Exhibit 16

NEW MARKET STREET PROJECT

CITY OF TUMWATER, WASHINGTON

MAZAMA POCKET GOPHER SCREENING REPORT

Prepared By:

Curtis Wambach, M.S.
Senior Biologist and Principal

EnviroVector
OPTIMIZE USABLE LAND

14 October 2022

360-790-1559

www.envirovector.com

EnviroVector
1441 West Bay Drive, Suite 301
Olympia, WA 98502

Phone: (360) 790-1559
Email: curtis@envirovector.com

www.envirovector.com

14 October 2022

Glenn Wells

Reference: Wells New Market St SW
Subject: Mazama Pocket Gopher Screening to Satisfy City of Tumwater Permitting Requirements

Dear Mr. Wells:

At your request, EnviroVector has prepared this report to satisfy City of Tumwater requirements for Mazama pocket gopher screenings (**Figure 1; Table 1**).

Table 1. Parcels Comprising Subject Property

No#	Property Address	Parcel Number	Property Size (Acres)
1	New Market St Tumwater, WA	82701500000	9.58
1 Parcel	Total Size		9.58 acres

Permitting Jurisdiction is City of Tumwater.

1.0 INTRODUCTION

The Mazama pocket gopher is a Federally Threatened species protected under the Endangered Species Act and the City of Tumwater Code. Mazama pocket gopher screenings were performed by a qualified biologist certified by the US Fish and Wildlife Service (USFWS) for the purpose of satisfying the City of Tumwater (2018) Mazama Pocket Gopher Screening Protocol and the USFWS (2018) Mazama Pocket Gopher Screening Protocol (**Appendix E**).

A Mazama pocket gopher screening is necessary to comply with City of Tumwater Code and the Endangered Species Act.

2.0 METHODOLOGY

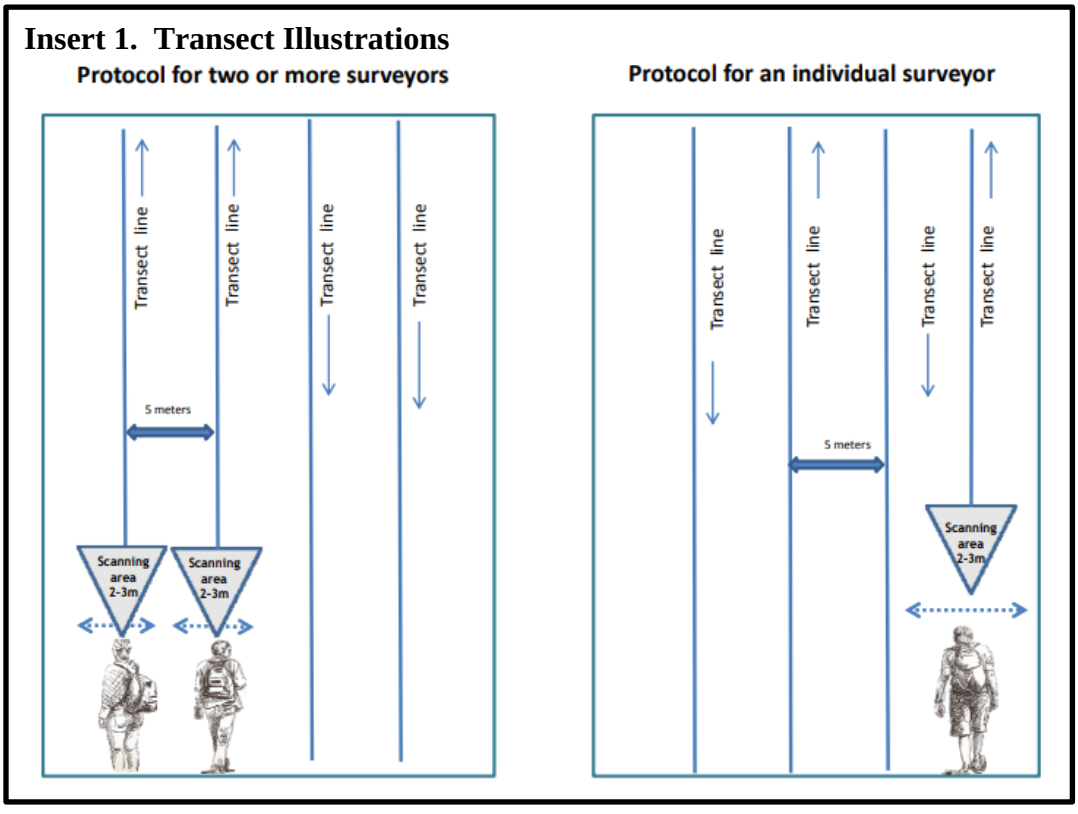
The Mazama pocket gopher screening was performed on 16 July 2021, 13 August 2021, and 14 October 2022 per City of Tumwater recommendations for three (3) site visits in compliance with the City of Tumwater (2018) Mazama Pocket Gopher Screening Protocol (**Appendix E**). The screening was performed within the USFWS prescribed survey window (June 1 through October 31).

In compliance with the USFWS and City of Tumwater (2018) Mazama Pocket Gopher Screening Protocols:

- The study has occurred during the prescribed work window of June 1 to October 31.
- A qualified biologist performed the screenings that has been trained and certified by the USFWS.
- The entire property was evaluated
- The site was visited three (3) times at least thirty (30) days apart. The third site visit occurred one year subsequent to the first two site visits.
- Data was recorded on Mazama gopher field forms and provided in **Appendix F**.
- The areas of the property covered under the screening survey is illustrated in **Figure 2**.
- The ground was easily visible.

The site evaluation was conducted utilizing USFWS recommended protocol for one (1) surveyor (**Insert 1**). The search pattern had been performed along five (5) meter transects, including brushy and treed areas, examined for any evidence of mounding activity created by the Mazama pocket gopher.

Insert 1. Transect Illustrations



The detailed field methodology is in compliance with the City of Tumwater Code (2018) Site Inspection Protocol and Procedures: Mazama Pocket Gopher as follows:

1. The survey crew orients themselves with the layout of the property using aerial maps and strategizes their route for walking through the property.
2. Start GPS to record survey route.
3. Walk the survey transects methodically, slowly walking a straight line and scanning an area approximately 2-3 meters to the left and right as you walk, looking for mounds. Transects should be no more than five (5) meters apart when conducted by a single individual.
4. If the survey is performed by a team, walk together in parallel lines approximately 5 meters apart while you are scanning left to right for mounds.
5. At each mound found, stop and identify it as a MPG or mole mound. If it is a MPG mound, identify it as a singular mound or a group (3 mounds or more) on a data sheet to be submitted to City of Tumwater.
6. Record all positive MPG mounds, likely MPG mounds, and MPG mound groups in a GPS unit that provides a date, time, georeferenced point, and other required information in County GPS data instruction for each MPG mound. Submit GPS data in a form acceptable to the City of Tumwater.
7. Photograph all MPG mounds or MPG mound groups. At a minimum, photograph MPG mounds or MPG mound groups representative of MPG detections on site.
8. Photos of mounds should include one that has identifiable landscape features for reference. In order to accurately depict the presence of gopher activity on a specific property, the following series of photos should be submitted to the City of Tumwater:
    a. At least one up-close photo to depict mound characteristics
    b. At least one photo depicting groups of mounds as a whole (when groups are encountered).
    c. At least one photo depicting gopher mounds with recognizable landscape features in the background, at each location where mounds are detected on a property
    d. Photos can be taken with the GPS unit or a separate, camera, preferably a camera with locational features (latitude, longitude)
    e. Photo point description or noteworthy landscape or other features to aid in relocation. Additional photos to be considered
    f. The approximate building footprint location from at least two cardinal directions.
    g. Landscape photos to depict habitat type and in some cases to indicate why not all portions of a property require gopher screening.
9. Describe and/or quantify what portion and proportion of the property was screened, and record your survey route and any MPG mounds found on either an aerial or parcel map.
10. If MPG mounds are observed on a site, that day's survey effort should continue until the entire site is screened and all mounds present identified, but additional site visits are not required.

Soils known to be associated with the Mazama pocket gopher are listed in **Insert 2**.

Insert 2. Mazama pocket gopher soils

Table 1. Soils known to be associated with Mazama pocket gopher occupancy.

Mazama Pocket Gopher Preference	Soil Type
More Preferred (formerly High and Medium Preference Soils)	Nisqually loamy fine sand, 0 to 3 percent slopes Nisqually loamy fine sand, 3 to 15 percent slopes Spanaway-Nisqually complex, 2 to 10 percent slopes Cagey loamy sand Indianola loamy sand, 0 to 3 percent slopes Spanaway gravelly sandy loam, 0 to 3 percent slopes Spanaway gravelly sandy loam, 3 to 15% slopes
Less Preferred (formerly Low Preference Soils)	Alderwood gravelly sandy loam, 0 to 3 percent slopes Alderwood gravelly sandy loam, 3 to 15 percent slopes Everett very gravelly sandy loam, 0 to 3 percent slopes Everett very gravelly sandy loam, 3 to 15 percent slopes Indianola loamy sand, 3 to 15 percent slopes Kapowsin silt loam, 3 to 15 percent slopes McKenna gravelly silt loam, 0 to 5 percent slopes Norma fine sandy loam Norma silt loam Spana gravelly loam Spanaway stony sandy loam, 0 to 3 percent slopes Spanaway stony sandy loam, 3 to 15 percent slopes Yelm fine sandy loam, 0 to 3 percent slopes Yelm fine sandy loam, 3 to 15 percent slopes

3.0 BACKGROUND INFORMATION

3.1 Thurston County Geodatabase Soils

One (1) soil type was identified on the subject property, Nisqually loamy fine sand, 0 to 3% slopes, classified as a "More preferred" gopher soil (**Appendix B & C; Table 2**).

Table 2. Summary of Soil Preference

Soil Unit	Gopher Soil	Preference	Comments
Nisqually loamy fine sand, 0 to 3%	Yes	More preferred	Mapped on the entire property

3.2 WDFW Priority Habitats and Species (PHS) Database

No Mazama pocket gophers have been mapped on the subject property by the WDFW Priority Habitat Species (PHS) database (**Appendix D**). Mazama pocket gopher (*Thomomys mazama*) occurrence was mapped approximately two hundred (~200) feet south subject property in 2007. Mazama pocket gopher occurrence was mapped in 2015 located approximately seven hundred (~700) feet east of subject property across a power substation and high intensity development.

4.0 FIELD RESULTS

4.1 Mazama Pocket Gopher Site Evaluation

No mound formations exhibiting characteristics created by the Mazama pocket gopher have been identified on the subject property during the Mazama pocket gopher screenings. No crescent-shaped gopher mounds with plugged, diagonal tunnels to the surface have been identified on the subject property (**Appendices A & F**). The site screening focused on the entire parcel.

Mounds created by the Mazama pocket gopher: 1) are crescent or oddly-shaped, 2) contain a plugged tunnel opening that extends diagonally underground from the mound edge, 3) exhibit a fine texture, and are 4) typically in a scattered distribution.

Mole mounds have centrally-located tunnel entrances that extend vertically below the surface, blocky texture, an in-line distribution pattern, and have a conical shape.

Table 3. Summary of Results

Site Visit	Date of Visit	Gopher Occurrence Observed	Comments
1st	16 July 2021	No	No mound formations exhibiting characteristics created by the Mazama pocket gopher have been identified on the subject property during the Mazama pocket gopher screenings.
2nd	13 August 2021	No	
3rd	14 October 2022	No	

4.2 Mazama Pocket Gopher Habitat Evaluation

Potential habitat occurs on the subject property with minimal opportunity for migration over landscape linkages or habitat corridors. Dominant vegetation on the subject property consists of European grasses and Scotch broom (*Cytisus scoparius*) with scattered non-native weedy species throughout the subject property (**Appendix A, Photos 3- 18**). Land use on neighboring properties consists of businesses with large paved and hard-surfaced parking lots, and other developments. No crescent-shaped gopher mounds with plugged, diagonal tunnels to the surface have been identified on the subject property (**Appendices A & F**).

5.0 CONCLUSION

This Mazama pocket gopher summary report was prepared to satisfy the City of Tumwater Mazama pocket gopher screening requirements and to comply with the City of Tumwater (July 2018) Mazama Pocket Gopher Screening Protocol and the USFWS (2018) Mazama Pocket Gopher Screening Protocol. Mazama pocket gopher screenings were performed on 16 July 2021, 13 August 2021, and 14 October 2022.

No mounds characteristic of the Mazama pocket gopher have been identified on the subject property during site evaluations or by agency databases

If you have any questions or require further services, you can contact me at (360) 790-1559.

Sincerely,

Curtis Wambach, M.S.
Senior Biologist and Principal
EnviroVector

FIGURES

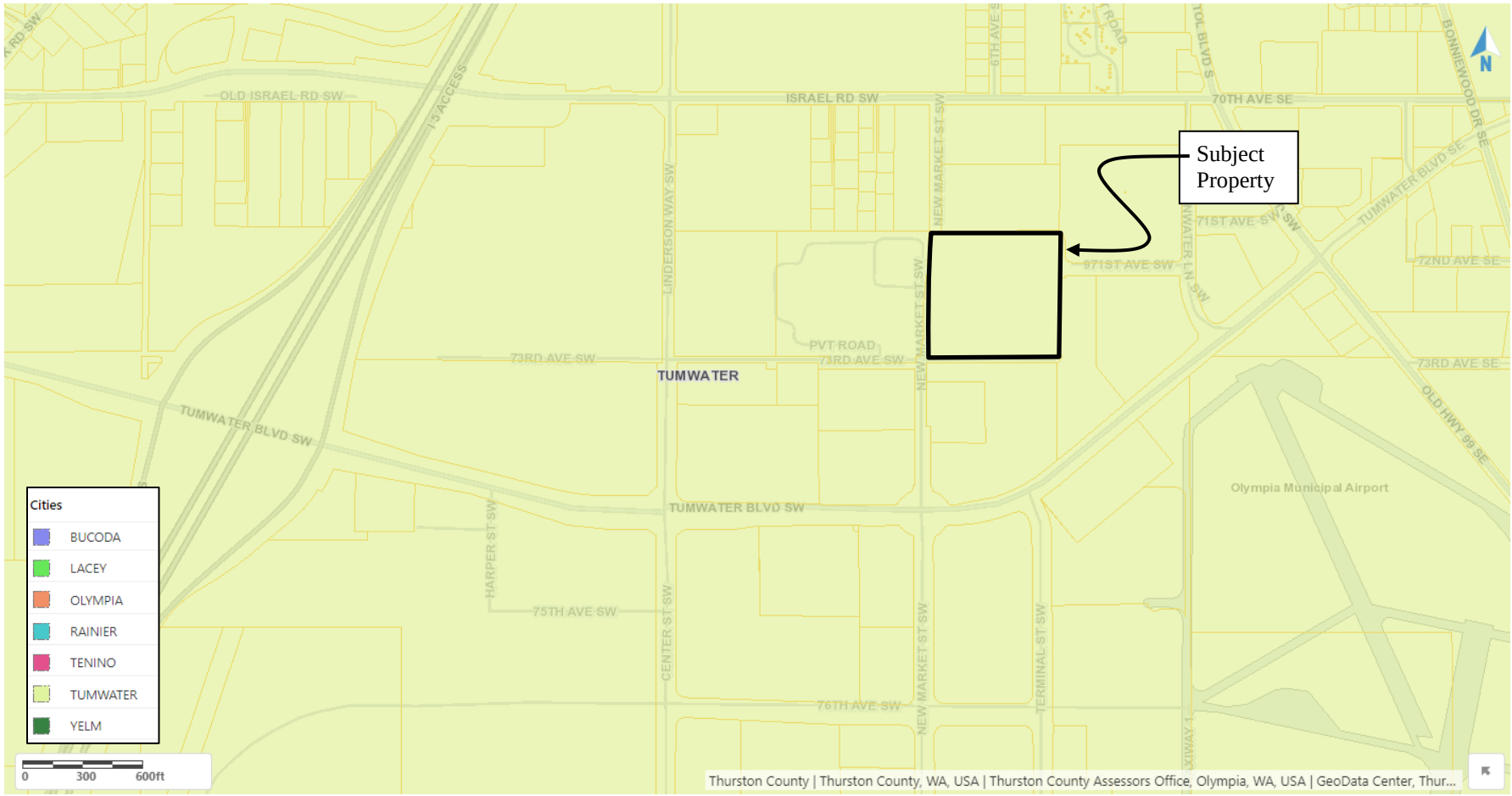


Figure 1. Vicinity Map

Figure 2. Subject Property and Screening Transects

APPENDIX A

Photo Documentation

1st Gopher Screening (16 July 2021)

Photo 1. Corner of 73rd and New Market St SW

Photo 2. Border along New Market St. SW

Photo 3. Oxeye daisy, Scotch broom

Photo 4. Hairy cat's ear, Bracken fern, and Vernal grass

Photo 5. Himalayan Blackberry & European grasses

Photo 6. Round mound and blocky texture typical of moles

Photo 7. Rose of Sharon

Photo 8. Grass field with Cedar, Douglas fir, &Alder trees

Photo 9: Scotch Broom

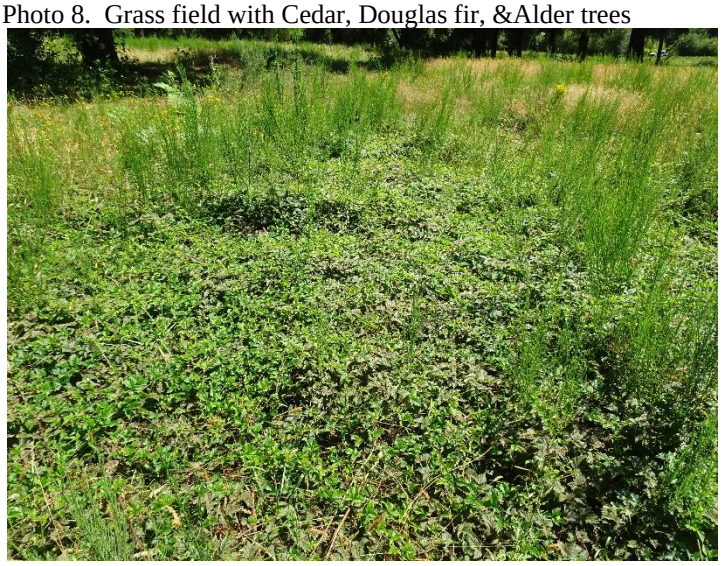


Photo 10: Trailing Blackberry & Scot broom dominant in field

2nd Gopher Screening (13 August 2021)

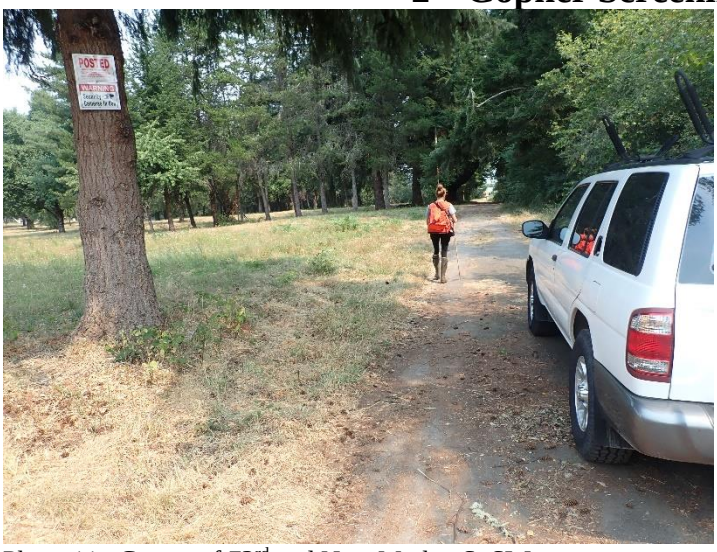


Photo 11. Corner of 73rd and New Market St SW

Photo 12. European grasses & Himalayan blackberry

Photo 13. Western site boundary, school district (paved area)

Photo 14. European grasses, Scot's broom, Hairy cat's ear

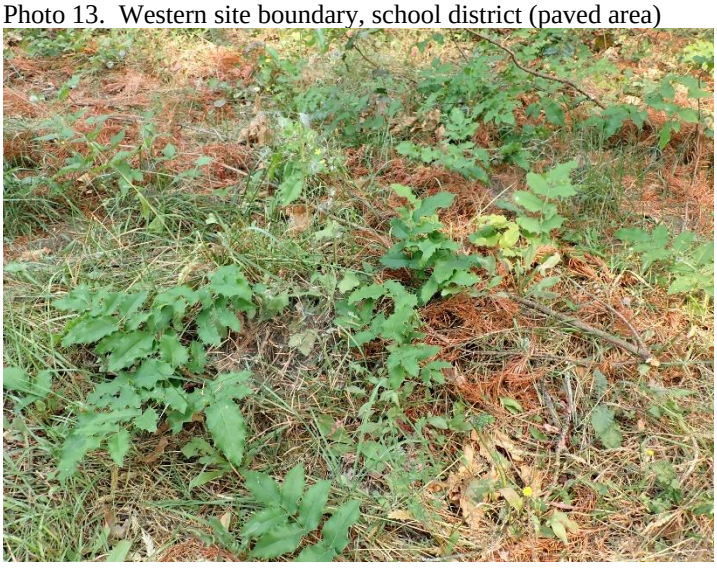


Photo 15. Grasses and low shrubs

Photo 16. Mole mound

Photo 17. Eastern portion of property more tree density

Photo 18. English Ivy underneath tree canopy

Photo 19. Western portion more open, grasses & Scot's broom

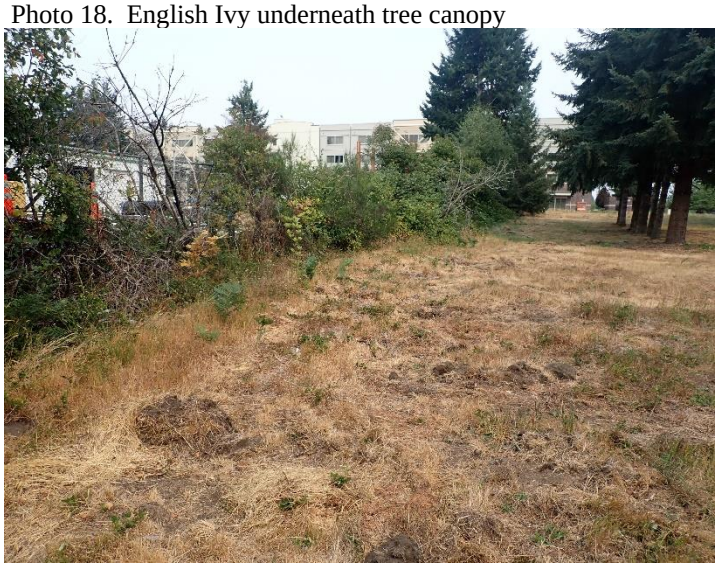


Photo 20. Northern property boundary

3rd Gopher Screening (14 October 2022)

Photo 1. New Market Skill center

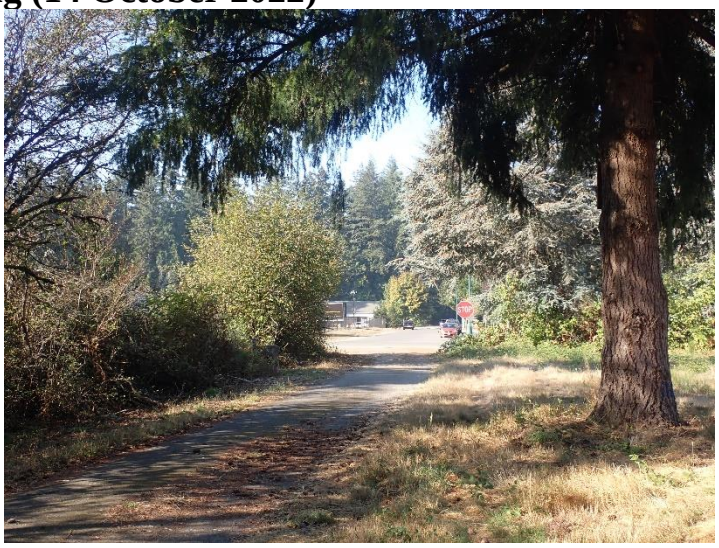


Photo 2. Gravel road from property entrance


Photo 3. 73rd Road Avenue Gravel leading to southern border


Photo 4. Forested portion along road 73rd


Photo 5. Non forest portion of the property on the western border


Photo 6. Central portion of subject propertty

Photo 7. Northern property parcel boundary

Photo 8. Forested portion on southern border

Photo 9. Conical shaped mole mound with central tunnel

Photo 10. Blocky textured soil in mound created by a mole

Photo 11. Mole mound with linear mound distribution pattern

Photo 12. Mole mound with vertical tunnel en

Photo 13. Mole mound with centrally located tunnel entrances

Photo 14. Conical shaped mole mound

Photo 15. Paved road on the easter property border

Photo 16. Property right away on eastern border

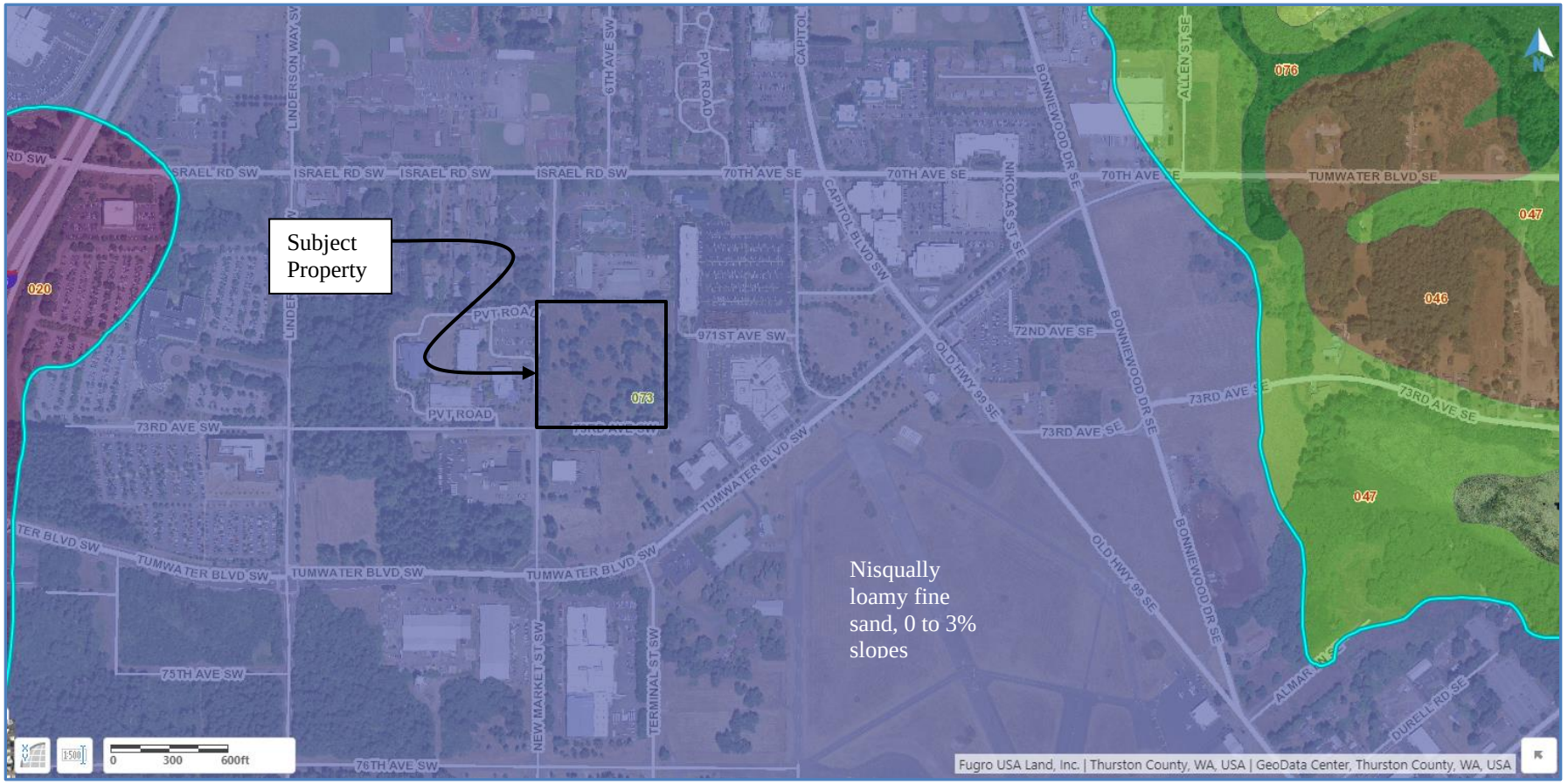
Photo 17. Western property fence line on subject property

Photo 18. Central tunnel that extends vertically down

APPENDIX B

Thurston County Geodatabase

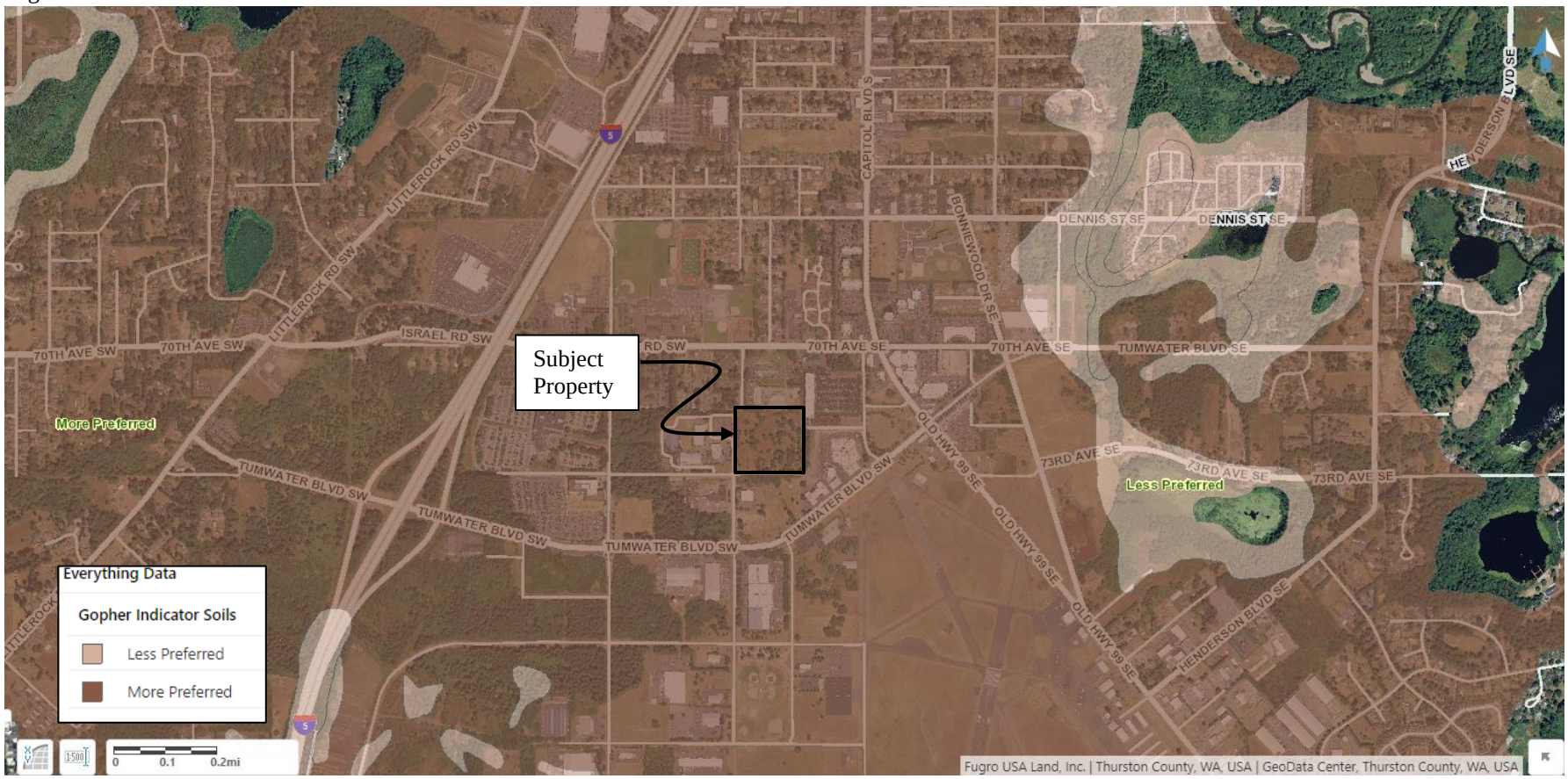
Soils


Subject Property
073
020
076
047
046
047
Nisqually loamy fine sand, 0 to 3% slopes
ISRAEL RD SW
70TH AVE SE
TUMWATER BLVD SW
TUMWATER BLVD SE
73RD AVE SW
73RD AVE SE
75TH AVE SW
76TH AVE SW
971ST AVE SW
72ND AVE SE
LINDERSON WAY SW
6TH AVE SW
CAPITOL BLVD SW
BONNIEWOOD DR SE
ALLEN ST SE
NIKOLAS ST SE
OLD HWY 99 SE
NEW MARKET ST SW
TERMINAL ST SW
DURELL RD SE
0 300 600ft
Fugro USA Land, Inc. | Thurston County, WA, USA | GeoData Center, Thurston County, WA, USA

APPENDIX C

Thurston County Geodatabase

Gopher Indicator Soils

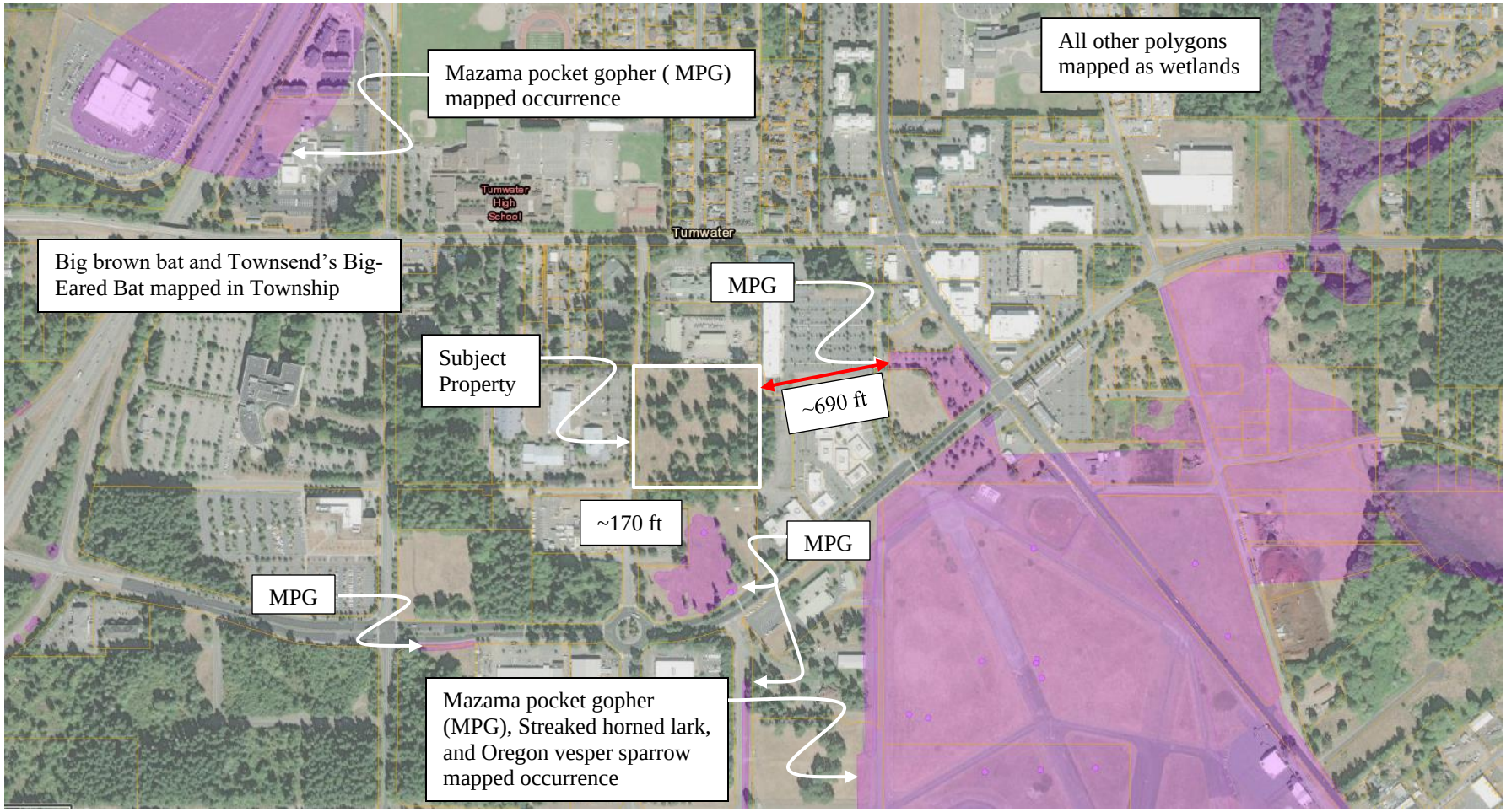

Subject Property
More Preferred
Less Preferred
70TH AVE SW
70TH AVE SE
TUMWATER BLVD SW
TUMWATER BLVD SE
73RD AVE SE
DENNIS ST SE
LITTLEROCK RD SW
ISRAEL RD SW
CAPITOL BLVD S
BONNIEWOOD DR SE
OLD HWY 99 SE
HENDERSON BLVD SE
Everything Data
Gopher Indicator Soils
Less Preferred
More Preferred
0 0.1 0.2mi
Fugro USA Land, Inc. | Thurston County, WA, USA | GeoData Center, Thurston County, WA, USA

APPENDIX D

Washington Department of Fish and Wildlife

Priority Habitat Species (PHS)

Database


Mazama pocket gopher (MPG) mapped occurrence
All other polygons mapped as wetlands
Tumwater High School
Tumwater
Big brown bat and Townsend's Big-Eared Bat mapped in Township
MPG
Subject Property
~690 ft
~170 ft
MPG
MPG
Mazama pocket gopher (MPG), Streaked horned lark, and Oregon vesper sparrow mapped occurrence

APPENDIX E

City of Tumwater

Mazama Pocket Gopher

Screening Protocol

COMMUNITY DEVELOPMENT DEPARTMENT

ADMINISTRATIVE DETERMINATION

TOPIC: Mazama Pocket Gopher Screening

APPROVED: _____ DATE: 7/25/18

Michael Matlock, AICP
Community Development Director

BACKGROUND: The Mazama Pocket Gopher (MPG) became a federally listed endangered species in April 2014. This memo addresses the City regulatory structure. The Endangered Species Act (ESA) is a separate regulatory structure from the Growth Management Act, the State statute the City does implement, so compliance with City regulations does not necessarily mean an applicant complies with the ESA. While the City routinely addresses questions from property owners on how to comply with its local development regulations, it does not do so with respect to the ESA.[1] ESA compliance is the property owner's responsibility.

FINDINGS: In implementing the City's critical areas ordinance (CAO), and based on analysis prepared by qualified professionals, staff have found that projects in certain areas and with certain features lack gopher habitat, so do not require CAO review by a qualified professional. While the CAO governs these issues, the below summarizes what staff have found to date.

DETERMINATION: Based on the findings above, Tumwater summarizes assessment findings for MPG presence as follows:

1. **Geographic** – Due to lack of habitat, no properties in the City north of Trosper Road have required CAO review.
2. **Vegetative Cover** – Project Sites, parcels, or portions of these sites with 30% or greater forested cover have not required CAO review, although where there are adjacent unforested and undeveloped lots exceeding 7,600 square feet (SF) in area, CAO review may be needed.
3. **Project Use Level** –
   a. Single-family, manufactured homes, and duplexes for lots 7,600 SF or less
      1) New or additions to single-family, manufactured homes, and duplexes – CAO review has typically not been required on existing lots 7,600 SF

[1] For land owners seeking guidance on ESA compliance, while the City cannot assist, see USFWS Memorandum, Guidance on Trigger for an Incidental Take Permit Under Section 10(a)(1)(B) of the Endangered Species Act Where Occupied Habitat or Potentially Occupied Habitat is Being Modified, issued April 26, 2018.

or less in size. Unforested and undeveloped lots exceeding 7,600 SF may require CAO review.

2) Developed lots surrounded by existing development (homes, streets, storm ponds, sidewalks, etc.) that are of a similar size have not required CAO review. This would not exclude sites on the periphery areas where adjacent lands are not developed at an urban density level.

3) Single-family lots vested under RCW 58.17 and/or TMC 15.44.040 will likely not require CAO review.

b. Commercial/Industrial/Institutional

1) New or additions to buildings proposed in areas with 30% or greater forested coverage, existing impervious surfaces or significantly disturbed pervious areas (i.e. evidence of compacted gravel, formal landscape areas or other scenarios that would exclude the proposed developed area as being defined as habitat) have typically not required CAO review.

4. **Approved United States Fish and Wildlife Service (USFWS) Avoidance/Mitigation Strategy** – Any projects that have consulted with USFWS and have a documented avoidance/mitigation strategy that is acceptable to USFWS can typically proceed with normal permitting.

5. **Site Screening** – Properties may be screened by a qualified professional. Alternately, USFWS may screen properties by arrangement between the property owner and USFWS. At least two screenings, no less than 30 days apart, between June 1 and October 31, are consistent with best available science to determine the presence or absence of MPG.

PRIOR GUIDANCE: This Administrative Determination supersedes and replaces the City's prior Administrative Determination on Mazama Pocket Gopher Screening Protocol dated October 31, 2017.

APPEAL: This code determination shall become effective on the above date. Any person affected by this determination may appeal this decision to the Tumwater Hearing Examiner pursuant to Chapter 18.62 of the Tumwater Municipal Code.

APPENDIX F

Mazama Pocket Gopher Screening Field Forms

Mazama Pocket Gopher Screening Field Form

Site Visit Date: 16 July 2021

Previous visits: 13 August 2021 & 14 October 2022

Site Information	**Parcel #: 82701500000** **Site/Landowner: Glenn Wells** **Mapped soil types [close-up soil map with site outlined is attached ___]** **More preferred:** Nisqually loamy fine sand, 0 to 3% **Less preferred:**_____ **Within 600' of known MPG occurrence? Yes (distance in ft) ~200 ft** **No____** **[Copy that includes date of info. retrieval is attached ____]**	
How were the data collected? (circle the method for each)	**Transect: (GPS) Aerial** **Mounds: (GPS) Aerial** **What portion of MPG mounds observed were recorded in GPS or drawn on map? (None) All Most Some** **Notes:**	
Field team names: (Note who filled out form and others conducting screening)	**Curtis Wambach** **Jessica Whitehead** **Jade Mahan**	
Others onsite (name/affiliation)		
Site visit # (CIRCLE all that apply) **Request mowing to enable screening of all or a portion of the site?**	**(1st) 2nd 3rd** **Unable to screen** **(Yes) No N/A** **Date last mowed:**_____	**Notes:** **One out of three screening visits**
Do onsite conditions <u>throughout the entire parcel</u> preclude the need for MPG surveys? **(CIRCLE and DESCRIBE)**	**(Yes) No** **Dense woody cover (trees/shrubs) that appears to preclude any MPG use** **Impervious Compacted Graveled Flooded Slope** **Other**_____ **Notes:**	
Describe ground visibility for mound detection: (CIRCLE and DESCRIBE)	**Poor Fair (Good) Notes:**	

Mazama Pocket Gopher Screening Field Form

Quantify or describe amount of MPG mounds and approx. # of mounds or groups of mounds (specify whether count is individual mounds or groups)	**MPG Mounds**	**Indeterminate**	**Mole Mounds**
		1	**20**
	No MPG mounds observed (CIRCLE)		
Does woody vegetation onsite match aerial photo? (CIRCLE and DESCRIBE)	**Yes** **No – describe differences and show on parcel map/aerial:**		
What portion of the property was screened? (CIRCLE and DESCRIBE)	**All** **Part - describe and show on parcel map/aerial:**		
Notes			
Team reviewed and agreed to data recorded on form? (CIRCLE, and EXPLAIN if "No")	**Yes** **No** **Reviewed by: Curtis Wambach** **Jessica Whitehead** **Jade Mahan** **Notes:**		

Mazama Pocket Gopher Screening Field Form

Site Visit Date: 13 August 2021
Previous visits: 16 July 2021

Site Information	**Parcel #: 82701500000** **Site/Landowner: Glenn Wells** **Mapped soil types [close-up soil map with site outlined is attached ___]** **More preferred:** Nisqually loamy fine sand, 0 to 3% **Less preferred:**_____ **Within 600' of known MPG occurrence? Yes (distance in ft) ~200 ft** **No____** **[Copy that includes date of info. retrieval is attached ____]**	
How were the data collected? (circle the method for each)	**Transect: (GPS) Aerial** **Mounds: (GPS) Aerial** **What portion of MPG mounds observed were recorded in GPS or drawn on map? (None) All Most Some** **Notes:**	
Field team names: (Note who filled out form and others conducting screening)	**Curtis Wambach** **Jessica Whitehead** **Jade Mahan**	
Others onsite (name/affiliation)		
Site visit # (CIRCLE all that apply) **Request mowing to enable screening of all or a portion of the site?**	**1st (2nd) 3rd** **Unable to screen** **Yes (No) N/A** **Date last mowed:**_____	**Notes:** **Two out of three screening visits**
Do onsite conditions throughout the entire parcel preclude the need for MPG surveys? **(CIRCLE and DESCRIBE)**	**(Yes) No** **Dense woody cover (trees/shrubs) that appears to preclude any MPG use** **Impervious Compacted Graveled Flooded Slope** **Other**_____ **Notes:**	
Describe ground visibility for mound detection: (CIRCLE and DESCRIBE)	**Poor Fair (Good) Notes:**	

Mazama Pocket Gopher Screening Field Form

Quantify or describe amount of MPG mounds and approx. # of mounds or groups of mounds (specify whether count is individual mounds or groups)	**MPG Mounds**	**Indeterminate**	**Mole Mounds**
	0	**1**	**30**
	No MPG mounds observed (CIRCLE)		
Does woody vegetation onsite match aerial photo? (CIRCLE and DESCRIBE)	**Yes** **No – describe differences and show on parcel map/aerial:**		
What portion of the property was screened? (CIRCLE and DESCRIBE)	**All** **Part - describe and show on parcel map/aerial:**		
Notes			
Team reviewed and agreed to data recorded on form? (CIRCLE, and EXPLAIN if "No")	**Yes** **No** **Reviewed by: Curtis Wambach** **Jessica Whitehead** **Jade Mahan** **Notes:**		

Mazama Pocket Gopher Screening Field Form **Site Visit Date: 14 October 2022**

Previous Site Visits: 16 July 2021 and 13 August 2021

Site Name and Parcel #	**Parcel #: 82701500000** **Project #: New Market st.** **Site/Landowner: Glenn Wells**
How were the data collected? (circle the method for each)	**Transect: Trimble (Garmin) Aerial** **Mounds (Trimble) Garmin Aerial** **Notes: _____**
Field Team Personnel: **(Indicate all staff present, CIRCLE who filled out form)**	**Name: Curtis Wambach** **Name: Viri Cortez** **Name:**
Others onsite (name/affiliation)	
Site visit # **(CIRCLE all that apply)**	**1st 2nd (3rd) Unable to screen** **Notes: Three out of three screening visits**
Do onsite conditions preclude the need for further visits?	**Yes (No)** **Dense woody cover that encompasses the entire site (trees/shrubs) that appears to preclude any potential MPG use.** **Impervious Compacted Graveled** **Flooded Other _____ Notes:**
Describe visibility for mound detection:	**Poor Fair (Good) Notes:**
Request mowing? **(CIRCLE and DESCRIBE WHERE MOWING IS NEEDED and SHOW ON AERIAL PHOTO**	**Yes (No) N/A Notes: majority of property is forested with understory vegetation and exciting dirt roads**

Mounds observed over the whole site are characteristic of: **Quantify or describe amount of each type and approx. # of mounds** ***Group = 3 mounds or more***	**MPG Mounds**	**Likely MPG Mounds**	**Indeterminate**	**Likely Mole Mounds**	**Mole Mounds**
				4	**286**
	No MPG mounds (circle)				
MPG mounds in GPS? **(CIRCLE and DESCRIBE)** **If MPG mounds present, entered in GPS?**	**None** **All** **Most** **Some** **Notes:** **Yes** **No** **N/A**				
Does woody vegetation onsite match aerial photo?	**Yes** **No - describe differences and show on parcel map/aerial:**				
What portion(s) of the property was screened? **(CIRCLE and DESCRIBE)**	**All** **Part - describe and show on parcel map/aerial:**				
Notes -	**Describe, and show on parcel map/aerial if applicable:** **Trees occur onsite with grass lawn understory**				
Team reviewed and agreed to data recorded on form? **(CIRCLE, and EXPLAIN if "No")**	**Yes** **No** **Reviewed by initials: CW VC _____ _____ Notes:**				