

## Summary

The City of Chico, in conjunction with the California Department of Transportation (Caltrans), is proposing to widen a portion of SR 32. A Biological Assessment and wetland delineation were performed in the Biological Survey Area (BSA, for this project the BSA and the Action Area are the same) on April 14, and 19, 2004; July 26, 2004; March 10, 14, and 24, 2005; and September 19, 2005 by Gallaway Consulting, Inc. to determine the presence of sensitive or biologically important natural resources within the project area and whether or not these resources would be impacted by the proposed project.

The proposed project would widen and improve approximately 2.6 miles of State Route 32 (SR 32), beginning at the southbound SR 99 ramps at the west end of the project corridor and extending east past Yosemite Drive. State Route 32 serves primarily local traffic associated with residential development along the project corridor. Through the project area, SR 32 transitions from a one-way city couplet (East 8<sup>th</sup> Street and East 9<sup>th</sup> Street) to a four-lane State highway to a two-lane State highway west of Forest Avenue. East of Chico, SR 32 continues into the foothills toward the town of Forest Ranch and points beyond.

Butte County Meadowfoam (*Limnanthes floccosa* ssp. *californica*, BCM), vernal pools and other wetland features were found on-site during surveys conducted within the BSA. Based on previous surveys in vernal pool habitats that are hydrologically connected to the vernal pools within the SR 32 widening BSA, *Lepidurus packardii* and *Branchinecta lynchi* are assumed to be present. *Branchinecta conserved* is not known to occur in the area, and is not expected to occur. Western spadefoot toad (*Spea hammondi*), swallows, tree nesting raptors, and bald eagles (*Haliaeetus leucocephalus*) also have the potential to occur within the BSA. Measures will be taken to avoid impacts to nesting swallows and raptors. Bald eagles do not nest in the area; thus, no impacts are expected to occur. Western spadefoot toad may incur indirect impacts from construction runoff into nearby vernal pools. Dead Horse Slough is not hydrologically connected to the Sacramento River or any other anadromous stream, thus anadromous fish will not be directly affected by the project. Construction will occur when the creek is dry, thus no direct or indirect impacts are expected to occur to anadromous fish. A giant garter snake (*Thamnophis gigas*, GGS) was sighted during a sight visit in close proximity to Dead Horse Slough, therefore GGS habitat is assumed to exist within Dead Horse Slough. Construction activities are designed and will be timed to minimize all impacts to GGS and GGS habitat.

Jurisdictional features occurring within the BSA will be impacted by the proposed project; 0.663 acre will be directly impacted, 0.906 acre will be indirectly impacted, 0.139 acre will incur temporary impacts. There are vernal pools and seasonal wetlands within, and in close proximity to the BSA that have the potential to support vernal pool invertebrates; 0.906 acre of this habitat will be indirectly impacted, and 0.265 acre will be directly impacted.

Butte County meadowfoam habitat occurs within the BSA. Approximately 0.0001 acres of BCM and suitable habitat is expected to be directly impacted and 0.183 acres of BCM and suitable habitat are expected to be indirectly impacted, due to its proximity to construction. All indirect impacts will occur outside of the right-of-way.

Potential beneficial impacts from this project include reducing existing congestion and improving connectivity between the neighborhoods on either side of SR 32. There are existing operational and safety concerns at the SR 99/SR 32 Interchange, which can be expected to be impacted if the intersections of the two state highway facilities are not looked at concurrently. Required approval and permits include a 1602 Streambed Alteration Agreement and a consistency determination from California Department of Fish Game, a water quality certification from the Regional Water Quality Board (Clean Water Act, Section 401), a U.S. Army Corps of Engineers (COE) Individual permit (Clean Water Act, Section 404), and the COE will complete Section 7 consultation with the U.S. Fish and Wildlife Service and Section 106 compliance with the State Historic Preservation Board as required before the start of any work including excavation and construction activities.

# Biological Assessment: SR 32 Road Widening City of Chico

## Location:

Butte County, California  
Section 25, T22N, R1E; and Sections 19, 20, 25, and 30, T22N R2E  
Chico 7.5 Minute USGS Quadrangle

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## INTRODUCTION

The purpose of this biological assessment (BA) is to review the proposed State Route (SR) 32 Road Widening Project in sufficient detail to determine to what extent the proposed action may affect any of the threatened, endangered, proposed, or sensitive species listed below. This BA was prepared in accordance with legal requirements set forth under Section 7 of the Endangered Species Act (ESA)(16 U.S.C. 15362), and follows the standards established in the National Environmental Policy Act (NEPA), and ESA.

The main sources of information regarding the occurrence of federally listed threatened, endangered, proposed, and candidate species used in the preparation of this BA are:

- Species lists obtained from the USFWS for the project (**Appendix A**);
- The results of a record search of the California Department of Fish and Game (CDFG) Natural Diversity Database (CNDDDB 2005) (**Appendix A**) for the Chico, 7.5 minute U.G. Geological Survey (USGS) quadrangle;
- The review of the California Native Plant Society's (CNPS) Inventory of Rare and Endangered Vascular Plants of California (Skinner and Pavlik 2003);
- Field surveys performed within appropriate survey windows by qualified biologists; and
- Verbal correspondence with Paul Ward, CDFG, concerning anadromous fish within Little Chico Creek and Dead Horse Slough, and a letter from National Oceanic and Atmospheric Administration (NOAA) fisheries, National Marine Fisheries Service (NMFS) addressing anadromous fish for the SR 32 Road widening project (**Appendix B**).

- The USFWS BO for Formal Endangered Species Consultation for Inclusion with the Vernal Pool Crustaceans Programmatic Consultation (Service File Number 1-1-96-F-0001) on the Proposed Jarvis Gardens Project, Butte County, California (COE File #200600008)
- The USFWS BO for Formal Endangered Species Consultation on the Humboldt Road Reconstruction Project (Service File Number 1-1-06-F-0094 and COE File #200400844)
- NOAA's NMFS concurrence letter dated March 29, 2006, for the Humboldt Road Reconstruction Project in the City of Chico, Butte County, California.

Due to the presence of vernal pool features within the construction area and on adjacent properties (Action Area), we have collected data for the surrounding properties to assess impacts. Data gathering techniques involved direct contact with the land owner, consulting firms, field surveys, or use of the Freedom of Information Act.

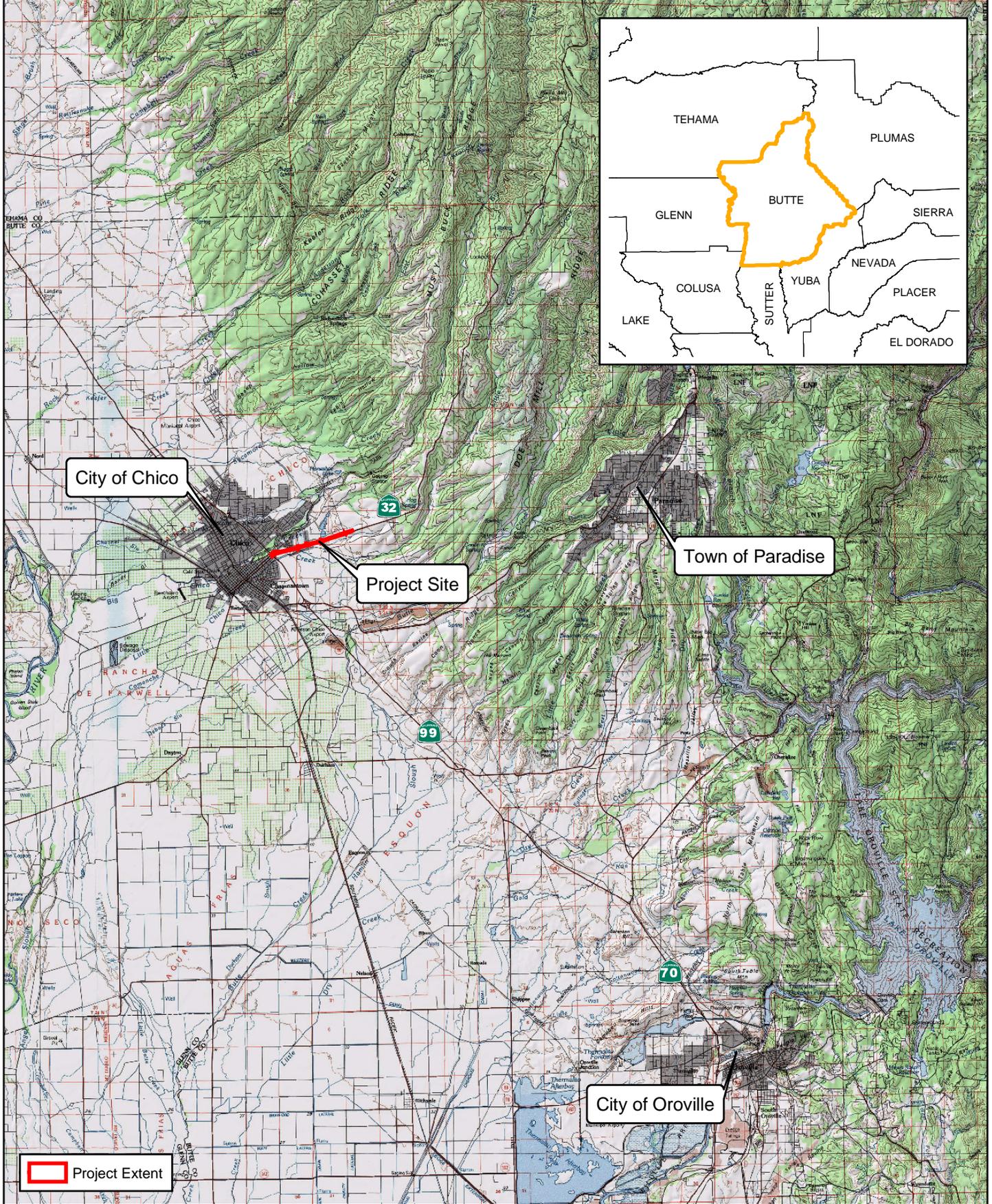
### **Threatened, Endangered, Proposed Threatened, Proposed Endangered, or Candidate Species**

The USFWS was contacted on August 3, 2006 for documentation (**Appendix A**) regarding a list of special-status species likely to occur within the USGS quadrangle on which the project occurs (**Figures 1 and 2**). Rarefind 3 was used to access recent (February 2005) CNDDDB data regarding special-status species potentially occurring on-site (**Figure 3**). This list was compared to similar lists compiled by field personnel. *The Inventory of Rare and Endangered Plants of California, Sixth Edition*, published by the California Native Plant Society (CNPS) (August 2001) and January 2003, *USFWS Endangered and Threatened Wildlife and Plants* (publication, 50 CFR 17.11 and 17.12) were also reviewed by Gallaway Consulting, Inc. and incorporated into the results of this report.

A wetland delineation and biological resource assessment, including protocol level surveys for Butte County meadowfoam (*Limnanthes floccosa* ssp. *californica*, BCM) were performed within the APE on April 14, and 19, 2004 by Mary Bailey, consulting botanist, and Lyna Black, environmental scientist. A focused floral survey for Hoover's spurge (*Chamaesyce hooveri*) was conducted on July 26, 2004, by Shirley Innecken, botanist. Additional protocol level BCM surveys were conducted by Gallaway Consulting, Inc. on March 10, 14, and 24, 2005 by Shirley Innecken, and Mary Bailey to meet the two year BCM survey requirement per the USFWS. During the design process a section of SR 32, east of Yosemite Drive, was added to the project; the delineation of waters in this section was performed on September 19, 2005 by Christy Dawson, biologist, and Shirley Innecken, botanist. Wetland delineations on parcels 1, 2 and 7 have been previously verified by the U.S. Army Corps of Engineers (COE) (**Figure 4**). After analyzing the distribution and habitat requirements of listed, proposed, and candidate species and the occurrence of habitat-types within the APE, the following species were considered to have

# Highway 32 Widening

Vicinity



 Project Extent



City of Chico, Butte County, CA.  
Map Date: Nov. 11, 2005.

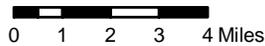
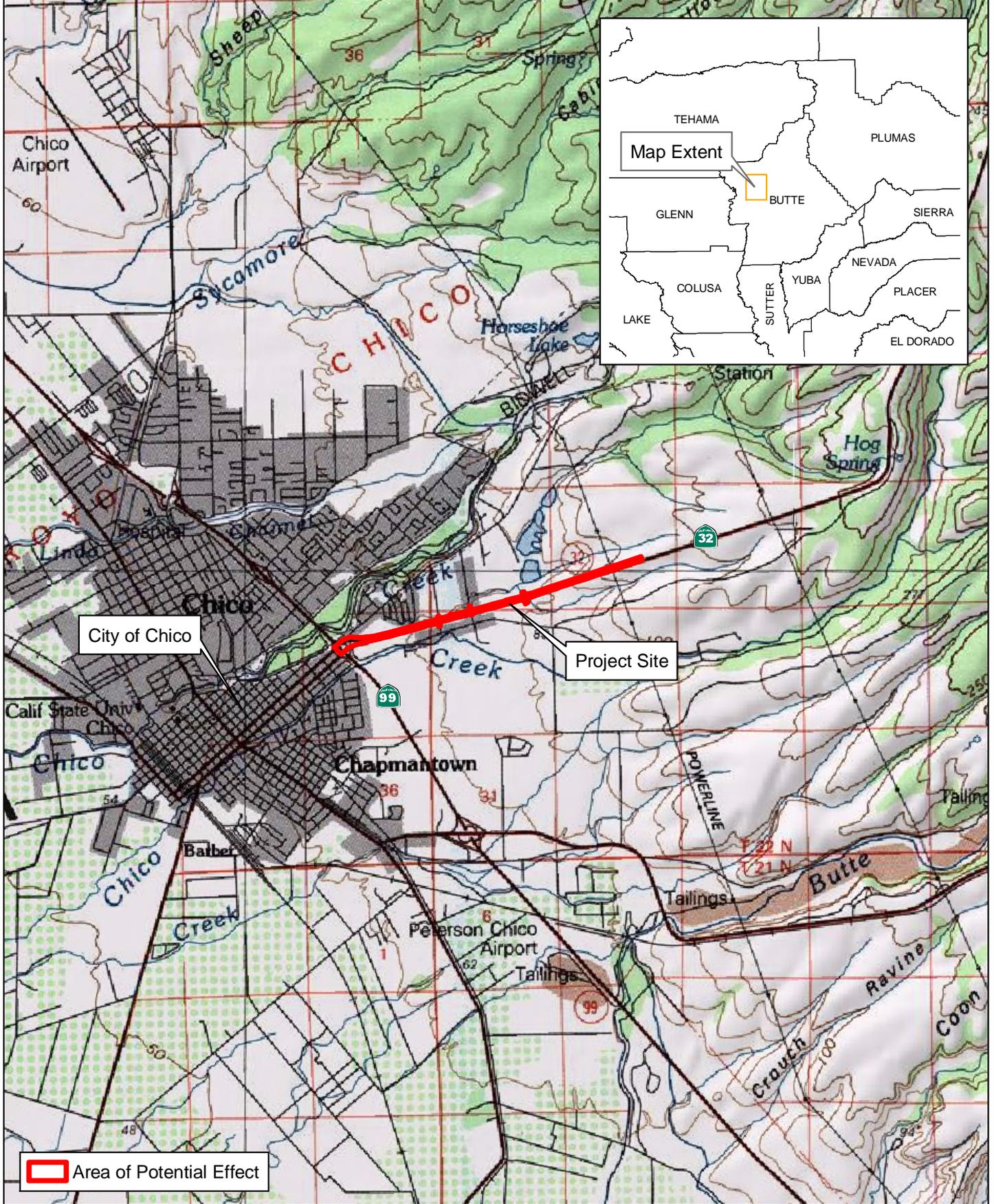


Figure 1.



Area of Potential Effect



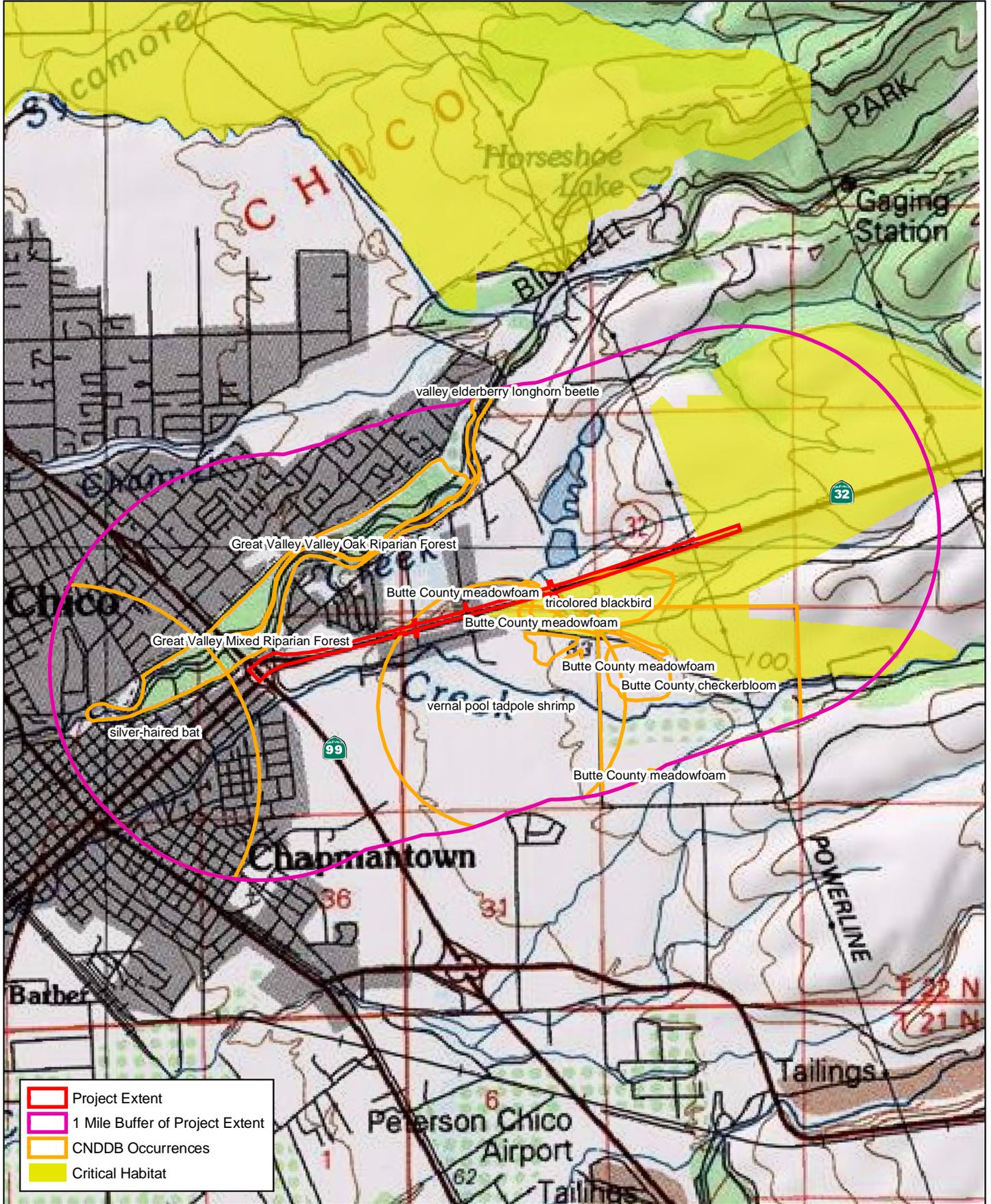
Within sections 19, 20, 25, & 30 of T22N R1E, & T22N R2E, Butte County, CA  
Map Date: Nov. 11, 2005/Revised Jul. 7, 2006

0 0.5 1 Miles



GALLAWAY CONSULTING, INC.

Figure 2.



- Project Extent
- 1 Mile Buffer of Project Extent
- CNDDDB Occurrences
- Critical Habitat

↑↑ CNDDDB Occurrences provided by CDFG (Nov. 2003)  
Critical Habitat provided by USFWS (2005)  
Map Date: Nov. 11, 2005.

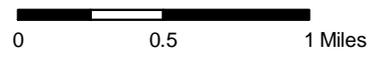
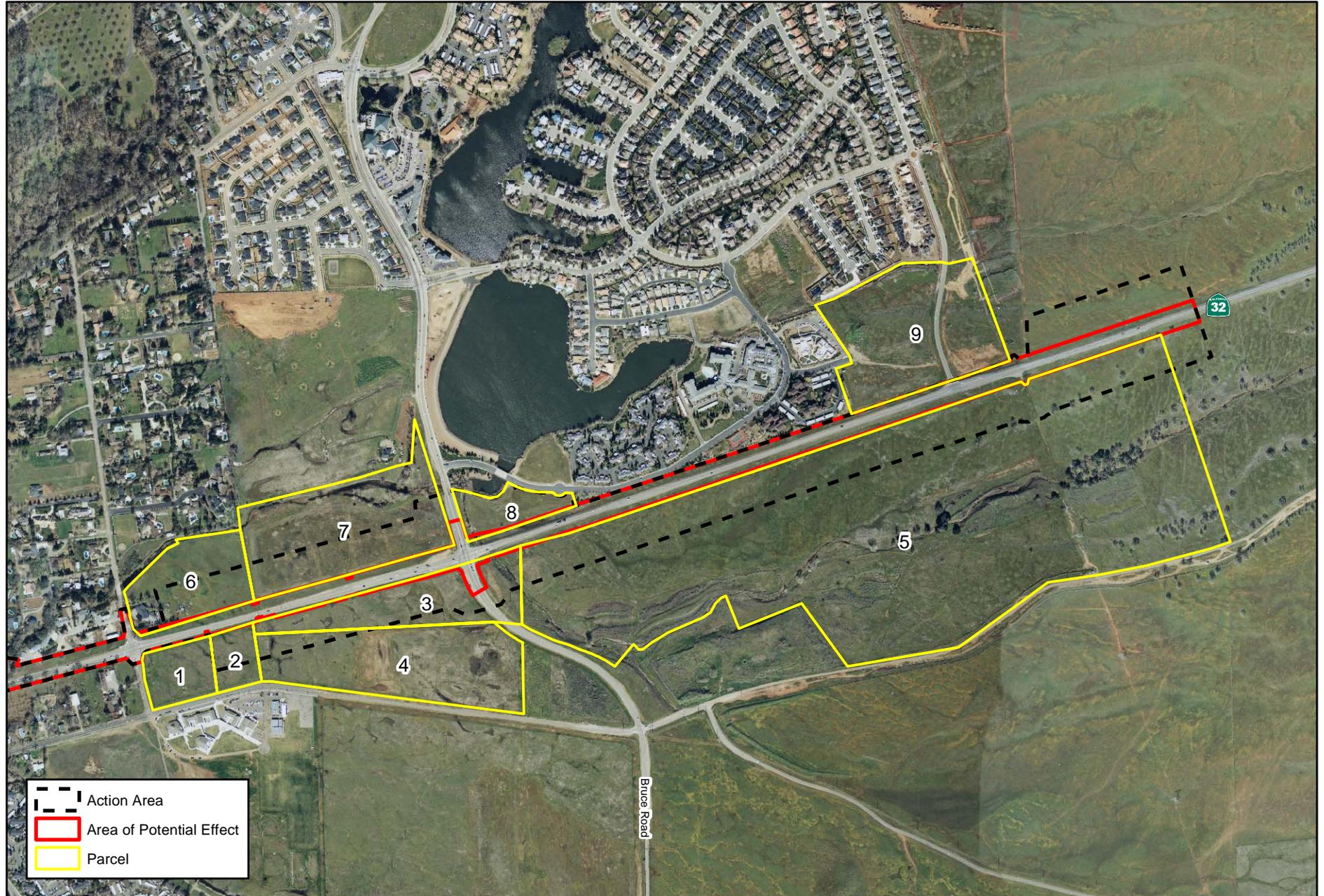


Figure 3.



Parcel Data provided by Upstate Planning (July 2005)  
Aerial provided by BCAG (2002)  
Map Date: Aug. 1, 2006

0 500 1,000 Feet



Figure 4.