DATA FORM

Project/Site: <u>Abiani Group - Excelsior Rd.</u> Applicant/Owner: _____ Investigator(s): <u>D. Skordal</u>	Date: <u>12- -02</u> City/County: <u>Sacramento</u> State: <u>CA</u>
Do Normal Circumstances exist on the site? <input checked="" type="radio"/> Yes <input type="radio"/> No Is the site significantly disturbed (Atypical Situation)? Yes <input type="radio"/> No <input checked="" type="radio"/> Is the area a potential Problem Area? (If needed, explain on reverse.) Yes <input type="radio"/> No <input checked="" type="radio"/>	Community ID: <u>Adjacent upland - grassland</u> Transect ID: <u>A</u> Data Point ID: <u>B</u>

VEGETATION

Plant Species	Stratum	Indicator	Plant Species	Stratum	Indicator
Dominant (D) - Associate (A)			Dominant (D) - Associate (A)		
1. <u>Lolium perenne (D)</u>		<u>FAC</u>	9. _____		
2. <u>Erodium botrys (D)</u>		<u>UPL</u>	10. _____		
3. <u>Holcus virgatus (D)</u>		<u>UPL</u>	11. _____		
4. <u>Hordeum hystrix (A)</u>		<u>FAC</u>	12. _____		
5. <u>Bromus mollis (A)</u>		<u>FACU</u>	13. _____		
6. _____			14. _____		
7. _____			15. _____		
8. _____			16. _____		

Percent of Dominant Species that are OBL, FACW or FAC (excluding FAC-): 33%

Remarks: Heavily grazed grassland.

HYDROLOGY

<input type="checkbox"/> Recorded Data (Describe in Remarks): <input type="checkbox"/> Streams, Lake, or Tide Gauge <input type="checkbox"/> Aerial Photographs <input type="checkbox"/> Other <input type="checkbox"/> No Recorded Data Available	Wetland Hydrology Indicators: Primary Indicators: <input type="checkbox"/> Inundated: <input type="checkbox"/> Saturated in Upper 12 inches <input type="checkbox"/> Water Marks <input type="checkbox"/> Drift Lines <input type="checkbox"/> Sediment Deposits/Organic Detritus <input type="checkbox"/> Drainage Patterns in Wetlands Secondary Indicators (2 or more required): <input type="checkbox"/> Oxidized Root Channels in Upper 12 inches <input type="checkbox"/> Water-Stained Leaves <input type="checkbox"/> Local Soil Survey Data <input type="checkbox"/> FAC-Neutral Test <input type="checkbox"/> Other (Explain in Remarks)
Field Observations: Depths of Surface Water: _____ (in.) Depth to Free Water in Pit: _____ (in.) Depth to Saturated Soil: _____ (in.)	
Remarks: <u>Located on slope ± 8"-10" above adj. swale - area lacks wetland hydrology indicators.</u>	

Map Unit Name Redding gravelly loam  
 (Series and Phase): 0-8 percent slopes

Drainage Class: Moderately well drained  
 Field Observations  
 Confirm Mapped Type? Yes No

Taxonomy (Subgroup): Abrupt Durixeralf

Profile Description:

Depth (inches)	Matrix Color (Munsell Moist)	Mottle Colors (Munsell Moist)	Mottle Abundance/Contrast	Texture, Concretions, Structure, etc.
7.5 YR 4/3	Yes	—	—	loam / silt loam
—	—	—	—	—
—	—	—	—	—
—	—	—	—	—
—	—	—	—	—
—	—	—	—	—
—	—	—	—	—

Hydric Soil Indicators:

- Histosol
- Histic Epipedon
- Sulfidic Odor
- Aquic Moisture Regime
- Reducing Conditions
- Gleyed or Low-Chroma Colors
- Concretion in upper 3 inches
- High Organic Content in Surface Layer in Sandy Soils
- Organic Streaking in Sandy Soils
- Listed on Local Hydric Soils List
- Listed on National Hydric Soils List
- Other (Explain in Remarks)

Remarks: Lacks hydric soil indicators.

WETLAND DETERMINATION

Hydrophytic Vegetation Present?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Is this Data Point Within a Wetland?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Wetland Hydrology Present?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
Hydric Soils Present?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		

Remarks: Non-wetland

# APPENDIX B

## JURISDICTIONAL DELINEATION MAP

# APPENDIX C

## PLANT LIST

Mr. Justin Cutler  
February 18, 2003  
Page 2

cc: Mr. Dennis Albiani  
P.O. Box 827  
Sloughhouse, California 95683  
w/Attachments: PCN only

**PRECONSTRUCTION NOTIFICATION  
ALBIANI EXCELSIOR ROAD PROJECT  
SACRAMENTO COUNTY, CALIFORNIA**

**Applicant:** Dennis Albani  
P.O. Box 827  
Sloughouse, CA 95683  
(916) 799-7564  
Fax (916) 683-6682

**Project Location:**

The Albani Excelsior Road project site is approximately 10 acres in size, and is located on the east side of Excelsior Road, approximately ½ mile north of Calvine Road and approximately 0.4 mile south of Dierks Road. The property lies within the northwest ¼ of Section 14, Township 7 North, Range 6 East, in Sacramento County, California. See Figure 1 for a vicinity map.

**Project Description:**

The proposed project includes subdividing the 10-acre property into five 2-acre lots, construction of an access road, grading for creation of building pads, and removal of debris from an existing wet swale that crosses the property.

The property is currently a 10-acre single family residential ranchette, with numerous cattle grazing the ten acres. The property also currently contains nine other "labor camp" residences (consisting of trailers and campers) that are illegally located on the property. None of these illegal residences currently have adequate sewer, water, power, or other utilities.

The large wet swale that crosses the property will be fully encompassed on proposed Lot 2. The wet swale averages approximately 15 feet in width and slightly meanders as it progresses laterally across the property flowing from south to north. The existing road crossing of the swale at the southern property boundary will be widened and strengthened to accommodate a legal county road.

The current uses of the property result in severe degradation of the large wet swale. These uses will be eliminated, allowing the wet swale to flow naturally across the property. Currently several of the residences, including the main house, have raw sewage draining directly into the drainage swale. Under the proposed project, all the illegal residences will be removed, and the main homes' existing septic system will be repaired or replaced. All of the sewer systems will be brought up to county code and will properly drain, avoiding the drainage swale.

Other issues with the wet swale include large pieces of concrete and rock fill that have been placed in the swale, impeding flow. This material will be removed. The swale also contains numerous tires, debris, and a foot bridge that will be removed. The new road crossing will

<u>Scientific Name</u>	<u>Common Name</u>	<u>Status</u>
<i>Ludwigia peploides</i>	floating primrose	OBL
<i>Lythrum hyssopifolia</i>	loosestrife	FACW
<i>Malva parviflora</i>	cheeseweed	UPL
<i>Medicago polymorpha</i>	bur-clover	UPL
<i>Paspalum distichum</i>	knot grass	OBL
<i>Plagiobothrys stipitatus</i> var. <i>micranthus</i>	slender popcorn flower	OBL
<i>Plantago lanceolata</i>	English plantain	FAC-
<i>Poa annua</i>	annual bluegrass	FACW-
<i>Polygonum aviculare</i>	knotweed	FAC
<i>Polygonum sp.</i>	smartweed	---
<i>Polypogon monspeliensis</i>	annual rabbit-foot grass	FACW+
<i>Populus fremontii</i>	Fremont cottonwood	FACW-
<i>Ranunculus alveolatus</i>	Carter's buttercup	OBL
<i>(R. bonariensis var. trisepalus)</i>	spiney-fruited buttercup	FACW+
<i>Ranunculus muricatus</i>	wild radish	UPL
<i>Raphanus sativus</i>	clustered dock	FACW
<i>Rumex conglomeratus</i>	curly dock	FACW-
<i>Rumex crispus</i>	clover	---
<i>Trifolium sp.</i>	purslane speedwell	OBL
<i>Veronica peregrina</i>	rat-tail fescue	FACU
<i>Vulpia myuros</i>		

**PARTIAL LIST OF PLANTS OBSERVED IN THE STUDY AREA  
AND THEIR STATUS AS WETLAND INDICATOR SPECIES**

<u>Scientific Name</u>	<u>Common Name</u>	<u>Status</u> <sup>1&amp;2</sup>
<i>Aira caryophyllea</i>	silver hairgrass	UPL
<i>Avena sp.</i>	wild oats	UPL
<i>Brassica sp.</i>	mustard	NI
<i>Briza minor</i>	little quaking grass	FACW-
<i>Brodiaea sp.</i>	brodiaea	---
<i>Bromus diandrus</i> ( <i>B. rigidus</i> )	rip-gut grass	UPL
<i>Bromus mollis</i>	soft chess	FACU-
<i>Centaurea solstitialis</i>	yellow star-thistle	UPL
<i>Cichorium intybus</i>	chickory	UPL
<i>Convolvulus arvensis</i>	bindweed	UPL
<i>Crypsis schoenoides</i>	swamp timothy	OBL
<i>Cynodon dactylon</i>	Bermuda grass	FAC
<i>Cyperus eragrostis</i>	tall flatsedge	FACW
<i>Deschampsia danthonioides</i>	purple hairgrass	FACW
<i>Downingia sp.</i>	downingia	OBL
<i>Echinochloa crusgalli</i>	barnyard grass	FACW
<i>Eleocharis macrostachya</i>	creeping spikerush	OBL
<i>Eremocarpus setigerus</i>	doveweed	UPL
<i>Erodium botrys</i>	filaree	UPL
<i>Eryngium vaseyi</i>	coyote thistle	FACW
<i>Eucalyptus sp.</i>	gum	---
<i>Geranium dissectum</i>	cut-leaf geranium	UPL
<i>Glyceria sp.</i>	mannan grass	OBL
<i>Gratiola ebracteata</i>	bractless hedge-hyssop	OBL
<i>Hemizonia pungens</i>	common tarweed	FAC
<i>Holocarpha virgata</i>	tarweed	UPL
<i>Hordeum hystrix</i> ( <i>H. geniculatum</i> )	Mediterranean barley	FAC
<i>Hordeum leporinum</i>	barley	NI
<i>Juncus bufonius</i>	toad rush	FACW+
<i>Lactuca serriola</i>	prickly lettuce	FAC
<i>Lasthenia fremontii</i>	Fremont's goldfields	OBL
<i>Lasthenia sp.</i>	goldfields	NI
<i>Leontodon leysseri</i>	hairy hawkbit	FACU
<i>Lolium perenne</i> ( <i>L. multiflorum</i> )	perennial ryegrass	FAC*
<i>Lotus corniculatus</i>	bird's foot trefoil	FAC

<sup>1</sup> Reed, P.B. 1988. National List of Plant Species That Occur in Wetlands: California (Region 0). Biological Report 88(26.10) May 1988. National Ecology Research Center, National Wetland Inventory, U.S. Fish and Wildlife Service, St. Petersburg, FL.

<sup>2</sup> OBL = obligate; FACW = facultative wetland; FAC = facultative; FACU = facultative upland; UPL = upland; and NI = no indicator.



**GIBSON & SKORDAL, LLC**

*Wetland Consultants*

2277 Fair Oaks Blvd., Suite 395  
Sacramento, California 95825  
Telephone (916) 569-1830  
Facsimile (916) 569-1835

*James C. Gibson  
Thomas M. Skordal  
David L. Skordal  
Karen Shaffer  
Ginger E. Fodge*

February 18, 2003

Mr. Justin Cutler  
U.S. Army Corps of Engineers  
Regulatory Branch  
1325 J Street, Room 1480  
Sacramento, California 95814-2922

**Subject: Pre-construction Notification Under Nationwide Permit 39 for the Albiani  
Excelsior Road Project, Sacramento County, California**

Dear Mr. Cutler:

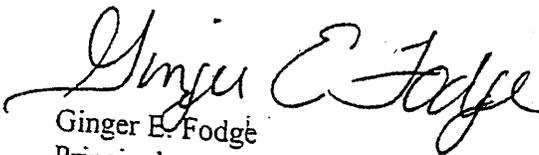
On behalf of Mr. Dennis Albiani, I am requesting authorization of his proposed Excelsior Road residential subdivision project under Nationwide Permit 39. Enclosed is a pre-construction notification (PCN) packet which contains a project description, a description of the proposed impacts to waters of the United States and mitigation measures, and representative photos of the project site and adjoining properties. Also enclosed is a combined delineation of waters of the United States/special status species evaluation report; we request verification of the delineation concurrent with the processing of the PCN. Additional copies of the PCN and wetland delineation/special status species evaluation report are also enclosed for your use when initiating Section 7 consultation with the U.S. Fish and Wildlife Service.

The delineation of waters of the United States identified a total of 0.40 acre of waters of the United States in the study area, consisting of 0.29 acre of vernal pools and 0.11 acre of wet swales. The applicant proposes to fill 0.32 acre of waters of the United States as part of subdivision construction.

In compliance with General Condition 9 of the nationwide permits, an application for 401 certification will be submitted to the Regional Water Quality Control Board. A copy of this request will be provided to you when submitted.

If you have any questions regarding this submittal, please contact me at (916) 569-1830.

Sincerely,



Ginger E. Fodge  
Principal

GEF:bjs  
Attachments

AlbianiGroup-ExcelsiorRd2-18-03Ltr

**From:** [Kathleen Frawley](#)  
**To:** [Clerk of the Board Public Email](#)  
**Subject:** PLnp2018-00054 Hearing tomorrow.  
**Date:** Wednesday, May 20, 2020 3:40:01 PM  
**Attachments:** [excelsior ranch development letter.pdf](#)

---

**EXTERNAL EMAIL:** If unknown sender, **do not** click links/attachments.

## KATHLEEN FRAWLEY, CNE

LICENSE #01846115 2295 IRON POINT ROAD FOLSOM CA 95630  
DIRECT OFFICE: (916) 235-7062 CELL: (916) 730-4404

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# KATHLEEN FRAWLEY

8235 Excelsior Road · (916) 730-4404

[frawley@kw.com](mailto:frawley@kw.com)

County Clerk

[BoardClerk@saccounty.net](mailto:BoardClerk@saccounty.net)

RE:

Control number PLNP2018-00054

Assessor's Parcel 123-0080-005

Project Name: Excelsior Ranch tentative parcel map

**DEAR SUBDIVISION REVIEW COMMITTEE,**

- We have been fighting this development since 2005.
- The proposed map does not include requirements or access as determined in 2005
- I have included documents and requirements.
- This borders a working farm and is located on a higher level.
- The initial DERA study was disputed.

Initially all the neighbors and attorneys were involved. I thought all that work would remain in the record. The entire package is over 100 pages and I will be dropping it off.

Highlights include:

1. Keeping the ability for Paint, Dirks and Refuge hollow to join so not land locking the neighbors.
2. Maintaining an 8-foot wall. (right to farm was sited)
3. Accessing public water and sewer only so local wells are not further compromised.
4. The wetland area is connected to three other properties.

I have lived here since 1992 and have built a self-sustaining farm with reserved wetlands.

I feed myself and many others. I would like to keep it that way.

Sincerely,

Kathleen Frawley