

Appendix A: Biological Resources Supporting Information

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A.1 - Biological Constraints Analysis Technical Memorandum

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Memo

Date: November 14, 2018

To: Lief McKay, RRM Design Group

From: Brian Mayerle, Senior Biologist

Subject: Joseph D. Grant County Park Project—Biological Constraints Analysis Technical Memorandum

INTRODUCTION

Located at 18405 Mount Hamilton Road in the City of San Jose, Santa Clara County, the Joseph D. Grant Ranch County Park stretches over 10,882 acres and offers a variety of recreational activities to visitors (Exhibit 1). The Santa Clara County Parks and Recreation District (County Parks) is proposing to develop an amendment to the Joseph D. Grant Ranch County Park Master Plan. In doing so, the County Parks plans to implement a variety of improvements to the Park, including new locations for backcountry camping, installation of new fences, surface drainage facilities, and conversion of existing ranch roads for multi-use trails and service roads. The County Parks has requested an initial survey of the Joseph D. Grant Ranch County Park and technical memorandum.

The Joseph D. Grant Ranch County Park is located in the Diablo Range foothills of the eastern Santa Clara Valley and currently provides a variety of recreational activities for visitors, including hiking, mountain biking, camping, and fishing (Exhibit 2). Hikers and equestrians have access to an extensive 51-mile trail system with mountain bikes permitted on over 75 percent of the Park's designated trails. The Park often hosts large-scale organized trail events such as equestrian endurance rides, mountain bike events, and foot races. The variety of improvements the County Parks proposes to implement are designed to minimize the impacts that may occur on biological communities.

A site visit was completed by FirstCarbon Solutions (FCS) Senior Biologist Brian Mayerle on September 5, 2018. The goal of this site visit was to identify and document the various biological communities on-site to be able to concisely and accurately map the biotic and abiotic field conditions. This Technical Memorandum summarizes the constraints and identifies opportunities to avoid and/or minimize any adverse effects to sensitive biological resources. Additionally, it also identifies potential features that may be subject to the jurisdiction of the United States Army Corps of Engineers (USACE), Regional Water Quality Control Board (RWQCB), and California Department of Fish and Wildlife (CDFW).

Environmental Setting

Joseph D. Grant Ranch County Park (project), the largest of Santa Clara County's regional parks and recreation areas, mainly contains mixed oak woodland habitat and scenic rolling hills, which display a variety of native and non-native species of vegetation. There are several creeks and riparian areas contained within the project boundaries. Mixed riparian vegetation including white alder (*Alnus rhombifolia*) and associated herbaceous vegetation are associated with the aquatic features on the project site. Wildlife species observed during the site visit included turkey vulture (*Cathartes aura*) and red-tailed hawk (*Buteo jamaicensis*). The project site does not include any wetlands that would be impacted from project development. The project falls within the geographic jurisdiction of the Santa Clara Valley Habitat Conservation Plan, which was approved in January of 2013. As such, certain focused surveys for plant and wildlife species may be required, dependent on project development plans.

REGULATORY SETTING

Federal Regulations

The Federal Migratory Bird Treaty Act (16 USC, Section 703, Supplement I, 1989) prohibits killing, possessing, or trading in migratory birds, except in accordance with regulations prescribed by the Secretary of the Interior. This act encompasses whole birds, parts of birds, and bird nests and eggs.

Local Regulations

The Santa Clara Valley Habitat Conservation Plan was developed to promote the protection and recovery of natural resources, including endangered species, while streamlining the permitting process for planned development, infrastructure, and maintenance activities. It lists a variety of goals that the project will have to abide by if applicable. These goals include, but are not limited to:

Landscape-Level Goals

- **Goal 1a.** Protect and maintain natural and semi-natural landscapes.
- **Goal 1b.** Protect and maintain ecological (natural) processes.
- **Goal 2.** Maintain or improve opportunities for movement and genetic exchange of native organisms within and between natural communities inside and connecting to areas outside the study area.
- **Goal 3.** Enhance or restore representative natural and semi-natural landscapes to maintain or increase native biological diversity.

Natural Community-Level Goals

- **Goal 4.** Maintain and enhance functional grassland communities that benefit covered species and promote native biodiversity.

- **Goal 5.** Maintain and enhance functional chaparral and northern coastal scrub communities to benefit covered species and promote native biodiversity.
- **Goal 6.** Maintain and enhance functional oak woodland communities to benefit covered species and promote native biodiversity.
- **Goal 7.** Maintain and enhance functional conifer woodland communities to benefit covered species and promote native biodiversity.
- **Goal 8.** Improve the quality of streams and the hydrologic and geomorphic processes that support them to maintain a functional aquatic and riparian community to benefit covered species and promote native biodiversity.
- **Goal 9.** Maintain a functional riparian forest and scrub community at a variety of successional stages and improve these communities to benefit covered species and promote native biodiversity.
- **Goal 10.** Maintain, enhance, and create or restore functional pond, freshwater perennial wetland, and seasonal wetland habitats that benefit covered species and promote native biodiversity.

Species-Level Goals

- **Goal 11.** Improve the viability of existing Bay checkerspot butterfly populations, increase the number of populations, and expand the geographic distribution to ensure the long-term persistence of the species in the study area.
- **Goal 13.** Increase the size and sustainability of the breeding population and increase the distribution of breeding and wintering burrowing owls in the study area.
- **Goal 14.** Increase the ability of San Joaquin kit fox to move into and within the study area and provide habitat to increase the likelihood of breeding.
- **Goal 15.** Provide for the expansion of a breeding population of least Bell's vireos into the study area and increase reproductive success of least Bell's vireo.
- **Goal 16.** Conserve existing populations of the foothill yellow-legged frog population where possible and increase the overall population of foothill yellow-legged frog in biologically appropriate locations in the study area.
- **Goal 17.** Conserve existing populations of California red-legged frog, California tiger salamander, and western pond turtle where possible, and increase the number of individuals and expand the overall distribution of populations of these species in biologically appropriate locations within the study area to maintain viable populations and contribute to the regional recovery of these species.
- **Goal 18.** Increase the population size of tricolored blackbird to enhance the viability of the species in the study area.
- **Goal 20.** Maintain viability, protect, and increase the size and number of populations of covered serpentine plant species, including Coyote ceanothus, Santa Clara Valley dudleya, Metcalf Canyon jewelflower, most beautiful jewelflower, smooth lessingia, fragrant fritillary, Mt. Hamilton thistle, Loma Prieta hoita, and Tiburon paintbrush, within the study area.
- **Goal 21.** Protect and increase the size and number of Loma Prieta hoita within the study area.

METHODOLOGY

Analysis of the biological resources associated with the project site entailed a thorough review of relevant literature followed by a reconnaissance-level field survey. The survey area included the entire project site as well as the site's immediate vicinity. The objectives of the survey were to document existing site conditions, identify environmental constraints, and determine the potential presence of special-status biological resources.

Literature Review and Results

A literature review was conducted to provide a baseline from which to evaluate the biological resources potentially occurring on the site and in the surrounding area. The review was based on a search of the CDFW California Natural Diversity Database (CNDDDB) (CDFW 2018), a special-status species and plant community account database, and the California Native Plant Society (CNPS) Electronic Inventory (CNPSEI) of Rare and Endangered Vascular Plants of California database (CNPS 2018) for the Lick Observatory California USGS 7.5-minute topographic quadrangle map.

A review of the CNDDDB database and CNPSEI database for special-status species resulted in 12 special-status wildlife species and 13 special-status plant species, with the potential to occur within the Lick Observatory quadrangle. The database search results are attached (Attachment B).

Reconnaissance-Level Field Survey and Results

Weather conditions during the field survey were clear with an average temperature of 80 degrees Fahrenheit. The site is largely undeveloped and contains an abundance of natural resources. Several creeks and their tributary corridors, including sections of Sulphur Creek and Smith Creek, run through the project site. Developed riparian vegetation occurs in association with both of these creeks and is bordered by oak woodland habitat in many areas. The habitat within the site consist mainly of mixed oak woodland with non-native grassland interspersed throughout. The oak woodland is composed of coast live oak (*Quercus agrifolia*) and valley oak (*Quercus lobata*), including both mature, adult trees and younger seedlings. The vegetation observed on-site include dove weed (*Croton setigerus*), ripgut brome (*Bromus diandrus*), and tarweed (*Holocarpha virgata*). The site contains many hills with gentle slopes throughout the project area. The drainages associated with the site have much steeper inclines. Overall, the topography varies greatly throughout.

The project site contains a variety of soil types, many of which are less than 10 percent of the total project area. The largest portion of the site consists of Gaviota Loam (39 percent), Gaviota gravelly loam (24.1 percent, 16.4 percent eroded), and Los Gatos-Gaviota complex (8.6 percent). The rest of the soils on-site include Gaviota-Los Gatos complex (3.1 percent), Vallecitos rocky loam (8.06 percent), and Vallecitos loam (0.8 percent) (Exhibit 3).

As per the Santa Clara Valley Habitat Conservation Plan, the project site contains several vegetation communities that are listed as natural communities. These include chaparral habitat, oak woodland, and riparian/jurisdictional areas. (Exhibit 4).

SUMMARY AND RECOMMENDATIONS

The following discussion addresses potential impacts to special-status biological resources that could result from the project and recommends mitigation measures where appropriate to minimize those impacts to a level of “less than significant” under CEQA Guidelines.

The Park provides habitat for an abundance of local wildlife species and also has the potential to support special-status plant and wildlife species. Special-status plant and wildlife species typically occur in undeveloped areas. As such, it is possible for special status plant and wildlife species to occur on-site. However, as project development is limited both in scope and volume, it is highly unlikely that any special-status plant or wildlife species that may be present on-site will be impacted by project development. It is recommended that focused surveys be required in areas of specific project development. The area contains abundant oak woodlands, which likely house nesting birds and raptors. It is recommended that nesting bird surveys take place previous to development to ensure no species are impacted by, albeit minimal, project development. Noise produced from development would be louder than the current setting and could potentially result in the abandonment of nests or alter bird behavior. Disturbance of nesting birds or the abandonment of nests would be considered a significant impact under CEQA Guidelines.

The riparian areas and creeks on-site are not anticipated to be encroached upon. Thus, no specific recommendations are to be made at this point in project development. If development plans were to change, FCS recommends a focused survey or delineation to determine the extent of impacts that would potentially occur in these likely jurisdictional areas. Currently, plan implementation would not remove, fill, or hydrologically interrupt federally protected wetlands; or have a substantial adverse effect on riparian habitat.

The oak woodland habitat is considered a sensitive natural community according to the Santa Clara Valley Habitat Conservation Plan. However, it is not expected that there will be any adverse impacts to the oak woodland habitat present on-site due to the project design. No recommendations regarding mitigation measures are necessary this time.

Similarly, no trees are expected to be removed or impacted by project development. The City of San Jose and the Santa Clara Valley Habitat Conservation Plan have specific regulations regarding tree removal and if trees are anticipated to be removed, the County of Santa Clara Parks and Recreation District will have to follow those regulations, which may require further surveys or reports.

Mitigation Measures

Nesting Birds

Construction activities that occur during the nesting season (generally March 1 to August 31) would disturb nesting sites for birds protected by the Migratory Bird Treaty Act (MBTA) and Fish and Game Code (FGC). No action is necessary if no active nests are found or if construction occurs during the non-breeding season (generally September 1 through February 14).

Implementation of the following avoidance and minimization measures would reduce impacts nesting birds.

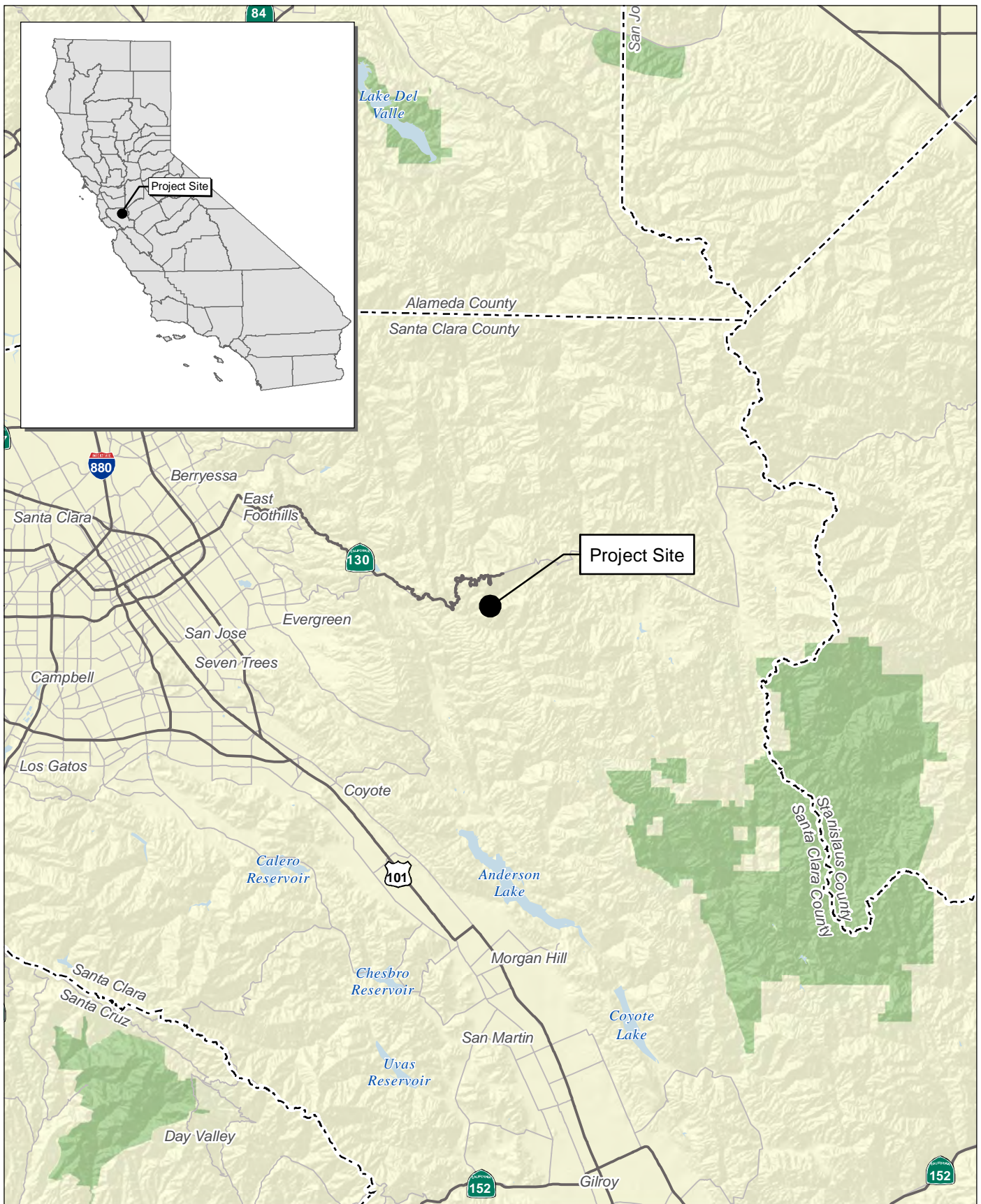
- To prevent impacts to MBTA-protected birds, nesting raptors, and their nests, removal of trees will be limited to only those necessary to construct the proposed project.
- If any tree removal is necessary, then it will occur outside the nesting season between September 1 and February 14. If trees cannot be removed outside the nesting season, pre-construction surveys will be conducted three days prior to tree removal to verify the absence of active nests.
- If an active nest is located during pre-construction surveys, the United States Fish and Wildlife Service and/or the CDFW (as appropriate) shall be notified regarding the status of the nest. Construction activities shall be restricted as necessary to avoid disturbance of the nest until it is abandoned or the agencies deem disturbance potential to be minimal. Restrictions may include establishment of exclusion zones (no ingress of personnel or equipment at a minimum radius of 100 feet around an active raptor nest and a 50-foot radius around an active migratory bird nest) or alteration of the construction schedule.
- A qualified biologist will delineate the buffer using Environmentally Sensitive Area (ESA) fencing, pin flags, and or yellow caution tape. The buffer zone will be maintained around the active nest site(s) until the young have fledged and are foraging independently.

REFERENCES

- California Department of Fish and Wildlife (CDFW). 2018. CNDDDB RareFind 5 California Natural Diversity Database Query for Special-Status Species. Website: <https://map.dfg.ca.gov/rarefind/view/RareFind.aspx>. Accessed November 8, 2018.
- California Native Plant Society (CNPS). 2018. California Native Plant Society Rare and Endangered Plant Inventory. Website: <http://www.rareplants.cnps.org/>. Accessed November 8, 2018.
- California Native Plant Society (CNPS). 2018. Rare Plant Program. Website: <http://www.rareplants.cnps.org>. Accessed November 8, 2018.

Lief McKay
November 14, 2018

Attachment A: Exhibits



Source: Census 2000 Data, The CaSIL

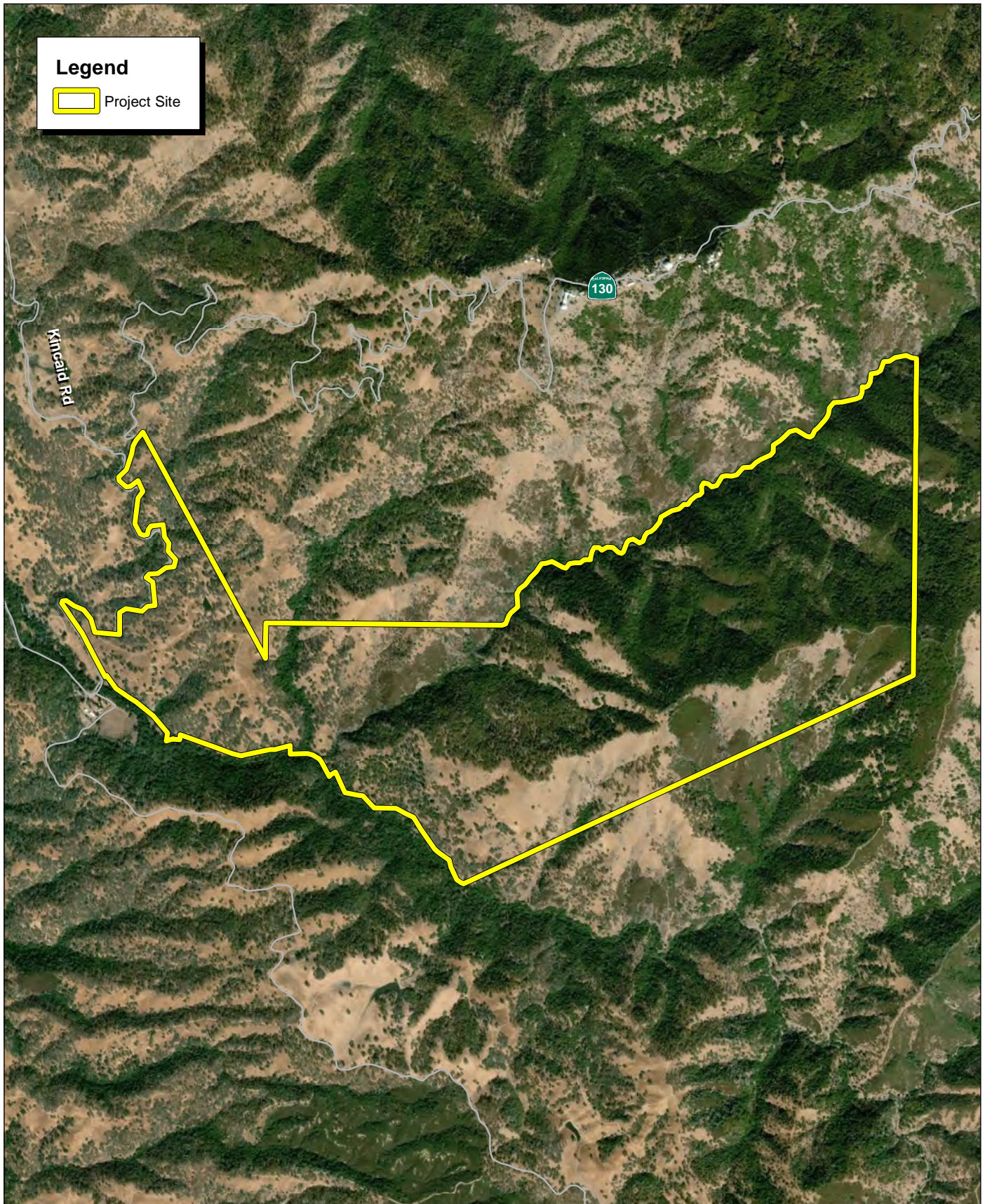
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Miles

Exhibit 1

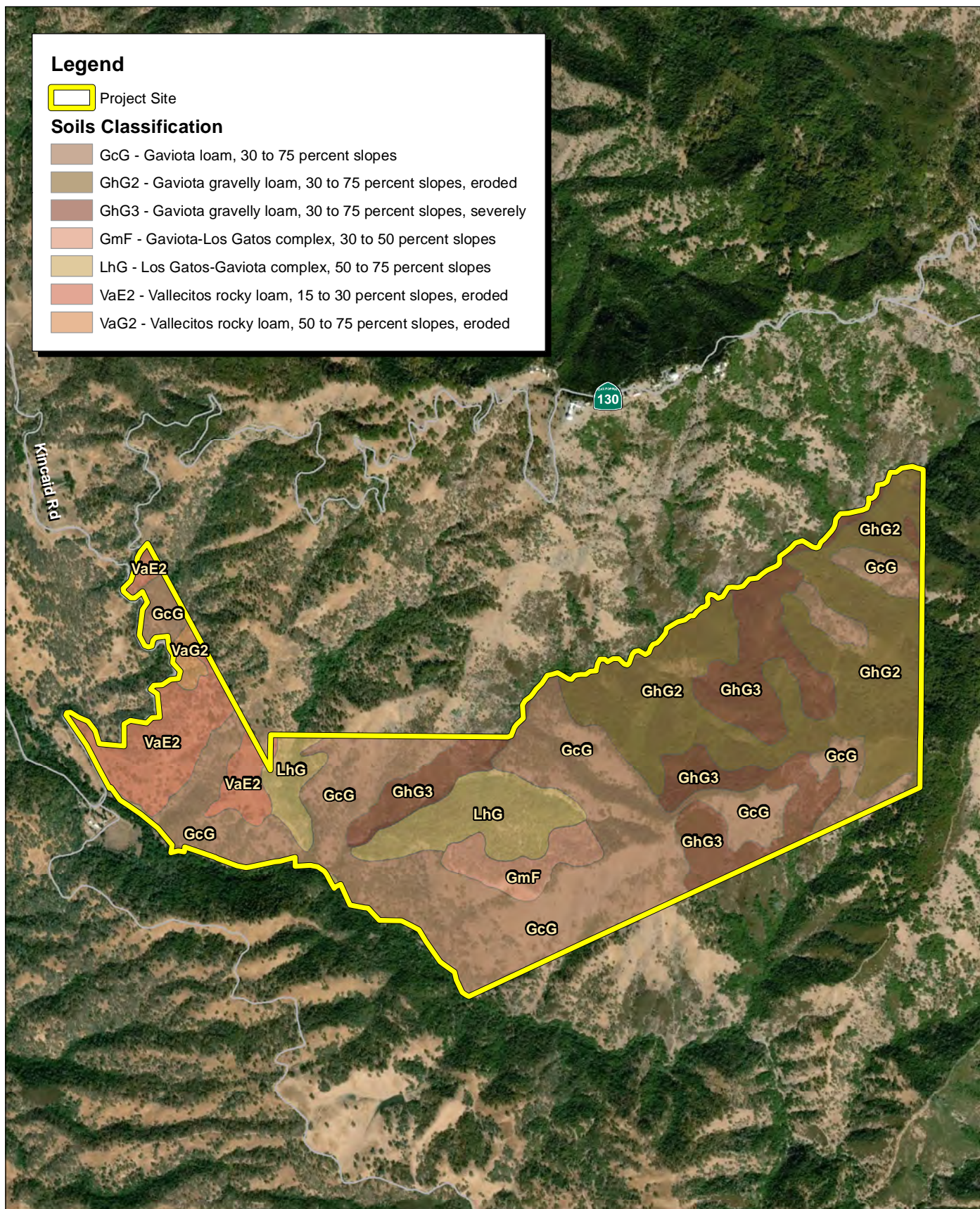
Regional Location Map

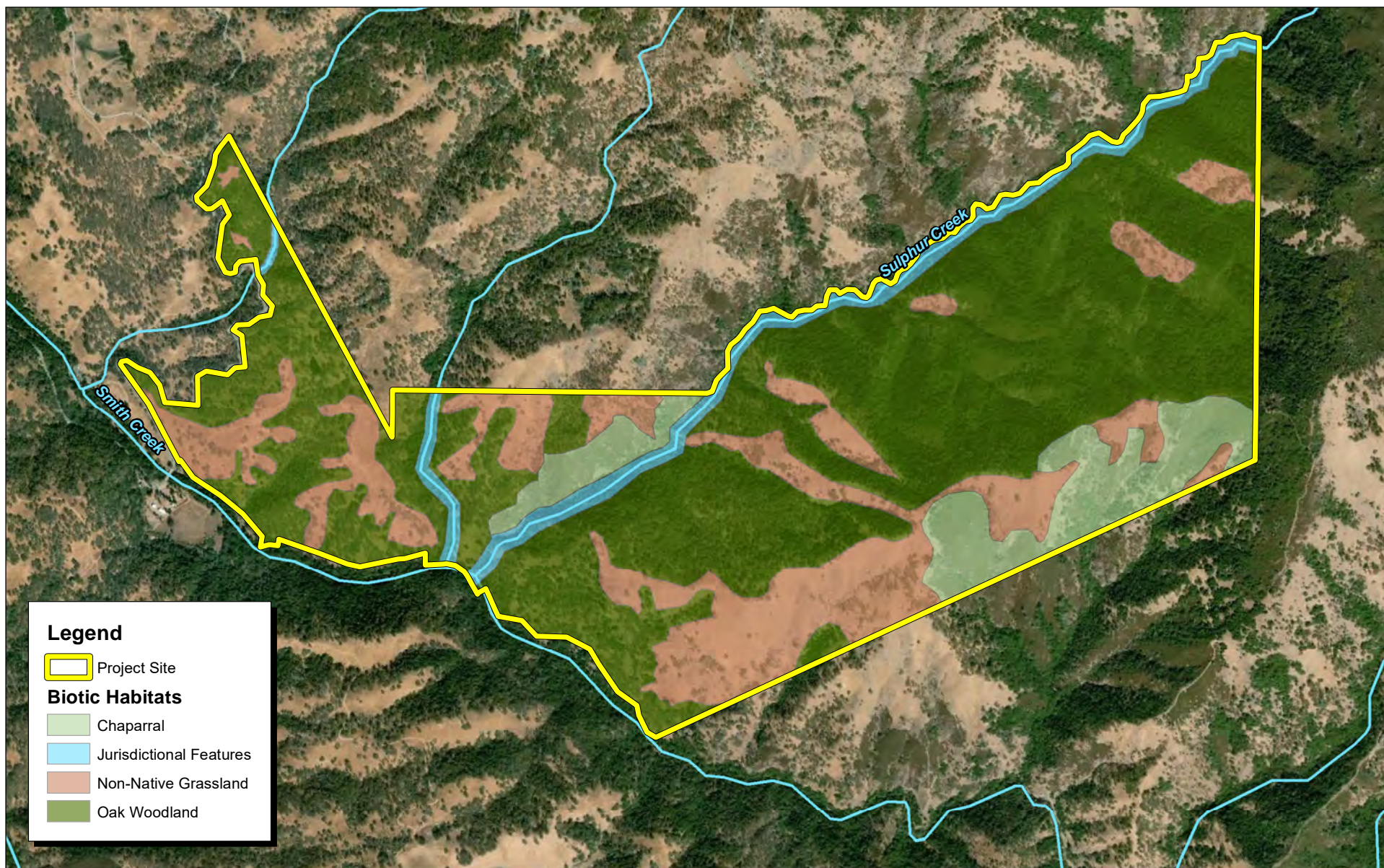


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2,200 1,100 0 2,200
Feet





Source: ESRI Aerial Imagery.

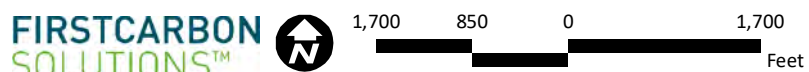


Exhibit 4 Biotic Habitats

Lief McKay
November 14, 2018

**Attachment B:
CNDDDB and CNPS Database Search Results**



Selected Elements by Common Name

California Department of Fish and Wildlife

California Natural Diversity Database



Query Criteria: Quad IS (Lick Observatory (3712136))

Species	Element Code	Federal Status	State Status	Global Rank	State Rank	Rare Plant Rank/CDFW SSC or FP
Bay checkerspot butterfly <i>Euphydryas editha bayensis</i>	IILEPK4055	Threatened	None	G5T1	S1	
bent-flowered fiddleneck <i>Amsinckia lunaris</i>	PDBOR01070	None	None	G3	S3	1B.2
burrowing owl <i>Athene cunicularia</i>	ABNSB10010	None	None	G4	S3	SSC
California red-legged frog <i>Rana draytonii</i>	AAABH01022	Threatened	None	G2G3	S2S3	SSC
California tiger salamander <i>Ambystoma californiense</i>	AAAAA01180	Threatened	Threatened	G2G3	S2S3	WL
chaparral harebell <i>Campanula exigua</i>	PDCAM020A0	None	None	G2	S2	1B.2
coast horned lizard <i>Phrynosoma blainvillii</i>	ARACF12100	None	None	G3G4	S3S4	SSC
Crotch bumble bee <i>Bombus crotchii</i>	IIHYM24480	None	None	G3G4	S1S2	
foothill yellow-legged frog <i>Rana boylei</i>	AAABH01050	None	Candidate Threatened	G3	S3	SSC
Hom's micro-blind harvestman <i>Microcina homi</i>	ILARA47020	None	None	G1	S1	
Jung's micro-blind harvestman <i>Microcina jungi</i>	ILARA47030	None	None	G1	S1	
Metcalf Canyon jewelflower <i>Streptanthus albidus ssp. albidus</i>	PDBRA2G011	Endangered	None	G2T1	S1	1B.1
Mt. Diablo phacelia <i>Phacelia phacelioides</i>	PDHYD0C3Q0	None	None	G2	S2	1B.2
Mt. Hamilton coreopsis <i>Leptosyne hamiltonii</i>	PDAST2L0C0	None	None	G2	S2	1B.2
Mt. Hamilton fountain thistle <i>Cirsium fontinale var. campylon</i>	PDAST2E163	None	None	G2T2	S2	1B.2
Mt. Hamilton lomatium <i>Lomatium observatorium</i>	PDAP1B2J0	None	None	G1	S1	1B.2
rock sanicle <i>Sanicula saxatilis</i>	PDAP1Z0H0	None	Rare	G2	S2	1B.2
Santa Clara red ribbons <i>Clarkia concinna ssp. automixa</i>	PDONA050A1	None	None	G5?T3	S3	4.3
Santa Clara Valley dudleya <i>Dudleya abramsii ssp. setchellii</i>	PDCRA040Z0	Endangered	None	G4T2	S2	1B.1
Santa Cruz Mountains pussypaws <i>Calyptidium parryi var. hesseae</i>	PDPOR09052	None	None	G3G4T2	S2	1B.1



Selected Elements by Common Name
California Department of Fish and Wildlife
California Natural Diversity Database



Species	Element Code	Federal Status	State Status	Global Rank	State Rank	Rare Plant Rank/CDFW SSC or FP
Serpentine Bunchgrass <i>Serpentine Bunchgrass</i>	CTT42130CA	None	None	G2	S2.2	
tricolored blackbird <i>Agelaius tricolor</i>	ABPBXB0020	None	Candidate Endangered	G2G3	S1S2	SSC
western bumble bee <i>Bombus occidentalis</i>	IIHYM24250	None	None	G2G3	S1	
western pond turtle <i>Emys marmorata</i>	ARAAD02030	None	None	G3G4	S3	SSC

Record Count: 24



Plant List

Inventory of Rare and Endangered Plants

1 matches found. [Click on scientific name for details](#)

Search Criteria

California Rare Plant Rank is one of [1B, 2B], FESA is one of [Endangered, Threatened], CESA is one of [Endangered, Threatened, Rare], Found in Quads 3712147, 3712146, 3712145, 3712137, 3712136, 3712135, 3712127 3712126 and 3712125;

[Modify Search Criteria](#) [Export to Excel](#) [Modify Columns](#) [Modify Sort](#) [Display Photos](#)

Scientific Name	Common Name	Family	Lifeform	Blooming Period	CA Rare Plant Rank	State Rank	Global Rank
Castilleja affinis var. neglecta	Tiburon paintbrush	Orobanchaceae	perennial herb (hemiparasitic)	Apr-Jun	1B.2	S1S2	G4G5T1T2

Suggested Citation

California Native Plant Society, Rare Plant Program. 2018. Inventory of Rare and Endangered Plants of California (online edition, v8-03 0.39). Website <http://www.rareplants.cnps.org> [accessed 07 November 2018].

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Questions and Comments

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A.2 - California Natural Diversity Database Search Results

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Selected Elements by Scientific Name

California Department of Fish and Wildlife

California Natural Diversity Database



Query Criteria: Quad IS (Lick Observatory (3712136))

Species	Element Code	Federal Status	State Status	Global Rank	State Rank	Rare Plant Rank/CDFW SSC or FP
<i>Agelaius tricolor</i> tricolored blackbird	ABPBXB0020	None	Threatened	G2G3	S1S2	SSC
<i>Ambystoma californiense</i> California tiger salamander	AAAAA01180	Threatened	Threatened	G2G3	S2S3	WL
<i>Amsinckia lunaris</i> bent-flowered fiddleneck	PDBOR01070	None	None	G3	S3	1B.2
<i>Athene cunicularia</i> burrowing owl	ABNSB10010	None	None	G4	S3	SSC
<i>Bombus crotchii</i> Crotch bumble bee	IIHYM24480	None	Candidate Endangered	G3G4	S1S2	
<i>Bombus occidentalis</i> western bumble bee	IIHYM24250	None	Candidate Endangered	G2G3	S1	
<i>Calyptridium parryi</i> var. <i>hesseae</i> Santa Cruz Mountains pussypaws	PDPOR09052	None	None	G3G4T2	S2	1B.1
<i>Campanula exigua</i> chaparral harebell	PDCAM020A0	None	None	G2	S2	1B.2
<i>Cirsium fontinale</i> var. <i>campylon</i> Mt. Hamilton thistle	PDAST2E163	None	None	G2T2	S2	1B.2
<i>Clarkia concinna</i> ssp. <i>automixa</i> Santa Clara red ribbons	PDONA050A1	None	None	G5?T3	S3	4.3
<i>Dudleya abramsii</i> ssp. <i>setchellii</i> Santa Clara Valley dudleya	PDCRA040Z0	Endangered	None	G4T2	S2	1B.1
<i>Emys marmorata</i> western pond turtle	ARAAD02030	None	None	G3G4	S3	SSC
<i>Euphydryas editha bayensis</i> Bay checkerspot butterfly	IILEPK4055	Threatened	None	G5T1	S1	
<i>Leptosyne hamiltonii</i> Mt. Hamilton coreopsis	PDAST2L0C0	None	None	G2	S2	1B.2
<i>Lomatium observatorium</i> Mt. Hamilton lomatium	PDAP11B2J0	None	None	G1	S1	1B.2
<i>Microcina homi</i> Hom's micro-blind harvestman	ILARA47020	None	None	G1	S1	
<i>Microcina jungi</i> Jung's micro-blind harvestman	ILARA47030	None	None	G1	S1	
<i>Phacelia phacelioides</i> Mt. Diablo phacelia	PDHYD0C3Q0	None	None	G2	S2	1B.2
<i>Phrynosoma blainvillii</i> coast horned lizard	ARACF12100	None	None	G3G4	S3S4	SSC
<i>Rana boylei</i> foothill yellow-legged frog	AAABH01050	None	Endangered	G3	S3	SSC



Selected Elements by Scientific Name
California Department of Fish and Wildlife
California Natural Diversity Database



Species	Element Code	Federal Status	State Status	Global Rank	State Rank	Rare Plant Rank/CDFW SSC or FP
<i>Rana draytonii</i> California red-legged frog	AAABH01022	Threatened	None	G2G3	S2S3	SSC
<i>Sanicula saxatilis</i> rock sanicle	PDAP11Z0H0	None	Rare	G2	S2	1B.2
<i>Serpentine Bunchgrass</i> Serpentine Bunchgrass	CTT42130CA	None	None	G2	S2.2	
<i>Streptanthus albidus ssp. albidus</i> Metcalf Canyon jewelflower	PDBRA2G011	Endangered	None	G2T1	S1	1B.1

Record Count: 24

A.3 - Inventory of Rare and Endangered Plants of California Search Results

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*The database used to provide updates to the Online Inventory is under construction. [View updates and changes made since May 2019 here.](#)



Plant List

9 matches found. [Click on scientific name for details](#)

Search Criteria

California Rare Plant Rank is one of [1A, 1B, 2A, 2B, 3], FESA is one of [Endangered, Threatened, Candidate, Not Listed], CESA is one of [Endangered, Threatened, Rare, Not Listed], Found in Quad 3712136

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Scientific Name	Common Name	Family	Lifeform	Blooming Period	CA Rare Plant Rank	State Rank	Global Rank	Photo
Amsinckia lunaris	bent-flowered fiddleneck	Boraginaceae	annual herb	Mar-Jun	1B.2	S3	G3	 <p>2011 Neal Kramer</p>
Campanula exigua	chaparral harebell	Campanulaceae	annual herb	May-Jun	1B.2	S2	G2	 <p>2009 Vernon Smith</p>
	Mt. Hamilton fountain	Asteraceae	perennial	(Feb)Apr-Oct	1B.2	S2	G2T2	

Cirsium fontinale var.
campylon

thistle

herb



2007 Neal Kramer

Dudleya abramsii ssp.
setchellii

Santa Clara Valley
dudleya

Crassulaceae

perennial
herb

Apr-Oct

1B.1

S2

G4T2



2012 Lech Naumovich

Leptosyne hamiltonii

Mt. Hamilton coreopsis

Asteraceae

annual
herb

Mar-May

1B.2

S2

G2



2006 Dean Wm. Taylor

Lomatium observatorium

Mt. Hamilton lomatium

Apiaceae

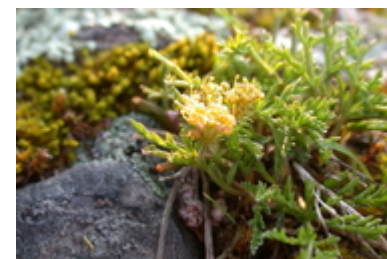
perennial
herb

Mar-May

1B.2

S1

G1



2007 Tony Morosco

Phacelia phacelioides

Mt. Diablo phacelia

Hydrophyllaceae

annual
herb

Apr-May

1B.2

S2

G2



2011 Vernon Smith

[Sanicula saxatilis](#)

rock sanicle

Apiaceae

perennial
herb

Apr-May

1B.2

S2

G2

no photo available

[Streptanthus albidus ssp.
albidus](#)Metcalf Canyon
jewelflower

Brassicaceae

annual
herb

Apr-Jul

1B.1

S1

G2T1



1995 Dean Wm. Taylor

Suggested Citation

California Native Plant Society, Rare Plant Program. 2020. Inventory of Rare and Endangered Plants of California (online edition, v8-03 0.39). Website <http://www.rareplants.cnps.org> [accessed 13 June 2020].

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