Appendix E Biological Assessment

MOORE BIOLOGICAL CONSULTANTS

October 9, 2025

Ms. Bianca Liu
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San Francisco, CA 94111

Subject: "INTERNATIONAL PARK OF COMMERCE PHASE 2", SAN JOAQUIN COUNTY, CALIFORNIA: BIOLOGICAL ASSESSMENT

Dear Bianca:

Thank you for asking Moore Biological Consultants to prepare a biological assessment for this second phase of the International Commerce Park, in San Joaquin County, California (Figure 1). The purposes of this assessment are to describe existing biological resources in the project site, identify potentially significant impacts to biological resources from the project, and provide recommendations for how to reduce those impacts to a less-than-significant level. The work involved reviewing databases, aerial photographs, and documents, and conducting field surveys to document vegetation communities, potentially jurisdictional Waters of the U.S. and/or wetlands, and potentially suitable habitat for or presence of special-status species. This report details the methodology and results of our investigation.

Project Overview

The 284+/- acre site is envisioned for industrial development concurrent with industrial growth in this part of San Joaquin County. The project would involve construction of 5,360,000 square feet of warehouse and distribution facilities (see Conceptual Site Plan in Attachment A).

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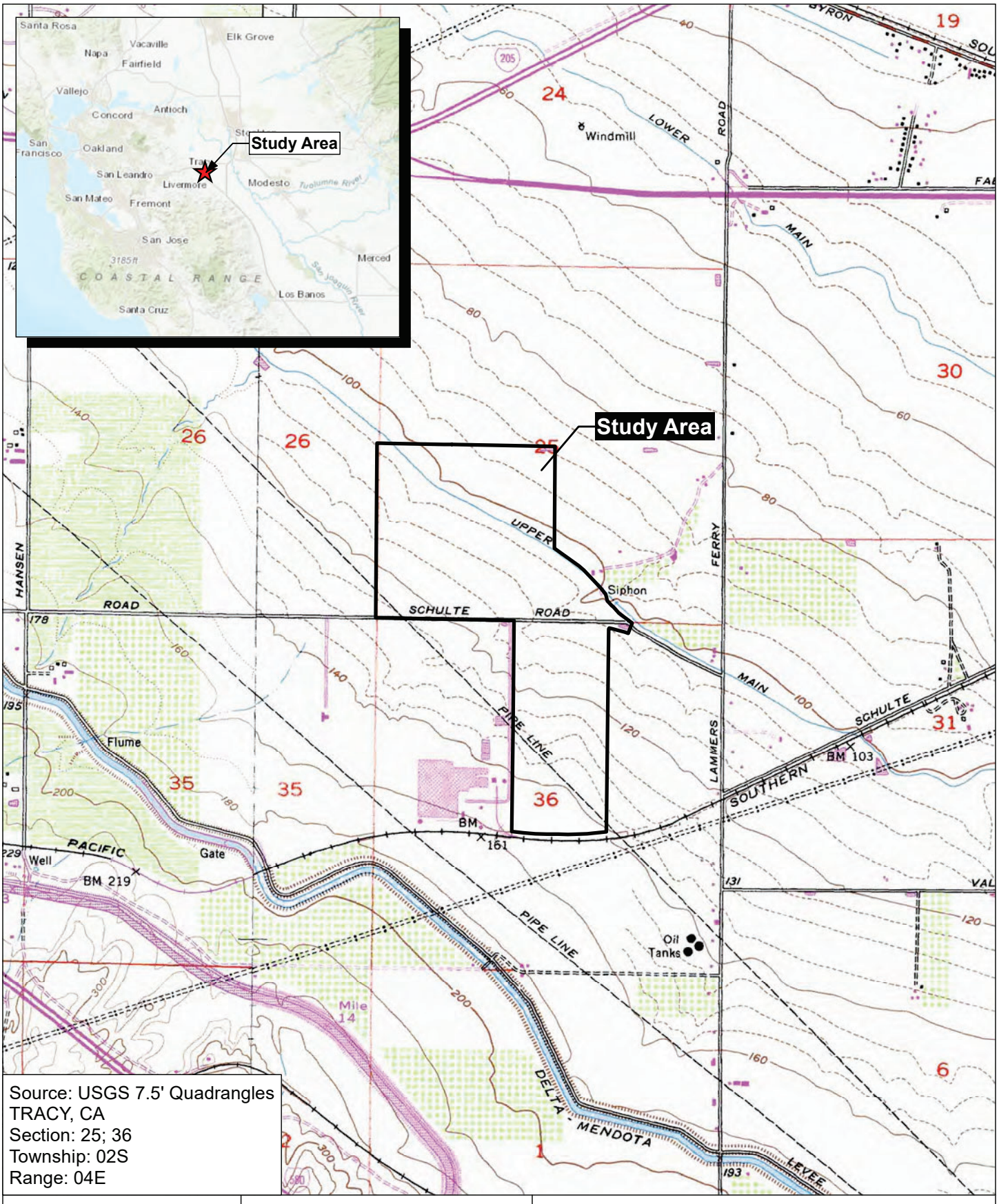

Source: USGS 7.5' Quadrangles
TRACY, CA
Section: 25; 36
Township: 02S
Range: 04E

Figure 1

Moore Biological Consultants

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N W E S

Map Date: 09/19/2025

USGS

International Park of Commerce Phase 2

San Joaquin County, CA

Utility services to the site will include the development wells and an on-site water treatment facility, an on-site wastewater treatment facility, and bio-treatment and detention basins to provide for the treatment and storage of storm water. Site development would also involve the construction of required frontage and transportation improvements and undergrounding a portion of West Stanislaus Irrigation District's (WSID) Upper Main Canal.

Methods

In addition to the field surveys, we obtained a United States Fish and Wildlife Service (USFWS) Species List of endangered, threatened, and proposed plant and wildlife species with potential to occur in or near the project site (USFWS, 2025a) (Attachment B). A search of California Department of Fish and Wildlife's (CDFW) California Natural Diversity Database (CNDDB, 2025) was also conducted. The CNDDB search extended 5 miles beyond the project site boundary, which includes portions of the USGS 7.5-minute Clifton Court Forebay, Union Island, Midway, and Tracy topographic quadrangles (Attachment B). The database information was used to identify wildlife and plant species that have been documented in the area or that may have the potential to occur if suitable habitat is present.

We reviewed the USFWS on-line-maps of designated critical habitat (USFWS, 2025b) and the National Wetland Inventory (NWI) (USFWS, 2025bc). The National Marine Fisheries Service (NMFS) on-line-maps of designated critical habitat (NOAA, 2025) were also reviewed. Finally, we reviewed the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (HCP) (SJCOG, 2000) maps and the 2025 fee schedule.

A table of "Special-Status Species" pursuant to the California Environmental Quality Act (CEQA) was compiled from the results of the database searches. Special-status species include those that are currently listed as threatened or endangered, species that are candidates for listing at the state or federal level,

rare plants, and animals considered sensitive by CDFW. Common species identified in the CNDDB were not included the Special-Status Species table.

Field surveys were conducted on July 28, 2021, October 31, 2023, and September 19, 2025 by biologists Diane S. Moore, M.S. and Colleen A. Laskowski, M.S. The surveys consisted of driving and walking throughout the site making observations of habitat conditions, noting surrounding land uses, habitat types, and plant and wildlife species, and taking representative photographs.

The surveys included an assessment of the site for potentially jurisdictional Waters of the U.S. (a term that includes wetlands) as defined by the U.S. Army Corps of Engineers (ACOE, 1987; 2008) and/or Waters of the State, including wetlands.

The site was for searched for special-status species and potentially suitable habitat for special-status species (e.g., areas with unusual soils, blue elderberry shrubs). Additionally, trees in and near the site were assessed for the potential use by nesting raptors, especially Swainson's hawk (*Buteo swainsoni*). The edges of the orchard and grassland areas adjacent to the site were searched for burrowing owls (*Athene cunicularia*) or ground squirrel burrows with evidence of past occupancy. Aquatic habitats in the site were also assessed for potential to support special-status species such as California red-legged frog (*Rana draytonii*) and northwestern pond turtle (*Actinemys marmorata*).

Results

GENERAL SETTING: The project site is southwest of Tracy, in San Joaquin County, California. The site is within Sections 25 and 36, in Township 2 South, Range 4 East of the USGS 7.5-minute Tracy topographic quadrangle (Figure 1). The site slopes gently to the northeast and ranges is elevations from approximately 90 to 140 feet above mean sea level.

The site is three blocks of almond orchards north and south of W. Schulte Road, which crosses east to west through the site (Figure 2 and photographs in Attachment C). Two blocks of orchards are north of W. Schulte Road site, and there is one block to the south. WSID's Upper Main Canal meanders northwest to southeast through the north part of the site, in between the orchard blocks. There is a small patch of ruderal grassland vegetation, a remnant agricultural return pond, and a small cluster of trees in the east part of the site.

Land uses in this portion of San Joaquin County are primarily agricultural, industrial, and residential. Lands generally west of the site have been converted to industrial use within the last several years and lands generally east of the site are residential and agricultural. There was active grading to the west and north of the site during the September 2025 survey. There is an orchard to the south of the site, separated from the site by a remnant railroad track. The large field east of the south part of the site (i.e., south of W. Schulte Road) supported a mature oat crop during the 2025 survey.

VEGETATION: The California annual grassland series (Sawyer and Keeler-Wolf, 1995) best describes the ruderal annual grassland vegetation in the site, which has been highly disturbed from farming activities. There is grassland vegetation on the orchard floor, and along the edges of the roads. Oats (*Avena fatua*), ripgut brome (*Bromus diandrus*), and foxtail barley (*Hordeum murinum*) are dominant grass species in the site. Other grassland species such as common sunflower (*Helianthus annuus*), prickly lettuce (*Lactuca serriola*), yellow star thistle (*Centaurea solstitialis*), field bindweed (*Convolvulus arvensis*), filaree (*Erodium botrys*), rose clover (*Trifolium hirtum*), and common mallow (*Malva neglecta*) are intermixed with the grasses. Table 1 is a list of plant species observed in the site.

Other than the almond trees in the site, the only other trees in the site are a few fan palms (*Washingtonia sp.*), date palms (*Phoenix dactylifera*), a peach tree, and a few other volunteer almond trees clustered in the east part of the site, just north of W. Schulte Road. It is not clear if a few relatively large blue glue gum

Figure 2

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International Park of Commerce Phase 2

San Joaquin County, CA

Moore Biological Consultants

Map Date: 09/18/2025
Imagery Source: Google Earth (06/2024)

TABLE 1
PLANT SPECIES OBSERVED IN THE PROJECT SITE

Acmispon americanus	Spanish clover
Albutilon theophrasti	velvetleaf
Asclepias fascicularis	narrow-leaf milkweed
Avena fatua	wild oat
Brassica nigra	black mustard
Bromus diandrus	ripgut brome
Bromus hordeaceus	soft brome
Carduus pycnocephalus	Italian thistle
Centaurea solstitialis	yellow star thistle
Chenopodiastrum murale	nettle-leaved goosefoot
Cirsium vulgare	bull thistle
Conium maculatum	poison hemlock
Convolvulus arvensis	field bindweed
Cynodon dactylon	Bermuda grass
Cyperus eragrostis	tall flat sedge
Datura innoxia	datura
Dittrichia graveolens	stinkwort
Echinochloa colona	awnless barnyard grass
Echinochloa crus-galli	barnyard grass
Epilobium brachycarpum	fireweed
Eremocarpus setigerus	turkey mullein
Erigeron bonariensis	flax-leaved horseweed
Erigeron canadensis	Canadian horseweed
Erodium botrys	filaree
Helianthus annuus	common sunflower
Heliotropium curassavicum	seaside heliotrope
Hordeum murinum	foxtail barley
Lactuca serriola	prickly lettuce
Lolium perenne	perennial ryegrass
Malva neglecta	common mallow
Malvella leprosa	alkali mallow
Medicago sativa	alfalfa

TABLE 1
PLANT SPECIES OBSERVED IN THE PROJECT SITE

Phalaris aquatica	Harding grass
Polygonum aviculare	prostrate knotweed
Polypogon monspeliensis	annual rabbit's-foot grass
Populus fremontii	Fremont's cottonwood
Raphanus sativa	radish
Rumex crispus	curly dock
Salix exigua	narrowleaf willow
Salsola tragus	Russian thistle
Silybum marianum	milk thistle
Sonchus oleraceus	common sow-thistle
Tribulus terrestris	puncture vine
Trifolium hirtum	rose clover
Xanthium strumarium	rough cocklebur

(*Eucalyptus sp*.) and black walnut (*Juglans nigra*) trees associated a residence east of the canal along the east edge of the site fall just within the site boundary or are just off-site.

No blue elderberry (*Sambucus nigra ssp. caerulea*) shrubs were observed in the site. There is a small blue elderberry shrub along the west side the canal approximately 200 feet north of W. Schulte Road and approximately 25 feet to the east of the site boundary. This off-site elderberry shrub will not be impacted by the proposed project.

There is a very narrow and discontinuous fringe of hydrophytic species along the water line on the interior banks of the canal. Common species include curly dock (*Rumex crispus*), tall flat sedge (*Cyperus eragrostis*), and barnyard grass (*Echinochloa crus-galli*). There are a few areas of shrubby narrowleaf willows (*Salix exigua*) scattered along the canal.

WILDLIFE: Several bird species were observed during the field surveys, all of which are common species found in agricultural areas of San Joaquin County (Table 2). Turkey vulture (*Cathartes aura*), Swainson's hawk (*Buteo swainsoni*), mourning dove (*Zenaida macroura*), California scrubjay (*Aphelocoma californica*), northern mockingbird (*Mimus polyglottos*), black phoebe (*Sayornis nigricans*), and house finch (*Haemorhous mexicanus*) are representative of the avian species observed in the site.

The almond trees in the site are too small to support nesting large raptors and it is unlikely raptors use the fan palms in the east part of the site for nesting. The cluster of large trees just east of the site associated with the nearby residence provide suitable nesting habitat for raptors and other birds. Due to the presence of large trees near the site and suitable raptor foraging habitat (i.e., open fields, alfalfa fields) nearby, it is possible raptors nests in trees near the site.

Smaller birds, such as songbirds, and possibly some small raptors, may nest in the orchard trees in the site. Ground-nesting songbirds such as killdeer (*Charadrius vociferous*) may nest on the ground in and near the site and the grassland vegetation in parts of the site may be suitable for grassland-nesting species, such as red-winged blackbird (*Agelaius phoeniceus*).

While a variety of mammals may occur in the site, no mammals were observed during the surveys; a few California ground squirrel (*Otospermophilus beecheyi*) burrows were observed. The site provides potentially suitable habitat for common mammals such as coyote (*Canis latrans*), raccoon (*Procyon lotor*), striped skunk (*Mephitis mephitis*), desert cottontail (*Sylvilagus audubonii*), black-tailed hare (*Lepus californicus*), Virginia opossum (*Didelphis virginiana*), and a number of species of small rodents including Botta's pocket gopher (*Thomomys bottae*), mice (*Mus musculus, Reithrodontomys megalotis,* and *Peromyscus maniculatus*) and voles (*Microtus californicus*).

TABLE 2
WILDLIFE SPECIES DOCUMENTED IN THE PROJECT SITE

Birds	
Great blue heron	*Ardea herodias*
Mallard	*Anas platyrhynchos*
Turkey vulture	*Cathartes aura*
Swainson's hawk	*Buteo swainsoni*
Red-tailed hawk	*Buteo jamaicensis*
American kestrel	*Falco sparverius*
Rock dove	*Columba livia*
Mourning dove	*Zenaida macroura*
Northern flicker	*Colaptes auratus*
Black phoebe	*Sayornis nigricans*
Say's phoebe	*Sayornis saya*
Loggerhead shrike	*Lanius ludovicianus*
Western kingbird	*Tyrannus verticalis*
California scrub jay	*Aphelocoma californica*
American crow	*Corvus brachyrhynchos*
Northern mockingbird	*Mimus polyglottos*
European starling	*Sturnus vulgaris*
Western meadowlark	*Sturnella neglecta*
White-crowned sparrow	*Zonotrichia leucophrys*
Brewer's blackbird	*Euphagus cyanocephalus*
House finch	*Haemorhous mexicanus*
Mammals	
California ground squirrel	*Otospermophilus beecheyi*
Reptiles	
Western fence lizard	*Sceloporus occidentalis*

Due to lack of suitable and/or high-quality habitat, only a few amphibians and reptiles are expected to occur in the site. Western fence lizard (*Sceloporus occidentalis*) was the only reptile observed within the site; no amphibians were observed. The site provides potentially suitable habitat for other common amphibians and reptile species such as Pacific chorus frog (*Pseudacris regilla*), American bullfrog (*Lithobates catesbeianus*), western skink (*Eumeces skiltonianus*), and gopher snake (*Pituophis melanoleucus*).

AQUATIC RESOURCES: Waters of the U.S., including wetlands, are defined under 33 Code of Federal Regulations (CFR) 328 to include navigable waterways, their tributaries, and adjacent wetlands. State and federal agencies regulate these habitats and Section 404 of the Clean Water Act requires that a permit be secured prior to the discharge of dredged or fill materials into any Waters of the U.S. The California Regional Water Quality Control Board (RWQCB) implements Section 401 of the Clean Water Act by issuing 401 Certification in support of 404 permits. Many jurisdictional Waters of the U.S. in California are also Waters of the State, and also fall under the jurisdiction of CDFW.

"Waters of the U.S.", as defined in 33 CFR 328.4, encompasses Territorial Seas, Tidal Waters, and Non-Tidal Waters; Non-Tidal Waters includes interstate and intrastate rivers and streams, their tributaries, and their adjacent wetlands. The limit of federal jurisdiction of Non-Tidal Waters of the U.S. extends to the "ordinary high water mark" (OHWM). The OHWM is established by physical characteristics such as a natural water line impressed on the bank, presence of shelves, destruction of terrestrial vegetation, or the presence of litter and debris.

Wetlands are vegetated areas that meet specific vegetation, soil, and hydrologic criteria defined by the ACOE *Wetlands Delineation Manual* and Regional Supplement (ACOE, 1987; 2008). Wetlands that are adjacent to and hydrologically very closely associated with jurisdictional lakes, rivers, streams, and tributaries can also fall under ACOE jurisdiction as "adjacent wetlands".

Geographically and hydrologically isolated wetlands are outside federal jurisdiction, but are regulated by RWQCB as a “Water of the State”.

Jurisdictional Waters of the U.S. and wetlands include, but are not limited to, most perennial and intermittent creeks and lakes, as well as adjacent wetlands such as riparian wetlands along the edges of rivers. Waters of the U.S., wetlands, and other aquatic habitats provide critical habitat components, such as nest sites and a reliable source of water, for a wide variety of wildlife species.

Under Section 1600-1616 of the Fish and Game Code of California (FGCC), project proponents are required to notify CDFW prior to initiating activities for any project that would divert water from, or obstruct or change the natural flow, bed, channel, or bank of any river, stream, or lake. When an existing fish or wildlife resource may be substantially adversely affected, CDFW is required to propose reasonable project changes to protect the resource. These modifications are formalized in a Streambed Alteration Agreement.

No potentially jurisdictional Waters of the U.S. or wetlands were observed in the site. There are also no areas in the site meeting the criteria of Waters of the State, including wetlands. The site supports upland (i.e., not wetland) plant species and on-site soils appear to be well-draining.

WSID’s Upper Main Canal meanders through the site, separating blocks of orchards. The Upper Main Canal is mapped as a “Riverine” feature in the National Wetland Inventory (NWI) (Attachment D) and is depicted as a “blue-line stream” on the USGS topographic map (Figure 2). The only other aquatic feature in the site is a constructed agricultural return pond in the east part of the site. This site is depicted on the USGS topographic map and as a “Freshwater Pond” on the NWI map.

The Upper Main Canal was constructed in uplands and is managed for agricultural purposes. Water in the Upper Main Canal is pumped out of Old River

a few miles northwest of the site and conveys the water in a southeast direction to service agricultural lands. Due to its created nature and hydrologic regime, the Upper Main Canal does not meet the technical and regulatory criteria of a jurisdictional Water of the U.S. or a Water of the State.

The remnant agricultural return pond has been present for decades and appears to have been related to historical hay farming or irrigated pasture. The pond is dry most of the year during most years and the floor of the pond supports upland grasses and weeds. This pond was constructed in uplands for the purpose of regional irrigation and does not meet the technical and regulatory criteria of a jurisdictional Water of the U.S. or a Water of the State.

SPECIAL-STATUS SPECIES: Special-status species are plants and animals that are legally protected under the state and/or federal Endangered Species Act or other regulations. The Federal Endangered Species Act (FESA) of 1973 declares that all federal departments and agencies shall utilize their authority to conserve endangered and threatened plant and animal species. The California Endangered Species Act (CESA) of 1984 parallels the policies of FESA and pertains to native California species.

Special-status species also include 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 habitats. The presence of species with legal protection under the Endangered Species Act often represents a constraint to development, particularly when the species are wide-ranging or highly sensitive to habitat disturbance and where proposed development would result in a take of these species.

Special-status plants are those, which are designated rare, threatened, or endangered and candidate species for listing by the USFWS. Special-status plants also include species considered rare or endangered under the conditions

of Section 15380 of the California Environmental Quality Act Guidelines, such as those plant species identified on Lists 1A, 1B and 2 in the Inventory of Rare and Endangered Vascular Plants of California (CNPS, 2025). Finally, special-status plants may include other species that 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 CNPS List 3.

The likelihood of occurrence of listed, candidate, and other special-status species in the site is generally low. Table 3 provides a summary of the listing status and habitat requirements of special-status species that have been documented in the greater project vicinity or for which there is potentially suitable habitat in the greater project vicinity. This table also includes an assessment of the likelihood of occurrence of each of these species in the site. The evaluation of the potential for occurrence of each species is based on the distribution of regional occurrences (if any), habitat suitability, and field observations.

SPECIAL-STATUS PLANTS: There are six special-status plant species documented in the CNDDB (2025) within five miles of the site: big tarplant (*Blepharizonia plumosa ssp. plumosa*), caper-fruited tropidocarpum (*Tropidocarpum capparideum*), Lemmon's jewelflower (*Caulanthus lemmonii*), Mason's lilaeopsis (*Lilaeopsis masonii*), shining navarretia (*Navarretia nigelliformis ssp. radians*), and showy golden madia (*Madia radiata*). Large-flowered fiddleneck (*Amsinckia grandiflora*) is the only special-status plant species on the USFWS Species List (Attachment B).

No special-status plants or potentially suitable habitat for special-status plants was observed in the site. Special-status plants generally occur in relatively undisturbed areas in vegetation communities such as vernal pools, marshes and swamps, seasonal wetlands, riparian scrub, and areas with unusual soils. Most of the species in Table 3 occur in one of these unique habitat types that are not present on-site. There are no chaparral areas in the site and no areas of unusual soils (i.e., alkaline, serpentine) were observed in the site.

TABLE 3

SPECIAL-STATUS PLANT AND WILDLIFE SPECIES DOCUMENTED OR POTENTIALLY-OCCURRING IN THE PROJECT VICINITY

Common Name	Scientific Name	Federal Status[1]	State Status[2]	CNPS List[3]	Habitat	Potential for Occurrence in the Project site
PLANTS						
Large-flowered fiddleneck	*Amsinckia grandiflora*	E	E	1B	Cismontane woodland, valley and foothill grassland.	Unlikely: the site does not provide suitable habitat for and is below the elevation range of large-flowered fiddleneck. There are no occurrences of this species in the CNDDB (2025) search area. The site is not in large-flowered fiddleneck designated critical habitat (CFR, 1985).
Big tarplant	*Blepharizonia plumosa ssp. plumosa*	None	None	1B	Valley and foothill grassland.	Unlikely: the site does not provide suitable habitat for and is below the elevation range of big tarplant. The nearest occurrence of this species in the CNDDB (2025) search area is approximately 3.5 miles southwest of the site.
Lemmon's jewelflower	*Caulanthus lemmonii*	None	None	1B	Pinyon-juniper woodland, valley and foothill grassland.	Unlikely: the site does not provide suitable habitat for and is below the elevation range of Lemmon's jewelflower. The nearest occurrence of this species in the CNDDB (2025) is approximately 5 miles southwest of the site.
Mason's lilaeopsis	*Lilaeopsis masonii*	None	R	1B	Marshes, swamps and riparian scrub.	Unlikely: the site does not provide suitable habitat for Mason's lilaeopsis. The nearest occurrence of this species in the CNDDB (2025) is approximately 4 miles north of the site.
Showy golden madia	*Madia radiata*	None	None	1B	Cismontane woodland, valley and foothill grassland.	Unlikely: the site does not provide suitable habitat for and is below the elevation range of showy golden madia. The nearest occurrence of this species in the CNDDB (2025) is approximately 5 miles south of the site.
Shining navarretia	*Navarretia nigelliformis ssp. radians*	None	None	1B	Cismontane woodland, valley and foothill grassland, vernal pools, usually in clay soils.	Unlikely: the site does not provide suitable habitat for and is below the elevation range of shining navarretia. The nearest occurrence of this species in the CNDDB (2025) search area is approximately 5 miles southwest of the site.

TABLE 3

SPECIAL-STATUS PLANT AND WILDLIFE SPECIES DOCUMENTED OR POTENTIALLY-OCCURRING IN THE PROJECT VICINITY

Common Name	Scientific Name	Federal Status[1]	State Status[2]	CNPS List[3]	Habitat	Potential for Occurrence in the Project site
Caper-fruited tropidocarpum	*Tropidocarpum capparideum*	None	None	1B	Valley and foothill grassland, alkaline soils.	Unlikely: the grassland in the site is highly disturbed from farming activities and does not provide suitable habitat for caper-fruited tropidocarpum. The nearest occurrence of this species in the CNDDB (2025) search area is approximately 1.5 miles southeast of the site.
WILDLIFE						
Birds						
California condor	*Gymnogyps californianus*	E	E	N/A	Rocky shrubland, coniferous forests and oak savannas; found near cliffs or large trees, which they use as nesting sites.	Unlikely: the site does not provide suitable habitat for California condor, which is also not known to occur in the area. There are no occurrences of this species in the CNDDB (2025) search area. The site is not within critical habitat for California condor (CFR, 1977).
Least Bell's vireo	*Vireo bellii pusillus*	E	E	N/A	Nests in willow thickets and other shrubs, primarily in southern California riparian forests.	Unlikely: there is no suitable habitat for least Bell's vireo in or near the site. The nearest occurrence of least Bell's vireo in the CNDDB (2025) is approximately 4.5 miles south of the site. The site is not within critical habitat for least Bell's vireo (CFR, 1994).
Swainson's hawk	*Buteo swainsoni*	None	T	N/A	Breeds in stands of tall trees in open areas. Forages in habitats such as grasslands or alfalfa fields.	Moderate: while the site does not provide foraging or nesting habitat for Swainson's hawks, there are large trees in close proximity to the site that are suitable for nesting. Swainson's hawks were observed in the adjacent alfalfa field during the 2021 survey. The nearest occurrence of Swainson's hawks in the CNDDB (2025) is within 0.5 miles east of the site.
Tricolored blackbird	*Agelaius tricolor*	None	T	N/A	Nesting: open water and cattail, rose, or brambles; annual grassland for foraging.	Unlikely: there is no suitable nesting habitat in or adjacent to the site to support this species. The nearest occurrence of tricolored blackbird in the CNDDB (2025) is approximately 2.5 miles southwest of the site.

TABLE 3

SPECIAL-STATUS PLANT AND WILDLIFE SPECIES DOCUMENTED OR POTENTIALLY-OCCURRING IN THE PROJECT VICINITY

Common Name	Scientific Name	Federal Status[1]	State Status[2]	CNPS List[3]	Habitat	Potential for Occurrence in the Project site
Burrowing owl	*Athene cunicularia*	None	CE	N/A	Grasslands, deserts and scrubland; subterranean nester, dependent upon burrowing mammals.	Unlikely: while there are some ground squirrel burrows in the site, no burrowing owls or ground squirrel burrows with evidence of past occupancy were observed. There are numerous occurrences of burrowing owls in the CNDDB (2025) within a few miles of the site.
Northern harrier	*Circus hudsonius*	None	SC	N/A	Coastal salt and fresh water marsh, nests and forage in grasslands.	Unlikely: the site does not provide suitable foraging or nesting habitat for northern harrier. The nearest occurrence of this species in the CNDDB (2025) is approximately 3 miles northwest of the site.
Loggerhead shrike	*Lanius ludovicianus*	None	SC	N/A	Annual grasslands and agricultural areas; nests in trees and shrubs.	Unlikely: loggerhead shrike may nest in the orchard trees in the site and forage nearby. The nearest occurrence of this species in the CNDDB (2025) is approximately 4.5 miles northwest of the site.
Mammals						
San Joaquin kit fox	*Vulpes macrotis mutica*	E	T	N/A	Inhabits open, dry annual or perennial grasslands and scrublands with loose textured soils for denning.	Unlikely: no San Joaquin kit fox or suitable dens for this species were observed in the site. The nearest occurrence of San Joaquin kit fox in the CNDDB (2025) is a large, nonspecific record mapped approximately 2 miles southwest of the site.
American badger	*Taxidea taxus*	None	SC	N/A	Drier open stages of most shrub, forest, and herbaceous habitats, with friable soils.	Unlikely: no American badger or suitable dens for this species were observed in the site. The nearest occurrence of this species in the CNDDB (2025) is approximately 3 miles northeast of the site mapped nonspecifically around the City of Tracy.
Townsend's big-eared bat	*Corynorhinus townsendii*	None	SC	N/A	Desert scrub, mixed conifer forest, and pinyon-juniper or pine forest. Primarily roosts in caves, mines, and buildings.	Unlikely: this species may fly over or forage in the site, but the small orchard trees in the site do not provide suitable roosting habitat for Townsend's big-eared bat. The nearest occurrence of this species in the CNDDB (2025) is approximately 5 miles southwest of the site.

TABLE 3

SPECIAL-STATUS PLANT AND WILDLIFE SPECIES DOCUMENTED OR POTENTIALLY-OCCURRING IN THE PROJECT VICINITY

Common Name	Scientific Name	Federal Status[1]	State Status[2]	CNPS List[3]	Habitat	Potential for Occurrence in the Project site
Reptiles and Amphibians						
California red-legged frog	*Rana draytonii*	T	SC	N/A	Lowlands and foothills in or near permanent sources of deep water with dense, shrubby or emergent riparian vegetation.	Unlikely: there is no suitable aquatic habitat for California red-legged frog in the site. The nearest occurrence of this species in the CNDDB (2025) is approximately 2 miles southwest of the site. The site is not in critical habitat for California red-legged frog (USFWS, 2006).
California tiger salamander	*Ambystoma californiense pop. 1*	T	T	N/A	Seasonal water bodies without fish (i.e., vernal pools and stock ponds) and grassland or woodland habitats containing burrows.	Unlikely: there is no potentially suitable breeding habitat for this species in or adjacent to the site. The nearest occurrence of California tiger salamander in the CNDDB (2025) is approximately 3.5 miles southeast of the site. The site is not in California tiger salamander critical habitat (USFWS, 2005a).
Foothill yellow-legged frog	*Rana boylii pop. 4*	T	E	N/A	Perennial water bodies (i.e., streams and ponds) with abundant riparian vegetation.	Unlikely: there is no suitable aquatic habitat for foothill yellow-legged frog in the site. The nearest occurrence of this species in the CNDDB (2025) is approximately 4.5 miles south of the site.
Northwestern pond turtle	*Actinemys marmorata*	PT	SC	N/A	Marshes, creeks and ditches with aquatic vegetation.	Unlikely: there is no suitable aquatic habitat in the site for this species; turtles are not expected to occur in the Upper Main Canal. The nearest occurrence of northwestern pond turtle in the CNDDB (2025) is approximately 3.5 miles northwest of the site.
Western spadefoot	*Spea hammondii*	PT	SC	N/A	Breeds and lays eggs in seasonal water bodies such as deep vernal pools or stock ponds.	Unlikely: there is no suitable breeding habitat for western spadefoot in or adjacent to the site. The nearest occurrence of this species in the CNDDB (2025) is approximately 4.5 miles south of the site.
San Joaquin coachwhip	*Masticophis flagellum ruddocki*	None	SC	N/A	Open, dry habitats with little or no tree cover; valley grassland.	Unlikely: the site does not provide suitable habitat for San Joaquin coachwhip. The nearest occurrence of this species in the CNDDB (2025) is approximately 3 miles southwest of the site.

TABLE 3

SPECIAL-STATUS PLANT AND WILDLIFE SPECIES DOCUMENTED OR POTENTIALLY-OCCURRING IN THE PROJECT VICINITY

Common Name	Scientific Name	Federal Status[1]	State Status[2]	CNPS List[3]	Habitat	Potential for Occurrence in the Project site
California glossy snake	*Arizona elegans occidentalis*	None	SC	N/A	Arid scrub, rocky washes, grasslands, and chaparral.	Unlikely: the site does not provide suitable habitat for California glossy snake; grassland habitat in the site is highly disturbed. The nearest occurrence of this species in the CNDDB (2025) is approximately 4.5 miles southeast of the site.
Coast horned lizard	*Phrynosoma blainvillii*	None	SC	N/A	Coniferous forest, deciduous forest, scrub, and grassland habitats, usually in sandy soils.	Unlikely: the site does not provide suitable habitat for coast horned lizard; grassland habitat in the site is highly disturbed. The nearest occurrence of this species in the CNDDB (2025) is approximately 3 miles southwest of the site.
Fish						
Green sturgeon – southern DPS	*Acipenser medirostris pop. 1*	T	None	N/A	Spawns in the large tributaries to the delta; delta important for rearing juveniles.	None: there is no suitable aquatic habitat in the site for green sturgeon. The nearest occurrence of this species in the CNDDB (2025) is approximately 4 miles north of the site. The site is not in designated critical habitat for green sturgeon (NOAA, 2009).
Invertebrates						
Vernal pool tadpole shrimp	*Lepidurus packardi*	E	None	N/A	Vernal pools.	Unlikely: there are no vernal pools in the site. There are no occurrences of vernal pool tadpole shrimp in the CNDDB (2025) search area. The site is not within designated critical habitat for vernal pool tadpole shrimp (USFWS 2005b).
Vernal pool fairy shrimp	*Branchinecta lynchi*	T	None	N/A	Vernal pools.	Unlikely: there are no vernal pools in the site. There are no occurrences of this species in the CNDDB (2025) search area. The site is not in designated critical habitat for vernal pool fairy shrimp (USFWS 2005b).
Valley elderberry longhorn beetle	*Desmocerus californicus dimorphus*	T	None	N/A	Elderberry shrubs in the Central Valley and surrounding foothills	Unlikely: one blue elderberry shrub was observed approximately 25 feet east of the site. This shrub is small and lacks suitable habitat for valley elderberry longhorn beetle. The nearest occurrence of valley elderberry longhorn beetle in the CNDDB (2025) is approximately 4.5 miles southwest of the site.

TABLE 3

SPECIAL-STATUS PLANT AND WILDLIFE SPECIES DOCUMENTED OR POTENTIALLY-OCCURRING IN THE PROJECT VICINITY

Common Name	Scientific Name	Federal Status[1]	State Status[2]	CNPS List[3]	Habitat	Potential for Occurrence in the Project site
Monarch butterfly	*Danaus plexippus*	C	None	N/A	Winter roost sites extend along the coast from northern Mendocino to Baja California, Mexico.	Unlikely: monarch butterfly may fly over the site during its migration, but is not expected to reproduce in the site due to a lack of milkweed and other floristic resources. This species is also commonly known to overwinter in coastal environments. There are no occurrences of this species in the CNDDB (2025) search area.
Crotch's bumble bee	*Bombus crotchii*	None	CE	N/A	Open grassland and scrub habitats throughout California; rarely found in the Central Valley.	Unlikely: the site does not provide suitable habitat for Crotch bumble bee. The nearest occurrence of Crotch's bumble bee in the CNDDB (2025) is approximately 3.5 miles northeast of the site.

1 T= Threatened; E = Endangered; PT = Proposed for Threatened Status; C = Candidate to Listing.

2 T = Threatened; E = Endangered; CE = Candidate for Endangered Status; R = Rare; SC = State of California Species of Special Concern.

3 CNPS List 1B includes species that are rare, threatened, or endangered in California and elsewhere.

The almond orchards and limited areas of ruderal grassland areas in the site do not provide suitable habitat for any of the special- status plants in Table 3 or any other special-status plant species. The canal is managed, maintained, and lacking marsh and/or riparian habitats and does not provide suitable habitat for special-status plants. Finally, the site is below the elevation range of most of the species in Table 3 (CNPS, 2025). Due to lack of suitable habitat, it is unlikely that special-status plants occur in the site.

SPECIAL-STATUS WILDLIFE: The potential for intensive use of habitats within the project site by special-status wildlife species is low. A total of twenty (20) special-status wildlife and fish species are recorded in the CNDDB (2025) within 5 miles of the site (Table 3 and Attachment B). These species include Swainson's hawk, burrowing owl, tricolored blackbird (*Agelaius tricolor*), northern harrier (*Circus hudsonius*), least Bell's vireo (*Vireo bellii pusillus*), loggerhead shrike (*Lanius ludovicianus*), San Joaquin kit fox (*Vulpes macrotis mutica*), American badger (*Taxidea taxus*), Townsend's big-eared bat (*Corynorhinus townsendii*), California red-legged frog (*Rana draytonii*), California tiger salamander (*Ambystoma californiense*), foothill yellow-legged frog (*Rana boylii*), western spadefoot (*Spea hammondii*), northwestern pond turtle (*Actinemys marmorata*), San Joaquin coachwhip (*Masticophis flagellum ruddocki*), California glossy snake (*Arizona elegans occidentalis*), coast horned lizard (*Phrynosoma blainvillii*), green sturgeon (*Acipenser medirostris*), valley elderberry longhorn beetle (*Desmocerus californcus dimorphus*), and Crotch bumble bee (*Bombus crotchii*).

Although not included in the CNDDB (2025) search area, California condor (*Gymnogyps californianus*), monarch butterfly (*Danaus plexippus*), vernal pool fairy shrimp (*Branchinecta lynchi*), and vernal pool tadpole shrimp (*Lepidurus packardi*) are included on the USFWS Species List. The USFWS Species List also contains a few of the same wildlife species as the CNDDB (2025).

While the project site may have provided habitat for special-status wildlife species at some time in the past, farming and development have substantially

modified natural habitats in the greater project vicinity, including those in the site. Of the wildlife species identified in the CNDDB, Swainson's hawk and burrowing owl have potential to occur in the site on more than a transitory or occasional basis and are discussed below. These birds could be adversely affected by conversion of habitat to development and/or disturbed by construction if construction occurs in close proximity to active nests.

SWAINSON'S HAWK: The Swainson's hawk is a migratory hawk listed by the State of California as a Threatened species. The Migratory Bird Treaty Act (MBTA) and FGCC protect Swainson's hawks year-round, as well as their nests during the nesting season (March 1 through September 15). Swainson's hawk are found in the Central Valley primarily during their breeding season, a population is known to winter in the San Joaquin Valley.

Swainson's hawks prefer nesting sites that provide sweeping views of nearby foraging grounds consisting of grasslands, irrigated pasture, hay, and wheat crops. Orchards and vineyards do not provide suitable foraging habitat for this species (CDFG, 1994). Most Swainson's hawks are migratory, wintering in Mexico and breeding in California and elsewhere in the western United States. This raptor generally arrives in the Central Valley in mid-March, and begins courtship and nest construction immediately upon arrival at the breeding sites. The young fledge in early July, and most Swainson's hawks leave their breeding territories by late August.

The site is within the nesting range of Swainson's hawks and the CNDDB (2025) contains numerous records of nesting Swainson's hawks in the greater project vicinity (Attachment B). There are several occurrences of nesting Swainson's hawks in the CNDDB (2025) search area is within a few miles of the site, with the nearest record being within 0.5 miles east of the site.

The site does not provide suitable foraging habitat for Swainson's hawk. In contrast, the alfalfa fields and open grassland areas adjacent to the site provide

suitable foraging habitat for this species. One adult and one juvenile Swainson's hawk were observed foraging in the alfalfa field northeast of the site during the 2021 field survey. It is possible that these hawks nested in the large trees east of the site or in trees in the general project vicinity.

The orchard trees in the site are not large enough to support nesting Swainson's hawks. Although unlikely, the palms in the east part of the site are potentially suitable Swainson's hawk nest trees. It is much more likely this species would nest in larger trees, such as the large eucalyptus trees adjacent to the east edge of the site, along the canal (see photographs in Attachment C). No raptor stick nests were observed in the cluster of relatively small trees in the east part of the site or in the large trees near the site.

The project will participate in the HCP (SJCOG, 2000). The HCP involves payment of fees and compliance with standard Incidental Take Minimization Measures (ITMMs) that will be issued for the project. Pursuant to the HCP, if construction is scheduled to commence during the nesting season (i.e., between February 15 through August 31), and Swainson's hawks are nesting in or near the site, a construction setback of twice the diameter of the drip-line of the nest tree (as measured from under the nest) would be required until nesting is complete.

BURROWING OWL: The MBTA and FGCC protect burrowing owls year-round, as well as their nests during the nesting season (February 1 through August 31). Burrowing owls are a year-long resident in a variety of grasslands as well as scrub lands that have a low density of trees and shrubs with low growing vegetation; burrowing owls that nest in the Central Valley may winter elsewhere.

The primary habitat requirement of the burrowing owl is small mammal burrows for nesting. The owl usually nests in abandoned ground squirrel burrows, although they have been known to dig their own burrows in softer soils. In urban areas, burrowing owls often utilize artificial burrows including pipes, culverts, and

piles of concrete pieces. This semi-colonial owl breeds from March through August, and is most active while hunting during dawn and dusk.

A few ground squirrel burrows were observed along the farm roads surrounding the site. There were also some burrows at the bases of some almond trees along the south edge of the site near the railroad tracks. No sign of burrowing owl, past or present, was observed in any of the burrows in the site. There are a few records of burrowing owls in the CNDDB (2025) within a few miles of the site, with the nearest being approximately 1 mile southwest of the site.

Pursuant to the HCP, if construction is scheduled to commence outside the nesting season (i.e., if construction starts between September 1 and January 31) and burrowing owls are present on-site, they can be passively relocated. In the event that construction commences during the nesting season and burrowing owls are present on-site, a 75-meter construction setback from the natal burrow would be required until nesting is complete.

OTHER SPECIAL-STATUS SPECIES: Other special-status birds may fly over the area on occasion, but would not be expected to nest or roost in or immediately adjacent to the project site, primarily due to lack of habitat. For example, the site does not contain emergent wetland vegetation or riparian vegetation that would provide suitable nesting habitat for tricolored blackbird or least-Bell's vireo. Similarly, there is no marsh habitat in or adjacent to the site to support northern harrier. California condor is not known from the area and is not expected to occur in or near the site. Loggerhead shrike may nest in on-site trees, although this species is more often found in open grassland areas with widely scattered thorny trees and shrubs.

The site does not provide suitable denning habitat for American badger or San Joaquin kit fox. Townsend's big-eared bat and a few common bats may fly over or forage in the site on occasion, but the small orchard trees in the site are not highly suitable for roosting.

The site does not provide suitable aquatic habitat for California red-legged frog, foothill yellow-legged frog, California tiger salamander, northwestern pond turtle, western spadefoot, green sturgeon, or other special-status fish species. The grassland in the site is highly disturbed and does not provide suitable habitat for San Joaquin coachwhip, northern California legless lizard, coast horned lizard, or California glossy snake.

There are no vernal pools or seasonal wetlands in the site for vernal pool fairy shrimp, vernal pool tadpole shrimp, or other listed vernal pool branchiopods. Monarch butterfly could fly over the site during its migration, but is not expected to reproduce in the site due to a lack of milkweed and other floristic resources; this species is also more common in southern California and coastal environments. The site also does not provide suitable habitat for Crotch's bumble bee. Finally, there are no blue elderberry shrubs in the site, precluding the potential occurrence of valley elderberry longhorn beetle.

CRITICAL HABITAT: The northeast part of the site is just within designated critical habitat for delta smelt (USFWS, 1994), as the habitat extends far inland from the waterways where this fish occurs (Attachment E). The suitability of the site for development is not reduced by part of the site falling within delta smelt critical habitat; many newly developing areas in the vicinity also fall within this designation. Development should have no effect on off-site waterways and no effect on the suitability of delta waterways for delta smelt.

The site is not within designated critical habitat for any other species such as California condor (CFR, 1977), least Bell's vireo (CFR, 1994), California red-legged frog (USFWS, 2006), California tiger salamander (USFWS, 2005a), federally listed vernal pool shrimp or plants (USFWS, 2005b), valley elderberry longhorn beetle (USFWS, 1980), green sturgeon (NOAA, 2009), Central Valley steelhead (NOAA, 2005), or other federally listed species (Attachment E).

WILDLIFE MOVEMENT CORRIDORS: Well-developed riparian corridors are often utilized for movement by wildlife species such as deer, coyote, red fox (*Vulpes vulpes*), and bobcat (*Felis rufus*), as well as a variety of amphibians, reptiles, and fish. There are no wildlife movement corridors in the site.

SAN JOAQUIN COUNTY MULTI-SPECIES HABITAT CONSERVATION AND OPEN SPACE PLAN (HCP): The project will participate in the HCP (SJCOG, 2000). The HCP involves the payment of fees and implementation of ITMMs to avoid impacts on nesting birds and other special-status species. The specific ITMMs that will be required will not be known until a SJCOG biologist prescribes the ITTMs a few months prior to the start of construction. The site is mapped as "Agricultural" lands in the HCP and the per-acre fee is currently $16,492.00 per acre.

Conclusions and Recommendations

- The site consists of leveled orchards, ruderal grassland vegetation, a portion of the Upper Main Canal, and a portion of W. Schulte Road. On-site habitats are biologically unremarkable.

- There are no potentially jurisdictional Waters of the U.S. or wetlands in the site. There are also no areas in the site meeting the criteria of Waters of the State, including wetlands.

- There are no riparian habitats or other wildlife movement corridors, or native wildlife nursery sites in the site.

- Due to a lack of suitable habitat, it is unlikely that special-status plants occur in the site. No special-status plants were observed and none are expected to occur in the site.

- Swainson's hawk and loggerhead shrike were the only special-status wildlife species observed during the field surveys. Due to a lack of

suitable habitat, special-status wildlife species are not expected to occur in or near the site on more than a very occasional or transitory basis.

- Swainson’s hawk could potentially nest in trees in or near the site. Burrowing owls could nest in the site if burrow habitat is available.

- The project will participate the San Joaquin County HCP, which involves the payment of fees and implementation of ITMMs to avoid impacts on nesting birds and other special-status species. The site is mapped as “Agricultural” lands in the HCP and the per-acre fee is currently $16,492.00 per acre.

- Standard Take Avoidance measures outlined in the HCP for nesting Swainson's hawks and burrowing owl will likely be required. The specific ITMMs for the project will not be known until a SJCOG biologist prescribes the ITTMs a few months prior to the start of construction.

- Standard ITMMs for Swainson's hawks include conducting pre-construction surveys for nesting Swainson’s hawks for construction activities between March 1 and September 15. If active nests are found, construction activities should remain a distance of twice the diameter of the drip-line of the nest tree (as measured from under the nest) until nesting is complete.

- Standard ITMMs for burrowing owl include conducting pre-construction surveys for nesting burrowing owls within 250 feet of the site for construction activities between February 1 through August 31. If active nests are found, a 75-meter no construction setback should be established around each occupied burrow until nesting is complete.

- The northeast part of the site is within designated critical habitat for delta smelt. However, development of the site should have no effect on off-site

waterways and no effect on the suitability of delta waterways for delta smelt. The site is not within designated critical habitat of any other federally listed species.

- The trees and grasslands in the site could be used by birds protected by the MBTA or FGCC. If vegetation removal or construction commences during the nesting season of raptors (January 1 through July 31), a pre-construction survey for nesting raptors is recommended. If vegetation removal or construction commences during the general avian nesting season (March 1 through July 31), a pre-construction survey for all species of nesting birds is recommended. If active nests are found, work in the vicinity of the nests should be delayed until the young fledge.

Please call me at (209) 745-1159 with any questions.

Sincerely,

Diane S. Moore, M.S.
Principal Biologist

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Attachment A

Conceptual Site Plan

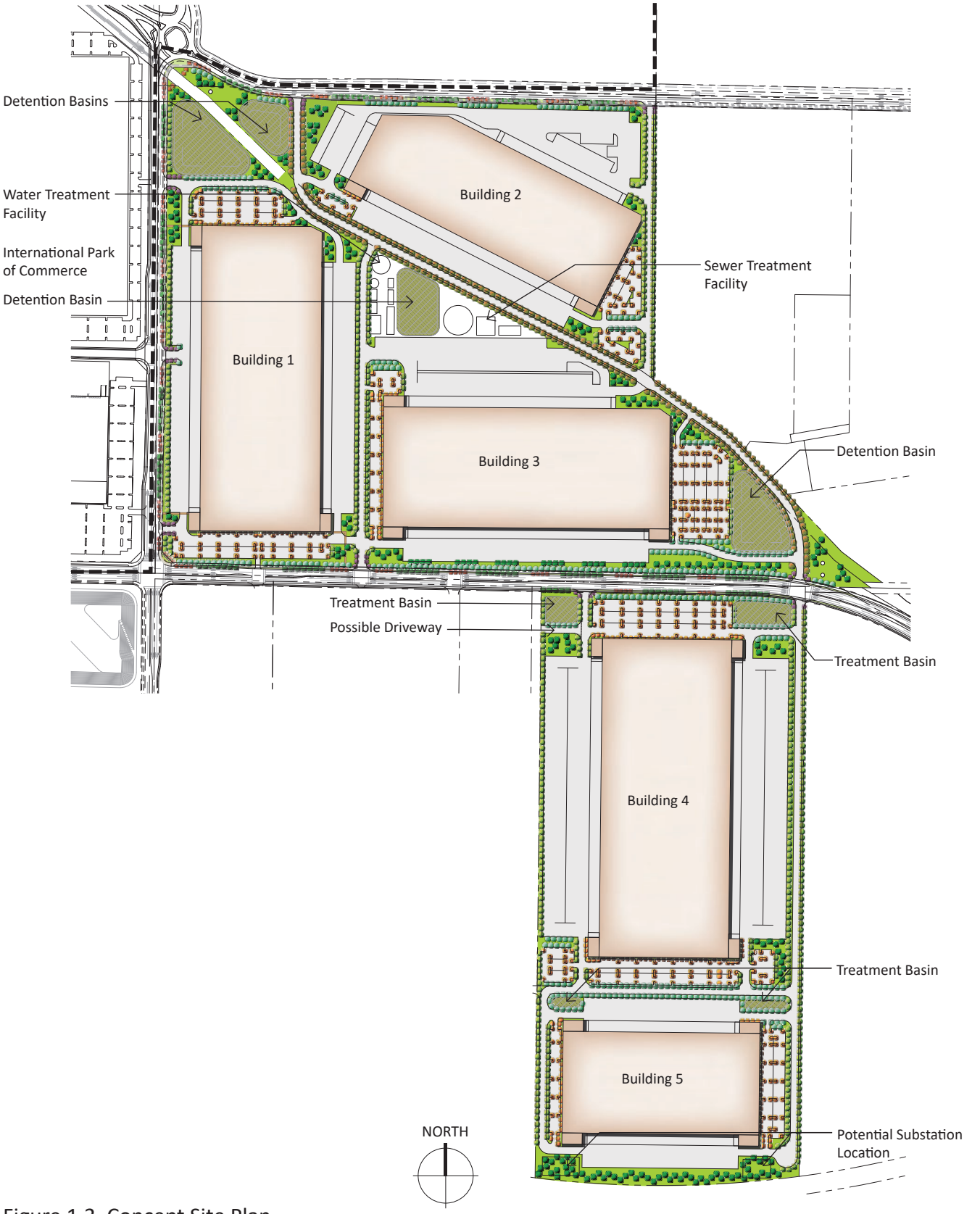

Figure 1.3, Concept Site Plan

Attachment B

U.S. Fish and Wildlife Service Species List

CNDDB Summary Report and Exhibits

United States Department of the Interior

FISH AND WILDLIFE SERVICE
Sacramento Fish And Wildlife Office
Federal Building
2800 Cottage Way, Room W-2605
Sacramento, CA 95825-1846
Phone: (916) 414-6600 Fax: (916) 414-6713

In Reply Refer To: 10/07/2025 17:52:51 UTC
Project Code: 2026-0002224
Project Name: International Park of Commerce Phase 2

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)

(c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

https://www.fws.gov/sites/default/files/documents/endangered-species-consultation-handbook.pdf

Migratory Birds: In addition to responsibilities to protect threatened and endangered species under the Endangered Species Act (ESA), there are additional responsibilities under the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA) to protect native birds from project-related impacts. Any activity resulting in take of migratory birds, including eagles, is prohibited unless otherwise permitted by the U.S. Fish and Wildlife Service (50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)). For more information regarding these Acts, see https://www.fws.gov/program/migratory-bird-permit/what-we-do.

It is the responsibility of the project proponent to comply with these Acts by identifying potential impacts to migratory birds and eagles within applicable NEPA documents (when there is a federal nexus) or a Bird/Eagle Conservation Plan (when there is no federal nexus). Proponents should implement conservation measures to avoid or minimize the production of project-related stressors or minimize the exposure of birds and their resources to the project-related stressors. For more information on avian stressors and recommended conservation measures, see https://www.fws.gov/library/collections/threats-birds.

In addition to MBTA and BGEPA, Executive Order 13186: *Responsibilities of Federal Agencies to Protect Migratory Birds*, obligates all Federal agencies that engage in or authorize activities that might affect migratory birds, to minimize those effects and encourage conservation measures that will improve bird populations. Executive Order 13186 provides for the protection of both migratory birds and migratory bird habitat. For information regarding the implementation of Executive Order 13186, please visit https://www.fws.gov/partner/council-conservation-migratory-birds.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Code in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List

OFFICIAL SPECIES LIST

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Sacramento Fish And Wildlife Office
Federal Building
2800 Cottage Way, Room W-2605
Sacramento, CA 95825-1846
(916) 414-6600

PROJECT SUMMARY

Project Code: 2026-0002224
Project Name: International Park of Commerce Phase 2
Project Type: New Constr - Above Ground
Project Description: This is an Industrial Development project in San Joaquin County, near Tracy. The project would involve construction of 5,360,000 square feet of warehouse and distribution facilities on a 284+/- acre site. Construction is expected to commence in 2026.

Project Location:

The approximate location of the project can be viewed in Google Maps: https://www.google.com/maps/@37.72082365,-121.48513021191066,14z

Counties: San Joaquin County, California

ENDANGERED SPECIES ACT SPECIES

There is a total of 11 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries[1], as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

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1. NOAA Fisheries, also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

MAMMALS

NAME	STATUS
San Joaquin Kit Fox *Vulpes macrotis mutica* No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/2873	Endangered

BIRDS

NAME	STATUS
California Condor *Gymnogyps californianus* Population: Wherever found, except where listed as an experimental population There is **final** critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/8193	Endangered

REPTILES

NAME	STATUS
Northwestern Pond Turtle *Actinemys marmorata* No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/1111	Proposed Threatened

AMPHIBIANS

NAME	STATUS
California Red-legged Frog *Rana draytonii* There is **final** critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/2891	Threatened
California Tiger Salamander *Ambystoma californiense* Population: U.S.A. (Central CA DPS) There is **final** critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/2076	Threatened
Western Spadefoot *Spea hammondii* Population: Northern DPS No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/5425	Proposed Threatened

INSECTS

NAME	STATUS
Monarch Butterfly *Danaus plexippus* There is **proposed** critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/9743	Proposed Threatened
Valley Elderberry Longhorn Beetle *Desmocerus californicus dimorphus* There is **final** critical habitat for this species. Your location does not overlap the critical habitat.	Threatened

NAME	STATUS

Species profile: https://ecos.fws.gov/ecp/species/7850

CRUSTACEANS

NAME	STATUS
Vernal Pool Fairy Shrimp *Branchinecta lynchi*	Threatened

There is **final** critical habitat for this species. Your location does not overlap the critical habitat.
Species profile: https://ecos.fws.gov/ecp/species/498

Vernal Pool Tadpole Shrimp *Lepidurus packardi*	Endangered

There is **final** critical habitat for this species. Your location does not overlap the critical habitat.
Species profile: https://ecos.fws.gov/ecp/species/2246

FLOWERING PLANTS

NAME	STATUS
Large-flowered Fiddleneck *Amsinckia grandiflora*	Endangered

There is **final** critical habitat for this species. Your location does not overlap the critical habitat.
Species profile: https://ecos.fws.gov/ecp/species/5558

CRITICAL HABITATS

There is 1 critical habitat wholly or partially within your project area under this office's jurisdiction.

NAME	STATUS
Delta Smelt *Hypomesus transpacificus*	Final

For information on why this critical habitat appears for your project, even though Delta Smelt is not on the list of potentially affected species at this location, contact the local field office.
https://ecos.fws.gov/ecp/species/321#crithab

IPAC USER CONTACT INFORMATION

Agency: Private Entity
Name: Diane Moore
Address: 10330 TWIN CITIES ROAD, STE. 30
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State: CA
Zip: 95632
Email moorebio@softcom.net
Phone: 2097451159

Selected Elements by Scientific Name

California Department of Fish and Wildlife

California Natural Diversity Database

Query Criteria: Quad IS (Clifton Court Forebay (3712175) OR Union Island (3712174) OR Midway (3712165) OR Tracy (3712164))

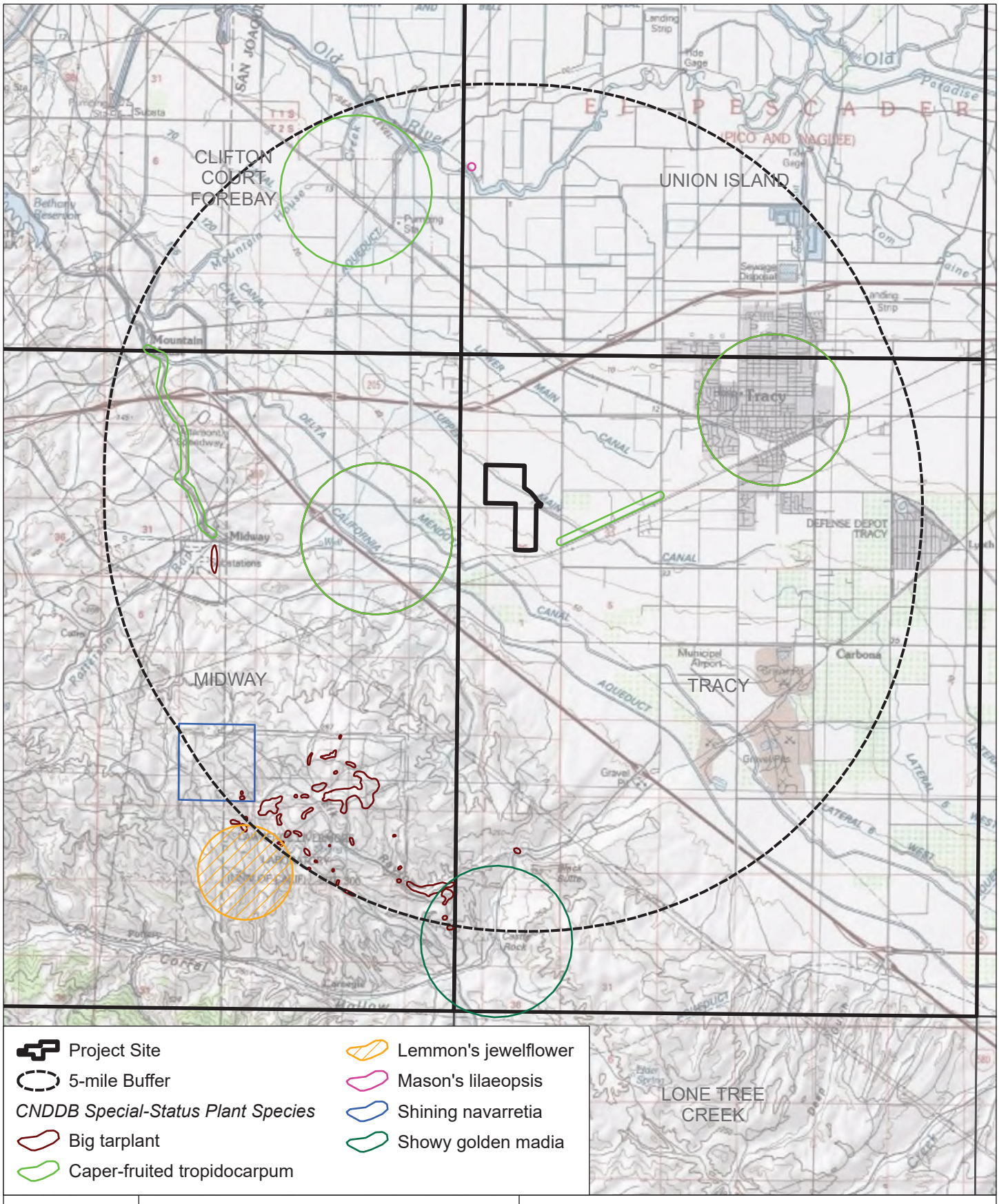
Species	Element Code	Federal Status	State Status	Global Rank	State Rank	Rare Plant Rank/CDFW SSC or FP
Acipenser medirostris pop. 1 green sturgeon - southern DPS	AFCAA01031	Threatened	None	G2T1	S1	SSC
Actinemys marmorata northwestern pond turtle	ARAAD02031	Proposed Threatened	None	G2	SNR	SSC
Agelaius tricolor tricolored blackbird	ABPBXB0020	None	Threatened	G1G2	S2	SSC
Alkali Meadow Alkali Meadow	CTT45310CA	None	None	G3	S2.1	
Ambystoma californiense pop. 1 California tiger salamander - central California DPS	AAAAA01181	Threatened	Threatened	G3T3	S3	WL
Amsinckia grandiflora large-flowered fiddleneck	PDBOR01050	Endangered	Endangered	G1	S1	1B.1
Anniella pulchra Northern California legless lizard	ARACC01020	None	None	G3	S2S3	SSC
Antrozous pallidus pallid bat	AMACC10010	None	None	G4	S3	SSC
Aquila chrysaetos golden eagle	ABNKC22010	None	None	G5	S3	FP
Arizona elegans occidentalis California glossy snake	ARADB01017	None	None	G5T2	S2	SSC
Asio flammeus short-eared owl	ABNSB13040	None	None	G5	S2	SSC
Astragalus tener var. tener alkali milk-vetch	PDFAB0F8R1	None	None	G2T1	S1	1B.2
Athene cunicularia burrowing owl	ABNSB10010	None	Candidate Endangered	G4	S2	SSC
Atriplex cordulata var. cordulata heartscale	PDCHE040B0	None	None	GNRT2	S2	1B.2
Blepharizonia plumosa big tarplant	PDAST1C011	None	None	G1G2	S1S2	1B.1
Bombus crotchii Crotch's bumble bee	IIHYM24480	None	Candidate Endangered	G2	S2	
Bombus occidentalis western bumble bee	IIHYM24252	None	Candidate Endangered	G3	S1	
Branchinecta lynchi vernal pool fairy shrimp	ICBRA03030	Threatened	None	G3	S3	
Branchinecta mesovallensis midvalley fairy shrimp	ICBRA03150	None	None	G2	S2S3	

Species	Element Code	Federal Status	State Status	Global Rank	State Rank	Rare Plant Rank/CDFW SSC or FP
Buteo regalis ferruginous hawk	ABNKC19120	None	None	G4	S3S4	WL
Buteo swainsoni Swainson's hawk	ABNKC19070	None	Threatened	G5	S4	
Caulanthus lemmonii Lemmon's jewelflower	PDBRA0M0E0	None	None	G3	S3	1B.2
Circus hudsonius northern harrier	ABNKC11011	None	None	G5	S3	SSC
Corynorhinus townsendii Townsend's big-eared bat	AMACC08010	None	None	G4	S2	SSC
Delphinium californicum ssp. interius Hospital Canyon larkspur	PDRAN0B0A2	None	None	G3T3	S3	1B.2
Delphinium recurvatum recurved larkspur	PDRAN0B1J0	None	None	G2?	S2	1B.2
Desmocerus californicus dimorphus valley elderberry longhorn beetle	IICOL48011	Threatened	None	G3T3	S3	
Elanus leucurus white-tailed kite	ABNKC06010	None	None	G5	S3S4	FP
Eremophila alpestris actia California horned lark	ABPAT02011	None	None	G5T4Q	S4	WL
Eryngium spinosepalum spiny-sepaled button-celery	PDAPI0Z0Y0	None	None	G2	S2	1B.2
Eschscholzia rhombipetala diamond-petaled California poppy	PDPAP0A0D0	None	None	G1	S1	1B.1
Eumops perotis californicus western mastiff bat	AMACD02011	None	None	G4G5T4	S3S4	SSC
Extriplex joaquinana San Joaquin spearscale	PDCHE041F3	None	None	G2	S2	1B.2
Gonidea angulata western ridged mussel	IMBIV19010	None	None	G3	S2	
Great Valley Valley Oak Riparian Forest Great Valley Valley Oak Riparian Forest	CTT61430CA	None	None	G1	S1.1	
Hesperolinon breweri Brewer's western flax	PDLIN01030	None	None	G2	S2	1B.2
Hibiscus lasiocarpos var. occidentalis woolly rose-mallow	PDMAL0H0R3	None	None	G5T3	S3	1B.2
Hygrotus curvipes curved-foot hygrotus diving beetle	IICOL38030	None	None	G2	S2	
Hypomesus transpacificus Delta smelt	AFCHB01040	Threatened	Endangered	G1	S1	
Lanius ludovicianus loggerhead shrike	ABPBR01030	None	None	G4	S4	SSC

Species	Element Code	Federal Status	State Status	Global Rank	State Rank	Rare Plant Rank/CDFW SSC or FP
Lilaeopsis masonii Mason's lilaeopsis	PDAPI19030	None	Rare	G2	S2	1B.1
Limosella australis Delta mudwort	PDSCR10030	None	None	G5	S2	2B.1
Linderiella occidentalis California linderiella	ICBRA06010	None	None	G2G3	S2S3	
Madia radiata showy golden madia	PDAST650E0	None	None	G3	S3	1B.1
Masticophis flagellum ruddocki San Joaquin coachwhip	ARADB21021	None	None	G5T2T3	S3	SSC
Masticophis lateralis euryxanthus Alameda whipsnake	ARADB21031	Threatened	Threatened	G4T2	S2	
Melospiza melodia pop. 1 song sparrow ("Modesto" population)	ABPBXA3013	None	None	G5T3?Q	S3?	SSC
Navarretia nigelliformis ssp. radians shining navarretia	PDPLM0C0J2	None	None	G4T2T3	S2S3	1B.2
Northern Claypan Vernal Pool Northern Claypan Vernal Pool	CTT44120CA	None	None	G1	S1.1	
Oncorhynchus mykiss irideus pop. 11 steelhead - Central Valley DPS	AFCHA0209K	Threatened	None	G5T2Q	S2	SSC
Perognathus inornatus San Joaquin pocket mouse	AMAFD01060	None	None	G3	S2S3	
Phrynosoma blainvillii coast horned lizard	ARACF12100	None	None	G4	S4	SSC
Puccinellia simplex California alkali grass	PMPOA53110	None	None	G2	S2	1B.2
Rana boylii pop. 4 foothill yellow-legged frog - central coast DPS	AAABH01054	Threatened	Endangered	G3T2	S2	
Rana draytonii California red-legged frog	AAABH01022	Threatened	None	G2G3	S2S3	SSC
Ravenella exigua chaparral harebell	PDCAM020A0	None	None	G2	S2	1B.2
Senecio aphanactis chaparral ragwort	PDAST8H060	None	None	G3	S2	1B.2
Spea hammondii western spadefoot	AAABF02020	Proposed Threatened	None	G2G3	S3S4	SSC
Spergularia macrotheca var. longistyla long-styled sand-spurrey	PDCAR0W062	None	None	G5T2	S2	1B.2
Spirinchus thaleichthys pop. 2 longfin smelt - San Francisco Bay-Delta DPS	AFCHB03040	Endangered	Threatened	G5TNRQ	S1	
Sylvilagus bachmani riparius riparian brush rabbit	AMAEB01021	Endangered	Endangered	GNRT2	S2	

Species	Element Code	Federal Status	State Status	Global Rank	State Rank	Rare Plant Rank/CDFW SSC or FP
Taxidea taxus American badger	AMAJF04010	None	None	G5	S3	SSC
Thaleichthys pacificus eulachon	AFCHB04010	Threatened	None	G4	S1	SSC
Tropidocarpum capparideum caper-fruited tropidocarpum	PDBRA2R010	None	None	G1	S1	1B.1
Valley Sink Scrub Valley Sink Scrub	CTT36210CA	None	None	G1	S1.1	
Vireo bellii pusillus least Bell's vireo	ABPBW01114	Endangered	Endangered	G5T2	S3	
Vulpes macrotis mutica San Joaquin kit fox	AMAJA03041	Endangered	Threatened	G4T2	S3	

Record Count: 67



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Miles

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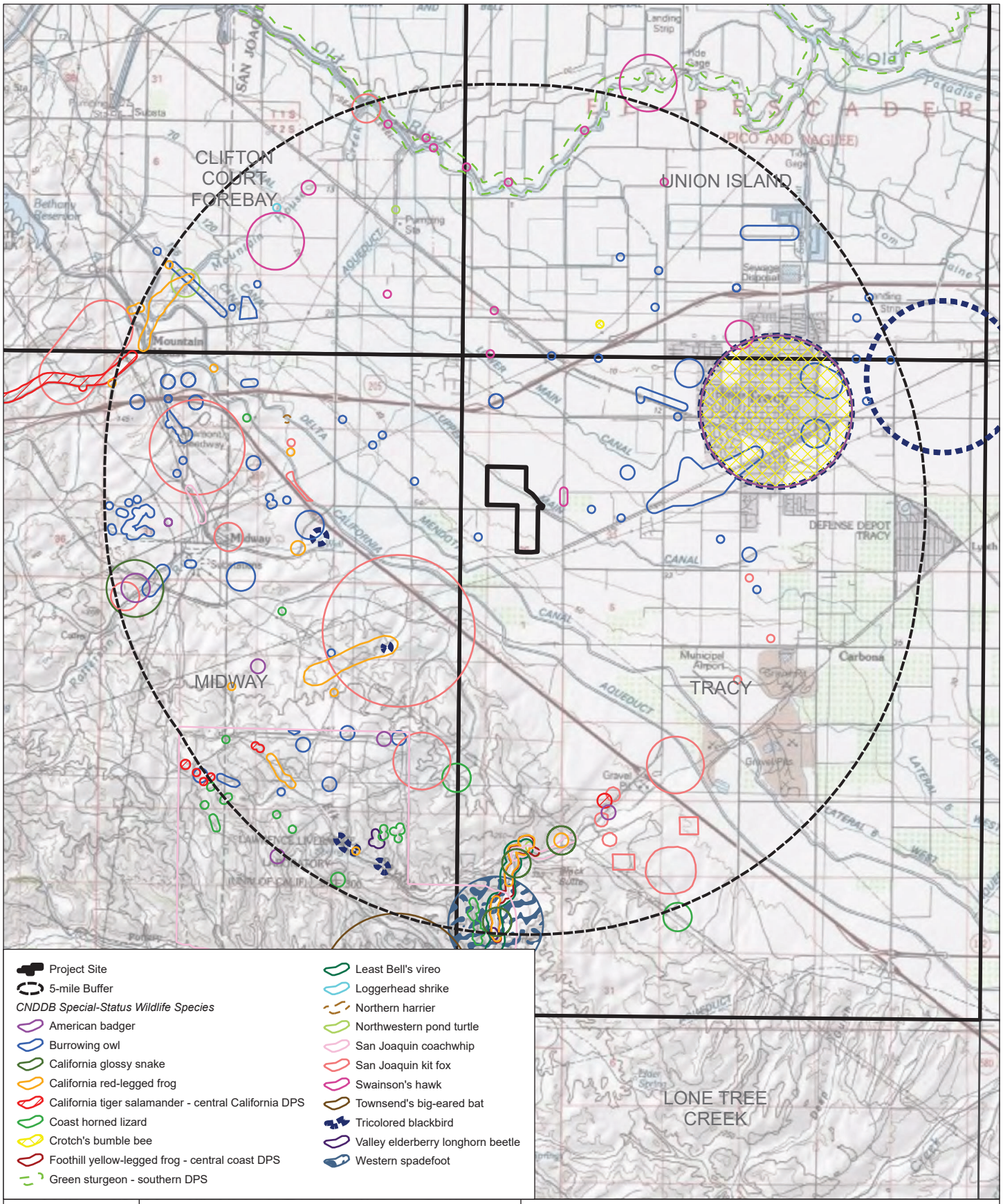
CNDDB - PLANT

International Park of Commerce Phase 2

San Joaquin County, CA

Moore Biological Consultants

Map Date: 09/18/2025
Source: CDFW, USA Topo Maps (2025)



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Miles

N W E S

CNDDB - WILDLIFE

International Park of Commerce Phase 2

San Joaquin County, CA

Moore Biological Consultants

Map Date: 09/18/2025
Source: CDFW, USA Topo Maps (2025)

Attachment C

Photographs

Almond trees in the north part of the site, looking east; 09/19/25.

Almond trees in the south part of the site, looking north; 09/19/25.

Byron-Bethany Irrigation District's (BBID) Upper Main Canal, looking northwest from the east part of the site; 09/19/25. This canal was constructed in uplands, is managed for agricultural purposes, and is not a jurisdictional Water of the U.S.

W. Schulte Road, looking east from the approximate central part of the site; 09/19/25. The road extends east to west through the central part of the site.

Remnant agricultural return pond in the east part of the site, looking northwest; 09/19/25. This return pond is dry most of the year, but periodically receives excess irrigation runoff from the field to the south and the orchard to the southwest.

Blue elderberry shrub approximately 200 feet north of West Schulte Road and 25 feet east of the eastern site boundary, looking northwest; 09/19/25.

Ruderal grassland along the east edge of the site, looking northwest from just north of W. Schulte Road; 09/19/25.

North edge of the north part of the site, looking east; 09/19/25. There is a newly constructed road adjacent to the north edge of the site.

West edge of the north part of the site, looking north from just north of W. Schulte Road; 09/19/25. There is a newly constructed road adjacent to this part of the site.

West edge of the south part of the site, looking north from the southwest corner of the site; 09/19/25.

East edge of the south part of the site, looking north from the southeast corner of the site; 09/19/25.

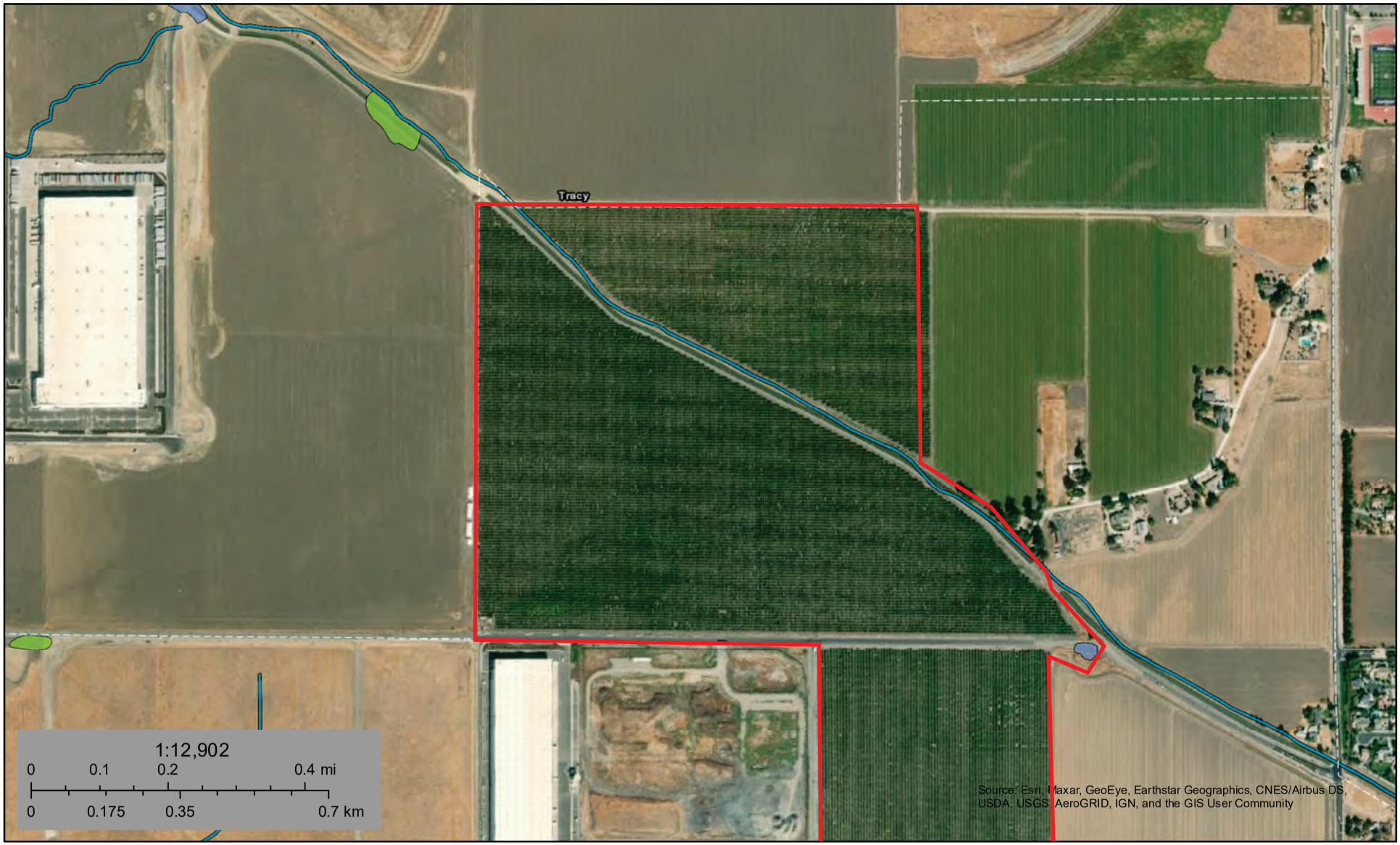
Attachment D

National Wetland Inventory

U.S. Fish and Wildlife Service

National Wetlands Inventory

International Park of Commerce Phase 2 (North)



July 30, 2021

Wetlands

- Estuarine and Marine Deepwater
- Estuarine and Marine Wetland
- Freshwater Emergent Wetland
- Freshwater Forested/Shrub Wetland
- Freshwater Pond
- Lake
- Other
- Riverine

U.S. Fish and Wildlife Service

National Wetlands Inventory

International Park of Commerce Phase 2 (South)

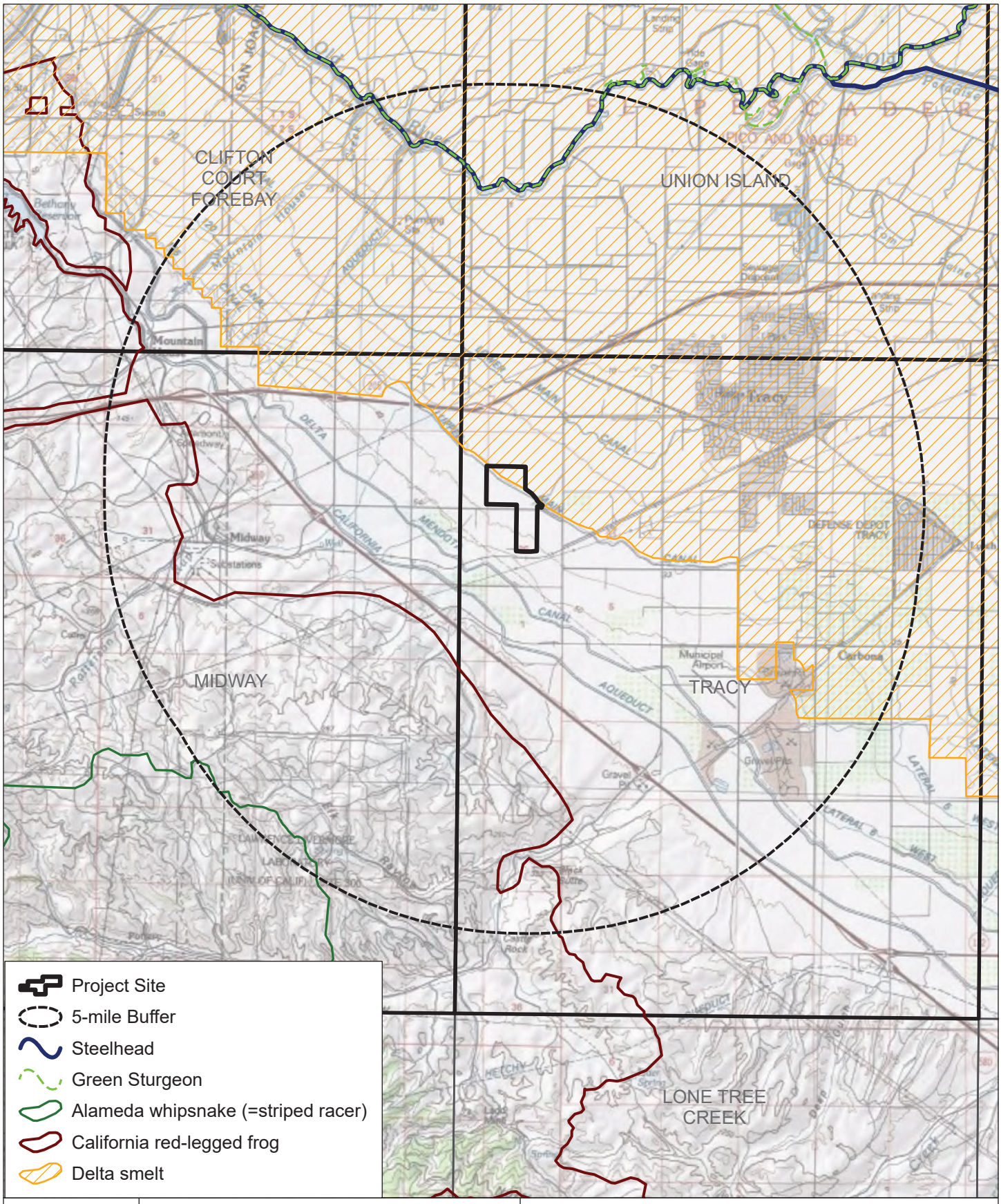
July 30, 2021

Wetlands

- Estuarine and Marine Deepwater
- Estuarine and Marine Wetland
- Freshwater Emergent Wetland
- Freshwater Forested/Shrub Wetland
- Freshwater Pond
- Lake
- Other
- Riverine

Attachment E

Designated Critical Habitat



CRITICAL HABITAT

International Park of Commerce Phase 2

San Joaquin County, CA

Moore Biological Consultants

Map Date: 09/18/2025
Source: USFWS; NOAA (2025); USA Topo Maps (2025)