

4.3 BIOLOGICAL RESOURCES

This chapter summarizes information on biological resources in the Town of Truckee and provides an evaluation of the impacts of the proposed 2025 General Plan on biological resources. A summary of the existing regulatory setting that provides for the protection and conservation of important biological resources begins this chapter.

A. *Existing Setting*

This section provides a general description of the regulatory setting and existing biological and wetland resources in and around Truckee, including an overview of the area and summary of potential resources.

1. **Regulatory Setting**

This section describes the local, State and federal regulations that provide for protection and management of sensitive biological resources in the United States and California.

a. **Federal**

The federal laws that regulate the treatment of biological resources include the Endangered Species Act (FESA), the Migratory Bird Treaty Act (MBTA), and the Clean Water Act. The relevant sections of each are discussed below.

i. Endangered Species Act

The US Fish and Wildlife Service (USFWS) is responsible for implementation of the FESA (16 U.S.C. § 1531 et seq.). The FESA protects fish and wildlife species that are listed as threatened or endangered, and their habitats. “Endangered” species, subspecies or distinct population segments are those that are in danger of extinction through all or a significant portion of their range, and “threatened” species, subspecies or distinct population segments are likely to become endangered in the near future.

Section 9 of the FESA prohibits the “take” of any fish or wildlife species listed under the FESA as endangered. “Take” of threatened species is also prohib-

ited unless otherwise authorized by federal regulations. “Take,” as defined by the FESA, means “to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture or collect, or to attempt to engage in any such conduct.” Harm is defined as “any act that kills or injures the species, including significant habitat modification.” Section 9 of the FESA also prohibits removing, digging up, cutting, maliciously damaging or destroying federally-listed plants on sites under federal jurisdiction.

ii. Migratory Bird Treaty Act

The USFWS is also responsible for implementing the Migratory Bird Treaty Act (MBTA) (16 U.S.C. § 703-712 et seq.). The MBTA implements a series of treaties between the United States, Mexico and Canada that provide for the international protection of migratory birds. The law contains no requirement to prove intent to violate any of its provisions. Wording in the MBTA makes it clear that most actions that result in “taking” or possession (permanent or temporary) of a protected species can be a violation of the Act. The word “take” is defined as meaning “pursue, hunt, shoot, wound, kill, trap, capture or collect, or attempt to pursue, hunt, shoot, wound, kill, trap, capture or collect.” The provisions of the MBTA are nearly absolute; “except as permitted by regulations” is the only exception. Examples of permitted actions that do not violate the law are the possession of a hunting license to pursue specific game birds, legitimate research activities, display in zoological gardens, bird-banding and similar activities.

iii. Clean Water Act

The Clean Water Act is administered by the Environmental Protection Agency (EPA) and the US Army Corps of Engineers (Corps). The Corps is responsible for regulating the discharge of fill material into waters of the United States. Waters of the United States include lakes, rivers, streams and their tributaries, as well as wetlands. Wetlands are defined for regulatory purposes as areas “inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circum-

stances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions.”¹

The discharge of dredged or fill material into waters of the United States is subject to permitting under Section 404 (Discharges of Dredge or Fill Material). Section 401 (Certification) specifies additional requirements for permit review, particularly at the State level. Project proponents must obtain a permit from the Corps for all discharges of dredged or fill material into waters of the United States, including wetlands, before proceeding with a proposed action. Corps permits must be certified by the State Water Resources Control Board in order to be valid.

Certification from the California Regional Water Quality Control Board is also required when a proposed activity may result in discharge into navigable waters, pursuant to Section 401 of the Clean Water Act and EPA 404(b)(1) Guidelines. The State's Water Quality Certification (WQC) Program was formally initiated in 1990 in response to the requirements of Clean Water Act however, the Program has evolved into also being the State's de facto wetland protection and hydromodification regulation program.² The program employs the State and federal "No Net Loss" Policies for wetland, and its jurisdiction over fill discharges puts it in the front line of protection for wetlands.

b. State

The most relevant State laws regulating biological resources are the California Endangered Species Act (CESA), the California Native Plant Protection Act and the California Fish & Game Code, each of which is described below.

¹ Environmental Protection Agency Website, *Wetlands Definition*. <http://www.epa.gov/owow/wetlands/what/definitions.html>, accessed on January 31, 2006.

² California State Water Resources Control Board website: http://www.waterboards.ca.gov/cwa401/docs/programscope_strategy.pdf Accessed May 2, 2006.

i. California Endangered Species Act

The California Department of Fish and Game (CDFG) administers the CESA, which protects wildlife and plants listed as threatened and endangered by the California Fish and Game Commission. Like the FESA, the CESA provides additional protection to threatened and endangered species in California.³ CESA requires State agencies to conserve threatened and endangered species (Section 2055), and thus restricts all persons from taking listed species except under certain circumstances. The CESA defines take as any action or attempt to “hunt, pursue, catch, capture, or kill.” CDFG may authorize “take” under Section 2081 agreements, except for designated “fully protected species.” The requirements for an application for an incidental take permit under CESA are described in Section 2081 of the California Fish and Game Code and in final adopted regulations for implementing Sections 2080 and 2081.

ii. California Fish and Game Code

Under the California Fish and Game Code, the CDFG provides protection from “take” for a variety of species. Species that are designated “fully protected”⁴ are protected against direct impacts. Section 5050 lists protected amphibians and reptiles. Eggs and nests of all birds are protected under Section 3503, nesting birds (including raptors and passerines) under Sections 3503.5 and 3513, birds of prey under Section 3503.5, and fully protected birds under Section 3511. All birds that occur naturally in California and are not resident game birds, migratory game birds or fully protected birds are considered non-game birds and are protected under Section 3800. Mammals are protected under Section 4700.

The CDFG also protects streams, water bodies and riparian corridors through the Streambed Alteration Agreement process under Section 1601 to

³ The State Endangered Species Act does not supersede the federal Endangered Species Act.

⁴ Most fully protected species have also been listed as threatened or endangered species under the more recent endangered species laws and regulations. (http://www.dfg.ca.gov/hcpb/species/t_e_spp/fullypro/fully_pro.shtml).

1606 of the California Fish and Game Code. Jurisdictional authority of the CDFG over wetland areas is also established under Sections 1601 to 1606. The Fish and Game Code stipulates that it is “unlawful to substantially divert or obstruct the natural flow or substantially change the bed, channel or bank of any river, stream or lake” without notifying the Department, incorporating necessary mitigation and obtaining a Streambed Alteration Agreement. CDFG’s jurisdiction extends to the top of banks and often includes the outer edge of riparian vegetation canopy cover.

iii. California Native Plant Protection Act

The California Native Plant Protection Act of 1977 prohibits importation of rare and endangered plants into California, “take” of rare and endangered plants, and sale of rare and endangered plants. CESA defers to the California Native Plant Protection Act, which ensures that state-listed plant species are protected when state agencies are involved in projects subject to CEQA. In this case, plants listed as rare under the California Native Plant Protection Act are not protected under CESA but rather under CEQA.

The following kinds of activities are exempt from the California Native Plant Protection Act:

- ◆ Agricultural operations.
- ◆ Fire control measures.
- ◆ Timber harvest operations.
- ◆ Mining assessment work.
- ◆ Removal of plants by private landowners on private land for construction of canals, ditches, buildings, roads or other rights-of-way.
- ◆ Removal of plants for performance of a public service by a public agency or a publicly- or privately-owned public utility.

c. Local

There are no locally-established ordinances or plans for the Town of Truckee specifying the preservation of trees or habitat conservation.⁵ However, the Town of Truckee's Development Code contains several provisions that affect riparian habitat and wetlands. Chapter 18.38 – Lake and River/Stream Corridor Development provides standards for development adjacent to Donner Lake, the Truckee River, and other significant streams throughout the Town to provide appropriate buffer areas.⁶ Section 18.46.040 of the Zoning Code's Open Space/Cluster Requirements chapter specifies that wetlands are environmentally sensitive areas that should be preserved. The section states that any wetlands removed or destroyed as part of new development need to be mitigated by the restoration or creation of wetland habitat at a rate of 1.5 units of restored habitat for each unit of habitat removed or destroyed.⁷

2. Existing Biological Resources

The Truckee Basin and adjacent upland and mountain areas are rich in biological resources, both within the Town and in the surrounding region. Several special status habitats, plant species, and wildlife species have been identified in the Truckee area. The Town's important biological resources and habitat areas are mapped on Figure 4.3-1. Important biological resources include both vegetation and habitat areas, as well as wildlife corridors and migration routes that traverse the Town.

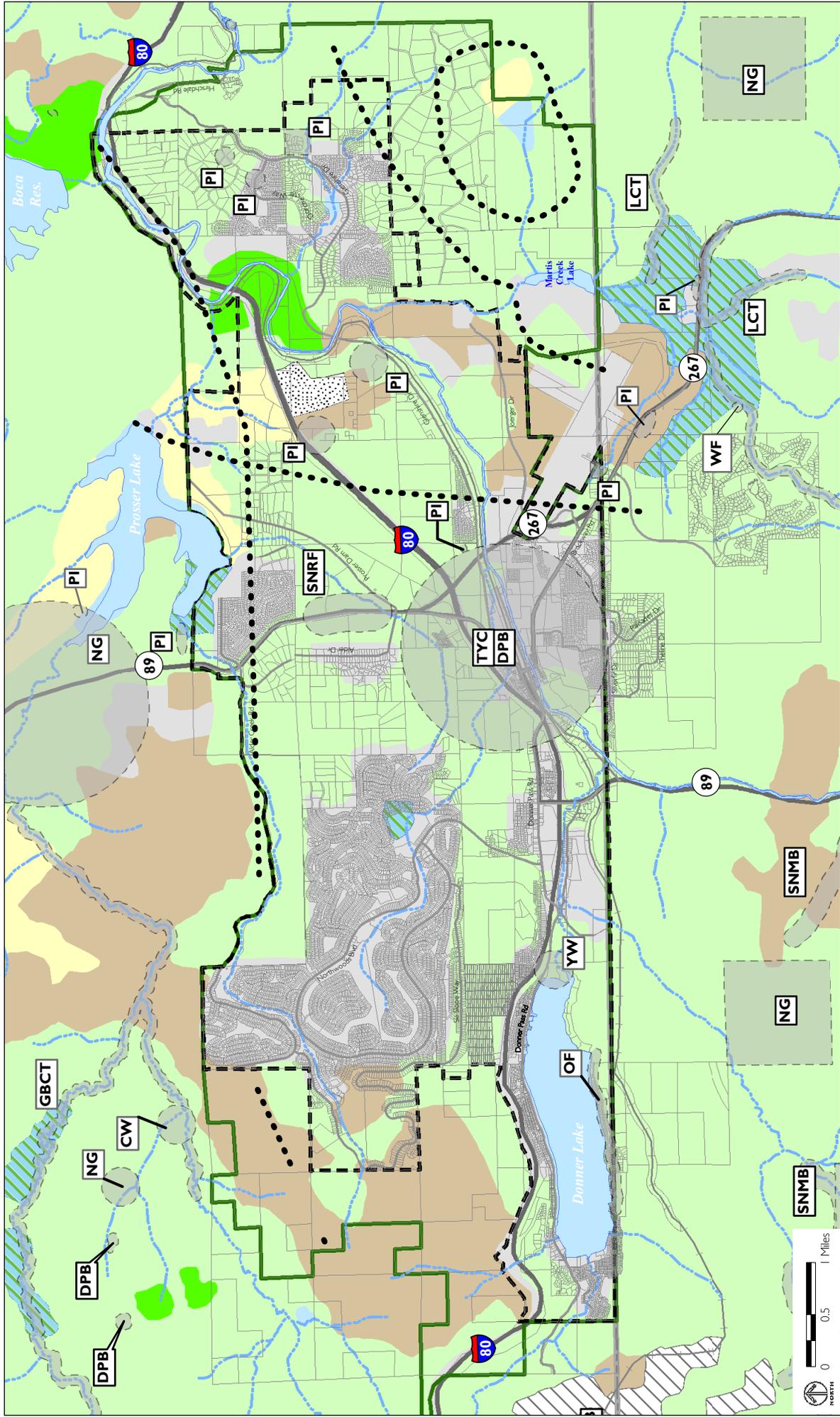
a. Open Space Areas

Many open space areas in Truckee are important because they provide habitat for significant biological resources. While frequently encompassing wide ar
Figure 4.3-1 Important Biological Resources and Habitat Areas

⁵ Truckee Planning Department, Denyelle Nishimori, Associate Planner, Personal Communication, March 23, 2006.

⁶ The Town of Truckee Development Code as seen on the Town of Truckee Website: <http://www.townoftruckee.com/DCCh038.html> Accessed May 3, 2006.

⁷ The Town of Truckee Development Code as seen on the Town of Truckee Website: <http://www.townoftruckee.com/DCCh038.html> Accessed May 3, 2006.



Data Sources: Sensitive Species from CNDDB, 2004; Deer Migration data from Nevada County, 1996; Land Cover from USGS, 1998.

California Natural Diversity Database Species Occurrences

CW	California Wolverine	SD	Starved Datsy
DPB	Donner Pass Buckwheat	SNRF	Sierra Nevada Red Fox
GBCT	Great Basin Sucker Trout	TYC	Tahoe Yellow Cress
LCT	Lahontan Cutthroat Trout	WF	Willow Flycatcher
OF	Oregon Fireweed	YW	Yellow Warbler
NG	Northern Goshawk		
PI	Plumas Ivesia		
SNMB	Sierra Nevada Mountain Beaver		

Vegetation Type / Land Use

- Cropland and Pasture
- Lake or Reservoir
- Developed
- Bare Exposed Rock
- Evergreen Forest Land
- Herbaceous Rangeland
- Mixed Rangeland
- Nonforested Wetlands
- Shrub and Brush Rangeland

• • • Deer Migration Route/Area

FIGURE 4.3-1

BIOLOGICAL RESOURCES AND HABITAT AREAS

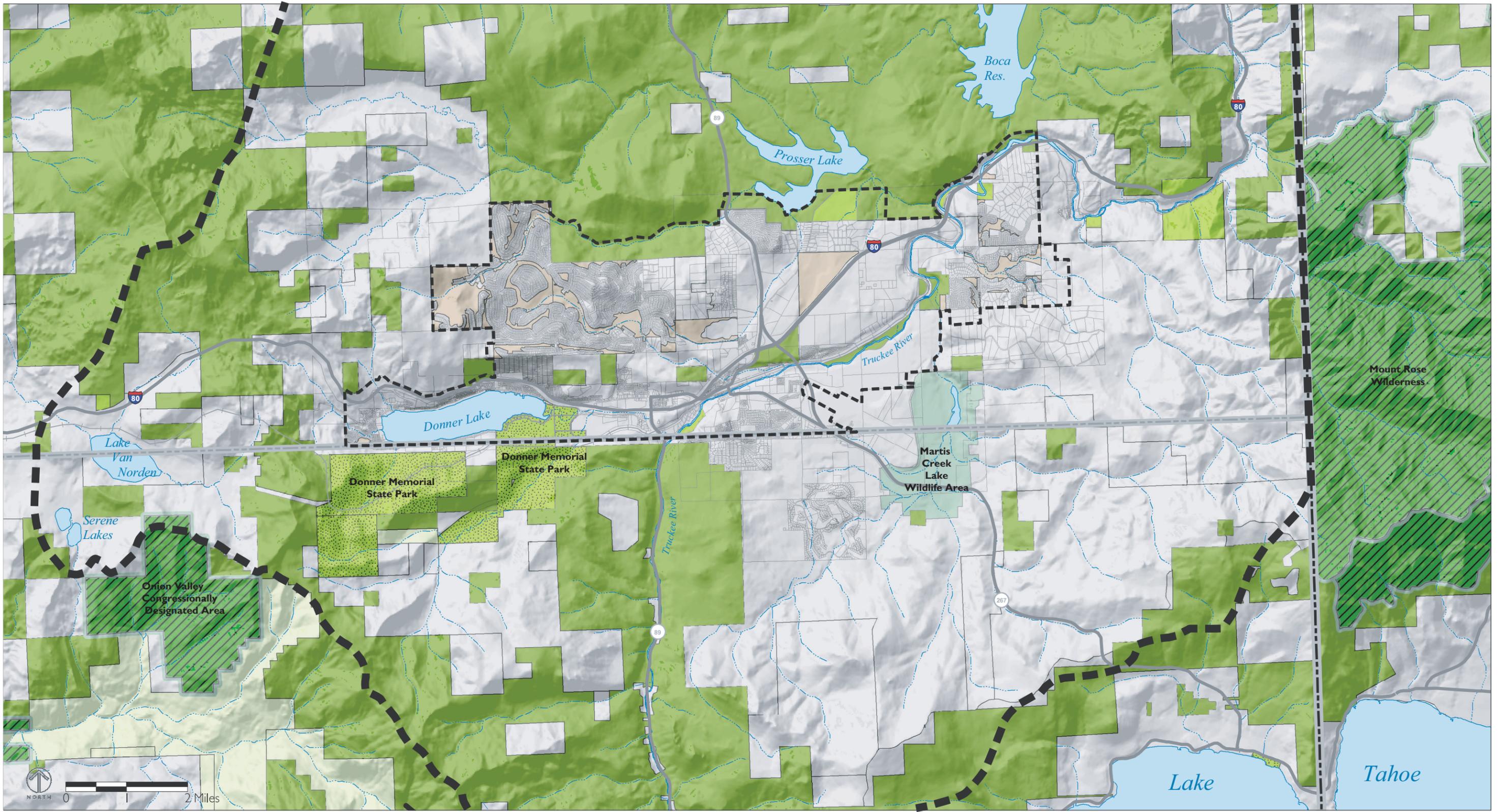
areas and pristine open space, important habitat open space can also take a linear form, such as a river corridor or wildlife migration route; or can exist in smaller pockets in more developed open space areas. Figure 4.3-2 shows Truckee's public and permanently protected open space.

b. Existing Habitats and Associated Vegetation

Several important vegetation and habitat areas exist in Truckee and its surroundings. As indicated in Tables 4.3-1 and 4.3-2, these vegetation and habitat areas host a wide range of flora and fauna, some of which are designated as special status species, reflecting the high level of biodiversity present in the entire Tahoe region.

Important habitat types found within the Town and its surrounding area include Jeffrey Pine Forest and Great Basin Sage Scrub. Jeffrey Pine Forest is a tall, open forest dominated by Jeffrey pine, ponderosa pine, and lodgepole pine. Jeffrey Pine Forest provides habitat for many wildlife species, including raptors, songbirds, small mammals, and reptiles. These include several special status species, such as the Sierra Nevada snowshoe hare, Sierra Nevada red fox, American marten, Pacific fisher, Northern Goshawk, and several bat species. Special status plant species known to occur or potentially occur in or associated with Jeffrey Pine Forest include Carson Range rock-creep and Mountain lady's slipper.

Great Basin Sage Scrub is interspersed with and adjacent to Jeffrey Pine Forest and montane meadow areas. This plant community is dominated by shrubby vegetation such as bitterbrush, sagebrush, and rabbitbrush, with occasional trees interspersed throughout. Common species found in this habitat type include western fence lizard, gray flycatcher, Brewer's blackbird, green-tailed towhee, jackrabbit, chipmunk, ground squirrel, and mule deer. Special status



Sources: US Forest Service, US Geological Survey, GreenInfo Network, California Legacy Project

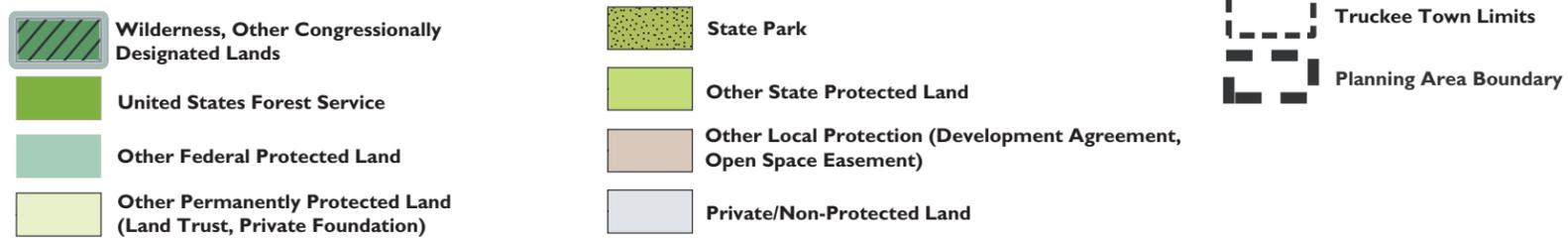


FIGURE 4.3-2

PUBLIC AND PERMANENTLY PROTECTED OPEN SPACE

Back of Figure 4.3-2: Public and Permanently Protected Open Space

plant species known to occur or potentially occur in or associated with rock outcrops or openings in Great Basin sage scrub and bitterbrush include Donner Pass buckwheat and starved daisy.

Other important habitat is associated with riparian, aquatic and wetland resources. These include the Truckee River, the most prominent waterway in Truckee, and supporting riparian habitat; creeks and waterways such as Donner Creek, Martis Creek, Gregory Creek, Alder Creek, Summit Creek, Cold Creek, and Trout Creek, all of which are part of the Truckee River watershed; and open waters such as Donner Lake, and Prosser and Boca Reservoirs. Montane Meadow habitat, which is dependent on a perennial or seasonal water source, is also associated with some of these aquatic resources.

c. Wildlife Corridors and Deer Migration Routes.

Areas of undisturbed, continuous vegetation, such as riparian areas along the Truckee River and streams, provide wildlife movement corridors that are considered a sensitive resource within the Town of Truckee. Wildlife movement corridors are composed of contiguous habitat that provide shelter and food sources for resident and migratory wildlife species including deer, bear, coyote, skunk, raccoon, mountain beaver, Northern goshawk, and wolverine.

Truckee's riparian, shrub communities, and forested areas are important habitats for local and migratory deer populations, referred to as the Loyalton-Truckee Herd. The Verdi sub-unit of the herd migrates annually in the spring from Nevada to the Martis Valley to fawning grounds south of Union Valley, utilizing the Truckee River and I-80, sometimes making use of the Prosser Village and Fiberboard undercrossings. Deer populations are comprised of some black-tailed, but primarily Rocky Mountain mule deer. Changes in the deer route locations shown in Figure 4.3-1 have likely occurred since this mapping was developed by Nevada County in the mid-1990's. The construction of the Highway 267 Bypass has created a physical barrier to east-west movement of deer in the southeast part Truckee. Caltrans has also constructed new undercrossings of I-80 in the Airport Flat area which now facilitate movement of deer from north to south in this area.

3. Special-Status Species

Special-status species⁸ are plants and animals that are legally protected under the State and/or federal Endangered Species Acts or other regulations, as well as other species that are considered rare enough by the scientific community and trustee agencies to warrant special consideration, particularly with regard to protection of isolated populations, nesting or denning locations, communal roosts, and other essential habitat. Species with legal protection under the State and federal law often represent major constraints to development, particularly when they are wide ranging or highly sensitive to habitat disturbance and where proposed development would result in a "take" of these species. Review of records maintained by the California Natural Diversity Database (CNDDDB) indicates that historical occurrences of several plant and animal with special status have been reported from the Truckee planning area. Tables 4.3-1 and 4.3-2 provide a summary of the special status species known, or with potential to occur in the Truckee area.

4. Riparian, Wetland, and Aquatic Habitat

Numerous water resources and associated habitats are present within the Town of Truckee, as shown on Figure 4.3-2. The Truckee River, which runs through the Town of Truckee, is the most prominent waterway, supporting

⁸ Special-status species include: officially designated (rare, threatened, or endangered) and candidate species for listing by the CDFG; officially designated (threatened or endangered) and candidate species for listing by the USFWS; species considered to be rare or endangered under the conditions of Section 15380 of the CEQA Guidelines, such as those identified on lists 1A, 1B, and 2 in the California Native Plant Society's (CNPS) Inventory of Rare and Endangered Plants of California; and possibly other species which are considered sensitive or of special concern due to limited distribution or lack of adequate information to permit listing or rejection for state or federal status, such as those included on list 3 in the CNPS Inventory or identified as animal "California Special Concern" species by the CDFG. California Special Concern species have no legal protective status under CESA but are of concern to the CDFG because of severe decline in breeding populations in California.

TABLE 4.3-1 **POTENTIAL SPECIAL STATUS PLANT SPECIES IN THE PLANNING AREA**

Species Name	Status		CNPS Ranking	Typical Location Characteristics
	Federal	State		
Bolander's bruchia			CNPS 2	Montane coniferous forest, meadows and seeps
Carson Range rock cress	FSC		CNPS 1B	Well drained, stony soil on volcanic rock
Donner Pass buckwheat	FSC		CNPS 1B	Steep slopes; ridge tops; rocky, volcanic soils.
English sundew			CNPS 2	Bogs and fens, meadows and seeps
Fell-fields claytonia			CNPS 2	Alpine rock and sub-alpine coniferous forest
Long-petaled lewisia	FSC		CNPS 1B	Alpine rock; cracks of granite, gravelly, soils
Marsh skullcap			CNPS 2	Moist meadow and freshwater-marsh habitats
Oregon fireweed	FSC		CNPS 1B	Springs and bogs, meadows, coniferous forest
Plumas ivesia	FSC		CNPS 1B	Lower montane coniferous forests and meadows
Robbin's pondweed			CNPS 2	Deep waters of lakes, marshes and swamps
Starved daisy			CNPS 1B	Montane coniferous forest, rocky granite outcrops
Tahoe yellow cress	F-Cand	SE	CNPS 1B	Lake Tahoe area; in decomposed granitic sand
Three-ranked hump moss			CNPS 2	Bogs and fens, meadows and seeps

Notes:

SE = State-listed as *endangered* under California Endangered Species Act.

ST = State-listed as *threatened* under California Endangered Species Act.

F-Cand = A candidate for Federal listing. USFWS has sufficient biological information to support listing endangered or threatened.

FSC = A Species of Concern. Species once considered a candidate but now believed to be widespread or abundant for listing. Status may change if additional information or vulnerability warrants listing.

CNPS 1B = Rare or Endangered in California and elsewhere.

CNPS 2 = Rare or Endangered in California, more common elsewhere.

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TABLE 4.3-2 POTENTIAL SPECIAL STATUS ANIMAL SPECIES IN THE PLANNING AREA

Species	Status		Preferred Habitat Type
	Federal	State	
INVERTEBRATES			
Amphibious caddis fly	FSC		Benthic deep waters of streams, rivers, and lakes
Cold Spring caddis fly	FSC		Benthic deep backwaters of creeks and pools
AMPHIBIANS/REPTILES			
Mountain yellow-legged frog	F-Cand	CSC	Shallow streams with riffles and rocky substrates
Mount Lyell salamander	FSC		Subalpine habitats in moist or wet areas
FISH			
Lahontan cutthroat trout	FT		Rivers, streams, and lakes in the Lahontan Basin
MAMMALS			
American martin	FSC		Mixed evergreen forests
California wolverine	FSC	ST	High elevation habitats forests
Fringed myotis bat	FSC		Roosts in caves, mines, buildings, or crevices
Long-eared myotis bat	FSC		Roosts in buildings, crevices, spaces under bark, and snags
Long-legged myotis bat	FSC	CSC	Roosts under bark, hollow trees, crevices, or buildings
Pale Townsend's big-eared bat	FSC	CSC	Roosts in caves, mines, and buildings
Small-footed myotis bat	FSC		Caves and mines, abandoned houses, and barns
Spotted bat	FSC	CSC	Roosts in crevices on cliffs and caves
Yuma myotis bat	FSC		Roosts in caves, mines, buildings, or crevices
Sierra Nevada mountain beaver	FSC	CSC	Dense thicket of trees and shrubs near water
Sierra Nevada red fox	FSC	ST	Wet meadows and forested areas
Sierra Nevada snowshoe hare	FSC	CSC	Boreal riparian areas
BIRDS			
American dipper	FSLC		Streams and rivers in montane regions
American peregrine falcon	FE	CSC	Grassland, open savannah
Bald eagle	FT	SE	Old growth trees near water
Black swift	FSC	CSC	Forests and open areas
California spotted owl	FSC	CSC	Mixed conifer forests
Flammulated owl	FSC		Coniferous forests in montane regions
Northern Goshawk	FSC	CSC	Coniferous forests
Oak titmouse	FSLC		Montane forests and woodlands
Rufous hummingbird	FSC		Coniferous forest, thickets and brushy hillsides
White-headed woodpecker	FSLC		Open conifer habitats
Willow flycatcher		SE	Dense willow thickets
Yellow warbler		CSC	Riparian habitats and open conifer forests

Notes:

FE = Federally listed as *endangered* under the Federal Endangered Species Act.

FT = Federally listed as *threatened* under the Federal Endangered Species Act.

SE = State-listed as *endangered* under California Endangered Species Act.

ST = State-listed as *threatened* under California Endangered Species Act.

F-Cand = A candidate for Federal listing.

FSC = A Species of Concern. Species once considered a candidate but now believed to be widespread or abundant for listing. Status may change if additional information or vulnerability warrants listing.

CSC = Considered a species of special concern by CDFG.

FSLC = A Federal species of local concern. Local population once considered a candidate but now believed to be widespread or abundant for listing. Status may change if additional information or vulnerability warrants listing.

riparian habitat dominated by willow species, mountain alder, and aspen trees.

Other streams, waters, and associated riparian and wetland habitats that occur in the Truckee planning area include Donner Lake, Prosser Reservoir, Donner Creek, Martis Creek, Gregory Creek, Alder Creek, Station Creek, Summit Creek, Cold Creek, and Trout Creek, all of which are part of the Truckee River watershed. These aquatic areas provide foraging habitat for fish and other aquatic organisms, including aquatic insects, insectivorous birds, aquatic reptiles, amphibians, and mammals. Special status wildlife species known to or potentially occur in these aquatic areas include the federally threatened Lahontan cutthroat trout, federally-threatened bald eagle, and other special status species including Sierra Nevada mountain beaver, Hermit warbler, and mountain yellow-legged frog.

Montane meadow habitat areas are dependent on a perennial or seasonal water source and are dominated by grasses and forbs. Sedges, rushes, and willow species may also occur in montane meadows. Many of the montane meadows in the Town of Truckee are seasonally inundated. These areas provide suitable habitat for many resident and migratory wildlife species, including the yellow warbler, a California Species of Concern, and the State endangered willow flycatcher.

5. Conservation Plans

The Town of Truckee does not have any locally established conservation plans in place nor have any plans been established for the Town of Truckee or its Sphere of Influence by the California Department of Fish and Game.⁹

⁹ Truckee Planning Department, Denyelle Nishimori, Associate Planner, Personal Communication, March 23, 2006. Kent Smith, Acting Assistant Regional Manager for California Department of Fish and Game for Sacramento Valley and Central Sierra Region. Personal Communication with Ted Heyd, DC&E, April 4, 2006.

B. Standards of Significance

Implementation of the 2025 General Plan would have a significant impact on biological resources if it would:

- ◆ Have a substantial adverse effect, either directly or through habitat modifications, on a plant or animal population, or essential habitat, defined as a candidate, sensitive, or special-status species.
- ◆ Have a substantial adverse effect on any riparian habitat or other sensitive natural community type, such as native grasslands.
- ◆ Have a substantial adverse effect on federally-protected wetlands as defined by Section 404 of the Clean Water Act, through direct removal, filling, hydrological interruption, or other means.
- ◆ Have a substantial interference with the movement of any native resident or migratory fish or wildlife species, their wildlife corridors, or nursery sites.
- ◆ Conflict with any local ordinances or policies protecting biological resources.
- ◆ Conflict with an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan.

C. Impact Discussion

The following section discusses the potential changes that may result from adoption and implementation of the 2025 General Plan, as well an analysis of whether these changes would result in significant environmental impacts to biological resources.

1. Special Status Species

a. Special Status Plant Species

Special status plant species with the potential to occur in the Planning Area are identified in Table 4.3-1 and shown on Figure 4.3-1. These include the Donner Pass buckwheat, Oregon fireweed, *Plumas ivesia*, and Tahoe yellow cress.

Development occurring under the General Plan could potentially affect habitat supporting these species or destroy individual occurrences or stands of these plants. For example, as shown on Figure 4.3-1, there are CNDDDB occurrences of *Plumas ivesia* in the Glenshire area. To offset potential impacts to sensitive plant species, the General Plan includes several goals, policies, and actions related to the protection of these resources. Goal COS-5 in the Conservation and Open Space Element of the General Plan calls for maintaining biodiversity among plant and animal species in the Town of Truckee and the surrounding area, with special consideration of species identified as sensitive, rare, declining, unique, or representing valuable biological resources. In support of this goal, Policy 5.1 requires biological resource assessments for all development in areas where special status species may be present, and Policy 5.3 says that preservation of federal or State-designated endangered, threatened, special status or candidate species should be protected to the extent possible.

To further offset impacts from development there are numerous goals, policies and actions aimed at preserving open space resources, which mostly serve as habitat as well. These include Goal LU-7, which would preserve scenic open space through clustering of development and Goal CC-2, which calls for the protection of the Truckee River and other natural waterways.

There are also actions in support of Goal COS-5. Action 5.1 is to prepare and maintain an updated list of State and federal rare, threatened and endangered species known or suspected to occur in the Town of Truckee and its immediate vicinity, as well as special status or rare and endangered species identified

by CDFG and the California Native Plant Society. Action 5.2 calls for a set of guidelines for preservation of special status species that may include identification of appropriate buffers for preservation of species identified on a development site, and appropriate avoidance and mitigation measures for species determined to be affected by a proposed development.

These goals, policies, and actions would reduce potentially significant impacts to special status plant-species to a *less-than-significant* level.

b. Special-Status Animal Species

Development associated with implementation of the 2025 General Plan could have adverse impacts on a number of special-status animal species if they are present within areas permitted for future development. Known occurrence of Species of particular concern in the Town of Truckee and the larger planning area are shown in Figure 4.3-1. Based on the CNDDDB, the location of occurrences is identified for the Lahontan Cutthroat Trout, the Northern Goshawk, the Sierra Nevada Mountain Beaver, and the Sierra Nevada Red Fox. Other special status species with the potential to occur in the Planning Area, but not identified on Figure 4.3-1 are listed in Table 4.3-2.

Protection of special status wildlife species would be addressed through several goals, policies, and actions identified above in the discussion of plant species, such as Policy 5.1 and 5.3. In addition, the Conservation and Open Space Element of the General Plan contains several goals, policies, and actions that are geared toward the preservation and enhancement of wildlife habitat. For example, Goal COS-4 calls for the protection of significant wildlife habitat and sensitive biological resources. In support of this goal, Policy 4.1 calls for the Town to provide for the integrity and continuity of biological resources open space, habitat and wildlife movement corridors and support the permanent protection and restoration of these areas, particularly those identified as sensitive resources. Action A4.2 calls for monitoring the ongoing health of sensitive wildlife and habitat resources in Truckee and the effectiveness of General Plan policies intended to protect, preserve and enhance these resources.

These goals, policies, and actions would reduce potentially significant impacts to special status wildlife species to a *less-than-significant* level.

2. Riparian Habitat and Sensitive Natural Communities

Riparian habitat is associated with aquatic resources in Truckee such as Donner Lake and the Truckee River. Streamside development and removal of vegetation in and along the banks of the Truckee River, Donner Lake and other streams can result in the loss of plant and animal habitats, bank erosion, and can ultimately reduce water quality. There are several goals, policies, and actions set forth in the Conservation and Open Space Element to address these potential impacts.

Regarding the Truckee River specifically, Policy 2.1 prohibits development within established setback areas from the Truckee River, except as otherwise allowed in the Development Code. Outside of the Downtown Specific Plan Area, development shall be set back a minimum of 100 feet from the edge of the Truckee River 100-year floodplain. Within the Downtown Specific Plan Area, development shall be set back a minimum distance from the edge of the 100-year floodplain that is equivalent to one foot above the base flood elevation. More generally, Policy 2.6 calls for regulation of development and land uses along the Truckee River corridor to ensure compatibility with habitat values of the River.

Action 2.1 is to work with the Truckee River Watershed Council, Truckee Donner Recreation and Park District (TDRPD) and other agencies to develop a comprehensive, long term management plan for the Truckee River corridor within the Town limits, which should identify opportunities for riparian restoration and enhancement.

Regarding other riparian corridors and pristine natural communities in the Town, Policy 4.4 is to preserve riparian corridors through application of setbacks and other development standards. Policy 4.5 prohibits development within established setback areas for streams and waterways other than the Truckee River, except as otherwise allowed in the Development Code.

3. Wetlands and Waters of the United States

Water bodies in Truckee that have the potential to support wetland habitat or could be defined as waters of the United States under Corps jurisdiction include Donner Lake, Truckee River, Prosser Reservoir, Donner Creek, Martis Creek, Gregory Creek, Alder Creek, Station Creek, Summit Creek, Cold Creek, and Trout Creek. Given the proximity of these resources to areas that have been identified for development under the General Plan, implementation of the 2025 General Plan could result in the removal or fill of wetlands or waters of the US.

To address this potential impact of development on wetlands and waters of the US, there are several goals, polices and actions set forth in the General Plan that would reduce potential impacts to a less-than-significant level. Goal COS-4 calls for protection of areas of significant wildlife habitat and sensitive biological resources, which includes wetlands. Policy 4.4, in support of this goal, calls for preservation of aquatic and wetland areas through application of setbacks and other development standards. Policy 4.5 prohibits development within established setback areas for streams and waterways other than the Truckee River, except as otherwise allowed in the Development Code.

Action A4.1 calls for cooperation with the CDFG and FWS Service to prepare a comprehensive plan for the management and protection of sensitive biological resources such as wetlands.

These goals, polices, and actions would ensure that impacts are reduced to a *less-than-significant level*.

4. Wildlife Movement

Areas of undisturbed, continuous vegetation provide wildlife movement corridors that are considered a sensitive resource within the Town of Truckee. These corridors are used by both local and migratory species of deer, bear, coyote, skunk, raccoon, mountain beaver, Northern goshawk, and wolverine. Given the importance of these resources to wildlife in the Town of Truckee

and the vicinity, the Conservation and Open Space Element has set forth several Goals, Policies and Actions to address potentially adverse impacts.

Policy 4.1 requires the Town to provide for the integrity and continuity of wildlife movement corridors and support the permanent protection and restoration of these areas, particularly those identified as sensitive resources. Policy 4.2 calls for protection of sensitive wildlife habitat from destruction and intrusion by incompatible land uses where appropriate. The policy says that all efforts to protect sensitive habitats should consider sensitive habitat and movement corridors in the areas adjacent to development sites, as well as on the development site itself.

These policies would ensure that implementation of the 2025 General Plan would result in *less than significant* impacts to wildlife movement in Truckee or its vicinity.

5. Conflict with Local Ordinances and Policies

The General Plan Update does not conflict with any local policies or ordinances protecting biological resources. Rather, policies and actions in the General Plan Update direct the Town to continue to implement ordinances that protect biological resources or amend ordinances to become more protective of these resources. Since the 2025 General Plan does not conflict with adopted ordinances and policies, and in fact includes policies and actions to support them, no impact would occur under implementation of the 2025 General Plan.

6. Conflict with Adopted Habitat Conservation Plan

No Habitat Conservation Plans or Natural Community Conservation Plans have been adopted for the Truckee area by local, regional, or State agencies. As a result, no conflicts with such plans would occur through implementation of the 2025 General Plan.¹⁰

¹⁰ Truckee Planning Department, Denyelle Nishimori, Associate Planner, Personal Communication, March 23, 2006. Kent Smith, Acting Assistant Regional

D. Cumulative Impact Discussion

Development associated with implementation of the 2025 General Plan would contribute to the ongoing loss of natural lands in the Truckee area, which currently provides habitat for common species, and possibly for a number of special-status species. Proposed development under the 2025 General Plan, and elsewhere in the region would result in the conversion of existing natural habitat to urban and suburban uses. Despite the 2025 General Plan's extensive goals and policies that would minimize effects of development on biological resources, implementation of the Plan would nonetheless contribute to a more general reduction in habitat values for existing resident and migratory species. The cumulative loss of habitat for common and possible special-status species would contribute to a general decline for the region, and result in the loss or displacement of wildlife that would have to compete for suitable habitats with existing adjacent populations.

Since this change would occur as an intrinsic part of land use changes, and since development outside of Truckee would be beyond the Town's ability to regulate or control, the cumulative change would create a significant and unavoidable impact.

E. Impact and Mitigation Measures

Since the implementation of the 2025 General Plan would result in *less than significant* project-level impacts to biological resources, no mitigation measures are required.

Manager for California Department of Fish and Game for Sacramento Valley and Central Sierra Region, Personal Communication with Ted Heyd, April 4, 2006.