

5.0 BIOLOGICAL RESOURCES

This chapter describes the existing biological resources that could be subject to project-related disturbance. This discussion includes descriptions of habitat types, common wildlife species, and special-status species that may occur in the project area. This chapter also addresses impacts of the proposed project on biological resources and recommends mitigation measures to address those impacts.

5.1 ENVIRONMENTAL SETTING

5.1.1 PLANT COMMUNITIES AND AQUATIC ECOSYSTEMS

Plant communities and aquatic ecosystems in the project area include woodland, chaparral, drainages, and wetland seep. Each of these is briefly described below.

WOODLAND

Woodland is the dominant habitat type in the project area. Three types of woodland occur in this area: live oak woodland, mixed evergreen forest, and foothill woodland. Live oak woodland is characterized by a dense canopy of interior live oak (*Quercus wislizenii*) and/or canyon live oak (*Q. chrysolepis*). Common shrubs in the understory include toyon (*Heteromeles arbutifolia*) and poison oak (*Toxicodendron diversilobum*). Mixed evergreen forest occurs in areas with moist soils and can have greater tree species diversity. Dominant trees include live oaks, madrone (*Arbutus menziesii*), douglas-fir (*Pseudotsuga menziesii*), and California bay-laurel (*Umbellularia californica*). Foothill woodland is characterized by a two-tiered canopy of foothill pine (*Pinus sabiniana*) and oak.

Small patches of nonnative grassland occur in sunny openings within the woodland. Common grass species in this plant community include soft chess (*Bromus hordeaceus*), ripgut brome (*B. diandrus*), and hedgehog dogtail (*Cynosurus echinatus*). Common herbs include soapplant (*Chlorogalum pomeridianum*), California poppy (*Eschscholzia californica*), and filaree (*Erodium* spp.). The access roads to both the staging termini represent disturbed areas within the woodland plant community. The proposed Foresthill Bridge Staging Terminus is characterized by disturbed grassland that was filled at the time that the Foresthill Bridge was constructed. Plant species encountered during biological field surveys include hedgehog dogtail, soft chess, hairy vetch (*Vicia villosa*), hedge parsley (*Torilis arvensis*), smooth cat's ear (*Hypochaeris glabra*), dovefoot geranium (*Geranium molle*), star thistle (*Centaureum solstitialis*), and blue dicks (*Dichelostemma capitatum*). There are no sensitive resources or habitats in the proposed Foresthill Bridge Staging Terminus.

CHAPARRAL

Chaparral is a dense, shrub-dominated plant community that occurs on drier slopes in the Sierra Nevada foothills. In the project area, chaparral occurs along the eastern portions of the proposed trail alignment and is dominated by chamise (*Adenostoma fasciculatum*). Other shrub species present include manzanita (*Arctostaphylos* spp.), ceanothus (*Ceanothus* spp.), poison oak, and redbud (*Cercis occidentalis*).

DRAINAGES

The majority of the drainages in the project area are ephemeral drainages that flow for brief periods of time in response to a single rain event. All of the drainages are characterized by a distinct bed and bank and eventually flow into the North Fork American River. Several of the drainages are intermittent drainages that flow for extended periods throughout the rainy season and dry up during the late spring or early summer (Placer County 2004). All drainages in the project area are subject to the jurisdiction of the U.S. Army Corps of Engineers (USACE) under Section 404 of the federal Clean Water Act (CWA) (see "Section 404 of the Clean Water Act")

under Section 5.2.1, “Federal Plans, Policies, Regulations, and Laws,” below). Detailed information on the drainages is provided in the Preliminary Wetland Delineation, North Fork American River Trail Project (Placer County 2004).

WETLAND SEEP

A small (0.18-acre) wetland seep is located along the base of a slope near the North Fork/Middle Fork American River confluence. Dominant plant species in the seep include alder (*Alnus rhombifolia*) and Himalayan blackberry (*Rubus discolor*). Other species that occur in this community as subdominants include slender rush (*Juncus patens*), sedge (*Carex* sp.), and red willow (*Salix laevigata*). This seep qualifies as a wetland subject to USACE jurisdiction under Section 404 of the CWA (Placer County 2004).

5.1.2 WILDLIFE

Wildlife diversity is generally high in the mixed oak, foothill, and mixed evergreen woodlands. Amphibians and reptiles found in these woodlands include Pacific treefrog (*Hyla regilla*), western fence lizard (*Sceloporus occidentalis*), and California kingsnake (*Lampropeltis getulus*). Common resident birds in these forests include acorn woodpecker (*Melanerpes formicivorus*), western scrub-jay (*Aphelocoma californica*), oak titmouse (*Baeolophus inornatus*), wild turkey (*Meleagris gallopavo*), and wrentit (*Chaemaea fasciata*). Migratory species that use these forest types during summer months to breed include ash-throated flycatcher (*Myiarchus cinerascens*), orange-crowned warbler (*Vermivora celata*), and black-headed grosbeak (*Pheucticus melanocephalus*). Common mammals in these mixed woodlands include gray fox (*Urocyon cinereoargenteus*), bobcat (*Lynx rufus*), mountain lion (*Puma concolor*), mule deer (*Odocoileus hemionus*), and Douglas’ squirrel (*Tamiasciurus douglasii*).

Chaparral generally has lower wildlife diversity than most forest and woodland habitats. However, chaparral does provide habitat for many wildlife species. Reptiles found in chaparral include western rattlesnake (*Crotalus viridis*), western fence lizard, and southern alligator lizard (*Gerrhonotus multicarinatus*). Birds commonly found in chaparral include California thrasher (*Toxostoma redivivum*), Bewick’s wren (*Thryomanes bewickii*), California towhee (*Pipilo crissalis*), and California quail (*Callipepla californica*). Mammals commonly associated with chaparral include gray fox and mule deer.

5.1.3 SENSITIVE BIOLOGICAL RESOURCES

Sensitive biological resources addressed in the following sections include those that are afforded special protection through the California Environmental Quality Act (CEQA) and through the federal Endangered Species Act (ESA), Migratory Bird Treaty Act (MBTA), Bald Eagle Protection Act, CWA, California Endangered Species Act (CESA), and California Fish and Game Code. (See the discussions of federal and state plans, policies, regulations, and laws below in Sections 5.2.1 and 5.2.2, respectively.) Special-status species include plants and animals that are legally protected or that are otherwise considered sensitive by federal, state, or local resource conservation agencies and organizations. These include species that are state and/or federally listed as rare, threatened, or endangered; those considered as candidates or proposed for listing; species identified by the California Department of Fish and Game (DFG) and/or U.S. Fish and Wildlife Service (USFWS) as species of concern; and plants considered by the California Native Plant Society (CNPS) to be rare, threatened, or endangered.

The California Natural Diversity Database (CNDDDB) (2006) was reviewed for sensitive biological resources, including sensitive habitats and special-status species that are known to occur in the vicinity of the project area. The occurrences within the Greenwood, Auburn, and Colfax U.S. Geological Survey 7.5-minute quadrangles were reviewed. The CNDDDB includes site-specific information on all reported occurrences of sensitive biological resources in California and is a “positive sighting” database. It provides only a record of occurrences as reported to the CNDDDB; therefore, a lack of data for species in specific areas does not necessarily indicate absence of the

species from that area. A database search of CNPS's *Inventory of Rare and Endangered Plants* (CNPS 2005) was conducted as well. In addition, a list of special-status species obtained from the U.S. Bureau of Reclamation (Reclamation) (2004) was reviewed for potential special-status species that could occur in the project area.

5.1.4 JURISDICTIONAL WETLANDS AND OTHER WATERS OF THE UNITED STATES

A preliminary delineation of waters of the United States, including wetlands, was conducted by EDAW wetland ecologists in February 2004 (Placer County 2004). The delineation documented the presence of 48 drainages and one seep subject to USACE jurisdiction in the project area. All of these features qualify as sensitive habitats. The delineation was submitted to the Sacramento District of USACE in April 2004 and Nationwide Permit 42 was issued in November 2004. Because of realignment of the proposed trail, the number of drainages crossed by the proposed trail would be reduced to 47. The seep would not be affected by the proposed project. An amendment to Nationwide Permit 42 will be requested to include revisions to the trail alignment.

DEER MIGRATION CORRIDORS

Although mule deer is not considered a special-status species, DFG is concerned about preserving deer migration corridors in many foothill and mountainous regions of California that are currently experiencing expansion of urbanized areas. To address this concern in Placer County, DFG has researched and mapped critical habitat and deer migration patterns. Critical habitat, as defined by DFG, has been deemed essential to the long-term productivity of the herd. The project area does not include any areas mapped as critical or noncritical habitat for deer (Placer County Game Commission 1992). Noncritical deer habitat is mapped to the east of Weimar (approximately 2.5 miles from the east end of the proposed trail alignment) and critical habitat is mapped north of Foresthill (approximately 10 miles from the east end of the proposed trail alignment).

SPECIAL-STATUS PLANTS

A target list of special-status plant species was developed in 2004, using data from the CNPS Inventory and CNDDDB, before focused botanical surveys were conducted. This list included Red Hills soaproot (*Chlorogalum grandiflorum*), Brandegee's clarkia (*Clarkia biloba* ssp. *brandageeae*), and Butte County fritillaria (*Fritillaria eastwoodiae*). An updated search of the CNDDDB and CNPS Inventory in 2006 reported two additional special-status species that have potential to occur in the project area: Jepson's onion (*Allium jepsonii*) and oval-leaved viburnum (*Viburnum ellipticum*).

Special-status plant surveys were conducted in the project area in May and June 2004 by EDAW botanists (Appendix C). Because there have been minor adjustments to the proposed trail alignment since 2004, additional surveys were conducted in 2006 and 2007. One special-status plant species, Brandegee's clarkia, was found in the project area during these surveys. Although Jepson's onion and oval-leaved viburnum were not identified as target species, the survey was conducted during the appropriate time of the year (i.e., blooming period) to identify both species. If present in the project area, these species would have been identified during the surveys because a complete floristic inventory was conducted. Each special-status plant species is briefly discussed below.

Brandegee's clarkia is a CNPS List 1B species (rare or endangered in California and elsewhere) and a USFWS species of concern. This annual herb is a member of the primrose family (Onagraceae) and blooms from May to July. Brandegee's clarkia occurs in chaparral and woodland habitats at elevations of approximately 1,200-35,000 feet. It often grows along roadcuts. Brandegee's clarkia is known from five locations within the vicinity of the project area (CNDDDB 2006). Two individuals were observed growing in a fairly open wooded area just north of the proposed trail alignment (see Appendix C). The plant community in which the individuals were found was characterized by an open overstory of interior live oak and California bay laurel and a fairly open understory of toyon, creeping snowberry (*Symphoricarpos mollis*), and herbaceous grasses and forbs.

Red Hills soaproot is a CNPS List 1B species and USFWS species of concern. This perennial herb in the lily family (Liliaceae) blooms from May to June. Red Hills soaproot usually grows on gabbro and serpentine soils in cismontane woodland and chaparral, but it has been found on other soils as well. Red Hills soaproot was not observed during the focused botanical surveys, although many common soaproot plants (*Chlorogalum pomeridianum*) were observed. Therefore, it is unlikely to occur within the project area.

Butte County fritillary is a CNPS List 3 species (plants about which more information is needed—a review list) and a USFWS species of concern. This perennial herb in the lily family occurs in chaparral and woodland and in openings in lower montane coniferous forests at elevations of approximately 1,900-59,000 feet. It also occasionally occurs on serpentine substrate. Butte County fritillary blooms from March to May. The CNDDDB (2006) reports two occurrences of this species in the American River canyon near the Middle and North Forks of the American River. Although woodland and chaparral in the project area provide suitable habitat for this species, Butte County fritillary was not observed during focused botanical surveys. Therefore, it is unlikely to occur within the project area.

Jepson's onion is a CNPS List 1B species and a USFWS species of concern. This bulbiferous herb is in the lily family and is associated with chaparral, cismontane woodland, and lower montane coniferous forests. It is often found on serpentine or volcanic soils at elevations of approximately 1,180-5,200 feet. Jepson's onion blooms from May to August. This species was not observed during botanical surveys and is therefore considered unlikely to occur within the project area.

Oval-leaved viburnum is a CNPS List 2 species (rare, threatened, or endangered in California, but more common elsewhere). This deciduous shrub is in the Caprifoliaceae family and blooms from May to June. It is associated with chaparral, cismontane woodland, and lower montane coniferous forests at elevations of 215–1,400 meters. Oval-leaved viburnum was not observed during botanical surveys and is therefore considered unlikely to occur within the project area.

SPECIAL-STATUS WILDLIFE

Several special-status wildlife species have potential to occur in the project vicinity, based on records in the CNDDDB and regional presence of potentially suitable habitat:

- ▶ valley elderberry longhorn beetle (*Desmocerus californicus dimorphus*),
- ▶ foothill yellow-legged frog (*Rana boylei*),
- ▶ California horned lizard (*Phrynosoma coronatum*),
- ▶ northwestern pond turtle (*Emys marmorata*),
- ▶ osprey (*Pandion haliaetus*),
- ▶ sharp-shinned hawk (*Accipiter striatus*),
- ▶ Cooper's hawk (*Accipiter cooperi*),
- ▶ California spotted owl (*Strix occidentalis occidentalis*), and
- ▶ pacific fisher (*Martes pennanti pacifica*).

Each of these species is discussed briefly below.

The valley elderberry longhorn beetle is federally listed as threatened. This beetle requires elderberry shrubs for reproduction and survival and is typically associated with riparian forests and adjacent upland habitats. The beetle's range extends throughout the Central Valley and associated foothills to an elevation of about 3,000 feet. No elderberry shrubs were found within the project area; therefore, valley elderberry longhorn beetle is not expected to occur along the proposed trail alignment.

The foothill yellow-legged frog is a federal and state species of special concern. Foothill yellow-legged frogs are characteristically found close to water in association with perennial streams and ephemeral creeks that retain

perennial pools through the end of summer. In rivers, breeding areas are often associated with confluences of tributary streams that are predominantly perennial (Seltenrich and Pool 2002). These frogs require shallow, flowing streams with some cobble-sized substrate on which they deposit large masses of eggs. Egg laying normally follows the period of high-flow discharge associated with winter rainfall, usually between late March and early June. Eggs hatch in about 15–30 days depending on water temperature, and tadpoles metamorphose into juvenile frogs in 3–4 months. Several of the drainages that cross the project area may provide suitable breeding pools for foothill yellow-legged frogs.

California horned lizard and northwestern pond turtle are federal and state species of special concern. California horned lizards use a variety of upland habitats that have low bushes for cover, openings for sunning, and loose soil for burrows. Pond turtles require still or slow-moving water with instream emergent woody debris, rocks, or other similar features for basking sites. Pond turtle nests are typically located on unshaded upland slopes in dry substrates with clay or silt soils. Neither species is expected to occur in the project area because suitable habitat is not present.

Several raptor species that are considered state species of special concern could potentially nest in woodland trees in the project area, including osprey, sharp-shinned hawk, and Cooper's hawk. Other raptors that may nest in the project area include red-tailed hawk (*Buteo jamaicensis*) and great-horned owl (*Bubo virginianus*). Sightings of bald and golden eagles have been reported in the project vicinity. Eagles may use the upland areas for foraging and roosting during migration and winter. Bald eagles may also forage for fish in Lake Clementine; however, bald or golden eagles are not known to nest in the project vicinity. California spotted owl, a California species of special concern, typically nests in dense stands of mixed conifers that have large-diameter trees and high canopy cover, but may also use midsuccessional forests and riparian areas. In the Sierra Nevada, spotted owls may nest in conifer forests at elevations of approximately 4,500–7,500 feet and riparian/hardwood forests at elevations of about 1,000–3,500 feet (Guitierrez et al. 1992). Researchers at DFG have no records for California spotted owls in the quadrangles that encompass the project area. Although there are records of spotted owls in quadrangles to the east at higher elevations where the forest is moister and cooler, spotted owls are not expected to nest in the project area because the woodland is likely too hot and dry (Gould, pers. comm., 2004).

The Pacific fisher is a federal candidate for listing and state species of special concern. Candidate species do not receive statutory protection under ESA; however, USFWS encourages the formation of partnerships to conserve candidate species because they may warrant future protection. In California, the fisher historically ranged throughout forested lands in the Sierra Nevada. The CNDDDB reports an occurrence in 1973 in the American River canyon near Iowa Hill (CNDDDB 2006), approximately 10 miles northeast of the east end of the proposed trail alignment. Fishers currently are believed to be extirpated throughout most of their historical range, especially in the northern and central portions of the Sierra Nevada (Zielinski et al. 1995, 69 Federal Register [FR] 18770–18792, April 8, 2004). Based on extensive and systematic surveys, currently there are only two known populations in California: one in the northwestern portion of the state and the other in the southern Sierra Nevada (69 FR 18770–18792, April 8, 2004). Because of the lack of extant fisher populations in the region, Pacific fishers are not likely to occur in the project area.

5.2 REGULATORY SETTING

5.2.1 FEDERAL PLANS, POLICIES, REGULATIONS, AND LAWS

FEDERAL ENDANGERED SPECIES ACT

USFWS has authority over projects that may affect the continued existence of a federally listed (threatened or endangered) terrestrial species. Section 9 of ESA prohibits the take of federally listed species; take is defined under ESA, in part, as killing, harming, or harassment. Under federal regulations, take is further defined to include habitat modification or degradation where it actually results in death or injury to wildlife by significantly impairing essential behavioral patterns, including breeding, feeding, or sheltering.

Section 7 of ESA outlines procedures for federal interagency cooperation to conserve federally listed species and designated critical habitat. Section 7(a)(2) requires federal agencies to consult with USFWS to ensure that they are not undertaking, funding, permitting, or authorizing actions likely to jeopardize the continued existence of listed species.

MIGRATORY BIRD TREATY ACT

The MBTA, first enacted in 1918, domestically implements a series of treaties between the United States and Great Britain (on behalf of Canada), Mexico, Japan, and the former Soviet Union that provide for international protection of migratory birds. It authorizes the Secretary of the Interior to regulate the taking of migratory birds. The MBTA provides that it shall be unlawful, except as permitted by regulations, “to pursue, take, or kill ... any migratory bird, or any part, nest or egg of any such bird, included in the terms of conventions” with certain other countries (Title 16, Section 703 of the U.S. Code [i.e., 16 USC 703]). This includes direct and indirect acts, although harassment and habitat modification are not included unless they result in direct loss of birds, nests, or eggs. The current list of species protected by the MBTA includes several hundred species and essentially includes all native birds.

BALD EAGLE PROTECTION ACT

The Bald Eagle Protection Act provides for the protection of the bald eagle and the golden eagle by prohibiting, except under certain specified conditions, the taking, possession, and commerce of such birds. The 1972 amendments increased penalties for violating provisions of the act or regulations issued pursuant thereto and strengthened other enforcement measures.

SECTION 404 OF THE CLEAN WATER ACT

Pursuant to Section 404 of the CWA, USACE regulates discharge of dredged or fill material into waters of the United States. Waters of the United States and their lateral limits are defined in Title 33, Part 328.3(a) of the Code of Federal Regulations (i.e., 33 CFR Part 328.3[a]) and include navigable waters of the United States, interstate waters, all other waters where the use or degradation or destruction of the waters could affect interstate or foreign commerce, tributaries to any of these waters, and wetlands that meet any of these criteria or that are adjacent to any of these waters or their tributaries. For purposes of describing habitat values and characteristics, waters of the United States are often categorized as “jurisdictional wetlands” (i.e., wetlands over which USACE exercises jurisdiction pursuant to Section 404) and “other waters of the United States.” Fill is defined as any material that replaces any portion of a water of the United States with dry land or changes the bottom elevation of any portion of a water of the United States. Any activity resulting in the placement of dredged or fill material within waters of the United States usually requires a permit from USACE even if the area is dry at the time the activity takes place.

The CWA and guidelines outlined in a memorandum of agreement (MOA) between the U.S. Environmental Protection Agency (EPA) and USACE dated November 15, 1989, set forth a goal of restoring and maintaining existing aquatic resources. This MOA directed USACE to strive to avoid adverse impacts and to offset unavoidable adverse impacts on existing aquatic resources, and for wetlands, to strive to achieve a goal of an overall no net loss of values and functions. The MOA also noted the value of other waters of the United States, such as streams, rivers, and lakes. Under the guidelines, all waters of the United States are afforded protection, including requirements for appropriate and practicable mitigation based on values and functions of the aquatic resource that will be affected.

EXECUTIVE ORDER 11990: PROTECTION OF WETLANDS

Executive Order 11990 established the protection of wetlands and riparian systems as the official policy of the federal government. It requires all federal agencies to consider wetland protection as an important part of their

policies; to take action to minimize the destruction, loss, or degradation of wetlands; and to preserve and enhance the natural and beneficial values of wetlands.

EXECUTIVE ORDER 11312: INVASIVE SPECIES

Executive Order 11312 directs all federal agencies to prevent and control introductions of invasive nonnative species in a cost-effective and sound manner to minimize their economic, ecological, and human health impacts. Executive Order 11312 established a national Invasive Species Council, made up of federal agencies and departments, and a supporting Invasive Species Advisory Committee, composed of state, local, and private entities. The Invasive Species Council and Advisory Committee oversee and facilitate implementation of the executive order, including preparation of a National Invasive Species Management Plan.

5.2.2 STATE PLANS, POLICIES, REGULATIONS, AND LAWS

CALIFORNIA ENDANGERED SPECIES ACT

Pursuant to Section 2081 of CESA, a permit from DFG is required for projects that would result in the take of a state-listed rare, threatened, or endangered plant or animal species. Under CESA, “take” is defined as an activity that would directly or indirectly kill an individual of a species; however, the CESA definition of take does not include “harming” or “harassing,” as the definition under the federal ESA does. As a result, the threshold for take is higher under CESA than under ESA (i.e., habitat modification is not necessarily considered take under CESA).

CALIFORNIA FISH AND GAME CODE SECTIONS 3503 AND 3513—PROTECTION OF BIRDS

Section 3503 of the California Fish and Game Code states that it is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird. Section 3503.5 specifically states that it is unlawful to take, possess, or destroy any raptors (i.e., eagles, hawks, owls, and falcons), including their nests or eggs. Section 3513 of the Fish and Game Code provides for adoption of MBTA’s provisions. It states that it is unlawful to take or possess any migratory nongame bird as designated in the MBTA or any part of such a migratory nongame bird. These state codes offer no statutory or regulatory mechanism for obtaining an incidental take permit for the loss of nongame, migratory birds. Typical violations of Sections 3503.5 and 3513 include destruction of active nests resulting from removal of vegetation in which the nests are located. Violations could also include failure of active raptor nests resulting from disturbance of nesting pairs by nearby project construction.

FULLY PROTECTED SPECIES UNDER THE CALIFORNIA FISH AND GAME CODE

Protection of fully protected species is described in four sections of the California Fish and Game Code that list 37 fully protected species (Sections 3511, 4700, 5050, and 5515). These statutes prohibit take or possession of fully protected species. DFG is unable to authorize incidental take of fully protected species when activities are proposed in areas inhabited by those species. DFG has informed nonfederal agencies and private parties that they must avoid take of any fully protected species in carrying out projects.

SECTION 1602 OF THE CALIFORNIA FISH AND GAME CODE—STREAMBED ALTERATION

Under Section 1602, it is unlawful for any person, governmental agency, or public utility to substantially divert or obstruct the natural flow or substantially change the bed, channel, or bank of any river, stream, or lake, or to deposit or dispose of debris, waste, or other material containing crumbled, flaked, or ground pavement where it may pass into any river, stream, or lake, without first notifying DFG of such activity. A stream is defined as a body of water that flows at least periodically or intermittently through a bed or channel having banks that supports fish or other aquatic life. This definition includes watercourses having a surface or subsurface flow that supports or has supported riparian vegetation. A DFG Streambed Alteration Agreement must be obtained for any project that would result in an impact on a river, stream, or lake.

PORTER-COLOGNE ACT CERTIFICATION

Each of the nine regional water quality control boards (RWQCBs) must prepare and periodically update water quality control plans (basin plans) pursuant to the Porter-Cologne Water Quality Control Act. Each basin plan sets forth water quality standards for surface water and groundwater, as well as actions to control nonpoint and point sources of pollution to achieve and maintain these standards. Basin plans offer an opportunity to achieve wetland protection based on water quality objectives. Another opportunity for wetland protection is the Section 401 certification process. Under Section 401 of the CWA, an applicant for a Section 404 permit (to discharge dredged or fill material into waters of the United States) must obtain a certificate from the appropriate state agency stating that the fill is consistent with the state's water quality standards and criteria. In California, the authority to grant water quality certification is delegated by the State Water Resources Control Board to the nine RWQCBs.

SENATE BILL 1334

Although oak trees and oak woodland habitats are not afforded special protection under federal law, the California legislature enacted Senate Bill (SB) 1334 in 2004, which added oak woodland conservation regulations to the Public Resources Code. This law requires a County to determine whether a project within its jurisdiction may result in a conversion of oak woodlands that will have a significant effect on the environment. If a County determines that there may be a significant effect to oak woodlands, the County must consider alternative approaches to mitigate the significant effect of the conversion of oak woodlands. Such mitigation alternatives include: conservation through the use of conservation easements; planting and maintaining an appropriate number of replacement of trees; contribution of funds to the Oak Woodlands Conservation Fund for the purpose of purchasing oak woodlands conservation easements; and/or other mitigation measures developed by the County.

5.2.3 LOCAL PLANS, POLICIES, REGULATIONS, AND ORDINANCES

PLACER COUNTY GENERAL PLAN

The following are the relevant goals and policies identified by the *Placer County General Plan* (Placer County 1994) for biological resources.

- ▶ **Policy 6.A.7.** [Placer] County shall discourage grading activities during the rainy season, unless adequately mitigated, to avoid sedimentation of creeks and damage to riparian habitat.
- ▶ **GOAL 6.B:** Protect wetland communities and related riparian areas throughout Placer County as valuable resources.
- ▶ **Policy 6.B.1.** The County shall support the “no net loss” policy for wetland areas regulated by USACE, USFWS, and DFG. Coordination with these agencies at all levels of project review shall continue to ensure that appropriate mitigation measures and the concerns of these agencies are adequately addressed.
- ▶ **Policy 6.B.4.** The County shall strive to identify and conserve remaining upland habitat areas adjacent to wetlands and riparian areas that are critical to the survival and nesting of wetland and riparian species.
- ▶ **GOAL 6.C:** To protect, restore, and enhance habitats that support fish and wildlife species so as to maintain populations at viable levels.
- ▶ **Policy 6.C.1.** The County shall identify and protect significant ecological resource areas and other unique wildlife habitats critical to protecting and sustaining wildlife populations. Significant ecological resource areas include the following:
 - a. wetland areas including vernal pools;

- b. stream environment zones;
 - c. any habitat for rare, threatened, or endangered animals or plants;
 - d. critical deer winter ranges (winter and summer), migratory routes, and fawning habitat;
 - e. large areas of non-fragmented natural habitat, including blue oak woodlands, valley foothill riparian, vernal pool habitat;
 - f. identifiable wildlife movement zones, including but not limited to, non-fragmented stream environment zones, avian and mammalian migratory routes, and known concentration areas of waterfowl within the Pacific Flyway; and
 - g. important spawning areas for anadromous fish.
- ▶ **Policy 6.C.6.** The County shall support preservation of the habitats of rare, threatened, endangered, and/or other special-status species. Federal and state agencies, as well as other resource conservation organizations, shall be encouraged to acquire and manage endangered species' habitats.
 - ▶ **Policy 6.C.7.** The County shall support the maintenance of suitable habitats for all indigenous species of wildlife, without preference to game or non-game species, through maintenance of habitat diversity.
 - ▶ **GOAL 6.D:** To preserve and protect the valuable vegetation resources of Placer County.
 - ▶ **Policy 6.D.3.** The County shall support the preservation of outstanding areas of natural vegetation, including, but not limited to, oak woodlands, riparian areas, and vernal pools.
 - ▶ **Policy 6.D.4.** The County shall ensure that landmark trees and major groves of native trees are preserved and protected. In order to maintain these areas in perpetuity, protected areas shall also include younger vegetation with suitable space for growth and reproduction.
 - ▶ **Policy 6.D.6.** The County shall ensure the conservation of sufficiently large, continuous expanses of native vegetation to provide suitable habitat for maintaining abundant and diverse wildlife.
 - ▶ **Policy 6.D.7.** The County shall support the management of wetland and riparian plant communities for passive recreation, groundwater recharge, nutrient catchment, and wildlife habitats. Such communities shall be restored or expanded, where possible.

WEIMAR-APPLEGATE-CLIPPER GAP GENERAL PLAN

The *Weimar-Applegate-Clipper Gap General Plan* contains the following goals and policies relevant to biological resources in the project area.

- ▶ **GOAL A.1:** Ensure a balanced environment where physical development can occur with minimal adverse effect to the natural resources of the area.
- ▶ **Policy A.1.3.** Encourage development activities in areas of least environmental sensitivity.
- ▶ **Policy A.1.4.** Encourage the use of ecologically innovative techniques in any future developments.
- ▶ **GOAL A.2:** Preserve outstanding areas of natural vegetation or fish and wildlife habitat.

- ▶ **Policy A.2.1.** Preserve the natural condition of all stream influence areas, including floodplains and riparian vegetation areas.
- ▶ **Policy A.2.3.** Provide for the protection of all rare or endangered species.

FORESTHILL DIVIDE COMMUNITY PLAN

The *Foresthill Divide Community Plan* (Community Plan), which is currently in draft form, includes the project area. The Community Plan contains the following goals and policies relevant to biological resources in the project area.

Vegetation

- ▶ **Policy 4.A.1-1.** Encourage landowners and developers to manage the integrity of existing terrain and native vegetation, especially in visually-sensitive areas such as hillsides, ridges, and along important transportation corridors, consistent with fire safety standards.
- ▶ **Policy 4.A.1-9.** Require that new development protect, restore, rehabilitate, and manage the native forest-woodlands to the maximum extent possible.
- ▶ **Policy 4.A.1-10.** Require that development on hillsides be limited to maintain valuable native forest vegetation and to control erosion.
- ▶ **Policy 4.A.1-14.** Support the preservation of native trees and the use of native seed sources and such seedlings and drought-tolerant plant materials in all revegetation/landscaping projects.
- ▶ **Policy 4.A.1-15.** Require that new development avoid, as much as possible, ecologically fragile areas (e.g., areas of rare or endangered species of plants, riparian areas). Where feasible, these areas and heritage trees should be protected through public acquisition of fee title or conservation easements to ensure protection.

Wetlands and Riparian

- ▶ **Policy 4.A.2-3.** Discourage direct runoff of pollutants and siltation into existing wetland areas from outfalls serving nearby development. Development shall be designed in such a manner that pollutants and siltation will not significantly adversely affect the value or function of wetlands.

Fish and Wildlife Habitat

- ▶ **Policy 4.A.3-2.** Require development in areas known to have particular value for wildlife to be carefully planned and, where possible, located so that the reasonable value of the habitat for wildlife is maintained.
- ▶ **Policy 4.A.3-6.** Support the maintenance of suitable habitats for all indigenous species of wildlife, without preference to game or non-game species, through maintenance of habitat diversity.
- ▶ **Policy 4.A.3-8.** Require new private or public developments to preserve and enhance existing native riparian habitat unless public safety concerns require removal of habitat for flood control or other public purposes. In cases where new private or public development results in modification or destruction of riparian habitat for purposes of flood control, the developers shall be responsible for acquiring, restoring, and enhancing at least an equivalent amount of like habitat within or near the project area.
- ▶ **Policy 4.A.6-1.** The County shall encourage the sustained productive use of forest land as a means of providing open space and conserving other natural resources.

PLACER COUNTY TREE ORDINANCE

The Placer County Tree Ordinance applies to any project with the potential to affect protected trees. Protected trees are defined as any native tree species with a dbh of 6 inches or greater. The Placer County Tree Ordinance acknowledges the County's value for native trees and their preservation. This ordinance prohibits the removal of landmark trees, including stands or groves of native trees, native tree corridors, and other significant native tree habitats. In addition, trees that are designated for preservation and avoidance are not to be damaged. Removal of trees from riparian areas is also prohibited by the ordinance without prior evaluation and consideration of suitable mitigation measures.

5.3 IMPACTS

5.3.1 ANALYSIS METHODOLOGY

The biological resources investigation involved the following:

- ▶ literature review;
- ▶ a reconnaissance-level field survey;
- ▶ focused botanical surveys;
- ▶ evaluation of potentially occurring special-status species and other sensitive biological resources; and
- ▶ a preliminary delineation of jurisdictional waters of the United States, including wetlands.

5.3.2 THRESHOLDS OF SIGNIFICANCE

Based on the Placer County CEQA Checklist and the State CEQA Guidelines, the proposed project would result in a potentially significant impact on biological resources if it would:

- ▶ substantially affect a rare or endangered species;
- ▶ interfere substantially with the movement of any resident or migratory fish or wildlife species;
- ▶ substantially diminish habitat for fish, wildlife, or plants;
- ▶ substantially affect a threatened species;
- ▶ result in any significant activity in riparian areas or wetlands;
- ▶ conflict with any local policies or ordinances protecting biological resources;
- ▶ conflict with an adopted habitat conservation plan, natural community conservation plan, or other approved local, regional, or state habitat conservation plan;
- ▶ remove more than 50% of the existing vegetation; or
- ▶ result in any significant construction in a deer migration route.

The construction and long-term use of the proposed trail would not substantially interfere with the movement of any resident or migratory fish or wildlife species, nor would it affect important deer migration routes. Vegetation removal would only occur within the trail corridor, and all vegetation would be allowed to grow back except within the trail tread. Because the proposed project would have no impact on these thresholds, they are not discussed further in this chapter.

5.3.3 IMPACT ANALYSIS

IMPACT 5-1 **Biological Resources – Potential Disturbance of Foothill Yellow-Legged Frog Habitat or Individuals.** *Although no foothill yellow-legged frogs were observed in the project area during the field surveys, potential habitat for the frogs does exist. Construction of the trail across drainages could degrade aquatic habitat or could result in physical injury to yellow-legged frog.*

Significance *Potentially Significant*

Mitigation Proposed *Mitigation Measure 5-1: Protect Foothill Yellow-legged Frog*

Residual Significance *Less Than Significant*

The foothill yellow-legged frog, which is a federal and state species of special concern, may occur within the project area. Most of the drainages that the proposed trail would cross are too steep and flows are too intermittent to hold water sufficiently to support breeding populations of foothill yellow-legged frogs; however, a few of the drainages have terraces and small pools that may have appropriate substrate and water velocity for egg deposition and development, and they may hold water long enough through the summer to support larval metamorphosis. Construction of the proposed trail across these drainages during the breeding season may affect foothill yellow-legged frogs by causing the temporary release of sediments in the water or by physically disturbing egg masses, tadpoles, or larvae during work in the drainage. Removing rocks from the streambed to build the trail retaining walls or stream crossings may also physically disturb egg masses, tadpoles, and adults if they are present. Trail use is not expected to have a significant effect on foothill yellow-legged frogs because stream crossings would be provided for trail users to avoid impacts on waterways. Implementation of Mitigation Measure 5-1 would reduce the potentially significant impact of trail construction on the potential habitat of foothill yellow-legged frog or individual frogs to a less-than-significant level.

IMPACT 5-2 **Biological Resources – Potential Disturbance of Nests and Individual Raptors and Other Nesting Birds.** *Trees and other vegetation in and adjacent to the project area provide potential nest sites for raptors and migratory birds. Removal of trees or other vegetation during trail construction could destroy or disturb nests, resulting in loss of eggs or young.*

Significance *Potentially Significant*

Mitigation Proposed *Mitigation Measure 5-2: Protect Raptors and Other Nesting Birds*

Residual Significance *Less Than Significant*

Although removal of trees greater than 6 inches in dbh would be avoided to the extent possible, the potential to remove some trees cannot be entirely dismissed. Removal of trees greater than 6 inches dbh could result in loss of nests of raptors and migratory birds, which is considered a potentially significant impact. Indirect disturbance during construction and removal of other vegetation, such as shrubs, could also result in the loss of migratory bird nests, which is also considered a potentially significant impact. There could be some disturbance to raptors or other nesting birds when trail users pass nesting sites; however, this disturbance would be temporary and would have minor effects on the nesting species. Implementation of Mitigation Measure 5-2 would reduce the potentially significant impact of trail construction on nesting raptors and other birds to a less-than-significant level.

IMPACT 5-3 **Biological Resources – Potential Loss of Special-Status Plants.** *One special-status plant species, Brandegee's clarkia, was documented along the proposed trail alignment. Construction of the proposed trail could potentially disturb a population of Brandegee's clarkia.*

Significance *Potentially Significant*

Mitigation Proposed *Mitigation Measure 5-3: Protect Special-Status Plants*

Residual Significance *Less Than Significant*

Two individuals of Brandegee's clarkia were observed in one location along the proposed trail alignment during focused botanical surveys. Both hand and mechanized construction of the trail could potentially result in destruction of these plants, as well as their root system and seed bank. Depending on the extent of disturbance in the project area, this impact could be considered potentially significant. The proposed trail would be maintained to minimize vegetation growth within the trail path; therefore, the establishment of any special-status plant species within the path of the trail is highly unlikely, rendering this impact less than significant. Implementation of Mitigation Measure 5-3 would reduce the potentially significant impact of trail construction on special-status plant species to a less-than-significant level.

IMPACT 5-4 **Biological Resources – Impacts on Waters of the United States.** *Installation of stream crossings and bridges and trail construction could result in fill of jurisdictional waters of the United States, including wetlands.*

Significance *Potentially Significant*

Mitigation Proposed *Mitigation Measure 5-4: Protect Jurisdictional Waters of the United States*

Residual Significance *Less Than Significant*

Construction of the trail would entail the installation of stream crossings and bridges across approximately 47 drainages that cross the proposed trail alignment. Placement of trail material or bridge footings in the drainages or seep would be considered a fill of jurisdictional waters of the United States that are subject to USACE jurisdiction under Section 404 of the CWA. The fill of jurisdictional waters of the United States is considered a potentially significant impact. Stream crossings would be provided for trail users and the use of the proposed trail would not include any fill of waters in the project area; therefore, the impact of trail use is considered less than significant. Implementation of Mitigation Measure 5-4 would reduce the potentially significant impact of fill of waters of the United States during trail construction to a less-than-significant level.

IMPACT 5-5 **Biological Resources – Streambed Alteration.** *Construction of the proposed trail would require crossing approximately 47 drainages. These crossings could alter the streambeds and adjacent vegetation of these drainages that are regulated by DFG.*

Significance *Potentially Significant*

Mitigation Proposed *Mitigation Measure 5-5: Implement Conditions of Streambed Alteration Agreement*

Residual Significance *Less Than Significant*

Trail use would not involve the alteration of the bank or bed of any waterways in the project area. However, the proposed trail alignment would cross approximately 47 drainages, which could result in alteration or disturbance of streambeds or removal of riparian vegetation. Because streambeds are considered sensitive by DFG, impacts on them are considered potentially significant. Implementation of Mitigation Measure 5-5 would reduce the potentially significant impact of trail construction on streambeds to a less-than-significant level.

IMPACT 5-6 **Biological Resources – Potential Introduction and Spread of Invasive Weeds.** *Several invasive weeds, including Himalayan blackberry, Italian thistle, and yellow starthistle, currently occur in the project area. Construction and use of the proposed trail has the potential to introduce additional invasive weed species or spread invasive weeds already in the project area. Introduction and spread of invasive weeds could reduce habitat quality.*

Significance *Potentially Significant*

Mitigation Proposed *Mitigation Measure 5-6: Prevent the Introduction and Spread of Invasive Weeds*

Residual Significance *Less Than Significant*

Himalayan blackberry, Italian thistle (*Carduus pycnocephalus*), and yellow starthistle (*Centaurea solstitialis*) currently occur in the project area. Construction of the trail in the relatively undisturbed project area and subsequent use of the trail by hikers and horses has the potential to introduce invasive weeds to the area or result in the spread of invasive weeds already present. The spread of invasive weeds could potentially diminish habitat quality for native plant and wildlife species in the project area by excluding native vegetation, altering habitat structure, and reducing food resources for wildlife. It could also alter the hydrology of the seep and drainages, which are considered sensitive ecosystems. Depending on the types of weeds introduced and the extent of the populations, these effects could be considered potentially significant. Implementation of Mitigation Measure 5-6 would reduce the potentially significant impact of invasive weeds to a less-than-significant level.

IMPACT 5-7 **Biological Resources – Conflict with Local Policies or Ordinances.** *The proposed project would not cause a conflict with any local policies or ordinances in the project area. There are no habitat conservation plans or natural community conservation plans; therefore, the proposed project would not conflict with any such plans.*

Significance *Less Than Significant*

Mitigation Proposed *None Warranted*

Residual Significance *Less Than Significant*

See Impact 4-1, “Potential for Conflicts with Land Use Plans, Policies, or Regulations,” in Chapter 4.0, “Land Use,” for further discussion.

IMPACT 5-8 **Biological Resources – Impacts on Oak Woodland Habitat.** *The proposed project may result in the removal of some trees that are 6 inches dbh or larger from oak woodland habitat. Native oak trees are protected under the Placer County Tree Ordinance. Also, SB 1334, Statutes of 2004, requires County's to determine significance of conversion of oak woodland, and provide mitigation measures for significant effects.*

Significance *Potentially Significant*

Mitigation Proposed *Mitigation Measure 5-7: Replacement of Native Oaks*

Residual Significance *Less Than Significant*

Although removal of trees greater than 6 inches in dbh would be avoided to the extent possible by refinement of the precise trail alignment during construction, the potential to remove some trees as a result of construction of the proposed project cannot be entirely dismissed. Native trees that are 6 inches dbh or larger are protected under the Placer County Tree Ordinance. SB 1334, Statutes of 2004, emphasizes the importance of evaluating the significance of oak woodland conversion. Because the loss of oak woodland habitat is an important issue in Placer County and California, removal of native oak trees would be potentially significant. Implementation of Mitigation Measure 5-7 would reduce this impact to a less-than-significant level.

5.4 MITIGATION MEASURES

Mitigation Measure 5-1: Protect Foothill Yellow-legged Frog.

Mitigation Measure 5-1 applies to Impact 5-1.

The County and its primary construction contractor shall implement the following measures to reduce impacts on foothill yellow-legged frogs:

- ▶ Construction of the trail across drainages and streams shall occur when the drainages are dry, to the extent feasible.
- ▶ Guidelines shall be implemented to protect water quality and prevent erosion, as outlined in the best management practices (BMPs) in Chapter 3.0, “Project Description,” and Mitigation Measure 11-2, “Obtain Authorization for Construction Activities with the Central Valley RWQCB and Implement Erosion and Sediment Control Measures as Required.”
- ▶ If water is present during construction, disturbance to pools and slow runs with cobble-sized substrate shall be minimized. In particular, rocks shall not be collected from in-water environments from late March to early September to avoid disturbing foothill yellow-legged frog egg masses and tadpoles.

Mitigation Measure 5-2: Protect Raptors and Other Nesting Birds.

Mitigation Measure 5-2 applies to Impact 5-2.

The County and its primary construction contractor shall implement the following measures to reduce impacts on raptors and other nesting birds:

- ▶ Limit removal of trees greater than 6 inches dbh to the greatest degree possible. If trees larger than 6 inches dbh must be removed, then the following mitigation measures shall be implemented:
- ▶ Tree removal shall be done in accordance with the Placer County Tree Ordinance.
- ▶ Before removal of trees during the non-breeding season, a qualified biologist shall inspect the tree for potential raptor nest, which are protected under Section 3503.5 of the California Fish and Game Code. If raptor nests are present and cannot be avoided, consult with DFG regarding appropriate measures for tree removal. If no nests are found, no further mitigation is required.
- ▶ If any construction activities, including tree removal, take place between March 1 and August 31, preconstruction surveys for active raptor nests shall be conducted prior to the beginning of construction. If any active raptor nests are identified during preconstruction surveys, then impacts to active raptor nests shall be avoided by the establishment of appropriate buffers and/or nest monitoring by a qualified wildlife biologist.
- ▶ Avoid construction within the buffer until the end of the breeding season and consult with DFG regarding alternative appropriate protection measures. The nest tree shall not be removed.
- ▶ Woody vegetation (e.g. small trees and shrubs) shall not be removed during the nesting season for raptors and migratory birds (i.e., March to August) to the extent feasible. If woody vegetation must be removed during the nesting season, the amount and extent to be removed shall be minimized to the extent feasible.

Mitigation Measure 5-3: Protect Special-Status Plants.

Mitigation Measure 5-3 applies to Impact 5-3.

Note: Special-status plant surveys in support of the proposed project have been conducted along the entire alignment of the original and revised trail corridors; however, surveys of the new segment of the proposed trail alignment were completed during the non-blooming season. The only special-status plant species documented during these surveys is Brandegee's clarkia. Brandegee's clarkia is a CNPS list 2 species; it is not listed under the state or federal endangered species acts. Nevertheless, impacts to Brandegee's clarkia resulting from the proposed project would be considered significant under CEQA. Brandegee's clarkia is an annual species that is fairly common in the vicinity of the project site and appears to thrive on sites that have experienced some level of prior disturbance such as roadsides of along trails.

The following mitigation measures shall be implemented to avoid, minimize, and mitigate adverse effects on Brandegee's clarkia resulting from project implementation:

- ▶ The 2.3-mile new segment of the proposed trail alignment shall be surveyed during the blooming season for Brandegee's clarkia prior to the start of construction.
- ▶ The locations of all known Brandegee's clarkia occurrences in the vicinity of the proposed trail alignment shall be clearly marked by a qualified biologist for avoidance by construction crews prior to the commencement of trail construction activities.
- ▶ Construction crews shall be alerted to the presence of Brandegee's clarkia in the vicinity of the proposed trail corridor, shall be shown maps of known locations and the methods used to identify populations in the field, and shall be asked to avoid these occurrences and a 25 foot buffer zone around them to the greatest extent possible.

- ▶ If complete avoidance of the populations is not feasible, the areas where occurrences would be impacted shall be minimized to the greatest extent feasible.
- ▶ In those areas where Brandagee's clarkia cannot be avoided, trail construction shall take place after the plants have completed their flowering cycles and set seed.
- ▶ A qualified biologist shall be present during trail construction in or near occurrences of Brandagee's clarkia and shall collect seeds from any occurrences of Brandagee's clarkia at those sites that will be impacted. Seeds collected shall be distributed immediately following collection in the immediate vicinity of the original site, but outside the construction footprint

Mitigation Measure 5-4: Protect Jurisdictional Waters of the United States.

Mitigation Measure 5-4 applies to Impact 5-4.

Note: The wetland delineation completed in support of the proposed project in 2004 was submitted to and verified by the USACE. In addition, a nationwide permit for the proposed project has been obtained from USACE, and a water quality certification pursuant to Section 401 has been obtained from the Central Valley RWQCB. Both the wetland delineation and 401 permit will be resubmitted to the appropriate agencies to incorporate changes to the proposed trail alignment.

The County and its primary construction contractor shall implement the following measures to reduce potential impacts on jurisdictional waters of the United States, including wetlands:

- ▶ Comply with the terms and conditions set forth in Nationwide Permit 42 obtained from USACE for the proposed project.
- ▶ Comply with the terms and conditions set forth in the Section 401 water quality certification. For a complete list of these terms see Chapter 3.0, "Project Description".

Mitigation Measure 5-5: Implement Conditions of Streambed Alteration Agreement.

Mitigation Measure 5-5 applies to Impact 5-5.

Note: A Section 1602 Streambed Alteration Agreement for the proposed project was obtained from DFG in August 2004.

The County shall comply with the terms and conditions set forth in the Section 1602 Streambed Alteration Agreement. Because of alignment changes and new drainages affected since the issuance of the 1602 Streambed Alteration Agreement, the permit application will be resubmitted following the filing of the Notice of Determination for the proposed project, and any new conditions attached to the reissuance of the Streambed Alteration Agreement will be implemented.

Mitigation Measure 5-6: Prevent the Introduction and Spread of Invasive Weeds.

Mitigation Measure 5-6 applies to Impact 5-6.

The County shall implement the following measures to reduce potential impacts resulting from the introduction and spread of invasive weeds:

- ▶ A target list of invasive weeds with the potential to occur and be problematic in the project area shall be developed. This may be accomplished by reviewing the California Invasive Plant Council's "CalEPPC List,"

or list of invasive wildland weeds (2006); the California Department of Food and Agriculture’s “Encycloweededia,” or list of invasive weeds (2004); and by consulting knowledgeable individuals such as the resource ecologists employed by Reclamation and the California Department of Parks and Recreation, and the County agricultural commissioner.

- ▶ The County shall ensure that any equipment used during construction is free of mud or seed-bearing material before such equipment enters the construction area.
- ▶ If populations of invasive weeds are documented in the construction area, they shall be eradicated prior to construction, preferably before they set seed. If eradication is infeasible, the population shall be clearly identified in the field by flagging and shall be avoided during construction to prevent spread.
- ▶ The County shall ensure that any fill soil, mulch, seeds, and straw materials used during construction and implementation of BMPs are weed-free. Certified weed-free material shall be used if available.
- ▶ Once the trail is constructed and open to the public, conduct periodic monitoring (at least once per year during the growing season) to ensure early detection and eradication of any invasive weed species brought in by users. Any populations detected during annual monitoring shall be treated and eradicated as soon as possible after detection, preferably before seeds set.

Mitigation Measure 5-7: Replacement of Native Oaks.

Mitigation Measure 5-7 applies to Impact 5-8.

If removal of native trees larger than 6 inches dbh is required during construction of the proposed project, the County shall take measures to compensate for the removal of those trees consistent with the Placer County Tree Ordinance.