SEQUOIA
Ecological Consulting, Inc.

Town of Danville
2023-2031 Housing Element Update
Danville, Contra Costa County, California

Biological Resources Report

July 2022

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1.0 INTRODUCTION

Sequoia Ecological Consulting, Inc. (Sequoia) has prepared this Biological Resources Report (Report) for the proposed Town of Danville 2023-2031 Housing Element Update Project located at multiple locations in the Town of Danville in Contra Costa County, California (Figures 1 and 2). Our analysis provides a description of existing biological resources on the eight identified candidate housing site sub areas (project site) and identifies potentially significant impacts that could occur to sensitive biological resources from the proposed project.

Biological resources include common plant and animal species, and special-status plants and animals as designated by the U.S. Fish and Wildlife Service (USFWS), California Department of Fish and Wildlife (CDFW), National Marine Fisheries Service (NMFS), and other resource organizations including the California Native Plant Society (CNPS). Biological resources also include waters of the United States and State of California, as regulated by the U.S. Army Corps of Engineers (USACE), California Regional Water Quality Control Boards (RWQCB), and CDFW. Please note that this analysis assesses the potential for impacts to regulated waters but does not provide the level of detail required for a formal delineation of "waters of the United States" suitable for submittal to USACE, the regulatory agency that defines waters of the United States.

In accordance with the California Environmental Quality Act (CEQA) checklist, this Report also provides mitigation measures for "potentially significant" impacts that could occur to biological resources pursuant to CEQA (Pub. Resources Code §§ 21000 et seq.; 14 Cal. Code Regs §§ 15000 et seq). The prescribed mitigation measures would reduce impacts to levels considered "less than significant" pursuant to CEQA. Accordingly, this report is suitable for review or inclusion in a review pursuant to CEQA by the Town of Danville for the proposed project.

2.0 LOCATION AND SETTING

The proposed project is located at multiple locations in the Town of Danville, Contra Costa County, California (Figures 1 and 2). The project site encompasses all land within the Town of Danville (approximately 11,600 acres) and an additional approximately 325 acres in unincorporated Contra Costa County located within the Danville Sphere of Influence[1]. Danville is characterized by its semi-rural ambiance, presence of single and multiple family housing, proximity to employment centers in the Bay Area, and its scenic beauty. The Town of Danville is bordered by the unincorporated Town of Alamo and Blackhawk community to the north, the City of San Ramon and unincorporated Contra Costa to the south, Las Trampas Regional Wilderness Park to the west, and the Diablo Range to the east.

[1] A sphere of influence is a planning boundary outside of an agency's legal boundary (such as the city limit line) that designates the agency's probable future boundary and service area.

The project site is predominately urban and flat along the valley floor and is bisected by Interstate 680 with sub areas located immediately adjacent to major thoroughfare (Figures 1 and 2). Sub areas located within the valley bottom and margins of hillsides along the western and eastern project boundaries are situated within dense and semi-dense residential and commercial zones, with low-density residential located further up the hillsides. The project site is characterized as anthropogenic, ruderal, non-native annual grassland, orchard, riparian woodland, and mixed oak woodland.

3.0 PROJECT DESCRIPTION

The proposed project consists of future development of land parcels in the Town of Danville (Appendix A). This land is currently identified as being used for residential, commercial, mixed use, public, and open space purposes. As mandated by State law, the proposed project involves the Town of Danville's preparation of its 2023-2031 Housing Element and a Programmatic Environmental Impact Report (PEIR) to support the adoption of the Town's Housing Element. As part of the 2023-2031 Housing Element, the Town of Danville will need to accommodate its Regional Housing Needs Allocation (RHNA) as assigned by the Association of Bay Area Governments. The Town of Danville's RHNA assignment will include the requirement to accommodate additional residential units with varying densities. Since the Town of Danville does not have a sufficient existing inventory of un-developed residential lands, it will need to identify sites for potential General Plan Land Use Amendments and site-specific P-1; Planned Unit Development rezoning providing for additional residential uses at varying densities. The General Plan Housing Element update will need to provide for the required housing inventory and the PEIR will need to provide environmental analysis of the chosen sites to support the potential Land Use Amendments and to allow for future development with little or no additional environmental review needed.

3.1 Town of Danville Candidate Sites

The proposed project, located within the Town of Danville and portions of unincorporated Contra Costa County, has been split into eight (8) sub areas (Figures 1 and 2). Appendix A provides an overview of candidate housing sites by sub area, including location and Assessor's Parcel Number (APN). Table 1 provides an overview of each sub area with a general description of existing land use, plant communities present, potential sensitive resource concerns, and total acreage.

3.1.1 Sub Area 1

Sub Area 1 is comprised of 36 parcels located along both sides of Interstate 680 from El Pintado Road to Diablo Road (Appendix A; Figures 1 and 2). Sub Area 1 is largely geographically isolated due to surrounding development and major thoroughfares; however, San Ramon Creek and its tributaries provide wildlife corridors immediately adjacent to parcels within this sub area. Plant communities found within Sub Area 1 include anthropogenic, non-native annual grassland, mixed oak woodland, riparian woodland, and ruderal (Appendix B; Table 1).

3.1.2 Sub Area 2

Sub Area 2 is comprised of 72 parcels located from Danville Square along Railroad Avenue south to Sycamore Valley Road (Appendix A; Figures 1 and 2). Sub Area 2 is geographically isolated due to surrounding development; however, San Ramon Creek and its tributaries provide wildlife corridors immediately adjacent to parcels within this sub area. Plant communities found within Sub Area 2 include anthropogenic, riparian woodland, and ruderal (Appendix B; Table 1).

3.1.3 Sub Area 3

Sub Area 3 is comprised of four parcels located to the east of San Ramon Valley Boulevard into the foothills of Las Trampas Regional Wilderness Park (Appendix A; Figures 1 and 2). Sub Area 3 is comprised of primarily open space with connectivity to the East Bay Hills; in addition, a tributary to San Ramon Creek provides a wildlife corridor along the northern boundary of one of the parcels. Plant communities found within Sub Area 3 include anthropogenic, non-native annual grassland, mixed oak woodland, riparian woodland, and ruderal (Appendix B; Table 1).

3.1.4 Sub Area 4

Sub Area 4 is a single parcel located along El Cerro Boulevard at the Diablo Road intersection (Appendix A; Figures 1 and 2). Sub Area 4 is highly developed and does not provide connectivity to open space and no wildlife corridors are present. Plant communities found within Sub Area 4 include anthropogenic and ruderal (Appendix B; Table 1).

3.1.5 Sub Area 5

Sub Area 5 is a single parcel located to the north of Sycamore Valley Road between Old Orchard Drive and Morninghome Road (Appendix A; Figures 1 and 2). Sub Area 5 is highly developed; however, Sycamore Creek which crosses the southern end of the parcel provides a wildlife corridor. Plant communities found within Sub Area 5 include anthropogenic and ruderal (Appendix B; Table 1).

3.1.6 Sub Area 6

Sub Area 6 is comprised of two parcels located along Camino Tassajara between Crow Canyon Road and Woodside Drive (Appendix A; Figures 1 and 2). Sycamore Creek runs through Sub Area 6 and provides a wildlife corridor. One of the two parcels in this Sub Area have connectivity to open space, although the surrounding area is highly developed. Plant communities found within Sub Area 6 include anthropogenic, non-native annual grassland, mixed oak woodland, riparian woodland, and ruderal (Appendix B; Table 1).

3.1.7 Sub Area 7

Sub Area 7 consists of three parcels located to the north of Fostoria Way (Appendix A; Figures 1 and 2). Sub Area 7 is geographically isolated due to surrounding development; however, San Ramon Creek provides a wildlife corridor along the western boundary of two parcels within this sub area. Plant communities found within Sub Area 7 include anthropogenic, orchard, and ruderal (Appendix B; Table 1).

3.1.8 Sub Area 8

Sub Area 8 is a single parcel located to the north of Crow Canyon Road across from its intersection with Barbados Drive (Appendix A; Figures 1 and 2). Sub Area 8 is geographically isolated due to surrounding development. Plant communities found within Sub Area 8 include anthropogenic, non-native annual grassland, and ruderal (Appendix B; Table 1).

Table 1. Summary of Town of Danville Housing Element Update Candidate Site Sub Areas.

Sub Areas	Existing Land Use	Plant Communities Present	Potential Sensitive Resource Concerns	Total Acreage
Sub Area 1	• Child Care • Office • Open Space • Parking Lot • Residential	• Anthropogenic • Non-Native Annual Grassland • Mixed Oak Woodland • Riparian Woodland • Ruderal	• San Ramon Creek/Tributaries • Nesting Birds/Roosting Bats • Special-Status Wildlife • Protected Trees	28.41
Sub Area 2	• Commercial • Office • Parking Lot	• Anthropogenic • Riparian Woodland • Ruderal	• San Ramon Creek/Tributaries • Nesting Birds/Roosting Bats • Special-Status Wildlife • Protected Trees	38.09

Sub Areas	Existing Land Use	Plant Communities Present	Potential Sensitive Resource Concerns	Total Acreage
Sub Area 3	• Child Care • Open Space • Residential	• Anthropogenic • Non-Native Annual Grassland • Mixed Oak Woodland • Riparian Woodland • Ruderal	• San Ramon Creek/Tributaries • Special-Status Plants (Congdon's tarplant present) • USFWS-designated Critical Habitat for Alameda whipsnake • Nesting Birds/Roosting Bats • Special-Status Wildlife • Protected Trees	14.38
Sub Area 4	• Nursery	• Anthropogenic • Ruderal	• Nesting Birds/Roosting Bats • Special-Status Wildlife • Protected Trees	2.7
Sub Area 5	• Office	• Anthropogenic • Ruderal	• Sycamore Creek • Nesting Birds/Roosting Bats • Special-Status Wildlife • Protected Trees	3.77
Sub Area 6	• Open Space • Woodranch	• Anthropogenic • Non-Native Annual Grassland • Mixed Oak Woodland • Riparian Woodland • Ruderal	• Sycamore Creek • Nesting Birds/Roosting Bats • Protected Trees Nesting Birds/Roosting Bats • Special-Status Wildlife • Protected Trees	10.3
Sub Area 7	• Open Space • Orchard	• Anthropogenic • Orchard • Ruderal	• San Ramon Creek • Nesting Birds/Roosting Bats • Special-Status Wildlife • Protected Trees	12.81
Sub Area 8	• Open Space	• Anthropogenic • Non-Native Annual Grassland • Ruderal	• Special-Status Plants • Nesting Birds/Roosting Bats • Special-Status Wildlife • Protected Trees	5
			TOTAL ACREAGE	**115.48**

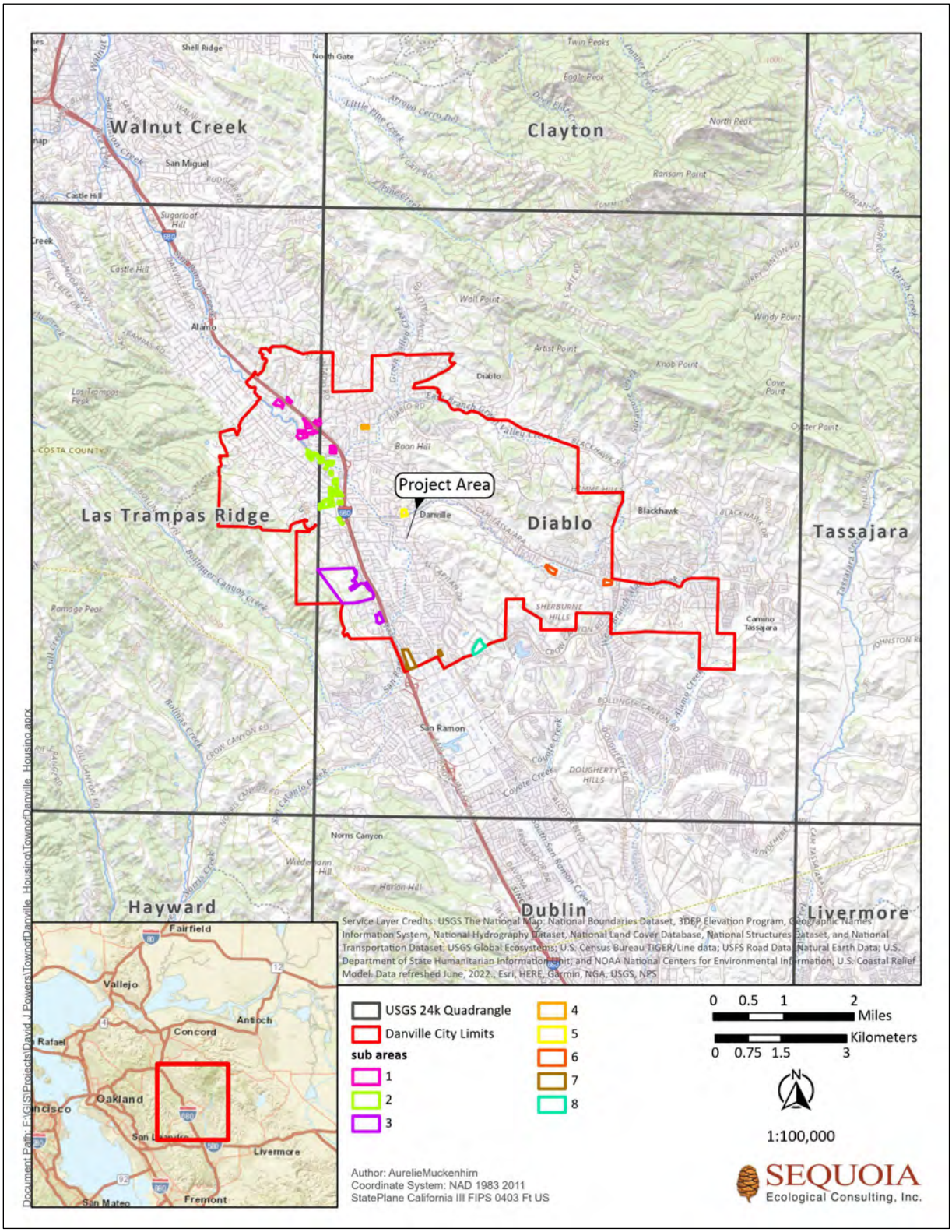

Figure 1. Regional Map of the Town of Danville Housing Element Update Project Site.

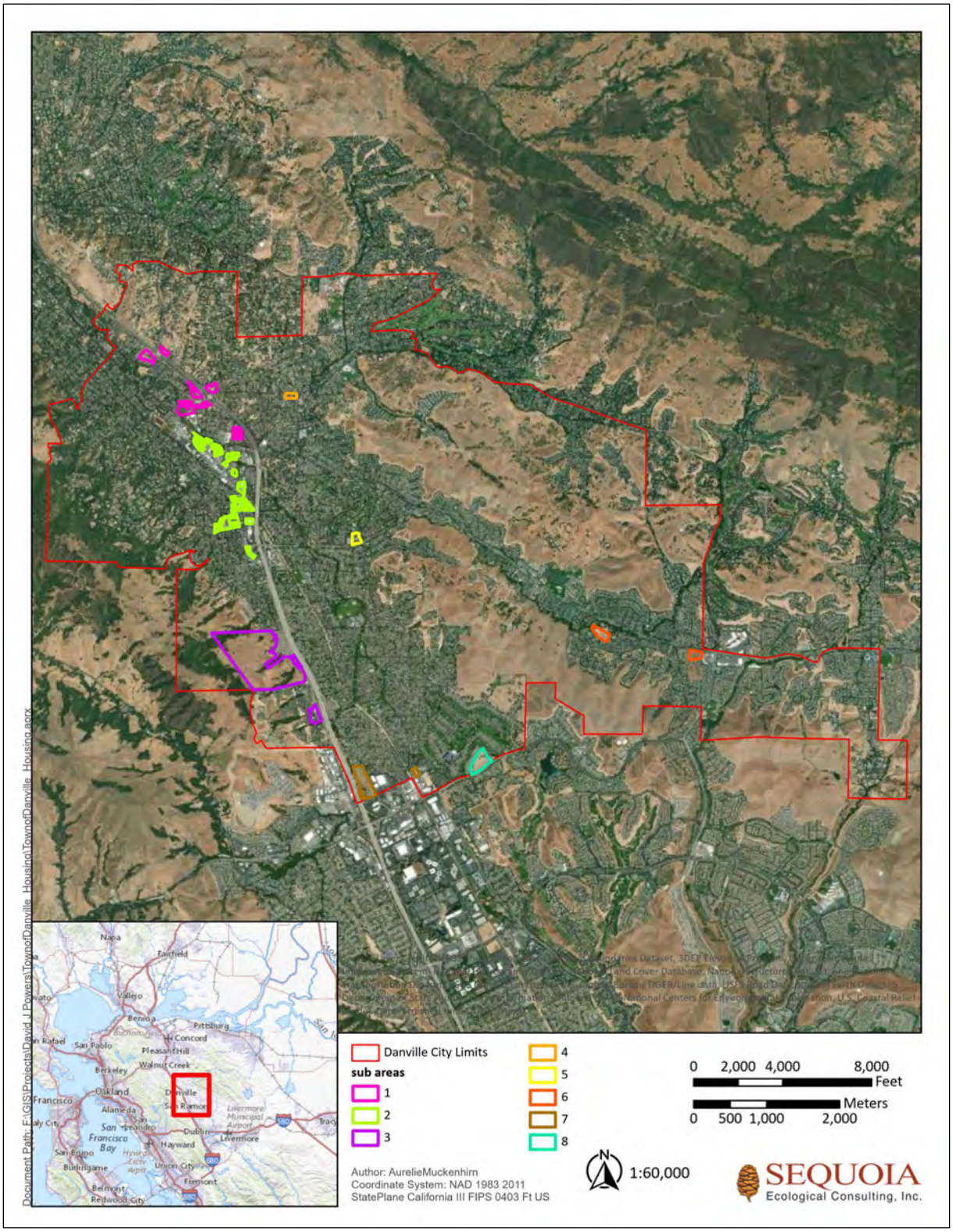

Figure 2. Location Map of the Town of Danville Housing Element Update Project Site and Sub Areas.

4.0 REGULATORY SETTING

Regulatory authority over biological resources is shared by federal, state, and local agencies under a variety of laws, ordinances, regulations, and statutes. Primary authority for biological resources lies within the land use control and planning authority of local jurisdictions (in this instance the Town of Danville). Below we provide a summary of these regulatory authorities and a brief discussion on applicability to the proposed project. More in-depth analyses are provided in Section 6 (Results) and Section 7 (Discussion and Impacts Assessment).

4.1 Federal

4.1.1 Federal Endangered Species Act

The Federal Endangered Species Act (FESA) provides protection for federally listed endangered and threatened species and their habitats. A project may obtain permission to take federally listed species in one of two ways: a Section 10 Habitat Conservation Plan (HCP) issued to a non-federal entity, or a Section 7 Biological Opinion from the USFWS and/or the National Oceanic and Atmospheric Administration (NOAA) issued to another federal agency that funds or permits an action (e.g., USACE). Under either Section of the FESA, adverse impacts to protected species are avoided, minimized, and mitigated. Both cases require consultation with the USFWS and/or NMFS, which ultimately issues a Biological Opinion determining whether the federally listed species may be incidentally taken pursuant to the proposed action and authorizing incidental take.

Section 7 of FESA requires that federal agencies develop a conservation program for listed species (FESA 7(a)(a)) and that they avoid actions that will jeopardize the continued existence of the species or result in the destruction or adverse modification of the species' designated critical habitat (FESA 7(a)(2)). Formal consultation under Section 7 of FESA is required if a project may adversely affect listed species, and/or destroy or adversely affect designated critical habitat. The formal consultation under FESA Section 7 identifies reasonable and prudent alternatives to avoid species jeopardy or adverse modification, exception for Section 9 take prohibitions, and mandatory reasonable and prudent measures to avoid and minimize the amount of permitted take (including compensatory mitigation requirements associated with habitat impacts). FESA Section 9 prohibits all persons and agencies from take of threatened and endangered species (though the prohibition on taking listed plants only applies to plants taken from "areas under Federal jurisdiction" or plants taken "in knowing violation of any law or regulation of any State or in the course of any violation of a State criminal trespass law"). Those who violate this mandate face civil and criminal penalties, including civil fines of up to $25,000 per violation, as well as criminal penalties of up to $50,000 and imprisonment for one year. Section 10 of FESA regulates a wide range of activities affecting fish and wildlife designated as endangered or threatened and the habitats on which they rely. Section 10 prohibits activities affecting these protected fish and wildlife species and their habitats unless authorized by a permit from USFWS or NMFS. These permits

may include incidental take permits, enhancement of survival permits, or recovery and interstate commerce permits. HCPs under Section 10(a)(1)(B) provide for partnerships with non-federal parties to conserve the ecosystems upon which listed species depend.

HCPs are required as part of an application for an incidental take permit under Section 10. They describe the anticipated effects of the proposed take, how those impacts will be minimized or mitigated, and how the HCP will be funded.

4.1.1.1 Responsible Agency

FESA gives regulatory authority to USFWS for federally listed terrestrial species and non-anadromous fish. NMFS has regulatory authority over federally listed marine mammals and anadromous fish.

4.1.1.2 *Applicability to the Proposed Project*

Green Valley Creek, San Ramon Creek, Sycamore Creek, and Walnut Creek and/or their tributaries occur on and/or abut the proposed project within Sub Areas 1-3 and 5-7 (Appendix B) and provide potentially suitable fisheries habitat for salmonids. However, as presently designed, the proposed project would not impact fisheries habitat for salmonids or other federally protected fish; thus, the project would not result in impacts to federally-listed fish species. As such, consultation with the NMFS for the proposed project is not warranted.

Several federally listed plant species are known to occur in the region of the project site (Table 2); however, none of these species are expected to occur due to the disturbed nature of the project site and lack of suitable habitat present. Regardless, out of an abundance of caution and since formal surveys have not been previously conducted on the project site, appropriately-timed floristic surveys may need to be performed to determine if federally listed plant species occur on the project site and could be impacted by future development of the candidate housing sites. Implementation of General Plan Policy 21.10 would require preparation of a biological assessment for proposed development on sites that are determined to have the potential to contain special-status species. The biological assessment would be prepared by a qualified biologist and would identify special-status species known to occur, potential impacts, and appropriate measures for protecting special-status species in accordance with state and federal laws.

Several federally listed animal species are known to occur in the region of the project site (Table 3); however, none of these species are expected to occur due to the disturbed nature of the project site and lack of suitable habitat present, with the exception of Sub Area 3 which is located within USFWS-designated critical habitat for the Alameda whipsnake (*Masticophis lateralis euryxanthus*; Figure 3). It should be noted, the mapped regional extent of designated critical habitat, which includes roadways and development, overlays habitats that are known to support this species as well as unsuitable habitats that are not occupied by Alameda whipsnake. Accordingly, a designation of critical habitat is not an indication that a project would or could result in "take."

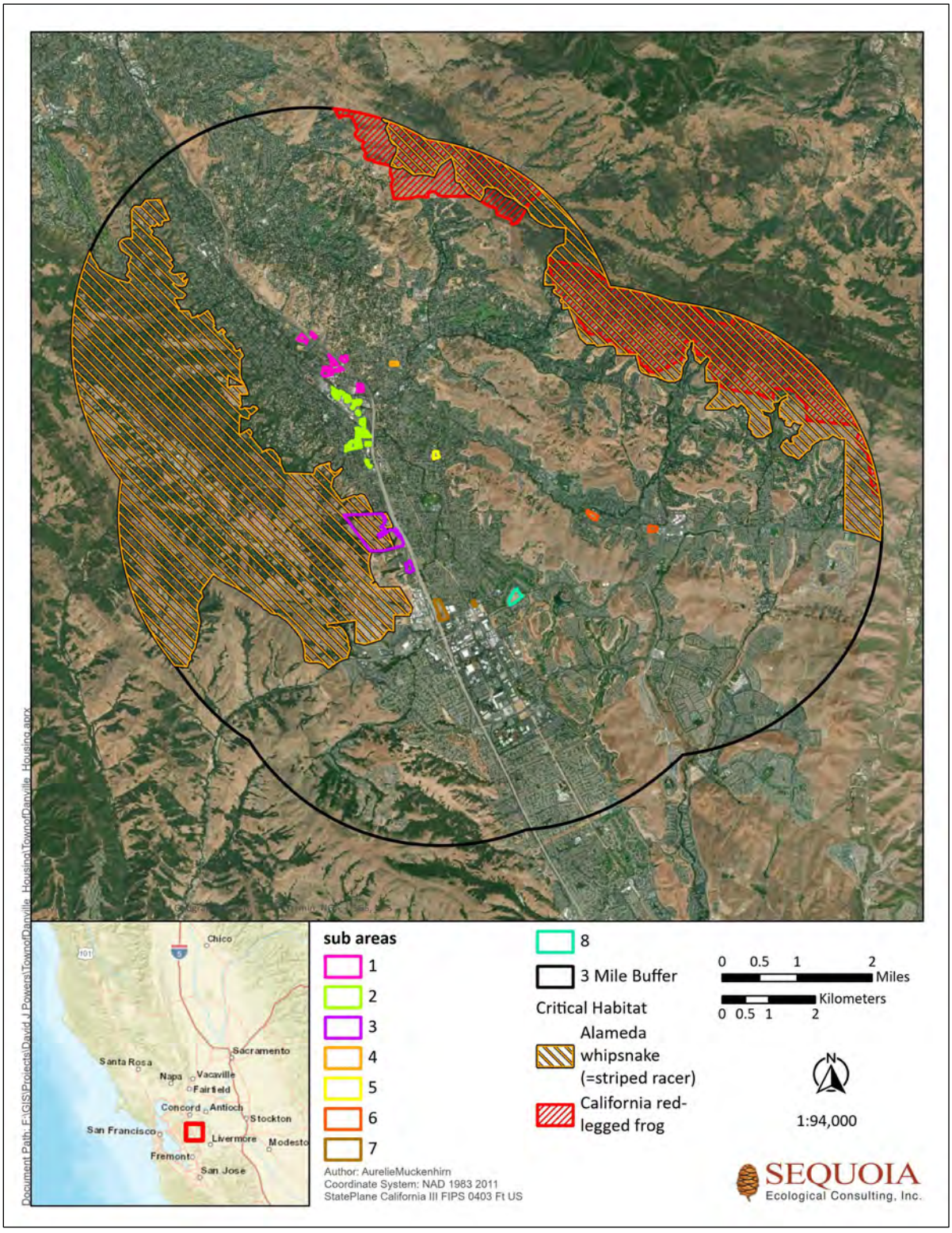

Figure 3. USFWS Critical Habitat in the Vicinity of the Town of Danville Housing Element Update Project Site.

However, if future development of the candidate housing sites were to result in impacts to this critical habitat, there is a legal mandate for the federal nexus agency (in this case, likely the USACE) to consult with the USFWS prior to authorizing any "discretionary permit" within designated critical habitat. Therefore, any USACE permit required for future housing development under the Housing Element Update would thus require that the USACE initiate Section 7 consultation with the USFWS pursuant to the FESA. See Impacts Analysis section below.

4.1.2 Migratory Bird Treaty Act of 1918

The Migratory Bird Treaty Act (MBTA) (16 USC §§ 703–711), as administered by the USFWS, makes it unlawful to "pursue, hunt, take, capture, kill, attempt to take, capture or kill, offer for sale, sell, offer to purchase, purchase, deliver for shipment, ship, cause to be shipped, deliver for transportation, transport, cause to be transported, carry, or cause to be carried by any means whatever, receive for shipment, transportation or carriage, or export at any time, or in any manner, any migratory bird, or any part, nest, or egg of any such bird." This includes direct and indirect acts, except for harassment and habitat modification, which are not included unless they result in direct loss of birds, nests, or eggs.

4.1.2.1 Applicability to the Proposed Project

The project site provides suitable nesting habitat for common passerine (songbirds) and raptors (birds of prey) species. These birds are protected pursuant to the MBTA. Prior to commencement of construction-related activities for future development of the candidate housing sites, a preconstruction survey would be performed, and active nests detected would be provided with appropriately sized non-disturbance buffers (consistent with General Plan Policy 21.11). See Impacts Analysis section below.

4.1.3 Magnuson-Stevens Fishery Conservation and Management Act

Pursuant to the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act), San Ramon Creek, Walnut Creek, Sycamore Creek, and Green Valley Creek are Essential Fish Habitat (EFH) for coho (*Oncorhynchus kisutch*) and Chinook salmon (*Oncorhynchus tshawytscha*; U.S. Geologic Survey [USGS] Hydrologic Unit Code 1805001). Effective November 14, 2008, the NMFS issued this final rule that provides EFH identifications and descriptions for freshwater and marine habitats of Pacific salmon managed under the Salmon Fishery Management Plan, including coho, Chinook, and pink salmon (*Oncorhynchus gorbuscha*). The term EFH means those waters and substrate necessary to fish for spawning, breeding, feeding, or growth to maturity (U.S.C. 1853 95-354, 99-659, 101-627, 104-297).

4.1.3.1 Applicability to the Proposed Project

Since the aforementioned waterways are designated EFH, they are protected pursuant to the Magnuson-Stevens Act. The Magnuson-Stevens Act mandates that federal agencies conduct an EFH consultation with NMFS regarding any actions authorized, funded, or undertaken that may adversely affect EFH. Adverse effects may include direct or indirect physical, chemical, or biological alterations of the waters or substrate and loss of, or injury to, benthic organisms, prey species and their habitat, and

other ecosystems components. Adverse effects to EFH may result in actions occurring within EFH or outside of EFH, including site-specific or habitat-wide impacts as well as individual, cumulative, and synergistic consequences as a result of actions. Thus, implementation of appropriate AMMs may be necessary to ensure no indirect impacts to downstream waterways and EFH occur as a result of future development of the candidate housing sites.

4.1.4 Bald and Golden Eagle Protection Act of 1940

The Bald and Golden Eagle Protection Act (BGEPA; 16 USC. 668-668c) prohibits anyone from taking, possessing, or transporting a bald eagle (*Haliaeetus leucocephalus*) or golden eagle (*Aquila chrysaetos*), or the parts, nests, or eggs of such birds without prior authorization. This includes inactive nests as well as active nests. Take means to pursue, shoot, shoot at, poison, wound, kill, capture, trap, collect, destroy, molest, or disturb. Activities that directly or indirectly lead to take are prohibited without a permit.

4.1.4.1 Applicability to the Proposed Project

The project site does not provide suitable foraging or nesting habitat for bald eagle; however, potentially suitable foraging and nesting habitat for golden eagle occurs in the vicinity of all sub areas of the project site. This species is protected pursuant to the BGEPA and the MBTA. Prior to commencement of construction-related activities, a preconstruction survey for golden eagle would be performed, and active nests detected would be provided with an appropriately sized non-disturbance buffer (consistent with General Plan Policy 21.11). See Impacts Analysis section below.

4.1.5 U.S. Army Corps of Engineers – Clean Water Act – Section 404

USACE regulates activities within "waters of the United States" pursuant to congressional acts: Section 404 of the Clean Water Act (CWA; 1977, as amended). Section 404 of the CWA (1977, as amended) requires a permit for discharge of dredged or fill material into waters of the United States. Under Section 404, waters of the United States are defined as all waters that are used currently, or were used in the past, or may be used in the future for interstate or foreign commerce, including waters subject to the ebb and flow of the tide up to the high tide line. Additionally, areas such as wetlands, rivers, and streams (including intermittent streams and tributaries) are considered waters of the United States. The extent of wetlands is determined by examining the presence of hydrophytic vegetation, hydric soils, and wetland hydrology. Under normal circumstances, all three of these parameters must be satisfied for an area to be considered a jurisdictional wetland under Section 404 of the CWA. Fill within wetlands and waters of the United States is regulated under the CWA through a Nationwide Permit Program and an Individual Permit Program.

4.1.5.1 Applicability to the Proposed Project

San Ramon Creek, Walnut Creek, Sycamore Creek, and Green Valley Creek and any adjacent wetlands on the project site likely fall under USACE jurisdiction pursuant to Section 404 of the CWA. These aquatic

features are present on and/or abutting Sub Areas 1-3 and 5-7. Thus, prior authorization from the USACE pursuant to Section 404 of the CWA would be required if future development of the candidate housing sites were to impact these features. See Impacts Analysis section below.

4.2 State

4.2.1 California Environmental Quality Act

CEQA requires public agencies in California to analyze and disclose potential environmental impacts associated with a proposed discretionary project that the agency will carry out, fund, or approve. Any significant impact must be mitigated to the extent feasible, below the threshold of significance.

4.2.1.1 Applicability to the Proposed Project

This document is suitable for use by the CEQA lead agency (i.e., the Town of Danville) for preparation of any CEQA review document for the proposed project. This Report has been prepared as a Biology Section suitable for incorporation into an Environmental Impact Report (consistent with General Plan Policy 21.10).

4.2.2 California Endangered Species Act

The CDFW is responsible for administering the California Endangered Species Act (CESA). Section 2080 of the California Fish and Wildlife Code prohibits take of any species that the Fish and Wildlife Commission determines to be an endangered species or a threatened species. However, CESA does allow for take that is incidental to otherwise lawful development projects. Sections 2081(b) and (c) of CESA allow the CDFW to issue an incidental take permit for a state listed threatened and endangered species only if specific criteria are met (i.e., the effects of the authorized take are minimized and fully mitigated). The measures required to meet this obligation shall be roughly proportional in extent to the impact of the authorized taking on the species. Where various measures are available to meet this obligation, the measures required shall maintain the applicant's objectives to the greatest extent possible. All required measures shall be capable of successful implementation.

4.2.2.1 Applicability to the Proposed Project

No state listed plant species are known from the project site and no suitable habitat occurs for state listed plant species known from the region of the project site. Accordingly, impacts to state listed plant species are not anticipated as a result of the proposed project. However, as discussed in Section 6 below, recent occurrences of Congdon's tarplant (*Centromadia parryi* ssp. *congdonii*; CNPS Rank 1B.1) are known within Sub Area 3, and Sub Areas 3 and 8 provide potentially suitable habitat for four (4) additional special-status plant species known from the region of the project site (Table 2; Figure 4). Thus, appropriately-timed floristic surveys to confirm or negate the presence of special-status plant species would need to occur prior to impacting these areas, and if special-status plants are detected,

appropriate measures to avoid impacts would need to be implemented, and/or relevant agency authorizations obtained (consistent with General Plan Policy 21.10).

No state listed animal species are known from the project site and no state listed animal species were detected during surveys performed in 2022; however, Sub Area 3, which is located within open grassland on the edge of Las Trampas Regional Wilderness Park, occurs within USFWS-designated critical habitat for the state and federally threatened Alameda whipsnake and suitable grassland habitat adjacent to oak woodland is present (Figure 3; Figure 5). Accordingly, focused preconstruction surveys for state listed wildlife species, including for Alameda whipsnake, will be conducted prior to future housing development under the Housing Element update in Sub Area 3 to confirm the presence or absence of state listed animal species (consistent with General Plan Policy 21.10). If necessary, appropriate avoidance and minimization measures will be implemented to ensure no significant adverse impacts to state listed animal species occur. If impacts to state listed species would occur as a result of the proposed project, an incidental take permit from the CDFW would be required. See Impacts Analysis section below.

4.2.3 California Fish and Game Code – Lake or Streambed Alteration Agreement

The CDFW regulates activities within watercourses, lakes, and in-stream reservoirs. Under Section 1602 of the California Fish and Game Code (CFGC)—often referred to as the Lake or Streambed Alteration Agreement (LSAA)—the CDFW regulates activities that would alter the flow or change or use any material from the bed, channel, or bank of any perennial, intermittent, or ephemeral river, stream, or lake. Each of these activities requires a Section 1602 permit. Section 1602 requires the CDFW to be notified of any activity that might affect lakes and streams. It also identifies the process through which an applicant can come to an agreement with the state regarding the protection of these resources and special-status species using the resources as habitat, both during and following construction.

4.2.3.1 Applicability to the Proposed Project

Impacts to the bed, bank, and/or channel, or associated riparian vegetation of Green Valley Creek, San Ramon Creek, Sycamore Creek, and Walnut Creek would be regulated by the CDFW pursuant to Section 1602 of the CFGC. These waterways are present on or immediately abutting Sub Areas 1-3 and 5-7. As such, a Section 1602 Agreement (i.e., Streambed Alteration Agreement) from CDFW would be required if future development of the candidate housing sites were to impact these features. See Impacts Analysis section below.

4.2.4 California Fish and Game Code – Nesting Birds

CFGC Section 3503 states that it is unlawful to take, possess, or needlessly destroy the nests or eggs of any bird, except as otherwise provided by the CFGC or any regulation made pursuant thereto. CFGC Section 3503.5 protects all birds of prey (raptors) and their eggs and nests. Section 3513 states that it is unlawful to take or possess any migratory non-game bird as designated in the MBTA. These regulations

could require that elements of a project (specifically vegetation removal or construction near nest trees) be reduced or eliminated during critical phases of the nesting cycle unless surveys by a qualified biologist demonstrate that nests, eggs, or nesting birds will not be disturbed, which may be subject to approval by the CDFW and/or the USFWS.

4.2.4.1 Applicability to the Proposed Project

The project site provides suitable nesting habitat for migratory birds. A preconstruction survey would be performed all sub areas and within a zone of influence prior to project commencement to ensure no mortality of these species occurs as a direct result of future development of the candidate housing sites. See Impacts Analysis section below.

4.2.5 California Fish and Game Code – Fully Protected Species, Species of Special Concern, and Non-Game Mammals

The classification of "fully protected" was the CDFW's initial effort to identify and provide additional protection to those animals that were rare or faced possible extinction. CFGC sections (birds at 3503 and 3511, mammals at 4150 and §4700, amphibians and reptiles at 5050, and fish at 5515) dealing with "fully protected" species state that these species "may not be taken or possessed at any time and no provision of this code or any other law shall be construed to authorize the issuance of permits or licenses to take any fully protected species;" however, take may be authorized for necessary scientific research.

California Species of Special Concern are defined as animals not listed under the CESA or FESA. These species are of concern to CDFW because of rapid decline in populations that could result in listing or because they historically occurred in low numbers and known threats to their continued existence are present. This designation is intended to result in special consideration for these animals by CDFW, project proponents, consultants, among others, and is also intended to encourage collection of additional information on these species and risks to their persistence. Although these species are afforded no special legal status, they are provided special consideration under the CEQA during project review.

Sections 4150-4155 of the CFGC protects non-game mammals, including bats. Section 4150 states "A mammal occurring naturally in California that is not a game mammal, fully protected mammal, or furbearing mammal is a nongame mammal. Non-game mammals that may be taken or possessed are primarily those that cause crop or property damage. Bats are classified as a non-game mammal and are protected under the CFGC.

4.2.5.1 Applicability to the Proposed Project

The project site provides suitable roosting/maternity habitat for bats protected pursuant to CFGC Section 4150 and suitable migration/dispersal habitat for amphibians and reptiles listed as California Species of Special Concern protected pursuant to CFGC Section 5050. As such, preconstruction surveys

for these species would need to be conducted prior to project commencement to ensure no direct mortality of these species occurs as a result of the proposed project. See Impacts Analysis section below.

4.2.6 Regional Water Quality Control Board (RWQCB) – Clean Water Act – Section 401 and Porter-Cologne Water Quality Control Act

The State Water Resources Control Board (SWRCB) and RWQCB regulate activities in "waters of the state" (which includes wetlands) through two sources of legal authority: Section 401 of the CWA and the Porter-Cologne Water Quality Control Act (Porter-Cologne Act) (Wat. Code, Div. 7, § 13000 et seq.). The Section 401 water quality certification program allows the state to ensure that activities requiring a federal permit or license comply with state water quality standards. Though similar to Section 404 and 401 requirements, the Porter-Cologne Act applies to all “waters of the state” rather than to the portions thereof below ordinary high water mark. “Waters of the state” is defined as any surface water or groundwater, including saline waters, within the boundaries of the state (Water Code § 13050(e)).

The Porter-Cologne Act requires any person discharging waste or proposing to discharge waste in any region that could affect the quality of the “waters of the state” to file a report of waste discharge. Pursuant to the Porter-Cologne Act, the RWQCB also regulates “isolated wetlands.” Functionally, the RWQCB typically evaluates whether an additional waste discharge requirement is necessary for the balance between federal and state jurisdictional boundaries during the 401 certification process. The RWQCB issues a permit or waiver that includes implementing water quality control plans that reflect the beneficial uses to be protected. Waters of the State subject to RWQCB regulation extend to the top of bank, as well as isolated water/wetland features.

On April 2, 2019, the SWRCB adopted Resolution 2019-0015, thereby adopting a document entitled, “State Wetland Definition and Procedures for Discharges of Dredged or Fill Material to Waters of the State” (“Procedures”) for inclusion in the Water Quality Control Plans for Inland Surface Waters, Enclosed Bays, and Estuaries of California.

In taking this action, the SWRCB noted that under the Porter-Cologne Act, discharges of dredged or fill material to waters of the state are subject to waste discharge requirements or waivers thereof. The SWRCB further explained that “although the state has historically relied primarily on requirements in the CWA to protect wetlands, U.S. Supreme Court rulings reducing the jurisdiction of the CWA over wetland areas by limiting the definition of ‘waters of the United States’ have necessitated the use of California’s independent authorities under the Porter-Cologne Act to protect these vital resources.”

The Office of Administrative Law (OAL) approved the Procedures on August 28, 2019. Pursuant to the Procedures, the effective date is nine months upon OAL approval. Accordingly, the Procedures became effective May 28, 2020.

By adopting the Procedures, the SWRCB mandated and standardized the evaluation of impacts and protection of waters of the state from impacts due to dredge and fill activities. The Procedures include: 1) a wetland definition; 2) a jurisdictional framework for determining if a feature that meets the wetland

definition is a water of the state; 3) wetland delineation procedures; and 4) procedures for application submittal, and the review and approval of dredge or fill activities.

The Procedures define an area as a wetland if it meets three criteria: wetland hydrology, wetland soils, and (if vegetated) wetland plants. An area is a wetland if: (1) the area has continuous or recurrent saturation of the upper substrate caused by groundwater, or shallow surface water, or both; (2) the duration of such saturation is sufficient to cause anaerobic conditions in the upper substrate; and (3) the area's vegetation is dominated by hydrophytes, or the area lacks vegetation.

Waters of the state, by definition, includes more aquatic features than waters of the U.S., which defines the jurisdiction of the federal government. Waters of the state are not so limited. In addition, the federal definition of a wetland requires a prevalence of wetland vegetation under normal circumstances. To account for wetlands in arid portions of the state, the SWRCB's definition differs from the federal definition in that an area may be a wetland even if it does not support vegetation. If vegetation is present, however, the SWRCB's definition requires that the vegetation be wetland vegetation. The SWRCB's definition clarifies that vegetated and unvegetated wetlands will be regulated in the same manner.

The Procedures also include a jurisdictional framework that applies to aquatic features that meet the wetland definition. The jurisdictional framework will guide applicants and staff in determining whether an aquatic feature that meets the wetland definition will be regulated as a water of the state. The jurisdictional framework is intended to exclude from regulation any artificially-created, temporary features, such as tire ruts or other transient depressions caused by human activity, while still capturing small, naturally-occurring features, such as seasonal wetlands and small vernal pools that may be outside of federal jurisdiction. The Procedures do not expand the SWRCB's jurisdiction beyond areas already under SWRCB's jurisdiction.

The Procedures exclude the following agricultural features from the protections accorded to wetlands: (1) ditches with ephemeral flow that are not a relocated water of the state or excavated in a water of the state; (2) ditches with intermittent flow that are not a relocated water of the state or excavated in a water of the state, or that do not drain wetlands other than any wetlands described in (4) or (5) below; (3) ditches that do not flow, either directly or through another water, into another water of the state; (4) artificially irrigated areas that would revert to dry land should application of waters to that area cease; or (5) artificial, constructed lakes and ponds created in dry land such as farm and stock watering ponds, irrigation ponds, and settling basins.

The Procedures clarify what information and analysis the applicant needs to submit to have a complete application. The Procedures standardize when an alternative analysis needs to be conducted and set a minimum mitigation ratio for any permanent impacts to waters of the state resulting from dredge and fill activities.

When an alternatives analysis is required, the applicant must demonstrate that the proposed alternative is the Least Environmentally Damaging Practicable Alternative (LEDPA). The term practicable means

available and capable of being done after taking into consideration cost, existing technology, and other logistics in light of the overall project purpose.

4.2.6.1 Applicability to the Proposed Project

Green Valley Creek, San Ramon Creek, Sycamore Creek, and Walnut Creek and any other wetlands present on the project site likely fall under RWQCB/SWRCB jurisdiction pursuant to Section 401 of the CWA. These features are present on or immediately abutting Sub Areas 1-3 and 5-7. Thus, prior authorization from the RWQCB/SWRCB pursuant to Section 401 of the CWA would be required if the future development of the candidate housing sites were to impact these features. Impacts to waters of the state would require mitigation to the satisfaction of the RWQCB prior to issuance of a permit for impacts to these features. See Impacts Analysis section below.

To further comply with the Porter-Cologne Act, adequate pre- and post-construction Best Management Practices (BMPs) will be planned and incorporated into future candidate housing sites' implementation plans to protect downstream waterways. In addition, future development of the candidate housing sites will require development of a Storm Water Pollution Prevention Plan (SWPPP) that will be submitted to Contra Costa County as a condition of project approval demonstrating BMPs that will be installed/implemented prior to project commencement. Stormwater protection and treatment measures will be implemented to ensure that future development of the candidate housing sites remains in compliance with the Porter-Cologne Act.

4.3 Local

4.3.1 Town of Danville 2030 General Plan

The Town of Danville, the lead agency for the proposed project, adopted a General Plan on March 19, 2013 (Town of Danville 2013) to address the Town of Danville's goals, policies, and programs regarding development, resource management, and public safety. The Resources and Hazards Element of the Town of Danville's 2030 General Plan (General Plan) provides the following environmental quality goals and policies pertaining to biological resources applicable to this Project:

> *Goal 21*: Protect and enhance Danville's natural features, including its hillsides, ridgelines, creeks, vegetation, and wildlife.
>
> *Goal 22*: Improve water quality in Danville and the water bodies that receive runoff from Danville, including San Francisco Bay.
>
> *Policy 21.01*: Preserve and enhance natural habitat areas that support wildlife, including large continuous areas of open space and wetland and riparian habitat.
>
> *Policy 21.06*: Discourage activities that would harm the health of existing trees. Prevent the unnecessary removal and alteration of such trees, including "protected" trees as defined by the

Town's Tree Preservation Ordinance and other trees that contribute to the scenic beauty of the town. Public and private improvements should be designed to minimize the removal of mature trees, regardless of species. If removal is necessary, trees should be replaced with an appropriate number and species.

Policy 21.07: Ensure that local planning and development decisions do not damage the habitat of rare and endangered plant and animal species, consistent with state and federal law.

Policy 21.08: Where appropriate, encourage the retention and reestablishment of native vegetation in private development and public facility projects.

Policy 21.10: Require a biological assessment for development proposed on sites that are determined to have the potential to contain special-status species, sensitive natural communities, or wetland resources.

The assessment should be conducted by a qualified professional to determine the presence or absence of any sensitive resources which could be affected by proposed development, should provide an assessment of the potential impacts, and should define measures for protecting the resource and surrounding buffer habitat, in compliance with state and federal laws. Detailed surveys are not necessary in locations where past and existing development have eliminated natural habitat and the potential for presence of sensitive biological resources.

Policy 21.11: Protect the nests of raptors and other birds when in active use, as required by state Fish and Game Code and the federal Migratory Bird Treaty Act.

Policy 22.01: Maintain and enhance the natural quality of Danville's creeks, including the riparian vegetation along the banks. Setbacks should be maintained along creeks to maintain their natural appearance, reduce erosion and flood hazards, and protect their ecological functions.

Policy 23.07: Recognize the state and federal regulations that serve to protect wetlands and require full compliance with these regulations as part of development review. This would include detailed wetland delineations and assessments where waters under the jurisdiction of the U.S. Army Corps of Engineers may be affected.

4.3.1.1 Applicability to the Proposed Project

The proposed project is located at multiple locations throughout the Town of Danville and portions of unincorporated Contra Costa County within largely developed and regularly disturbed areas where native habitats are largely absent. Open grassland habitats within Sub Areas 3 and 8 provide potentially suitable habitat for special-status plant species and is located within USFWS-designated critical habitat for the state and federally threatened Alameda whipsnake. In addition, recent CNDDB records of Congdon's tarplant (CNPS Rank 1B.1) are known from Sub Area 3. Furthermore, all sub areas provide

suitable nesting and roosting substrate for species protected pursuant to the MBTA and CFGC. Accordingly, General Plan Policies 21.01, 21.06 21.07, 21.08, and 21.11, described above, appear to be applicable to the Project.

Sub Areas 1-3 and 5-7 of the proposed project are located adjacent to Green Valley Creek, San Ramon Creek, Sycamore Creek, and Walnut Creek and/or tributaries to these waterways. Therefore, General Plan Policies 22.01 and 23.07 are applicable to these sub areas; however, it should be noted that as currently designed, project-related activities will remain outside of these jurisdictional aquatic features, and a SWPPP, including pre- and post-construction BMPs, will be implemented to ensure no discharges of dredged or fill material enter waters of the United States/State.

Multiple General Plan Policies are applicable to the proposed project, as described above, and have therefore been included in the programmatic-level impact assessment in Section 7.2 below; however, these policies will be incorporated more specifically through implementation of Policy 21.10, which requires project-level biological assessments to be performed on sites with potential to contain special-status species, sensitive natural communities, and/or wetland resources. Accordingly, biological assessments will be conducted for each development site to determine on a case-by-case basis the need for additional biological surveys, protective measures and mitigation, and authorizations or permitting from relevant regulatory agencies. Furthermore, each biological assessment will include an evaluation of General Plan Policies to be incorporated and implemented for the specific project. See Impacts Analysis section below.

4.3.2 Town of Danville Tree Preservation Ordinance

The Town of Danville's Tree Preservation Ordinance (Municipal Code, Section 32-79) requires acquisition of a Tree Removal Permit prior to removal of certain trees within the City Limits. A Tree Removal Permit for tree removal is required if the tree(s) are on the Town of Danville's list of protected, heritage, and/or memorial trees, as defined below:

Protected Trees: Any of the following native trees having a single trunk or main stem 10 inches or greater in diameter or multiple trunk trees with tree trunks totaling 20 inches in diameter, measured 4.5 feet above natural grade:

- Blue oak (*Quercus douglasii*)
- California bay (*Umbellularia californica*)
- California black oak (*Quercus kelloggii*)
- California buckeye (*Aesculus californica*)
- California sycamore (*Platanus racemosa*)
- Canyon live oak (*Quercus chrysolepis*)
- Coast live oak (*Quercus agrifolia*)
- Interior live oak (*Quercus wislizenii*)

- Madrone (*Arbutus menziesii*)
- London plane tree (*Platanus acerifolia*)
- Valley oak (*Quercus lobata*)
- White alder (*Alnus rhombifolia*)

Heritage Trees: Any single trunked tree, regardless of species, which has a trunk diameter of 36 inches or greater, measured 4.5 feet above natural grade. Multi-trunk trees are not considered heritage trees therefore no permit would be required.

Memorial Trees: A tree planted on public property in memory of or commemoration of an individual or individuals.

4.3.1.2 Applicability to the Proposed Project

Removal of any protected, heritage, and/or memorial trees, as defined in the Town of Danville's Tree Preservation Ordinance (Municipal Code, Section 32-79) would require acquisition of a Tree Removal Permit and appropriate mitigation. See Impacts Analysis section below.

5.0 METHODS

Sequoia performed various desktop and in-field assessments in support of this Report. Using those results, Sequoia employed various site assessments to evaluate the presence of and/or likelihood of occurrence of sensitive resources on the project site.

5.1 Definitions

5.1.1 Special-Status Species

For the purposes of this document, special-status species include:

- Plant, fish, and wildlife species listed as Threatened or Endangered under FESA (50 CFR 17), and candidates for listing under the statute;
- Species protected by the CFGC, including nesting birds and Fully Protected species;
- Plant, fish, and wildlife species listed as Threatened or Endangered under CESA; and the laws and regulations for implementing CESA as defined in CFGC §2050 et seq. and the California Code of Regulations (CCR) 14 CCR §670.1 et seq., and candidates for listing under the statute (CFGC §2068);
- Species meeting the definition of 'Rare' or 'Endangered' under CEQA Guidelines 14 CCR §15125 (c) and/or 14 CCR §15380, including plants listed on CNPS Lists 1A, 1B, 2A, and 2B, 3, and 4. Plants occurring on CNPS Ranks 3 and 4 are "plants about which more information is necessary," and "plants of limited distribution" (CNPS 2001). These plants may be included as special-status species on a case-by-case basis due to local significance or recent biological information (see additional definition information below);

- USFWS Birds of Conservation Concern;
- Fully Protected species, as designated by the CDFW (CFGC 3511, 4700, 5050, and 5515);
- Species of Special Concern, as designated by the CDFW and required by 14 CCR §15380; and/or
- Avian species protected under the MBTA of 1918.

Addition information regarding these definitions is provided below:

5.1.1.1 Federally Threatened or Endangered Species

A species listed as Threatened or Endangered under the FESA is protected from unauthorized "take" (that is, harass, harm, pursue, hunt, shoot, trap) of that species. If it is necessary to take a federally listed Threatened or Endangered species as part of an otherwise lawful activity, it would be necessary to receive permission from the USFWS prior to initiating the take.

5.1.1.2 State Threatened or Endangered Species

A species listed as Threatened or Endangered under the CESA is protected from unauthorized "take" (that is, harass, pursue, hunt, shoot, trap) of that species. If it is necessary to "take" a state Threatened or Endangered species as part of an otherwise lawful activity, it would be necessary to receive permission from CDFW prior to initiating the "take."

5.1.1.3 CDFW Species of Special Concern

California Species of Special Concern are species in which their California breeding populations are seriously declining and extirpation from all or a portion of their range is possible. This designation affords no legally mandated protection; however, some of these species could be considered "rare" and must therefore be considered in any project that will, or is currently, undergoing CEQA review, and/or that must obtain an environmental permit(s) from a public agency.

5.1.1.4 CNPS Rank Species

The CNPS maintains an *inventory* of special-status plant species. This inventory has four lists of plants with varying rarity. These lists are Rank 1, Rank 2, Rank 3, and Rank 4. Although plants on these lists have no formal legal protection (unless they are also state or federally listed species), CDFW requests the inclusion of Rank 1 species in environmental documents. In addition, other state and local agencies may request the inclusion of species on other lists as well. Rank 1 and 2 species are defined below:

- Rank 1A: Presumed extinct in California;
- Rank 1B: Rare, threatened, or endangered in California and elsewhere;
- Rank 2A: Plants presumed extirpated in California, but more common elsewhere;
- Rank 2B: Rare, threatened, or endangered in California, but more common elsewhere.

Under the CEQA review process only CNPS Rank 1 and 2 species are considered due to meeting CEQA's definition of "rare" or "endangered." However, Rank 3 and 4 species are not regarded as significant pursuant to CEQA.

5.1.1.5 Fully Protected Birds

Fully Protected birds are protected under CFGC 3511 and may not be "taken" or possessed (i.e., kept in captivity) at any time.

5.2 Desktop Review

Sequoia reviewed relevant databases and literature for baseline information regarding biological resources occurring and potentially occurring on the project site and the immediate vicinity. The review included the following sources:

- Natural Resources Conservation Service's (NRCS) Web Soil Survey (2022a), hydric soils list (NRCS 2022b; Appendix B),
- USFWS Information for Planning and Consultation (IPaC) search (USFWS 2022a), and Critical Habitat Portal (USFWS 2022b; Appendix C);
- CNPS Online Inventory of Rare and Endangered Plants of California for the Diablo, California USGS 7.5-minute quadrangles (CNPS 2022);
- NMFS and Calfish Database Species List Queries (NMFS 2022; Calfish 2022; Appendix D);
- USFWS National Wetlands Inventory (NWI; Figure 4);
- CDFW California Natural Diversity Database (CNDDB) for the project polygon and a 3-mile buffer (CDFW 2022; Figures 4 and 5); and,
- Aerial photographs (Google Earth Pro 2022).

5.3 Site Assessment

Sequoia biologists, Aurelie Muckenhirn and Keala Cummings, conducted surveys on the project site on February 4, 2022, to record biological resources and to assess the limits of areas potentially regulated by resource agencies (i.e., preliminary hydrology analysis). Surveys involved searching all habitats on the site and recording all plant and wildlife species observed. Sequoia cross-referenced the habitats occurring on the project site with the habitat requirements of regional special-status species to determine if the proposed project could directly or indirectly impact these species. Any special-status species, sign of their presence, or suitable habitat was documented.

Tables 2 and 3 present the potential for occurrence of special-status plant and animal species, respectively, known to occur in the vicinity of the project site, along with their habitat requirements, occurrence classification, and basis for occurrence classification.

5.4 Habitat Assessments

Consecutive transects were traversed at approximately 20-foot intervals throughout the project site. Areas that were inaccessible on foot due to private property or areas with geographic barriers or other impediments to access (e.g., fencing) were thoroughly inspected with high-powered binoculars from a distance. During the assessment, biologists scanned for special-status species and/or suitable habitat for these species, including foothill yellow-legged frog (*Rana boylii*), California red-legged frog, California tiger salamander (*Ambystoma californiense*), and Alameda whipsnake, among others. Any special-status species or suitable habitat was documented.

5.4.1 Potential to Occur

Following the site assessment, potential for special-status species to occur on the project site was evaluated according to the following criteria:

- *No Potential.* Habitat on and adjacent to the site is clearly unsuitable for the species' requirements (foraging, breeding, cover, substrate, elevation, hydrology, plant community, site history, disturbance regime).
- *Low Potential.* Few of the habitat components meeting the species' requirements are present, and/or the majority of habitat on and adjacent to the site is unsuitable or of very poor quality. The species is not likely to be found on the site.
- *Moderate Potential.* Some of the habitat components meeting the species' requirements are present, and/or only some of the habitat on or adjacent to the site is unsuitable. The species has a moderate probability of being found on the site.
- *High Potential.* All of the habitat components meeting the species' requirements are present and/or most of the habitat on or adjacent to the site is highly suitable. The species has a high probability of being found on the site.
- *Present.* Species is observed on the site or has been recorded (i.e., CNDDB, other reports) on the site recently.

6.0 RESULTS

The results of the desktop review and site assessment conducted on February 4, 2022 are presented below.

6.1 Topography and Hydrology

The project site is located in the Town of Danville and immediate vicinity of city limits. Several waterways flow through the project site, including Green Valley Creek, San Ramon Creek, and Sycamore Creek. Green Valley Creek connects with San Ramon Creek in downtown Danville and Sycamore Creek connects with San Ramon Creek immediately southeast of downtown Danville. San Ramon Creek is spread through approximately 54 square miles and is a part of the Walnut Creek Watershed. Elevation on the project site ranges from 361 to 795 feet above mean sea level (MSL).

During the site assessment conducted on February 4, 2022, Sequoia performed a preliminary hydrology analysis and compared information ascertained from the desktop review with present site conditions, specifically, NRCS soil type and USFWS NWI layers (NRCS 2022a, NRCS, 2022b, USFWS 2022c; Appendix B). This level of analysis does not conform to the amount of detail typically required for a formal wetland delineation suitable for submittal to USACE. Sequoia found that parcel APN 200040012 in Sub Area 1 had a waterway bisecting the southern portion of the property that was not identified in the NWI.

The climate of the project site is Mediterranean (i.e., dry-summer subtropical), characterized by warm, dry summers with average highs between 70- and 80-degrees Fahrenheit and average lows in the 50s and 60s, and cool, wet winters with average highs in the 50s and average lows in the 40s Fahrenheit. The average annual precipitation is approximately 25.04 inches, falling primarily between November and March (U.S. Climate Data 2022).

6.2 Plant Communities and Wildlife Habitats

On February 4, 2022, Sequoia staff conducted a survey of the project site and characterized vegetation present (Sawyer and Keeler-Wolf 2009). During the survey, biologists also documented plant and wildlife species observed on the project site. Nomenclature used for plant names follows *The Jepson Manual* Second Edition (Baldwin 2012), while nomenclature used for wildlife follows CDFW's *Complete list of amphibian, reptile, bird, and mammal species in California* (2016). Tables 4 and 5 list plant and wildlife species observed on the project site.

6.2.1 Anthropogenic

Communities dominated by plants introduced by people and established or maintained by human disturbance are considered to be anthropogenic communities. Dominant species observed within anthropogenic communities on the project site include glossy privet (*Ligustrum lucidum*), Mexican fan

palm (*Washingtonia robusta*), camphortree (*Cinnamomum camphora*), oleander (*Nerium oleander*), cotoneaster (*Cotoneaster* sp.), and scarlet fire thorn (*Pyracantha coccinea*).

Anthropogenic communities occur within all sub areas of the proposed project (Appendix B).

6.2.2 Ruderal

The project site is dominated by developed and ruderal herbaceous areas. Ruderal vegetation is adapted to high levels of disturbance and endures for long periods of time in areas that have continual disturbance. Dominant grass and forb species observed within ruderal communities on the project site include wild mustard (*Sinapis arvenis*), California burclover (*Medicago polymorpha*), poison hemlock (*Conium maculatum*), and yellow star thistle (*Centaurea solstitialis*).

Ruderal communities occur within all sub areas of the proposed project (Appendix B).

6.2.3 Non-Native Annual Grassland

Non-native annual grassland is comprised primarily of plant species that mature in spring and early summer, before spreading seed and dying in late summer and fall. Non-native annual grassland is found in large patches throughout the project site, primarily interspersed with ruderal communities. Dominant grass and forb species observed within non-native annual grassland communities on the project site include slender wild oat (*Avena barbata*), cutleaf geranium (*Geranium dissectum*), milk thistle (*Silybum marianum*), common vetch (*Vicia sativa*), and Italian ryegrass (*Festuca perennis*).

Grassland communities occur within Sub Areas 1, 3, 6, and 8 of the proposed project (Appendix B).

6.2.4 *Orchard*

In many areas of California, plantations of trees (i.e., orchards) have been established for various purposes. Many orchards are planted for agricultural purposes while others are planted for use as windbreaks.

Orchard community occurs within Sub Area 7 of the proposed project where numerous English walnut trees (*Juglans regia*) have been planted (Appendix B).

6.2.5 Riparian Woodland

Riparian woodlands are diverse habitats that support numerous plant species that can include grasses, annual and perennial forbs, vines, shrubs, and trees. A variety of plants creates a complex layering of understory and overstory which in turn provides habitat to numerous wildlife species. When found within the bed, channel, or bank of any river, stream, or lake, riparian vegetation is also protected under Section §1602 of the CFGC; and the CDFW has included riparian communities in the CNDDB.

Riparian woodland habitat is present within the project site within sections adjacent to Green Valley Creek, San Ramon Creek, Sycamore Creek, and Walnut Creek. Dominant plant species observed within the riparian woodland community on the project site include Italian ryegrass, curly dock (*Rumex crispus*), cattail (*Typha* spp.), Himalayan blackberry (*Rubus armeniacus*), oak (*Quercus* spp.), willow (*Salix exigua*, *S. laevigata*, and *S. losiolepis*), and Fremont cottonwood (*Populus fremontii*).

Riparian woodland communities occur within Sub Areas 1, 2, 3, and 6 of the proposed project (Appendix B).

6.2.6 *Mixed Oak Woodland*

Mixed oak woodland is a community found throughout California and is dominated by multiple species of oak. Mixed oak woodland is dominated by a canopy of coast live oak (*Quercus agrifolia*), black oak (*Quercus kelloggii*), valley oak (*Quercus lobata*), blue oak (*Quercus douglasii*), California buckeye (*Aesculus californica*), California bay (*Umbellularia californica*), and Pacific madrone (*Arbutus menziesii*). The understory consists of a mixture of shrubs and herbaceous species, including poison oak (*Toxicodendron diversilobum*), California blackberry (*Rubus ursinus*), wood fern (*Dryopteris arguta*), spicebush (*Calycanthus occidentalis*), toyon (*Heteromeles arbutifolia*), coyote brush (*Baccharis pilularis*), French broom (*Genista monspessulana*), hairy honeysuckle (*Lonicera hispidula*), blue wildrye (*Elymus glaucus*), soap plant (*Chlorogalum pomeridianum*), California wild grape (*Vitis californica*), and nightshade (*Solanum* sp.).

Mixed oak woodland communities occur within Sub Areas 1, 3, and 6 of the proposed project (Appendix B).

6.3 Wildlife Corridors

Wildlife corridors are habitats that provide connectivity between natural communities otherwise separated by urbanization and other development. Wildlife corridors provide access for animals to travel between these communities for seasonal migration, access to overwintering/summering habitat, breeding, etc. They also allow animals a route to move away from natural disasters and other forms of habitat loss, as well as to recolonize habitats previously extirpated. Wildlife corridors provide opportunities to breed, forage, migrate/emigrate, disperse, and forage (Beier and Loe 1992).

The proposed project may temporarily interfere with the movement of native wildlife. Most of the project site is distributed throughout a highly developed area which will not impact wildlife corridors. Green Valley Creek, San Ramon Creek, Sycamore Creek, and Walnut Creek and their tributaries function as wildlife corridors and are located within or adjacent to Sub Areas 1-3 and 5-7. Active construction may temporarily interfere with the movement of native wildlife within these corridors; however, no permanent structures or barriers to movement along the channels will occur as a result of the proposed project.

6.4 Special-Status Plants

Figure 4 provides a graphical illustration for special-status plant species occurrences within 3 miles of the project site. Fifty-six (56) special-status plants are known to occur in the region of the project site (CNDDB 2022; CNPS 2022). Table 2 provides an assessment of potential to occur of these special-status plant species on the project site. A number of these species require specialized habitats such as cismontane woodland, chaparral, rocky areas, and sandy soils that are not found on the project site. Accordingly, due to lack of suitable habitat and/or lack of known/recent occurrences in the project vicinity, 48 of these special-status plant species are not expected to occur and are therefore not discussed further in this analysis (Table 2).

Due to potentially suitable habitat on the project site and known occurrences on and in the vicinity of the project site, eight (8) special-status plant species are discussed in more detail below for potential to occur (Table 2).

6.4.1 Big-Scale Balsamroot

Big-scale balsamroot (*Balsamorhiza macrolepis*) is a CNPS Rank 1B.2 species and has no state or federal status. This species is found in chaparral, cismontane woodland, and valley and foothill grassland habitats. Big-scale balsamroot blooms from March through June. The closest record for big-scale balsamroot is located approximately 8.4 miles east of Sub Area 6 on the project site (CNDDB Occurrence No. 40; Figure 4). Suitable habitat for this species occurs within Sub Areas 3 and 8 on the project site. **As such, future development of the candidate housing sites within Sub Areas 3 and 8 may require completion of formal special-status plant surveys to conclude that impacts are less than significant pursuant to CEQA.**

6.4.2 Big Tarplant

Big tarplant (*Blepharizonia plumosa*) is a CNPS Rank 1B.1 species and has no state or federal status. This species is found in valley and foothill grassland habitats, often in clay and clay-loam soils. Big tarplant blooms from July through October. The closest record for big tarplant is located approximately 5.3 miles northwest of Sub Area 1 on the project site (CNDDB Occurrence No. 12; Figure 4). Suitable habitat for this species occurs within Sub Areas 3 and 8 on the project site. **As such, future development of the candidate housing sites within Sub Areas 3 and 8 may require completion of formal special-status plant surveys to conclude that impacts are less than significant pursuant to CEQA.**

6.4.3 Congdon's Tarplant

Congdon's tarplant is a CNPS Rank 1B.1 species and has no state or federal status. This species is found in alkaline soils in grassland habitats. Congdon's tarplant blooms from May through November. Congdon's tarplant is present within Sub Area 3; the most recent records date to 1999 (CNDDB Occurrence Nos. 95 and 96; Figure 4); in addition, suitable habitat for this species occurs within Sub Area 8. **As such, future development of candidate housing sites may require completion of formal special-status plant surveys to affirm and assess the presence of Congdon's tarplant within Sub Area 3 and 8, respectively. With the incorporation of avoidance and minimization measures, potential impacts to Congdon's tarplant present within Sub Area 3 could be mitigated to a level considered less than significant pursuant to CEQA.**

6.4.4 Presidio Clarkia

Presidio clarkia (*Clarkia franciscana*) is a state and federally endangered species. This plant is also a CNPS Rank 1B.1 species. Presidio clarkia is found in serpentine substrates in coastal scrub and valley and foothill grassland habitats in San Francisco and Alameda counties and blooms from May through July. The closest record for Presidio clarkia is located approximately 9.5 miles west of Sub Area 3 on the project site (CNDDB Occurrence No. 4; Figure 4). Serpentinite soils do not occur on the project site and furthermore, this species is not known from Contra Costa County. **As such, no impacts to this species are anticipated from the proposed project.**

6.4.5 Fragrant Fritillary

Fragrant fritillary (*Fritillaria liliacea*) is a CNPS Rank 1B.2 species and has no state or federal status. This species is found in cismontane woodland, coastal prairie, coastal scrub, and valley and foothill grasslands, often in serpentine soils. Fragrant fritillary blooms from February through April. The closest record for fragrant is located within the immediate vicinity of Sub Area 1 on the project site (CNDDB Occurrence No. 81; Figure 4); however, this occurrence dates back to 1902 and is presumed extirpated. **As such, no impacts to this species are anticipated from the proposed project.**

6.4.6 Diablo Helianthella

Diablo helianthella (*Helianthella castanea*) is a CNPS Rank 1B.2 species and has no state or federal status. This species is found in broadleafed upland forest, chaparral, cismontane woodland, coastal scrub, riparian woodland, and valley and foothill grassland habitats. Diablo helianthella blooms from March through June. The closest record for Diablo helianthella is located approximately 1.4 miles east of Sub Area 1 on the project site (CNDDB Occurrence No. 40; Figure 4). Suitable habitat for this species occurs within Sub Areas 3 and 8 on the project site. **As such, future development of the candidate housing sites within Sub Areas 3 and 8 may require completion of formal special-status plant surveys in order to conclude that impacts are less than significant pursuant to CEQA.**

6.4.7 Showy Golden Madia

Showy golden madia (*Madia radiata*) is a CNPS List 1B.1 species and has no state or federal status. This species is found in cismontane woodland and valley and foothill grassland habitats, often on adobe clay soils. Showy golden madia blooms from March through May. The closest record for showy golden madia is located approximately 14 miles northeast of Sub Area 4 on the project site (CNDDB Occurrence No. 25; Figure 4). Suitable habitat for this species occurs within Sub Areas 3 and 8 on the project site. **As such, future development of the candidate housing site within Sub Areas 3 and 8 may require completion of formal special-status plant surveys in order to conclude that impacts are less than significant pursuant to CEQA.**

6.4.8 San Francisco Popcornflower

San Francisco popcorn flower (*Plagiobothrys diffusus*) is state endangered and is a CNPS List 1B.1 species. This species is found in coastal prairie and valley and foothill grassland habitats. San Francisco popcorn flower blooms from March through June. The closest record for San Francisco popcorn flower is located approximately 9.4 miles west of Sub Area 3 on the project site (CNDDB Occurrence No. 13; Figure 4); however, although marginally suitable habitat is present within Sub Areas 3 and 8 on the project site, this species is not known from Contra Costa County. **As such, no impacts to this species are anticipated from the proposed project.**

Table 2. Special-Status Plant Species with Potential to Occur on the Town Danville Housing Element Update Project Site.

Scientific Name	Common Name	Listed Status	Habitat Requirements	Potential for Occurrence
Amsinckia lunaris	bent-flowered fiddleneck	1B.2	Occurs in chaparral, cismontane woodland, and valley and foothill grassland at elevations of 5 to 1,640 feet. Blooms from March through June.	No Potential. No suitable habitat occurs on the project site.
Arctostaphylos auriculata	Mt. Diablo manzanita	1B.3	Occurs in sandstone chaparral and cismontane woodland at elevations of 440 to 2,135 feet. Blooms from January through March.	No Potential. no suitable habitat occurs on the project site.
Arctostaphylos manzanita ssp. *laevigata*	Contra Costa manzanita	1B.2	Occurs in rocky chaparral at elevations of 1,410 to 3,610 feet. Blooms from January through March.	No Potential. no suitable habitat occurs on the project site.
Arctostaphylos pallida	pallid manzanita	FT, CE, 1B.1	Occurs in broadleafed upland forest, chaparral, cismontane woodland, closed-cone coniferous forest, and coastal scrub at elevations of 605 to 1,525 feet. Blooms from December through March.	No Potential. No suitable habitat occurs on the project site.
Astragalus tener var. *tener*	alkali milk-vetch	1B.2	Occurs in playas, valley and foothill grassland, and vernal pools at elevations of 5 to 195 feet. Blooms from March through June.	No Potential. No suitable habitat or substrate present.
Balsamorhiza macrolepis	big-scale balsamroot	1B.2	Occurs in chaparral, cismontane woodland, and valley and foothill grassland at elevations of 150 to 5,100 feet. Blooms from March through June.	Low Potential. Suitable habitat occurs within Sub Areas 3 and 8. Appropriately-timed special-status plant surveys will be conducted; see text.
Blepharizonia plumosa	big tarplant	1B.1	Occurs in valley and foothill grassland at elevations of 100 to 1,655 feet. Blooms from July through October.	Low Potential. Suitable habitat occurs within Sub Areas 3 and 8. Appropriately-timed special-status plant surveys will be conducted; see text.
Calochortus pulchellus	Mt. Diablo fairy lantern	1B.2	Occurs in chaparral, cismontane woodland, riparian woodland, and valley and foothill grassland at elevations of 95 to 2,755 feet. Blooms from April through June.	No Potential. No suitable habitat occurs on the project site.

Scientific Name	Common Name	Listed Status	Habitat Requirements	Potential for Occurrence
Campanula exigua	chaparral harebell	1B.2	Occurs in rocky, usually serpentinite soils within chaparral at elevations of 900 to 4,100 feet. Blooms from May through June.	No Potential. No suitable habitat occurs on the project site.
Centromadia parryi ssp. *congdonii*	Congdon's tarplant	1B.1	Occurs in valley and foothill grassland at elevations of 0 to 754 feet. Blooms from May through October.	Present. Closest known occurrences (CNDDB Occurrence Nos. 95 and 96) include 130 plants observed within Sub Area 3 in 1999. Suitable habitat occurs within Sub Area 8. See text.
Chloropyron maritimum ssp. *palustre*	Point Reyes salty bird's-beak	1B.2	Occurs in marshes and swamps at elevations of 0 to 35 feet. Blooms from June through October.	No Potential. No suitable habitat occurs on the project site.
Chorizanthe robusta var. *robusta*	robust spineflower	FE, 1B.1	Occurs in chaparral, cismontane woodland, coastal dunes, and coastal scrub at elevations of 10 to 985 feet. Blooms from April through September.	No Potential. No suitable habitat occurs on the project site.
Cicuta maculata var. *bolanderi*	Bolander's water-hemlock	2B.1	Occurs in marshes and swamps at elevations of 0 to 655 feet. Blooms from July through September.	No Potential. No suitable habitat occurs on the project site.
Cirsium andrewsii	Franciscan thistle	1B.2	Occurs in broadleafed upland forest, coastal bluff scrub, coastal prairie, and coastal scrub at elevations of 0 to 490 feet. Blooms from March through July.	No Potential. No suitable habitat occurs on the project site.
Clarkia franciscana	Presidio clarkia	FE, CE, 1B.1	Occurs in coastal scrub and valley and foothill grassland at elevations of 80 to 1,100 feet. Blooms from May to July.	No Potential. No suitable habitat occurs on the project site.
Cordylanthus nidularius	Mt. Diablo bird's-beak	1B.1	Occurs in chaparral at elevations of 1,970 to 2,625 feet. Bloom from June through August.	No Potential. No suitable habitat occurs on the project site.
Delphinium californicum ssp. *interius*	Hospital Canyon larkspur	1B.2	Occurs in chaparral, cismontane woodland, and coastal scrub at elevations of 640 to 3,595 feet. Blooms from April through June.	No Potential. No suitable habitat occurs on the project site.
Dirca occidentalis	western leatherwood	1B.2	Occurs in broadleafed upland forest, chaparral, cismontane woodland, closed-cone coniferous forest, north coast coniferous forest, riparian forest, and riparian woodland at elevations of 80 to 1,395 feet. Blooms from January through April.	No Potential. No suitable habitat occurs on the project site.

Scientific Name	Common Name	Listed Status	Habitat Requirements	Potential for Occurrence
Eriastrum ertterae	Lime Ridge eriastrum	1B.1	Occurs in chaparral at elevations of 655 to 950 feet. Blooms from June through July.	No Potential. No suitable habitat occurs on the project site.
Eriogonum luteolum var. *caninum*	Tiburon buckwheat	1B.2	Occurs in chaparral, cismontane woodland, coastal prairie, and valley and foothill grassland at elevations of 0 to 2,295 feet. Blooms from May through September.	No Potential. No suitable habitat occurs on the project site.
Eriogonum truncatum	Mt. Diablo buckwheat	1B.1	Occurs in sandy soils in within chaparral, coastal scrub, and valley and foothill grassland at elevations of 5 to 1,150 feet. Blooms from April through September.	No Potential. No suitable habitat occurs on the project site.
Eryngium jepsonii	Jepson's coyote thistle	1B.2	Occurs in clay soils within valley and foothill grassland and vernal pools at elevations of 5 to 985 feet. Blooms from April through August.	No Potential. No suitable habitat occurs on the project site.
Extriplex joaquinana	San Joaquin spearscale	1B.2	Occurs in alkaline soils within chenopod scrub, meadows and seeps, playas as well as valley and foothill grassland at elevations of 3 to 2,739 feet. Blooms from April through October.	No Potential. No suitable habitat occurs on the project site.
Fissidens pauperculus	minute pocket moss	1B.2	Occurs in North Coast coniferous forest at elevations of 35 to 3,360 feet.	No Potential. No suitable habitat occurs on the project site.
Fritillaria liliacea	fragrant fritillary	1B.1	Often occurs in serpentinite soils within cismontane woodland, coastal prairie, coastal scrub, and valley and foothill grassland at elevations of 10 to 1,345 feet. Blooms from February through April.	No Potential. No suitable habitat occurs on the project site. Closest occurrence (CNDDB Occurrence No. 81) known from the vicinity of Sub Area 1 dates to 1902 and is presumed extirpated.
Gilia millefoliata	dark-eyed gilia	1B.2	Occurs in coastal dunes at elevations of 5 to 100 feet. Blooms from April through July.	No Potential. No suitable habitat occurs on the project site.
Grimmia torenii	Toren's grimmia	1B.3	Occurs in chaparral, cismontane woodland, and lower montane coniferous forest at elevations of 1,065 to 3,805.	No Potential. No suitable habitat occurs on the project site.
Helianthella castanea	Diablo helianthella	1B.2	Occurs in broadleafed upland forest, chaparral, cismontane woodland, coastal scrub, riparian woodland, and valley and foothill grassland at elevations of 195 to	Low Potential. Suitable habitat occurs within Sub Areas 3 and 8. Appropriately-timed

Scientific Name	Common Name	Listed Status	Habitat Requirements	Potential for Occurrence
			4,265 feet. Blooms from March through June.	special-status plant surveys will be conducted; see text.
Hesperolinon breweri	Brewer's western flax	1B.2	Occurs in chaparral, cismontane woodland, and valley and foothill grassland at elevations of 100 to 3,100 feet. Blooms from May through July.	No Potential. No suitable habitat occurs on the project site.
Hoita strobilina	Loma Prieta hoita	1B.1	Occurs in chaparral, cismontane woodland, and riparian woodland at elevations of 100 to 2,820 feet. Blooms from May through October.	No Potential. No suitable habitat occurs on the project site.
Holocarpha macradenia	Santa Cruz tarplant	FT, CE 1B.1	Occurs in coastal prairie, coastal scrub, and valley and foothill grassland at elevations of 35 to 720 feet. Blooms from June through October.	No Potential. No suitable habitat occurs on the project site.
Horkelia cuneata var. *sericea*	Kellogg's horkelia	1B.1	Occurs in chaparral, closed-cone coniferous forest, coastal dunes, and coastal scrub at elevations of 35 to 655 feet. Blooms from April through September.	No Potential. No suitable habitat occurs on the project site.
Isocoma arguta	Carquinez goldenbush	1B.1	Occurs in valley and foothill grassland at elevations of 5 to 65 feet. Blooms from August through December.	No Potential. No suitable habitat occurs on the project site.
Lasthenia conjugens	Contra Costa goldfields	FE, 1B.1	Occurs in cismontane woodland, playas, valley and foothill grassland, and vernal pools at elevations of 0 to 1,540 feet. Blooms from March through June.	No Potential. No suitable habitat occurs on the project site.
Madia radiata	showy golden madia	1B.1	Occurs in cismontane woodland and valley and foothill grassland at elevations of 80 to 3,985 feet. Blooms from March through May.	Low Potential. Suitable habitat occurs within Sub Areas 3 and 8. Appropriately-timed special-status plant surveys will be conducted; see text.
Malacothamnus hallii	Hall's bushmallow	1B.2	Occurs in chaparral and coastal scrub at elevations of 30 to 2,495 feet. Blooms from May through September.	No Potential. No suitable habitat occurs on the project site.
Meconella oregana	Oregon meconella	1B.1	Occurs in coastal prairie and coastal scrub at elevations of 820 to 2,035 feet. Blooms from March through April.	No Potential. No suitable habitat occurs on the project site.

Scientific Name	Common Name	Listed Status	Habitat Requirements	Potential for Occurrence
Monolopia gracilens	woodland wooly threads	1B.2	Occurs in serpentinite soils within broadleafed upland forest (openings), chaparral (openings), cismontane woodland, North Coast coniferous forest (openings), and valley and foothill grassland at elevations of 325 to 3,935 feet. Blooms from March through July.	No Potential. No suitable habitat occurs on the project site.
Navarretia gowenii	Lime Ridge navarretia	1B.1	Occurs in chaparral at elevations of 590 to 1,000 feet. Blooms from May through June.	No Potential. No suitable habitat occurs on the project site.
Oenothera deltoides ssp. *howellii*	Antioch Dunes evening-primrose	FE, CE, 1B.1	Occurs in inland dunes at elevations of 0 to 100 feet. Blooms from March through September.	No Potential. No suitable habitat occurs on the project site.
Phacelia phacelioides	Mt. Diablo phacelia	1B.2	Occurs in chaparral and cismontane woodland at elevations of 1,640 to 4,495 feet. Blooms from April through July.	No Potential. No suitable habitat occurs on the project site.
Plagiobothrys diffusus	San Francisco popcornflower	CE, 1B.1	Occurs in coastal prairie and valley and foothill grassland at elevations of 195 to 1,180 feet. Blooms from March through June.	No Potential. No suitable habitat occurs on the project site.
Plagiobothrys glaber	hairless popcornflower	1A	Occurs in marshes and swamps and meadows and seeps at elevations of 50 to 590 feet. Blooms from March through May.	No Potential. No suitable habitat occurs on the project site.
Polemonium carneum	Oregon polemonium	2B.2	Occurs in coastal prairie, coastal scrub, and lower montane coniferous forest at elevations of 0 to 6,005 feet. Blooms from April through September.	No Potential. No suitable habitat occurs on the project site.
Sanicula maritima	adobe sanicle	CR, 1B.1	Occurs in chaparral, coastal prairie, meadows and seeps, and valley and foothill grassland at elevations of 100 to 785 feet. Blooms from February through May.	No Potential. No suitable habitat occurs on the project site.
Sanicula saxatilis	rock sanicle	CR, 1B.2	Occurs in broadleafed upland forest, chaparral, and valley and foothill grassland at elevations of 2,035 to 3,855 feet. Blooms from April through May.	No Potential. No suitable habitat occurs on the project site.
Senecio aphanactis	chaparral ragwort	2B.2	Occurs in chaparral, cismontane woodland, and coastal scrub at elevations of 50 to 2,625 feet. Blooms from January through May.	No Potential. No suitable habitat occurs on the project site.

Scientific Name	Common Name	Listed Status	Habitat Requirements	Potential for Occurrence
Spergularia macrotheca var. *longistyla*	long-styled sand-spurrey	1B.2	Occurs in marshes and swamps and meadows and seeps at elevations of 0 to 835 feet. Blooms from February through May.	No Potential. No suitable habitat occurs on the project site.
Streptanthus albidus ssp. *peramoenus*	most beautiful jewelflower	1B.2	Occurs in chaparral, cismontane woodland, and valley and foothill grassland at elevations of 310 to 3,280 feet. Blooms from March through October.	No Potential. No suitable habitat occurs on the project site.
Streptanthus hispidus	Mt. Diablo jewelflower	1B.3	Occurs in chaparral and valley and foothill grassland at elevations of 1,200 to 3,935 feet. Blooms from March through June.	No Potential. No suitable habitat occurs on the project site.
Stuckenia filiformis ssp. *alpina*	northern slender pondweed	2B.2	Occurs in marshes and swamps (assorted shallow freshwater) at elevations of 985 to 7,055 feet. Blooms from May through July.	No Potential. No suitable habitat occurs on the project site.
Suaeda californica	California seablite	FE, 1B.1	Occurs in marshes and swamps at elevations of 0 to 50 feet. Blooms from July through October.	No Potential. No suitable habitat occurs on the project site.
Trifolium hydrophilum	saline clover	1B.2	Occurs in marshes and swamps, valley and foothill grassland, and vernal pools at elevations of 0 to 985 feet. Blooms from April through June.	No Potential. No suitable habitat occurs on the project site.
Triquetrella californica	coastal triquetrella	1B.2	Occurs in coastal bluff scrub and coastal scrub at elevations of 35 to 330 feet.	No Potential. No suitable habitat occurs on the project site.
Tropidocarpum capparideum	caper-fruited tropidocarpum	1B.1	Occurs in valley and foothill grassland at elevations of 5 to 1,495 feet. Blooms from March through April.	No Potential. No suitable habitat occurs on the project site.
Viburnum ellipticum	oval-leaved viburnum	2B.3	Occurs in chaparral, cismontane woodland, and lower montane coniferous forest at elevations of 705 to 4,595 feet. Blooms from May through June.	No Potential. No suitable habitat occurs on the project site.

Key to status:
FT=Federally listed as threatened species
FE=Federally listed as endangered species
CT=California listed as threatened species
CE=California listed as endangered species
CR=California Rare
CNPS Rare Plant Rank
1A=Plants presumed extirpated in California, and either rare or extinct elsewhere
1B=Pants rare, threatened, or endangered in California, or elsewhere
2A=Plants presumed extirpated in California but common elsewhere
2B=Plants rare, threatened, or endangered in California but more common elsewhere
3=Plants about which more information is needed
Note: CNPS ranks below 3 were excluded from this analysis.

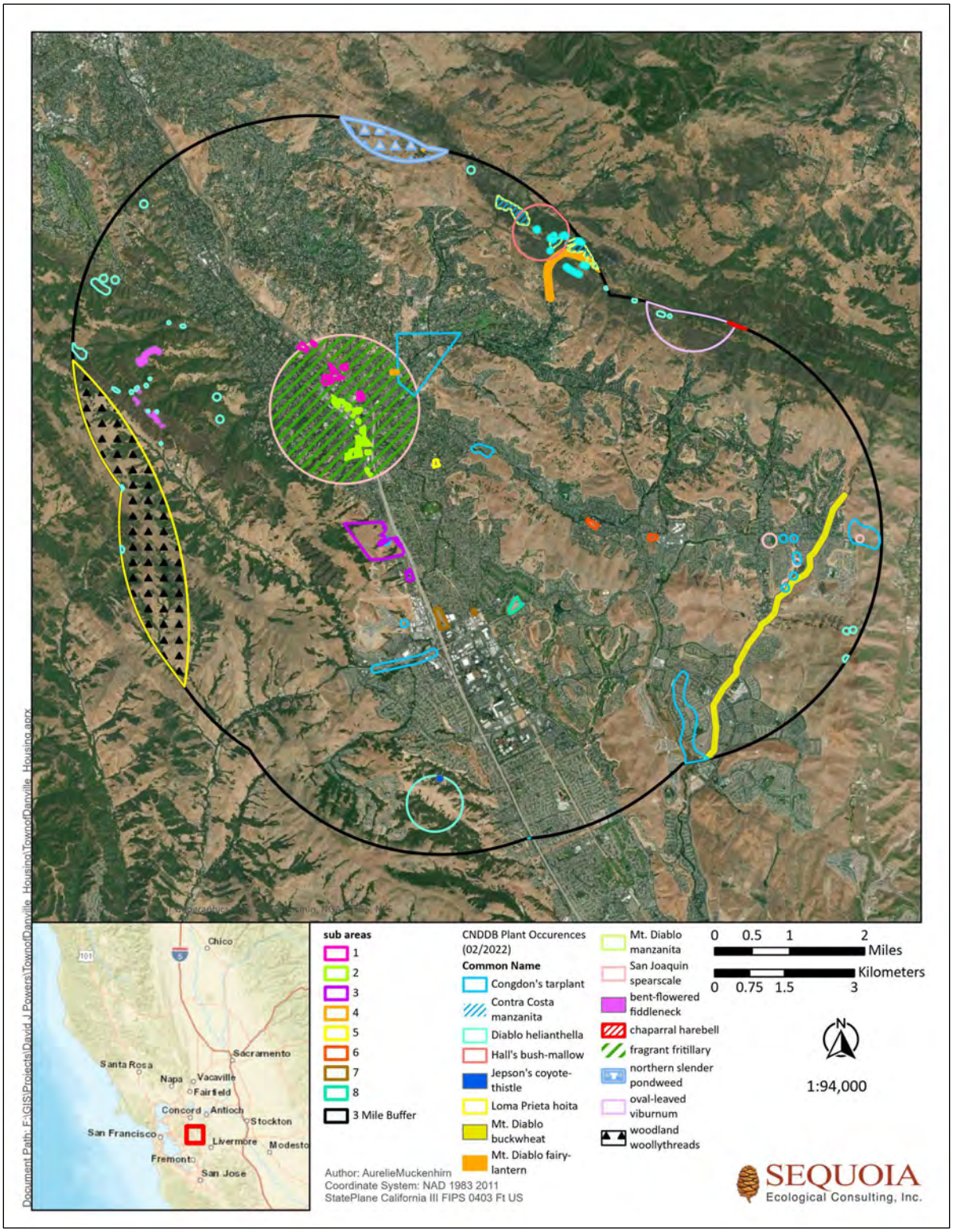

Figure 4. Closest Known Records for Special-Status Plant Species Within 3 Miles of the Town of Danville Housing Element Update Project Site.

6.5 Special-Status Animals

Figure 5 provides a graphical illustration for special-status animal species occurrences within 3 miles of the project site. Eighteen (18) special-status animal species are known to occur in the region of the project site (CNDDB 2022; NMFS 2022; USFWS 2022a). Table 3 provides an assessment of potential to occur for special-status animal species on the project site. A number of these species require specialized habitat such as ponds, rocky streams, coastal areas, and dense marshland vegetation that are not found on the project site. Accordingly, due to lack of suitable habitat and/or lack of recent occurrences in the project vicinity, seven (7) special-status animal species are not expected to occur and are therefore not discussed further in this analysis (Table 3). These species include tricolored blackbird (*Agelaius tricolor*), California least tern (*Sterna antillarum browni*), delta smelt (*Hypomesus transpacificus*), Central California Coast distinct population segment (DPS) steelhead and South-Central California Coast DPS steelhead (*Oncorhynchus mykiss irideus* pops. 8/9), monarch butterfly (*Danaus plexippus* pop. 1), and vernal pool fairy shrimp (*Branchinecta lynchi*).

Due to potentially suitable habitat on the project site and known occurrences on and/or in the vicinity of the project site, eleven (11) special-status animal species are discussed in more detail below for potential to occur (Table 3).

6.5.1 Foothill Yellow-Legged Frog

The foothill yellow-legged frog is divided into five distinct clades in California based on genetic divergence and conservation concern (CDFW 2022). The northwest/north coast clade is the most intact population and is designated as a California Species of Special Concern. The remaining four clades are listed as either Threatened or Endangered under CESA (CDFW 2022), including the clade with range overlapping the project area. Historically, foothill yellow-legged frog occurred from west of the crest of the Cascade Mountains in Oregon south to the Transverse Ranges in Los Angeles County, and in the Sierra Nevada foothills south to Kern County (Zweifel 1955; Stebbins 2012). The current range now excludes coastal areas south of northern San Luis Obispo County and foothill areas south of Fresno County, where the species is considered extirpated (Jennings and Hayes 1994). In a 1994 report (Fellers 1994), healthy, reproducing populations were reported in suitable habitat throughout the Diablo Range in Alameda, western Stanislaus, Santa Clara, San Benito, and western Fresno counties. Foothill yellow-legged frog are found in or near rocky streams in a variety of habitats, including valley foothill hardwood, valley-foothill riparian, coastal scrub, mixed conifer, mixed chaparral, and wet meadows (Zeiner et al. 1988). This species and aquatic habitat are considered sympatric, and foothill yellow-legged frog rarely migrate far from perennial or intermittent streams (Stebbins 2012). The foothill yellow-legged frog requires shallow, flowing water in small to moderate-sized streams containing some cobble-sized substrate and portions of open canopy important for basking (Hayes and Jennings 1988; Jennings 1988; Bourque 2008). It deposits its egg masses on the downstream side of cobbles and boulders over which a relatively thin, gentle flow of water exists (Storer 1925; Fitch 1936; Zweifel 1955; Kupferberg 1996).

The foothill yellow-legged frog is known from one CNDDB occurrence within 3 miles of the project site. The closest occurrence is located 2.8 miles north of Sub Area 4 on the project site (CNDDB Occurrence No. 2128; Figure 5); however, this observation dates back to 1953 and the CNDDB record indicates potential extirpation. Although potentially suitable habitat occurs within the project site along Green Valley Creek, San Ramon Creek, Sycamore Creek, and Walnut Creek on and/or abutting Sub Areas 1-3 and 5-7, habitat present is lacking a sandy or rocky substrate, water is slow-flowing, and riparian overstory is sparse; thus, the project site does not provide suitable habitat, including breeding, dispersal, or over-summering habitat (Table 3). **Accordingly, no impacts to foothill yellow-legged frog are anticipated from the proposed project.**

6.5.2 California Red-Legged Frog

The California red-legged frog was listed as a federally threatened species on May 23, 1996 (USFWS 1996; 61 FR 25813), and is designated as a California Species of Special Concern (CDFW 2022). A recovery plan was published for the California red-legged frog on September 12, 2002 (USFWS 2002). Critical habitat was designated for this species on April 13, 2006, and revisions to the critical habitat designation were published on March 17, 2010. The project site is not located within critical habitat for this species.

The California red-legged frog is distributed throughout 26 counties in California, but is most abundant in the San Francisco Bay Area (USFWS 2017a). Populations have become isolated in the Sierra Nevada, northern coast, and northern Transverse Ranges (Jennings and Hayes 1994, Stebbins 2012). The species is believed to be extinct from the southern Transverse and Peninsular ranges, but is still present in Baja California, Mexico (USFWS 2017b). California red-legged frogs predominantly inhabit permanent water sources such as streams, lakes, marshes, natural and man-made ponds, and ephemeral drainages in valley bottoms and foothills up to 4,900 feet MSL (Jennings and Hayes 1994, Bulger et al. 2003, Stebbins 2012). Adults breed in a variety of aquatic habitats, while larvae and metamorphs use streams, deep pools, backwaters of streams and creeks, ponds, marshes, sag ponds, dune ponds, and lagoons. Stock ponds are frequently used for breeding when they provide a suitable hydroperiod, pond structure, and vegetative cover, and are managed to control non-native predators such as bullfrogs and exotic fish. Breeding occurs between November and April within still or slow-moving water with light to dense, riparian or emergent vegetation, such as cattails (*Typha* spp.), tules (*Scirpus* spp.), or overhanging willows (*Salix* spp.) (Hayes and Jennings 1988). Egg masses are attached to vegetation below the surface and hatch after 6 to 14 days (Storer 1925, Jennings and Hayes 1994). Larvae undergo metamorphosis 3.5 to 7 months following hatching and reach sexual maturity at 2 to 3 years of age (Jennings and Hayes 1984, 1994). During the dry season, California red-legged frogs may use refugia in upland habitat, such as small mammal burrows or adjacent moist vegetation (USFWS 2002).

Tatarian (2008) noted that 57 percent of frogs fitted with radio transmitters in the Round Valley of eastern Contra Costa County stayed at their breeding pools, whereas 43 percent moved into adjacent upland habitat or to other aquatic sites. This study reported a peak of seasonal terrestrial movement in

the fall months corresponding to 0.2 inches of precipitation that tapered off into spring. Upland movement activities ranged from 3 to 233 feet, averaging 80 feet, and were associated with a variety of refugia, including ground squirrel burrows at the bases of trees or rocks, logs, grass thatch, crevices, cow hoof prints, and a downed barn door; others were associated with upland sites lacking refugia (Tatarian 2008). The majority of terrestrial movements lasted from 1 to 4 days; however, one female was reported to remain in upland habitat for 50 days (Tatarian 2008). Uplands closer to aquatic sites were more often used and were more commonly associated with areas exhibiting higher object cover (e.g., small woody debris, rocks, and vegetative cover). Most frogs move away from breeding ponds to upland areas. The distance moved is site dependent, though one recent study shows that only a few frogs move farther than the nearest suitable nonbreeding habitat (Fellers and Kleeman 2007). In this Marin County study, the farthest distance traveled was 0.87 miles and most dispersing frogs moved through grazed pastures to reach the nearest riparian habitat (Fellers and Kleeman 2007). Bulger et al. (2003) did not observe habitat preferences among frogs moving between ponds. They did note that when breeding ponds dry, California red-legged frogs use moist microhabitats of dense shrubs and herbaceous vegetation within approximately 330 feet of ponds.

The California red-legged frog is known from 15 CNDDB occurrences within 3 miles of the project site; the closest occurrence dates to 2000 and is located 0.42 miles southwest of Sub Area 3 on the project site on the south side of Las Trampas Ridge (CNDDB Occurrence No. 638; Figure 5). Suitable non-breeding aquatic habitat and upland/dispersal habitat occurs on the project site along Green Valley Creek, San Ramon Creek, Sycamore Creek, and Walnut Creek on and/or abutting Sub Areas 1-3 and 5-7 and habitats immediately adjacent to these aquatic features; however, no suitable breeding occurs on the project site. **As such, until preconstruction surveys are conducted that confirm or negate this species' presence on the project site, impacts to California red-legged frog would be a potentially significant impact pursuant to the CEQA.** If California red-legged frog is identified on or immediately adjacent to the project site, avoidance and minimization measures will be implemented that would reduce this impact to a level regarded as less than significant pursuant to CEQA (see Impacts Analysis section).

6.5.3 California Tiger Salamander

The Central California DPS of the California tiger salamander was federally listed as a threatened species on August 4, 2004 (69 FR 47212) and was listed as a threatened species by the State of California effective August 19, 2010 (Section 670.5, Title 14, CCR, as amended). Critical habitat for the Central Valley, Sonoma, and Santa Barbara populations were designated for this species on August 23, 2005, August 31, 2011, and November 24, 2004, respectively. Recovery plans for the Central Valley, Sonoma, and Santa Barbara populations were published for this species on June 6, 2017, May 31, 2016, and December 12, 2016, respectively.

The California tiger salamander is a large, terrestrial salamander distributed throughout the Central Valley and Central Coast ranges from Colusa County south to San Luis Obispo and Kern counties from

sea level to 3,500 feet in elevation. Two disjunct populations are located within Sonoma County and Santa Barbara County, which are geographically isolated from the Central Valley population. Shaffer et al. (2004) identified six distinct populations based on mitochondrial DNA and allozymes analysis: the Santa Rosa area of Sonoma County; the Bay Area (central and southern Alameda, Santa Clara, western Stanislaus, western Merced, and the majority of San Benito counties); the Central Valley (Yolo, Sacramento, Solano, eastern Contra Costa, northeast Alameda, San Joaquin, Stanislaus, Merced, and northwestern Madera counties); southern San Joaquin Valley (portions of Madera, central Fresno, and northern Tulare and Kings counties); the Central Coast Range (southern Santa Cruz, Monterey, northern San Luis Obispo, and portions of western San Benito, Fresno, and Kern counties); and Santa Barbara County.

California tiger salamanders inhabit lowland grasslands, oak savannah, and mixed woodland habitats, and require vernal pools, seasonal ponds, or semi-permanent calm waters that pond water for a minimum of 3 to 4 months in duration for breeding and larval maturation, and adjacent upland refugia and foraging habitat with small mammal burrows (Storer 1925, Barry and Shaffer 1994, Stebbins 2012). Migration to breeding sites begins with the onset of autumn rains, typically in November. California tiger salamanders have been reported to travel distances up to 1 mile (Austin and Shaffer 1992), but Trenham and Shaffer (2005) estimate that optimal upland habitat is within 2,067 feet of breeding ponds. Eggs are laid singly or in small clusters on the pond bottom or attached to individual strands of vegetation (Storer 1925, Barry and Shaffer 1994, Jennings and Hayes 1994). Metamorphosis requires a minimum of 10 weeks following hatching and young migrate in mass when temporary pools begin to dry in late spring or early summer (Anderson 1968, Feaver 1971, Jennings and Hayes 1994, Stebbins 2012). Outside of the breeding season, juveniles and adults remain in subterranean habitat typically in small mammal burrows provided by California ground squirrels and pocket gophers (Shaffer et al. 1993, Barry and Shaffer 1994, Jennings and Hayes 1994, Stebbins 2012).

The California tiger salamander is the most vulnerable of the group of amphibians that breed in vernal pools because its long developmental interval to metamorphosis restricts it to pools that are the longest lasting, and therefore often the largest in size. Loss and degradation of complexes of vernal pools pose a significant threat as many of these areas are essential breeding habitat. California tiger salamanders are at risk due to loss of habitat from development of agriculture and grazing lands, habitat fragmentation, loss and degradation of complexes of vernal pools, and introduction of predatory exotic species such as mosquitofish (*Gambusia affinis*), American bullfrogs (*Lithobates catesbeiana*), and Louisiana red swamp crayfish (*Procambarus clarkii*), and poisoning of ground squirrels (Zeiner et al. 1988, Collins et al. 1998, Shaffer et al. 1993, Jennings and Hayes 1994). High mortality of California tiger salamanders while crossing roads en route to and from breeding sites also adversely affects both individuals and at-risk populations (Barry and Shaffer 1994).

The closest known record for California tiger salamander is located within Sub Area 2 on the project site (CNDDB Occurrence No. 436; Figure 5); however, this record is from 1952 and is presumed extirpated (Jennings and Hayes 1994). The closest breeding occurrence is located approximately 2.8 miles

southeast of Sub Area 6 on the project site (CNDDB Occurrence No. 404). There is no suitable breeding habitat on the project site and there are few ground squirrel burrows or cracks that would be suitable for over-summering. Thus, California tiger salamander is not expected to occur on the project site due to the lack of suitable habitat, distance from known breeding populations, and existing dispersal barriers (i.e., roadways, residential neighborhoods, water treatment facilities, etc.). **Accordingly, no impacts to California tiger salamander are anticipated from the proposed project.**

6.5.4 Alameda Whipsnake

The Alameda whipsnake was listed as a federally threatened species on December 5, 1997 (USFWS 1997) and is state listed as threatened (CDFW 2022). Critical habitat was designated for this species on October 2, 2006, and a recovery plan was published in 2003 (USFWS 2003).

The Alameda whipsnake is a fast-moving, slender, diurnal snake with a broad head, large eyes, and measures 2.5 to 5 feet in length (Stebbins 2012). Dorsal coloration is brown to black with wide lateral stripes and an orange to pink ventral surface becoming more brilliantly colored near the tail. The Alameda whipsnake is a subspecies of the California whipsnake (*Masticophis lateralis*) which inhabits the foothills and mixed deciduous and pine forests of the Sierra Nevada and Coast Range mountains from Siskiyou County in northern California to the flatland desert in Cañon de Los Reyes in southern Baja California (Stebbins 2012). The Alameda whipsnake inhabits the inner Coast Ranges in western and central Contra Costa and Alameda counties (Jennings 1983, McGinnis 1992, Swaim 1994). Habitat fragmentation has restricted its range into five recognized subpopulations: Tilden-Briones population, Oakland-Las Trampas population, Hayward-Pleasanton Ridge population, Mount Diablo-Black Hills population, and Sunol-Cedar Mountain population.

Suitable habitat for this species includes mixed chaparral, coastal scrub, and annual grassland and oak woodlands adjacent to scrub habitats. Grassland areas linked to scrub by rock outcrops or river corridors are also considered primary habitat constituent elements (USFWS 2003). This habitat provides cover for snakes during dispersal, shelter from predators, and a variety of microhabitats where whipsnakes can move to regulate their body temperature (Swaim 1994). Important features include small mammal burrows, rock outcrops, talus, and other forms of shelter that provide snakes with alternative habitats for temperature regulation, protection from predators, sites for egg-laying, and winter hibernaculum. Whipsnakes will use grasslands, woodlands, riparian areas, and the fringes of developed or disturbed land cover types to move to and from core habitat areas.

The closest known record for Alameda whipsnake is located 1.5 miles northwest of Sub Area 3 on the project site (CNDDB Occurrence No. 7; Figure 5); however, this record dates back to 1952 and the exact location of the occurrence is unknown. Regardless, Sub Area 3 is located within USFWS-designated critical habitat for Alameda whipsnake in valley and foothill grassland habitat immediately adjacent and contiguous with Las Trampas Regional Wilderness Park. This habitat which abuts oak and riparian woodland communities is suitable for Alameda whipsnake foraging and dispersal. The remaining seven

sub areas do not provide suitable habitat for this species. **Accordingly, pursuant to CEQA, future development of the candidate housing sites would result in potentially significant impacts to USFWS-designated Alameda whipsnake critical habitat.** Avoidance and minimization measures will be implemented that would reduce this impact to a level regarded as less than significant pursuant to CEQA (see Impacts Analysis section).

6.5.5 Western Pond Turtle

The western pond turtle, a California Species of Special Concern (CDFW 2022), is the only freshwater turtle native to greater California and is distributed along much of the western coast, from the Puget Sound in Washington south to the Baja Peninsula, Mexico (Storer 1930). Overall, western pond turtles are habitat generalists, and have been observed in slow-moving rivers and streams (e.g., in oxbows), lakes, reservoirs, permanent and ephemeral wetlands, stock ponds, and sewage treatment plants. They prefer aquatic habitat with refugia, such as undercut banks and submerged vegetation (Holland 1994), and require emergent basking sites, such as mud banks, rocks, logs, and root wads to thermoregulate their body temperature (Holland 1994, Bash 1999). Pond turtles are omnivorous and feed on a variety of aquatic and terrestrial invertebrates, fish, amphibians and aquatic plants.

Western pond turtles regularly utilize upland terrestrial habitats, most often during the summer and winter, especially for oviposition (females), overwintering, seasonal terrestrial habitat use, and overland dispersal (Reese 1996, Holland 1994). Females have been reported ranging as far as 1,640 feet from a watercourse to find suitable nesting habitat (Reese and Welsh 1997). Nest sites are most often situated on south- or west-facing slopes, are sparsely vegetated with short grasses or forbs, and are scraped in sands or hard-packed, dry silt or clay soils (Holland 1994, Rathbun et al. 1992, Holte 1998, Reese and Welsh 1997). Western pond turtles exhibit high site fidelity, returning in sequential years to the same terrestrial site to nest or overwinter (Reese 1996).

Females in southern and central California lay their clutch as early as late April to late July, although they predominantly lay in June and July. In the early morning or late afternoon, gravid females leave the water and move upland to nest (Holland 1994). Natural incubation times vary, ranging from 80 to 100+ days in California. In northern California and Oregon, hatchlings remain in the nest after hatching and overwinter, emerging in the spring. In southern and central California, those that do not overwinter emerge from the nest in the early fall (Holland 1994).

The closest known record for western pond turtle dates to 2015 and is located 2.8 miles south of Sub Area 8 on the project site (CNDDB Occurrence No. 1287; Figure 5). Suitable dispersal habitat occurs on the project site along Green Valley Creek, San Ramon Creek, Sycamore Creek, and Walnut Creek and/or its tributaries within Sub Areas 1-3 and 5-7. **Accordingly, until preconstruction surveys are conducted that confirm or negate this species' presence on the project site, impacts to western pond turtle would be a potentially significant impact pursuant to the CEQA.** If western pond turtle is identified on or immediately adjacent to the project site, avoidance and minimization measures will be implemented

that would reduce this impact to a level regarded as less than significant pursuant to CEQA (see Impacts Analysis section).

6.5.6 American Badger

The American badger (*Taxidea taxus*) is designated as a California Species of Special Concern (CDFW 2022). American badgers are small, stocky carnivores of the Mustelidae family (weasels). They are uncommon, permanent residents of California and are found throughout most of the state. Their preferred habitat is characterized by herbaceous, shrub, and open stages of most habitats with dry, friable soils. Badgers dig burrows for cover and frequently reuse old burrows. They eat fossorial rodents: rats, mice, chipmunks, and especially ground squirrels and pocket gophers. The have been observed to eat some reptiles, insects, earthworms, eggs, birds, and carrion. Their diet shifts both seasonally and yearly in response to availability of prey. They are typically solitary, save for mating season, with some exceptions (Long 1973).

The closest known record for the American badger dates from 2007 and is located 3 miles east of Sub Area 4 on the project site (CNDDB Occurrence No. 410; Figure 5). No signs of badgers or their burrows were observed during the 2022 survey and only marginally suitable habitat occurs on the project site in Sub Areas 1, 3, 6, 7, and 8. **Regardless, out of an abundance of caution, until preconstruction surveys are conducted that confirm or negate this species' presence on the project site, impacts to American badger would be a potentially significant impact pursuant to the CEQA.** If American badger is identified on or immediately adjacent to the project site, avoidance and minimization measures will be implemented that would reduce this impact to a level regarded as less than significant pursuant to CEQA (see Impacts Analysis section).

6.5.7 San Joaquin Kit Fox

The San Joaquin kit fox is a state listed threatened and federally listed endangered species. Critical habitat has not been designated for this species. A recovery plan was published for the San Joaquin kit fox on September 30, 1998 (USFWS 1998).

The San Joaquin kit fox is the smallest canid species in North America. Currently there are two recognized subspecies of kit fox: *V. m. mutica* and *V. m. macrotis* (USFWS 1998). Historically, they occurred extensively throughout California's Central Valley and parts of the Salinas and Santa Clara valleys. They currently inhabit the valley bottom and foothills from southern Kern County north to San Benito, Santa Clara, Alameda, Contra Costa, and San Joaquin counties on the west, and near La Grange, Stanislaus County on the east side of the Central Valley. They can also be found in some of the larger scattered islands of natural land on the Valley floor in Kern, Tulare, Kings, Fresno, Madera, and Merced counties (USFWS 1998). San Joaquin kit fox occupy habitats with open or low vegetation and loose soils. In the northern portion of their range, they occupy grazed grasslands and to a lesser extent valley oak woodlands (USFWS 1998). Kit fox are also found in grazed grasslands including areas adjacent to tilled or

fallow fields, and suburban settings (USFWS 1998). In the Altamont Pass area, they occupy soils with high clay content (Orloff et al 1986). The kit fox use underground dens to raise pups, to avoid predators, to regulate temperature, and to avoid other adverse environmental conditions. Kit fox modify and use dens excavated by other animals, as well as human-made structures (culverts). In the northern portion of their range, burrowing mammals (primarily ground squirrels) usually provide dens. Natal pupping dens differ from other kit fox dens in that they tend to be larger, have more entrances, are found on flatter ground (slopes of 6 percent) and show evidence of use (O'Farrell and McCue 1981). Dens are usually located on loose-textured soils on slopes less than 40 degrees (O'Farrell 1980).

San Joaquin kit fox are predominantly nocturnal; hunting and most other activities are restricted to after dark (Egoscue 1956). In their northern range, they prey predominantly upon ground squirrels, but also regularly prey on kangaroo rat (*Dipodomys* spp.), black-tailed jackrabbit, desert cottontail, ground squirrel (*Otospermophilus* spp.), deer mice (*Peromyscus* spp.), burrowing owl, western meadowlark (*Sturnella neglecta*), and a variety of lizards and insects (Egoscue 1956). Coyote, red fox, bobcats, and raptors have been known to prey on kit fox (Cypher et al. 2000).

The closest known records for San Joaquin kit fox are located approximately 0.6 miles southwest and 0.7 miles northeast of Sub Area 6 on the project site (CNDDB Occurrence Nos. 572 and 544; Figure 5). These records date to 1989 and 1990 when one single kit fox was observed in each respective location within open grazed grassland east of heavy residential development (572) and along the shoulder of Blackhawk Road (544). Although marginally suitable habitat for San Joaquin kit fox occurs on the project site, the project site—specifically Sub Area 6 which occurs in the vicinity of these occurrences—is situated on properties geographically isolated by major thoroughfares and existing development with associated fencing. In addition, regular disturbance as a result of vehicular and residential/commercial use would deter this species from inhabitance and/or use as migration habitat. **Accordingly, no impacts to San Joaquin kit fox are anticipated from the proposed project.**

6.5.8 Pallid Bat

The pallid bat (*Antrozous pallidus*) is designated as a California Species of Special Concern and a Medium Priority species by the Western Bat Working Group (CDFW 2022). The pallid bat is a relatively large, light-colored bat ranging throughout the western North America from interior British Columbia to Mexico (Hermanson and O'Shea 1983, Sherwin and Rambaldini 2005). They inhabit foothills and lowlands near water throughout California below 6,560 feet in elevation, but are most abundant in arid deserts and grasslands, particularly in areas with rock outcrops near water (Hermanson and O'Shea 1983). Pallid bats typically live in small groups in a variety of day and night roosts including bridges, buildings, tree hollows in coast redwoods, bole cavities in oaks, exfoliating bark, rock crevices in outcrops and cliffs, caves, and mines (Sherwin and Rambaldini 2005). Roost sites may change seasonally and are typically reused for a few days to weeks. Pallid bats primarily feed on a variety of arthropods by capturing prey on the ground or gleaning from surfaces near the ground. Parturition varies with latitude, but generally occurs from late April to August; maternal colonies disperse by October (Hermanson and

O'Shea 1983). Overwintering is common along the California coast, but individuals may migrate short distances between winter and summer roosts (Sherwin and Rambaldini 2005).

Three occurrences of pallid bat are known within 3 miles of the project site; the nearest occurrence dates to 1991 and is located within Sub Area 1 and Sub Area 2 on the project site (CNDDB Occurrence No. 135; Figure 5). In addition, trees on the project site and structures along Project site boundaries within all sub areas provide marginally suitable roosting habitat. **As such, until preconstruction surveys are conducted that confirm or negate this species' presence on the project site, impacts to pallid bat would be a potentially significant impact pursuant to the CEQA.** If pallid bats are identified roosting on or immediately adjacent to the project site, avoidance and minimization measures will be implemented that would reduce this impact to a level regarded as less than significant pursuant to CEQA (see Impacts Analysis section).

6.5.9 Townsend's Big-Eared Bat

Townsend's big-eared bat (*Corynorhinus townsendii*) is designated as a California Species of Special Concern and High Priority species by the Western Bat Working Group (CDFW 2022). The Townsend's big-eared bat is an uncommon resident throughout California, inhabiting mesic environments. The species is a moth specialist and typically roosts in cavities measuring 16 inches in diameter or greater (pers. comm. Dave Wyatt) in caves, mines, bridges, building, rock crevices, tree hollows in coastal lowlands, and cultivated valleys and nearby hills characterized by mixed vegetation below 11,000 feet. Townsend's big-eared bats exhibit a high site fidelity and are highly sensitive to disturbance. They forage by gleaning insects from trees and shrubs along edge habitats near water. Foraging bouts peak in late evening and may span long distances. Winter hibernacula are used from October to April.

The closest known occurrence of Townsend's big-eared bat is located approximately 3 miles northeast of Sub Area 4 on the project site (CNDDB Occurrence No. 423; Figure 5); however, this observation is historical and occurred in 1926. Regardless, all trees on the project site and structures along project site boundaries within all sub areas provide marginally suitable roosting habitat. **As such, until preconstruction surveys are conducted that confirm or negate this species' presence on the project site, impacts to Townsend's big-eared bat would be potentially significant pursuant to the CEQA.** If Townsend's big-eared bats are identified roosting on or immediately adjacent to the project site, avoidance and minimization measures will be implemented that would reduce this impact to a level regarded as less than significant pursuant to CEQA (see Impacts Analysis section).

6.5.10 Western Burrowing Owl

The western burrowing owl (*Athene cunicularia hypugaea*) is designated a California Species of Special Concern by the CDFW and is federally designated as a Bird of Conservation Concern (CDFW 2022). This species receives additional protection under the MBTA and CFGC §3503. Burrowing owls range throughout the Central Valley, the inner and outer coastal regions, portions of the San Francisco Bay

Area, the southern California coast from southern California to the Mexican Border, the Imperial Valley, and in portions of the desert and high desert habitats in southeastern and northeastern California. Burrowing owls require habitat with three basic attributes: open, well-drained terrain; short, sparse vegetation; and underground burrows or burrow facsimiles. Throughout their range burrowing owls occupy grasslands, deserts, sagebrush scrub, agricultural areas (including pastures and untilled margins of cropland), earthen levees and berms, coastal uplands, urban vacant lots, and the margins of airports, golf courses, and roads (Haug et al. 1993). Burrowing owls rely on burrows excavated by fossorial mammals or reptiles, including prairie dogs, ground squirrels, badgers, skunks, armadillos, woodchucks, foxes, coyotes, and gopher tortoises (Karalus and Eckert 1987). Where the number and availability of natural burrows is limited (for example, where burrows have been destroyed or ground squirrels eradicated), owls will occupy drainage culverts, cavities under piles of rubble, discarded pipe, and other tunnel like structures (Haug et al. 1993). Like other owls, burrowing owls breed once each year in an extended reproductive period, during which most adults mate monogamously. Both sexes reach sexual maturity at 1 year of age. Clutch sizes vary, and the number of eggs laid is proportionate to prey abundance. The breeding season occurs from February 1 to August 31, but peaks between late April and July in most years. Burrowing owls have been found occupying burrows in the foothills (up to 2,048 feet in elevation) of California during the non-breeding, winter season (Trulio et al. 2007). These overwintering birds do not remain during the breeding season, and typically do not breed in adjacent or nearby areas (Trulio et al. 2007).

The closest known record for burrowing owl is located within a vacant lot surrounded by development approximately 1.3 miles south of Sub Area 8 on the project site (CNDDB Occurrence No. 506; Figure 5). However, few grounds squirrel burrows are present on the project site and no burrowing owls or signs thereof were observed during biological surveys conducted in 2022. Regardless, this is a mobile species that could move onto the project site in the future as Sub Areas 1, 3, 6, 7, and 8 provide marginally suitable habitat. **Therefore, impacts to nesting western burrowing owls are regarded as a potentially significant pursuant to the CEQA. To avoid these potential impacts, a preconstruction nesting season survey should be conducted the year that development of the future candidate housing sites commences.** The survey should follow the survey methodology prescribed in the CDFW's *Staff Report on Burrowing Owl Mitigation* (CDFG 2012). If burrowing owls are identified nesting on or immediately adjacent to the project site, avoidance and minimization measures will be implemented that would reduce this impact to a level regarded as less than significant pursuant to CEQA (see Impacts Analysis section).

6.5.11 Golden Eagle

The golden eagle is fully protected by the CDFW and is protected under the BGEPA (16 U.S.C. 668-668d, 54 Stat. 250) as amended, which prohibits the taking, possession and commerce of eagles, their nests, eggs or feathers unless expressly authorized by permit pursuant to federal regulations. Golden eagles are also protected under the MBTA (16 U.S.C. 703-712) and Migratory Bird Treaty Reform Act (Division E, Title I, Section 143 of the Consolidated Appropriations Act, 2005, PL 108–447).

Golden eagles inhabit grasslands, savannahs, oak and pine woodlands, and agricultural fields. They nest on cliffs and in large trees in open areas. Golden eagles exhibit strong site fidelity and will reuse the same nest from year to year; however, it is not uncommon for a breeding pair to have several alternate nest sites available within the same territory (Kochert et al. 2002, Baicich and Harrison 2005). Breeding season begins between February and May depending on the latitude, are single-brooded, and may take more than six months to completely rear a single young (Kochert et al. 2002). During the non-breeding season they inhabit open habitats such as grasslands, savannahs, scrub, and oak woodlands. Prey consists of small to medium-sized mammals, including black-tailed jackrabbits (*Lepus californicus*), cottontails (*Sylvilagus* spp.), and California ground squirrels (*Otospermophilus beecheyi*).

There are no known occurrences of golden eagle within the vicinity of the project site; however, the species was included for review and consideration in the USFWS IPaC species list. No eagles were observed soaring or foraging in the vicinity of the project site during the 2022 survey; suitable foraging and nesting habitat is present in Sub Area 3 of the project site. **As such, until preconstruction surveys are conducted that confirm or negate this species' presence on the candidate housing sites, impacts to golden eagle would be potentially significant pursuant to the CEQA.** If golden eagles are identified roosting on or within 0.5 miles of the project site, avoidance and minimization measures will be implemented that would reduce this impact to a level regarded as less than significant pursuant to CEQA (see Impacts Analysis section).

Table 3. Special-Status Animal Species with Potential to Occur on the Town of Danville Housing Element Update Project Site.

Scientific Name	Common Name	Listed Status	Habitat Requirements	Potential for Occurrences
Mammals				
Antrozous pallidus	pallid bat	SSC	Occurs in deserts, grasslands, shrublands, woodlands, and forest. Most common in open, dry, habitats with rocky area for roosting. Roost must protect bats from high temperatures. Very sensitive to disturbance of roosting sites.	Low Potential. Marginal roosting habitat occurs on the project site. Preconstruction surveys will be conducted; see text.
Corynorhinus townsendii	Townsend's big-eared bat	SSC	Have been found in a diverse array of communities, including but not limited to, evergreen forests, mixed riparian forests, agricultural areas and coastal habitats. Distribution is most strongly correlated with proximity to roosting habitats in rock cavities and caves.	Low Potential. Marginal foraging habitat occurs on the project site. Preconstruction surveys will be conducted; see text.
Vulpes macrotis mutica	San Joaquin kit fox	FE, CT	Occurs in annual grasslands or open stages with scattered shrubby vegetation. Requires loose sandy textured soils for burrowing.	No Potential. No suitable habitat occurs on the project site.
Taxidea taxus	American badger	SSC	Most abundant in drier open stages of most shrub, forest, and herbaceous habitats with friable soils. Needs sufficient food, friable soils, and open uncultivated ground. Cannot live in frequently plowed fields. Preys on burrowing rodents.	Low Potential. No dens detected on the project site or within 500 feet during 2022 site visit and marginally suitable habitat occurs on the project site. Preconstruction surveys will be conducted; see text.
Birds				
Athene cunicularia hypugaea	western burrowing owl	SSC	Prefers level, open, dry, heavily grazed, or low stature grassland or desert vegetation with available burrows.	Low Potential. Few suitable burrows are present on the project site; however, suitable burrows are present in the vicinity of the sub areas. Preconstruction surveys will be conducted; see text.
Agelaius tricolor	tricolored blackbird	CT, SSC	Constructs nests in dense stands of tule, cattail, or other dense marshland vegetation. Requires protected nesting substrate and foraging areas within a few kilometers of the colony.	No Potential. No suitable habitat occurs on the project site.

Scientific Name	Common Name	Listed Status	Habitat Requirements	Potential for Occurrences
Aquila chrysaetos	golden eagle	FP	Prefers undeveloped, open and semi-open country. Constructs nests on cliffs or anthropogenic elevated platforms.	Low Potential. Foraging and nesting habitat are present in the vicinity of the project site; however, no known occurrences are documented within the region. Pre-construction surveys will be conducted; see text.
Sterna antillarum browni	California least tern	FE, CE, FP	Occurs and nests along coastal, sandy, open areas usually around bays, estuaries, and creek and river mouths.	No Potential. No suitable habitat occurs on the project site.
Amphibians/Reptiles				
Ambystoma californiense	California tiger salamander	FT, CT, SSC	Occurs in vernal and seasonal pools and associated grasslands, oak savanna, woodland, and coastal scrub. Needs underground refuges (i.e., small mammal burrows, pipes) in upland areas such as grassland and scrub habitats.	No Potential. No suitable habitat occurs on the project site. Closest known breeding occurrence located 2.4 miles south of the project site.
Rana draytonii	California red-legged frog	FT, SSC	Occurs in semi-permanent or permanent water at least two feet deep, bordered by emergent or riparian vegetation, and upland grassland, forest, or scrub habitats for aestivation and dispersal.	Low Potential. Closest known occurrence located 0.42 miles southwest of the project site. Marginally suitable upland and dispersal habitat occur on the project site. Preconstruction surveys will be conducted; see text.
Emys marmorata	western pond turtle	SSC	Occurs in rivers, ponds, and freshwater marshes, and nests in upland areas (sandy banks or grassy open fields) up to 1,640 feet from water.	Low Potential. No suitable breeding habitat occurs on the project site; however, due to proximity and hydrological connectivity to known occurrences. Project site may be used as dispersal habitat. Preconstruction surveys will be conducted; see text.
Masticophis lateralis euryxanthus	Alameda whipsnake	FT, CT	A fast-moving, diurnal predator; actively hunts with head held high. Limited range, mostly in Alameda and Contra Costa counties, utilizing chaparral, scrub, and rocky outcrops as core habitat. Also uses	Moderate Potential. Suitable habitat occurs on the project site; in addition, Sub Area 3 is located within USFWS-designated critical

Scientific Name	Common Name	Listed Status	Habitat Requirements	Potential for Occurrences
			surrounding woodlands and grassland for foraging and dispersal.	habitat for the species; see text.
Rana boylii	foothill yellow-legged frog	west/central coast clade: CE	Found in rocky streams and rivers with rocky substrate and open, sunny banks in forests, woodlands, and chaparral. May also occur in isolated pools and vegetated backwaters.	No Potential. No suitable habitat occurs on the project site.
Fish				
Hypomesus transpacificus	delta smelt	FT, CE	Endemic to Sacramento-San Joaquin Delta and its tributaries extending west to Suisun and San Pablo bays.	No Potential. No suitable habitat occurs on the project site.
Oncorhynchus mykiss irideus pop. 8	steelhead – Central California Coast DPS	FT	Occurs in fresh water, fast flowing, highly oxygenated, clear, cool streams where riffles tend to predominate pools; small streams with high elevation headwaters close to the ocean that have no impassible barriers.	No Potential. No suitable habitat occurs on the project site.
Oncorhynchus mykiss irideus pop. 9	steelhead – south-central California Coast DPS	FT	Occurs in fresh water, fast flowing, highly oxygenated, clear, cool streams where riffles tend to predominate pools; small streams with high elevation headwaters close to the ocean that have no impassible barriers.	No Potential. No suitable habitat occurs on the project site.
Invertebrates				
Danaus plexippus pop. 1	monarch butterfly	FC	Migratory species, making massive migrations August-October to hibernate along the California coast and central Mexico. Feed on flower nectar from milkweeds, dogbane, lilac, red clover, thistles, goldenrods, blazing stars, ironweed, and tickseed flower. Found across fields, meadows, weedy areas, marshes, and roadsides.	No Potential. No suitable habitat occurs on the project site.
Branchinecta lynchi	vernal pool fairy shrimp	FT	Occurs in vernal pools. Endemic to the grasslands of the Central Valley, Central Coast mountains, and South Coast mountains.	No Potential. No suitable habitat occurs on the project site.

Key to status:
FE=Federally listed as endangered species
FT=Federally listed as threatened species
FC=Federally candidate listed species
CE=California listed as endangered species
CT=California listed as threatened species
SSC=California species of special concern

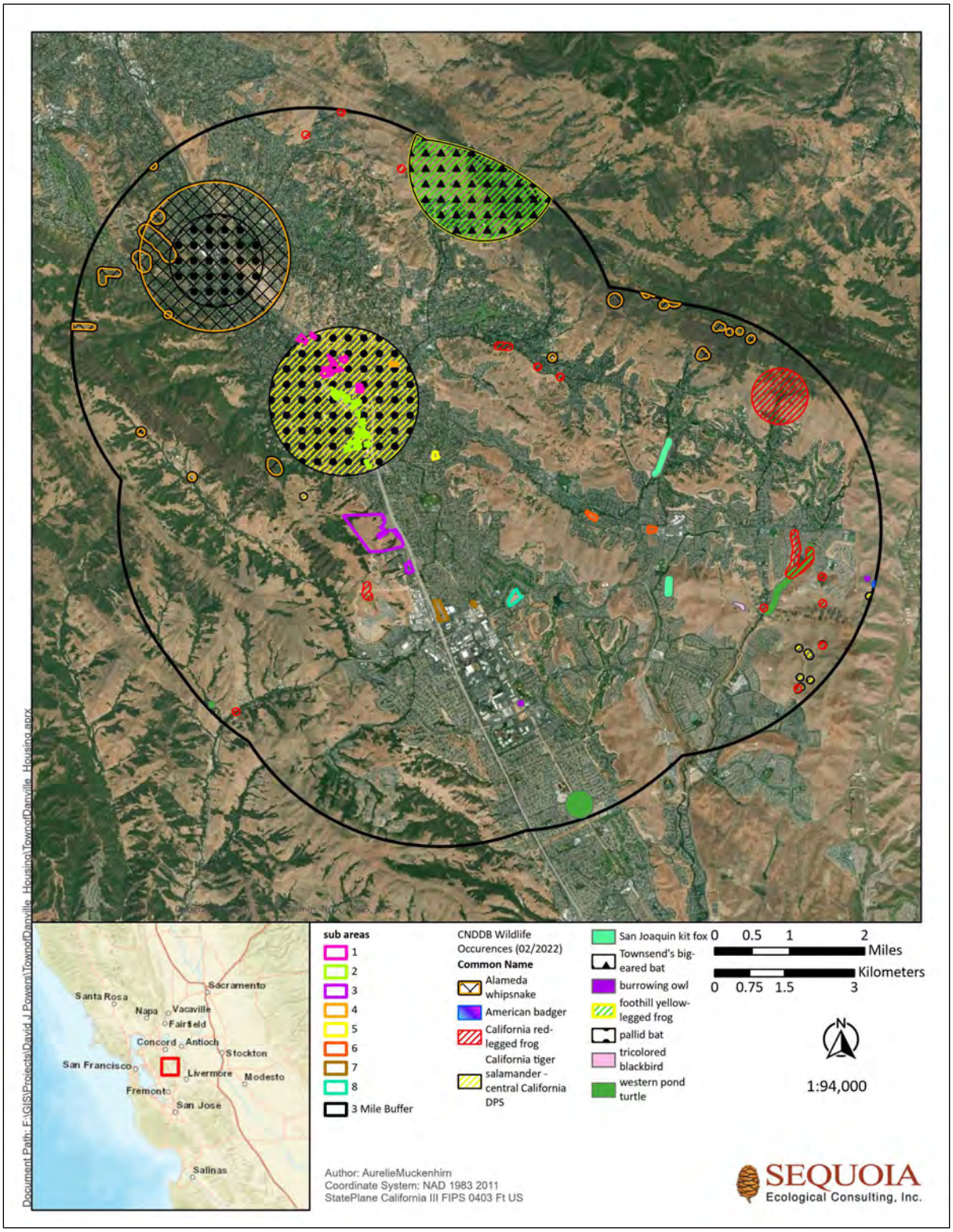

Figure 5. Closest Known Records for Special-Status Animal Species Within 3 Miles of the Town of Danville Housing Element Update Project Site.

7.0 DISCUSSION AND IMPACT ASSESSMENT

7.1 Significance Criteria

Pursuant to CEQA and CEQA Guidelines, direct and indirect adverse impacts to biological resources are classified as less than significant, potentially significant, or significant. According to CEQA Guideline §21068, a significant effect on the environment means a substantial, or potentially substantial, adverse change in the environment. According to CEQA Guideline §15382, a significant effect on the environment is further defined as a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the Project, including land, air, water, minerals, flora, fauna, ambient noise, and objects of historical or aesthetic significance. State, federal, and local jurisdictions and regulations are considered in the evaluation of significance of proposed actions.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the CDFW or U.S. Fish and Wildlife Service?	☐	☒	☐	☐
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the CDFW or U.S. Fish and Wildlife Service?	☐	☐	☒	☐
c. Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☒	☐
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☒	☐
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☒	☐	☐
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒

7.2 Impacts Analysis

a. Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or the U.S. Fish and Wildlife Service?

7.2.1 Impact BIO-1. Special-Status Plants

Recent records of Congdon's tarplant are known within Sub Area 3 of the project site (CNDDB Occurrence Nos. 95 and 96) and Sub Area 8 contains potentially suitable habitat for this species. Furthermore, Sub Areas 3 and 8 provide suitable habitat for four additional special-status plant species, including big-scale balsamroot, big tarplant, Diablo helianthella, and showy golden madia. It should be noted, suitability does not infer presence, only that conditions are present which could support special-status plant species. Implementation of General Plan Policy 21.10 would require preparation of a biological assessment for proposed development on sites that are determined to have the potential to contain special-status species. The biological assessment would be prepared by a qualified biologist and would identify special-status species known to occur, potential impacts, and appropriate measures for protecting special-status species in accordance with state and federal laws. Additionally, the results of the project-level biological assessment(s) may identify the need for special-status plant surveys, which must be conducted at appropriate times of the year for each species to align with their respective blooming period. As determined on a case-by-case basis, surveys would be performed as a supplemental measure to reduce potential adverse impacts to special-status plant species. For applicable projects, until such time that formal surveys are conducted to confirm presence/absence of individuals/populations on site and avoidance of these species is proven, potential impacts to special-status plant species are regarded as potentially significant pursuant to CEQA. These impacts could be reduced to a level considered less than significant pursuant to CEQA with implementation of General Plan Policy 21.10 and incorporation of avoidance and minimization measure (AMM) BIO-1, as appropriate.

Avoidance and Minimization Measures:

<u>BIO-1: Special-Status Plants</u>

Appropriately-timed special-status plant surveys shall be conducted in compliance with all CDFW (2018), USFWS (1996), and CNPS (2001) published survey guidelines. Project commencement shall not be initiated until all special-status plant surveys are completed and subsequent mitigation, if necessary, is implemented. If no special-status plant species are found to inhabit the project site, no further mitigation measures would be necessary.

If special-status plants are detected, individuals shall be clearly marked and avoided to the extent feasible. If special-status plants detected during focused surveys cannot be avoided, consultation

with CDFW and/or USFWS (depending on listing status) shall occur. As part of this consultation, a mitigation plan shall be developed and approved by the appropriate agencies to avoid all adverse impacts. The mitigation plan shall include methodology of transplanting and/or on-site replanting at a minimum 1:1 (mitigation to impacts) ratio, 5-year monitoring program, success criteria (i.e., 70 percent survivorship threshold), and annual reporting requirements. In addition, this plan shall include worker education and development of appropriate AMMs.

Level of Significance after Avoidance and Minimization: Less than Significant

**To be determined on case-by-case basis based on results of project-level biological assessments; presumed to apply to Sub Areas 3 and 8.*

7.2.2 Impact BIO-2: Nesting Birds and Special-Status Wildlife – Golden Eagle, Western Burrowing Owl, Pallid Bat, Townsend's Big-Eared Bat, California Red-Legged Frog, Alameda Whipsnake, Western Pond Turtle, and American Badger

Based on the database and literature review conducted during the desktop review for the proposed project, 18 special-status animal species have been previously documented in the vicinity of the project site. Due to lack of suitable habitat and/or lack of recent occurrences in the project vicinity, seven (7) special-status animal species are not expected to occur and are therefore not discussed further in this analysis. These species include tricolored blackbird, California least tern, delta smelt, Central California Coast DPS steelhead and South-Central California Coast DPS steelhead, monarch butterfly, and vernal pool fairy shrimp.

Potential constraints and proposed mitigations associated with each remaining resource with potential to occur on the project site, including nesting migratory birds and raptors and roosting bats, are provided below. Implementation of General Plan Policies 21.07 and 21.11 would require ensuring development does not damage the habitat of rare and endangered plant and animal species, consistent with state and federal law, as well as the protection of active bird and raptors nests, as required by state CFGC and the federal MBTA. These policies would be incorporated into the Project by implementing General Plan Policy 21.10, which requires the preparation of a biological assessment for proposed development on sites that are determined to have the potential to contain special-status species. The biological assessment would be prepared by a qualified biologist and would identify special-status species known to occur, potential impacts, and appropriate measures for protecting special-status species in accordance with state and federal laws. The results of the project-level biological assessment(s) may identify the need for additional biological surveys. As determined on a case-by-case basis, surveys would be performed as a supplemental measure to reduce potential adverse impacts to nesting birds and/or special-status wildlife. For applicable projects, until such time that formal surveys are conducted that prove absence or avoidance of these species, impacts to nesting birds and raptors and/or special-status wildlife are regarded as potentially significant pursuant to CEQA. These impacts

could be mitigated to levels considered less than significant pursuant to CEQA with implementation of General Plan Policies 21.07, 21.10, and 21.11, and incorporation of AMM BIO-2, as appropriate.

Avoidance and Minimization Measures:

BIO-2a: Environmental Training

Prior to the commencement of project-related activities, a qualified biologist will provide an environmental awareness training program to educate project personnel on relevant special-status species and their habitats, sensitive/regulated habitats, and applicable environmental laws and permits. The training shall include a description of the species and their habitats, importance of preserving species and habitats, penalties for unauthorized take, and the project limits.

* *To be determined on case-by-case basis based on results of project-level biological assessments; presumed to apply to all sub areas of the proposed project.*

BIO-2b: Migratory Birds and Raptors/Nest Avoidance

Tree and vegetation clearing (removal, pruning, trimming, and mowing) shall be scheduled to occur outside the migratory bird nesting season (February 1 through August 31). However, if clearing and/or construction activities will occur during the migratory bird nesting season, then preconstruction surveys to identify active migratory bird and/or raptor nests shall be conducted by a qualified biologist within 14 days of construction initiation on the project site and within 300 feet (i.e., zone of influence) of project-related activities. The zone of influence includes areas outside the project site where birds could be disturbed by construction-related noise or earth-moving vibrations.

If active nest, roost, or burrow sites are identified within the project site, a no-disturbance buffer shall be established for all active nest sites prior to commencement of any proposed project-related activities to avoid construction or access-related disturbances to migratory bird nesting activities. A no-disturbance buffer constitutes a zone in which proposed project-related activities (e.g., vegetation removal, earth moving, and construction) cannot occur. A minimum buffer size of 50 feet for passerines and 300 feet for raptors will be implemented; sizes of the buffers shall be determined by a qualified biologist based on the species, activities proposed near the nest, and topographic and other visual barriers. Buffers shall remain in place until the young have departed the area or fledged and/or the nest is inactive, as determined by the qualified biologist. If work is required within a buffer zone of an active bird nest, work may occur under the supervision of a qualified avian biologist. The qualified avian biologist monitoring the construction work will have the authority to stop work and adjust buffers if any disturbance to nesting activity is observed.

** To be determined on case-by-case basis based on results of project-level biological assessments; presumed to apply to all sub areas of the proposed project.*

BIO-2c: Golden Eagle

In accordance with the BGEPA (USFWS, last amended 1978), preconstruction surveys for golden eagles shall be conducted on the project site and within 0.5 miles of project site boundaries. If an active eagle nest is detected within this survey area, the project proponent shall implement a 0.5-mile no-disturbance buffer around the nest until a qualified biologist determines the nest is no longer active.

** To be determined on case-by-case basis based on results of project-level biological assessments; presumed to apply to all sub areas of the proposed project.*

BIO-2d: Western Burrowing Owl

A preconstruction survey for western burrowing owl shall be conducted on the project site during the nesting season (February 15 – August 31). If any owls and/or their burrows are found during the survey, project redesign to avoid individuals and their burrows is recommended.

The following avoidance and minimization measures are provided below, as detailed in the CDFG *Staff Report on Burrowing Owl Mitigation* (CDFG 2012):

- Avoid disturbing occupied burrows during the nesting season.
- Avoid impacting burrows occupied during the nonbreeding season by migratory or nonmigratory resident burrowing owls.
- Develop and implement environmental awareness training to educate project personnel on recognition of species and commitment to its protection.
- Place visible markers near burrows to ensure project-related activities do not collapse burrows.
- Do not use rodenticides.

** To be determined on case-by-case basis based on results of project-level biological assessments; presumed to apply to Sub Areas 1, 3, 6, 7, and 8 of the proposed project.*

BIO-2e: Special-Status Bats

A qualified biologist shall be hired to conduct surveys for special-status bats (pallid bat and Townsend's big-eared bat) no more than two weeks prior to planned commencement of construction activities that have the potential to disturb bat day roosts or maternity roosts through elevated noise levels or removal of trees. If a visual survey is not sufficient to determine the presence/absence of bats, acoustic equipment (e.g., AnaBat) shall be used to determine

potential occupancy type of species present. If an active maternity roost is detected, a qualified biologist shall determine an appropriate avoidance buffer to be maintained from April 1 until young are flying (typically through August). If an active day roost is detected in a tree or structure planned for removal, or within a zone of influence (i.e., noise, vibration) that could result in roost abandonment, as determined by a qualified biologist, the bats shall be safely evicted under the guidance of a qualified biologist. Day roosts shall not be removed unless the daytime temperature is at least 50 degrees Fahrenheit and there is no precipitation. Mitigation for day roosts impacted by the Project will be achieved through the installation of bat houses on-site to replace lost roosts at a 1:1 ratio. Replacement roosts will be placed at the discretion of the qualified biologist.

* *To be determined on case-by-case basis based on results of project-level biological assessments; presumed to apply to all sub areas of the proposed project.*

BIO-2f: Special-Status Amphibians and Reptiles

A qualified biologist shall conduct preconstruction surveys for special-status amphibians and reptiles (California red-legged frog, western pond turtle, and Alameda whipsnake) within two days of project commencement.

In the event that California red-legged frog, western pond turtle, or Alameda whipsnake are found on the project site, the individual(s) shall be allowed to leave the area of their own volition. Prior to resumption of project-related activities, suitable wildlife exclusion fencing shall be installed along the outside edge of project work limits to ensure that individuals are precluded from entering active work areas. The fencing shall be monitored for routine maintenance and should be permanent enough to ensure that it remains in good condition throughout the duration of the construction period at the project site. In lieu of exclusion fencing, a qualified biologist shall conduct monitoring for the duration of project-related activities at the location and in the vicinity of the previous detection.

- To prevent inadvertent entrapment of amphibian and reptile species, all steep-walled excavations or trenches shall be covered or provided with a wildlife escape ramp at the end of each working day. Before these holes or trenches are filled, they shall be thoroughly inspected for entrapped wildlife by a qualified biologist.
- To prevent inadvertent entrapment of amphibian and reptile species, no plastic monofilament netting shall be allowed on the project site.
- All trash items will be removed from the project site to reduce the potential for attracting predators of the California red-legged frog, western pond turtle and Alameda whipsnake.

** To be determined on case-by-case basis based on results of project-level biological assessments; presumed to apply to Sub Areas 1-3 and 5-7 of the proposed project.*

BIO-2g: American Badger

A preconstruction survey for American badger shall be conducted no more than two weeks prior to planned project commencement. The survey shall be conducted by a qualified biologist with experience identifying badgers and badger burrows. Survey methods shall include walking parallel transects through the project site looking for suitable badger burrows and other signs of these animals' presence.

If an active badger burrow is identified on the project site, the burrow shall be avoided while the burrow remains active for breeding purposes. If it is not clear whether a burrow is active, a qualified biologist shall determine if the burrow is being used for breeding. This may require multiple site visits. If young are determined to be present, the burrow shall be avoided until young leave the burrow and are capable of survival outside the burrow. If the burrow is being used for temporary refugium, as approved by a qualified biologist, a one-way eviction door may be installed to passively relocate the badger.

** To be determined on case-by-case basis based on results of project-level biological assessments; presumed to apply to Sub Areas 1, 3, 6, 7, and 8 of the proposed project.*

Level of Significance after Avoidance and Minimization Measure: Less than Significant

7.2.3 Impact BIO-3. Alameda Whipsnake Critical Habitat

Sub Area 3 of the project site is located within USFWS-designated critical habitat for the Alameda whipsnake. As discussed above, the mapped regional extent of designated critical habitat, which includes roadways and development, overlays habitats that are known to support this species as well as unsuitable habitats that are not occupied by Alameda whipsnake. Accordingly, a designation of critical habitat is not an indication that a project would or could result in "take." However, if future development of the candidate housing sites would result in impacts to this critical habitat, there is a legal mandate for the federal nexus agency to consult with the USFWS prior to authorizing any "discretionary permit" within designated critical habitat. For example, any USACE permit required for the Project would thus require that the USACE initiate Section 7 consultation with the USFWS pursuant to the FESA.

Implementation of General Plan Policy 21.11 would require ensuring development does not damage the habitat of rare and endangered plant and animal species, including Alameda whipsnake, consistent with state and federal law. This policy would be incorporated into the Project by implementing General Plan Policy 21.10, which requires the preparation of a biological assessment for proposed development on sites that are determined to have the potential to

contain special-status species. As stated above, based on the preliminary analysis provided in this Report Sub Area 3 lies within designated critical habitat for Alameda whipsnake. Impacts on USFWS-designated critical habitat for the Alameda whipsnake is regarded as potentially significant pursuant to CEQA. These impacts could be reduced to a level considered less than significant pursuant to CEQA by implementing General Plan Policies 21.10 and 21.11, along with the following recommendations.

Avoidance and Minimization Measures:

BIO-3: Alameda Whipsnake Critical Habitat

To compensate for impacts to USFWS-designated critical habitat for the Alameda whipsnake, the project proponent shall provide mitigation at a level considered acceptable by USFWS. Mitigation could involve dedication of preservation lands at a 2:1 ratio (preserved lands vs. impacted lands), or purchase of credits from an agency approved conservation bank at a minimum ratio of 1:1 (mitigation vs. impacts) for temporary impacts and minimum ratio of 3:1 (mitigation vs. impacts) for permanent impacts, or as otherwise authorized and permitted by the USFWS upon issuance of permits. Proof of purchase of USFWS-approved credits shall be provided to the USFWS in advance of commencement.

To ensure that dispersing or foraging Alameda whipsnakes do not end up on the project site while under construction where they could be harmed, prior to project commencement, the project proponent shall border the habitat-facing side of the project site with wildlife exclusion fencing. This fencing shall be inspected daily by a qualified biologist or a trained construction manager. In the event that Alameda whipsnake is detected on the project site, it shall be allowed to leave the project site of its own volition or be moved by a qualified 10(a)(1)(A) federally-permitted and state-permitted Alameda whipsnake biologist.

In addition, the project proponent will implement measures to avoid and minimize potential adverse effects to Alameda whipsnake within suitable habitat for this species (scrub, grassland, oak woodland, mixed woodland, riparian woodland, and ruderal and agricultural/ornamental habitat). The project proponent will develop and implement an Alameda whipsnake protection and monitoring plan, to be approved by the USFWS during consultation under FESA. The following protective measures will be included:

- The project proponent shall provide the names and credentials of a biologist qualified to act as a construction monitor to USFWS for approval at least 15 days prior to commencement of work.
- The USFWS-approved biologist will survey the site two weeks prior to the onset of work activities and immediately prior to commencing work. If Alameda whipsnakes are found, work in the vicinity will be delayed until the species moves out of the site on its own, or

the approved biologist will contact the USFWS to determine whether relocating the species is appropriate.

- Ground disturbing work shall be performed during the period when Alameda whipsnake are active, April 1 to October 31, to minimize potential impacts to hibernating snakes.
- Exclusion fencing will be placed near the grading limit for the duration of the grading and construction, and removed within 72 hours of completion of work, to prevent Alameda whipsnake from entering the project site.
- No monofilament plastic will be used for erosion control.
- Sites within Alameda whipsnake habitat will be hand-cleared of vegetation, or a qualified biologist will survey the area immediately prior to equipment clearing
- Upland habitats used by Alameda whipsnake will be restored as feasible, and the lost habitat will be compensated according to a ratio agreed upon with wildlife agencies.

**Applies to Sub Area 3 of the proposed project.*

Level of Significance after Avoidance and Minimization: Less than Significant

b. *Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?*

7.2.4 Impact BIO-4. Riparian Habitat

The bed, bank, and channel and associated riparian vegetation of Green Valley Creek, San Ramon Creek, Sycamore Creek, and Walnut Creek and their tributaries are subject to CDFW jurisdiction under Section 1600 of CFGC. In addition, areas within the riparian corridor and below top-of-bank may be regulated by the RWQCB. Accordingly, prior to any impacts to the bed, bank, and/or channel and associated riparian vegetation/canopy of Green Valley Creek, San Ramon Creek, and Sycamore Creek, authorization from CDFW/RWQCB shall be required prior to project commencement.

Implementation of General Plan Policy 22.01 would require the maintenance and enhancement of the natural quality of Danville's creeks, including the riparian vegetation along the banks, through the implementation of setbacks to maintain the creek's natural appearance, reduce erosion and flood hazards, and protect ecological function. Furthermore, implementing General Plan Policy 23.07 would require the Project to recognize and fully comply with the state and federal wetland protections and regulations as part of development review, including detailed aquatic resource jurisdictional delineations and assessments. These aquatic resources and subsequent mitigation measures apply to all sub areas and bring potential project-related impacts to a level considered less than significant pursuant to CEQA. These impacts could be reduced to levels considered less than significant pursuant to CEQA by implementation of General Plan Policies 22.01 and 23.07, and the following recommendation.

Avoidance and Minimization Measure:

BIO-4: Obtain CDFW Section 1600 Lake or Streambed Alteration Agreement

If project-related activities encroach on the riparian zone of Green Valley Creek, San Ramon Creek, Sycamore Creek, or Walnut Creek, the project proponent shall submit a Section 1600 Notification of Lake or Streambed Alteration to CDFW. The Notification will include a description of impacts, including quantification of impacts to bed, bank, and channel, as well as individual trees, area and linear footage of riparian vegetation, and proposed mitigation for impacts.

It is likely that CDFW will require tree replacement mitigation compensation as a condition of the Lake or Streambed Alteration Agreement. Accordingly, the applicant proposes to mitigate for any impacts to native trees greater than 4 inches in diameter at breast height (DBH) via on-site replacement at a 3:1 (replacement to impacts) ratio. This tree replacement mitigation proposal to compensate for the Project's potential encroachment into the riparian canopy will likely satisfy mitigation requirements stipulated by CDFW. In consideration of overall project site aesthetics, replacement trees should likely be planted near Green Valley Creek, San Ramon Creek, Sycamore Creek, or Walnut Creek to contribute to the existing riparian canopy associated with these waterways.

The trees' health shall be monitored annually for 5 years by a qualified biologist or arborist and documented in annual monitoring reports. At the end of the 5-year monitoring period, at least 70 percent of planted trees shall be in good health. If survival is below 70 percent, additional trees shall be planted to bring the total number of planted trees up to 100 percent of the original number of trees planted. Irrigation and follow-up monitoring shall be established over an additional 3-year period following any replanting.

**Applies to Sub Areas 1-3 and 5-7 of the proposed project.*

Level of Significance after Avoidance and Minimization: Less than Significant

c. *Would the project have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?*

7.2.5 Impact BIO-5. Waters of the United States/States

As described above, Green Valley Creek, San Ramon Creek, Sycamore Creek, and Walnut Creek, their tributaries, and any other aquatic resources including wetlands are subject to federal and/or state regulation pursuant to the CWA, Porter-Cologne Act, among others. Accordingly, prior to any impacts to the bed, bank, and/or channel and associated riparian vegetation/canopy of Green Valley Creek, San Ramon Creek, and Sycamore Creek, or any other wetlands and waters falling under federally and/or state jurisdiction, the appropriate authorizations shall be required prior to project commencement.

Implementation of General Plan Policy 22.01 would require the maintenance and enhancement of the natural quality of Danville's creeks, including the riparian vegetation along the banks, through the implementation of setbacks to maintain the creek's natural appearance, reduce erosion and flood hazards, and protect ecological function. Furthermore, implementing General Plan Policy 23.07 would require the Project to recognize and fully comply with the state and federal wetland protections and regulations as part of development review, including detailed aquatic resource jurisdictional delineations and assessments. These aquatic resources and subsequent mitigation measures apply to all sub areas and bring potential project-related impacts to a level considered less than significant pursuant to CEQA. These impacts could be mitigated to levels considered less than significant pursuant to CEQA with implementation of General Plan Policies 22.01 and 23.07, and the following recommendation.

BIO 5: Obtain USACE/RWQCB CWA Section 404/401 and/or Porter-Cologne Authorization

If project-related activities encroach on areas, including the riparian zone and canopy of Green Valley Creek, San Ramon Creek, Sycamore Creek, or Walnut Creek and/or their tributaries, and below top-of-bank, or other areas potentially regulated by USACE/RWQCB, the project proponent shall obtain the appropriate CWA Section 404 permit from USACE and Section 401 Water Quality Certification and/or Porter-Cologne Waste Discharge Requirement approval from the RWQCB prior to the discharge of any dredged or fill material within jurisdictional waters of the United States/State.

In addition, the project proponent shall develop a SWPPP that will be submitted to the Town of Danville as a condition of project approval demonstrating BMPs that shall be installed/implemented prior to project commencement. Stormwater protection and treatment measures shall be implemented to ensure that the proposed project remains in compliance with the Porter-Cologne Act and that discharges of dredged or fill material do not enter waters of the State.

Mitigation compensation wetlands shall be enhanced/created for replacement of wetlands permanently impacted by the proposed project. If feasible, wetlands shall be enhanced/created on-site and shall resemble wetlands impacted by the proposed project (i.e., in-kind replacement with no net loss of habitat values and functions). If wetlands cannot be created in-kind and on-site, in lieu of creating compensation wetlands, the applicant may purchase mitigation credits from a USACE/RWQCB-approved mitigation bank—at a minimum 1:1 ratio or a higher ratio as otherwise required by the USACE/RWQCB upon issuance of permits. If wetlands can be created in-kind and on-site, the project proponent would need to establish a 5-year monitoring program to monitor the wetland(s) progress toward established goals (i.e., hydrological/vegetative conditions) and provide annual monitoring reports to USACE, RWQCB, and other resource agencies that permitted the Project. To meet success criteria, mitigation wetlands would need to at a minimum:

- Exhibit comparable plant/wildlife habitat characteristics to existing wetlands.
- Remain inundated or saturated for a sufficient duration of time to support hydrophytic (i.e., wetland) vegetation.

**Applies to Sub Areas 1-3 and 5-7 of the proposed project.*

Level of Significance after Avoidance and Minimization: Less than Significant

d. Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

Active construction may temporarily interfere with the movement of native wildlife within wildlife corridors associated with Green Valley Creek, San Ramon Creek, Sycamore Creek, or Walnut Creek and/or their tributaries; however, no permanent structures or barriers to movement along these waterways will occur as a result of the proposed project. In addition, the proposed project will have no adverse effects to fish movement.

**Applies to Sub Areas 1-3 and 5-7 of the proposed project.*

Level of Significance before Mitigation: Less than Significant

e. Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

7.2.6 Impact BIO-6: Town of Danville Tree Preservation Ordinance and General Plan Policy

The Town of Danville's Tree Preservation Ordinance (Municipal Code, Section 32-79) requires acquisition of a Tree Removal Permit prior to removal of certain trees within the Town Limits. Implementation of General Plan Policy 21.06 would require the Project to avoid activities that would harm the health of existing trees, prevented the unnecessary removal and alteration of such trees, including "protected" trees as defined by the Town's Tree Preservation Ordinance and other trees that contribute to the scenic beauty of the town. Furthermore, it would require minimizing the removal of mature trees, regardless of species, and if removal is necessary, trees would be replaced with an appropriate number and species. Potential impacts could be mitigated to a level considered less than significant by implementing General Plan Policy 21.06 and AMM BIO-6.

Avoidance and Minimization Measure:

<u>BIO-6: Tree Protection</u>

Trees on the project site are subject to the Town of Danville's Tree Preservation Ordinance. If trees are slated for removal as part of the proposed project, the project developer's consulting

arborist shall prepare an arborist report to ensure protected, heritage, and or memorial trees are identified and considered for preservation. At least 90 days prior to project initiation, a Tree Removal Application shall be submitted to the Town of Danville for review and for acquisition of a Tree Removal Permit, if required. The Town of Danville will consider the following criteria upon receipt of the application and prior to issuing a permit:

1. The condition of the tree with respect to its health, imminent danger of falling, proximity to existing structures, and interference with utility infrastructure;
2. The necessity to remove the tree to allow for the reasonable use, enjoyment, or development of the property;
3. The age and size of the protected tree with regard to the appropriate size of the area in which the tree is planted, and if removal would encourage healthy, more vigorous growth of other plant materials in the area;
4. Planning Commission may authorize removal if the tree is unreasonably adversely impacting the use of the property. Mitigation would be required;
5. The effect of the removal in relation to soil erosion and surface water flow;
6. The number of species, size, and location of other protected trees in the area and the effect of the removal as it pertains to shade, privacy between properties, and scenic beauty of the area;
7. Possible visual impacts within a Town-identified Major Ridgeline or Scenic Hillside Area.

To compensate for the removal of any trees protected by the Town of Danville's Tree Protection Ordinance, the project developer shall ensure the protection (i.e., health and safety) of trees to be retained and provide mitigation for trees authorized by the Town of Danville for removal. Accordingly, the project developer's consulting arborist shall calculate the total inches of diameter of Town-protected trees and submit that calculation to the Town of Danville's Planning Division for review. The project developer shall be required to replace on-site the Town-protected trees to be removed with a number, size, and appropriate species of trees (or approved alternate species) equal to the total inches of the diameter of the trees to be removed.

If tree mitigation planting cannot be accommodated on the project site, mitigation may be handled through the project developer's payment of an in-lieu fee, which shall be made payable to the Town of Danville. In-lieu mitigation funds received by the Town of Danville may be applied to an account chosen by the Town of Danville to allow the purchase and planting of trees (e.g., beautification trees) within the Town of Danville.

**Applies to all sub areas of the proposed project.*

Level of Significance after Avoidance and Minimization: Less than Significant

f. Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

Level of Significance before Mitigation: No Impact

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Table 4. Plant Species Observed on the Diablo Road Trail Project Site.

Scientific Name	Common Name	Family Name	Native?
Aesculus californica	California buckeye	Sapindaceae	Yes
Acer sp.	maple	Sapindaceae	-
Agapanthus africanus	African lily	Agapanthoideae	No
Arctostaphylos sp.	manzanita	Ericaceae	-
Artemisia douglasiana	California mugwort	Asteraceae	Yes
Avena fatua	wild oat	Poaceae	No
Baccharis pilularis	coyote brush	Asteraceae	Yes
Bromus diandrus	ripgut brome	Poaceae	No
Carduus pycnocephalus	Italian thistle	Asteraceae	No
Cedrus deodara	Deodar cedar	Pinaceae	No
Centaurea solstitialis	yellow star thistle	Asteraceae	No
Cinnamomum camphora	camphortree	Lauraceae	No
Cirsium vulgare	bull thistle	Asteraceae	No
Claytonia perfoliata	miner's lettuce	Montiaceae	Yes
Cotoneaster sp.	cotoneaster	Rosaceae	-
Erodium sp.	filaree	Geraniaceae	-
Eucalyptus sp.	eucalyptus	Myrtaceae	-
Festuca perennis	Italian ryegrass	Poaceae	No
Galium aparine	cleavers	Rubiaceae	Yes
Geranium dissectum	cutleaf geranium	Geraniaceae	No
Geranium molle	dove's-foot crane's-bill	Geraniaceae	No
Gilia capitata	blueheaded gilia	Polemoniaceae	Yes
Hedera helix	English ivy	Araliaceae	No
Heteromeles arbutifolia	toyon	Rosaceae	Yes
Hirschfeldia incana	summer mustard	Brassicaceae	No
Laurus nobilis	sweet bay	Lauraceae	No
Ligustrum lucidum	glossy privet	Oleaceae	Yes
Medicago polymorpha	California burclover	Fabaceae	Yes
Nerium oleander	oleander	Apocynaceae	No
Pinus radiata	Monterey pine	Pinaceae	Yes
Pinus sabiniana	Towani pine	Pinaceae	No
Plantago lanceolata	English plantain	Plantaginaceae	No

Scientific Name	Common Name	Family Name	Native?
Pyracantha coccinea	scarlet fire thorn	Rosaceae	No
Quercus agrifolia	coast live oak	Fagaceae	Yes
Quercus lobata	valley oak	Fagaceae	Yes
Ranunculus californicus	California buttercup	Ranunculaceae	Yes
Rhamnus ilicifolia	hollyleaf redberry	Rhamnaceae	Yes
Ribes aureum	golden current	Grossulariaceae	Yes
Rubus armeniacus	Himalayan blackberry	Rosaceae	No
Rumex crispus	curly dock	Polygonaceae	Yes
Salix exigua	narrow leaved willow	Salicaceae	Yes
Salix laevigata	red willow	Salicaceae	Yes
Salix losiolepis	arroyo willow	Salicaceae	Yes
Salvia rosmarinus	rosemary	Lamiaceae	No
Schinus molle	Peruvian pepper tree	Anacardiaceae	No
Senecio vulgaris	common groundsel	Asteraceae	No
Sequoiadendron giganteum	giant sequoia	Cupressaceae	Yes
Silybum marianum	milk thistle	Asteraceae	No
Swietenia mahagoni	West Indian mahogany	Meliaceae	No
Taraxacum officinale	dandelion	Asteraceae	No
Toxicodendron diversilobum	poison oak	Anacardiaceae	Yes
Trifolium sp.	clover	Fabaceae	-
Typha sp.	cattail	Typhaceae	-
Vicia sativa	spring vetch	Fabaceae	Yes
Washingtonia robusta	Mexican fan palm	Arecaceae	Yes

Table 5. Wildlife Species Observed on the Danville Housing Element Project Site.

Scientific Name	Common Name
Birds	
Agelaius phoeniceus	American crow
Aphelocoma california	California scrub-jay
Baeolophus inornatus	oak titmouse
Buteo jamaicensis	red-tailed hawk
Calypte anna	Anna's hummingbird
Cathartes aura	turkey vulture
Catharus guttatus	hermit thrush
Euphagus cyanocephalus	black phoebe
Junco hyemalis	dark-eyed junco
Melanerpes formicivorus	acorn woodpecker
Mimus polyglottos	northern mockingbird
Poecile rufescens	chestnut-backed chickadee
Regulus calendula	ruby crowned kinglet
Sturnella neglecta	western meadowlark
Mammals	
Odocoileus hemionus columbianus	Columbian black-tailed deer
Otospermophilus beecheyi	California ground squirrel
Sciurus niger	fox squirrel

Appendix A

Town of Danville Housing Element Update Candidate Sites

Location	Assessor's Parcel Number (APN)	Existing Land Use	Acreage
Sub Area 1			
510 La Gonda Way	200131005	Office	2.27
520 La Gonda Way	200052004	Office	0.74
530 La Gonda Way	200260002	Office	0.02
530 La Gonda Way	200260003	Office	0.02
530 La Gonda Way	200260004	Office	0.02
530 La Gonda Way	200260010	Office	0.58
481 La Gonda Way	200152004	SF Residence	1.14
485 La Gonda Way	200152005	SF Residence	0.55
455 La Gonda Way	200152008	St. Isador's Parking/Field	6.87
425 El Pintado	200040012	Office	3.20
108 Charles Ln	196201002	SF Residence	0.24
104 Charles Ln	196201003	SF Residence	0.24
100 Charles Ln	196201004	SF Residence	0.25
417 Ilo Ln	196201005	SF Residence	0.25
441 Ilo Ln	196201006	SF Residence	0.24
457 Ilo Ln	196201007	SF Residence	0.24
465 Ilo Ln	196201008	Vacant	0.02
465 Ilo Ln	196201009	SF Residence	0.31
464 Ilo Ln	196201010	SF Residence	0.30
456 Ilo Ln	196201011	SF Residence	0.28
448 Ilo Ln	196201012	SF Residence	0.23
440 Ilo Ln	196201013	SF Residence	0.23
101 Charles Ln	196201030	SF Residence	0.23
105 Charles Ln	196201031	SF Residence	0.23
109 Charles Ln	196201032	SF Residence	0.36
112 Charles Ln	196201033	SF Residence	0.19
120 Charles Ln	196201033	SF Residence	0.53
939 El Pintado	200020010	Child Care	1.63
400 El Cerro Blvd	200140016	Office	1.26
300 El Cerro	200270006	Office	0.67
300 El Cerro	200270001	Office	0.05
300 El Cerro	200270002	Office	0.05

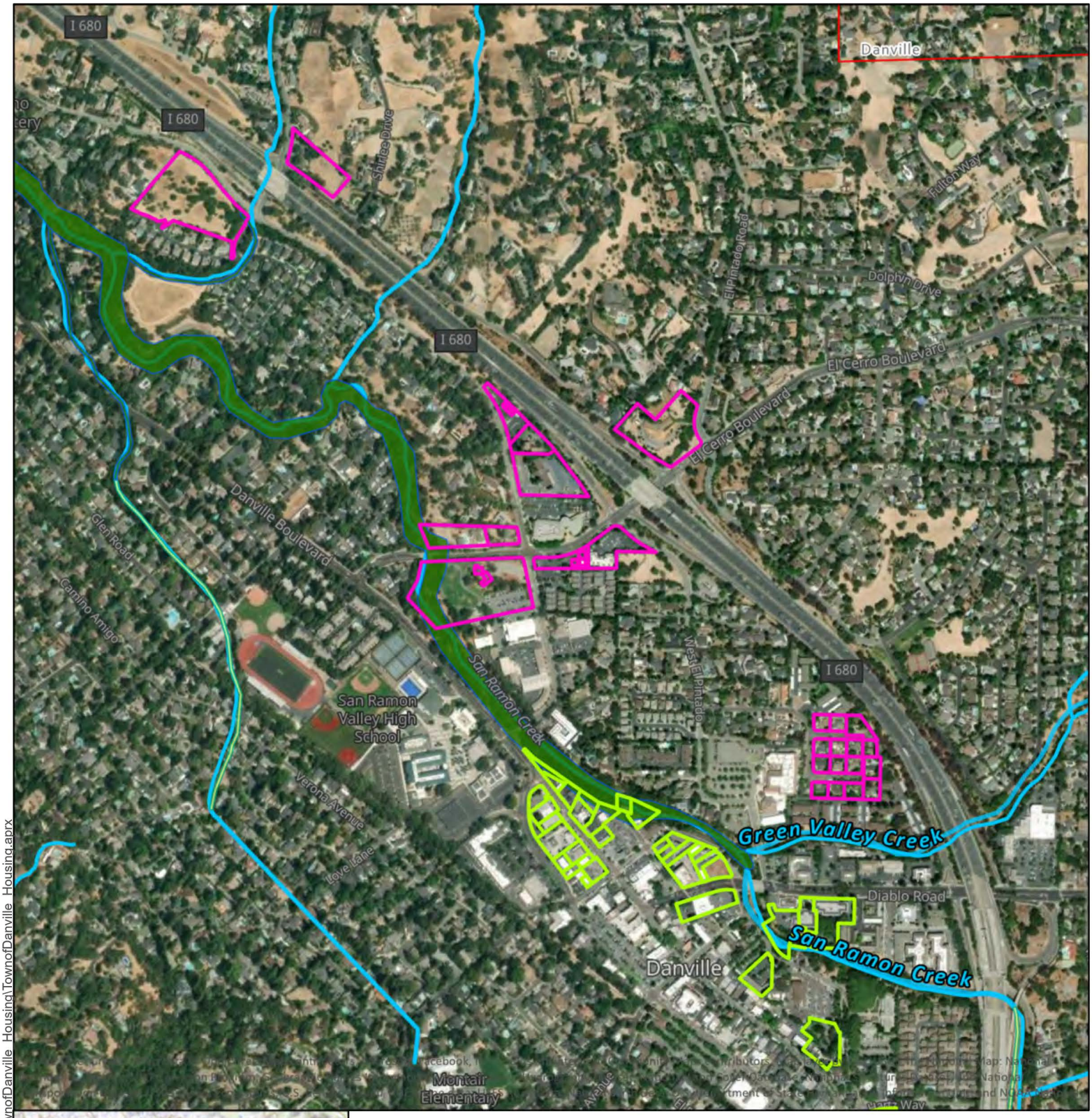
Location	Assessor's Parcel Number (APN)	Existing Land Use	Acreage
300 El Cerro	200270003	Office	0.05
300 El Cerro	200270007	Office	0.05
300 El Cerro	200270008	Office	0.05
Common Area – Westbriar Knolls	200070006	Open Space	4.82
Sub Area 2			
Hartz/Railroad	199330067	Parking Lot	0.28
115 Hartz	199330035	Commercial	0.34
127 Hartz	199330064	Commercial	0.22
Railroad Ave	199330055	Commercial	0.13
145 Hartz	199033058	Commercial	0.72
171 Hartz	199330063	Commercial	0.28
179 Hartz	199330065	Commercial	0.11
80 Railroad	199330009	Commercial	0.13
195 Hartz	199330010	Commercial	0.32
112 W. Linda Mesa	199330027	Commercial	0.06
100 Hartz	200190024	Commercial	0.21
110 Hartz	200190023	Commercial	0.15
120 Hartz	200190028	Commercial	0.30
130 Hartz	200190018	Commercial	0.26
Hartz Ave	200190010	Commercial	0.33
150 Hartz	200190017	Commercial	0.41
180 Hartz	200190021	Commercial	0.21
360 Rose	200200011	Commercial	0.18
344 Rose	200200017	Commercial	0.40
155 Diablo	208110023	Bev & More	1.01
600 Hartz Ave	208022041	FAZ Restaurant	1.19
Front St	216120029	Parking/Creek	0.20
185 Front St	208022036	Commercial	0.70
156 Diablo Rd	200211028	Office	0.64
315 Diablo Rd	216120042	Parking/Creek	0.45
319 Diablo Rd	216120043	Office	1
268 Front St	200211005	Commercial	0.12
199 E. Linda Mesa	200211007	Commercial	0.18

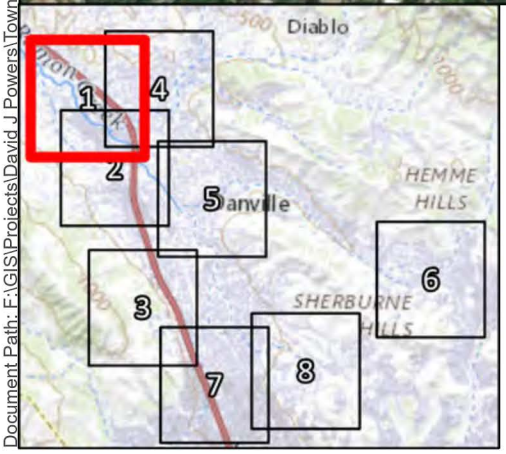
Location	Assessor's Parcel Number (APN)	Existing Land Use	Acreage
254 Rose Ave	200211016	Commercial	0.27
67 Front St	200122017	Commercial	0.07
77 Front St	200211018	Commercial	0.18
85 Front St	200211027	Commercial	0.27
290 Rose Ave	200211025	Commercial	0.11
486 SRVB	216101001	Commercial	1.78
480 SRVB	216101002	Commercial	1.37
533 SRVB	208043020	Auto	0.16
SRVB	208043021	Auto	0.07
509 SRVB	208043022	Auto	0.07
511 SRVB	208043024	Restaurant	0.40
519 SRVB	208043025	Commercial	0.26
20 Oak Ct	216090003	Office	0.55
30 Oak Ct	216090004	Office	0.36
40 Oak Ct	216090005	Office	0.32
50 Oak Ct	216090006	Office	0.95
55 Oak Ct	216090007	Office	0.42
65 Oak Ct	216090008	Office	0.37
75 Oak Ct	216090009	Office	0.32
85 Oak Ct	216090010	Office	0.50
600 SRVB	216090017	Office	0.75
544 SRVB	216090017	Commercial	0.61
588 SRVB	216090023	Commercial	0.84
571 SRVB	208044015	Commercial	0.32
551 SRVB	208044017	Commercial	0.35
555 SRVB	208044018	Commercial	0.29
577 SRVB	208051009	Commercial	0.29
10 Town & Country Dr	208051011	Commercial	0.10
589 SRVB	208060029	Wells Fargo Bank	0.69
609 SRVB	208060055	Pet Food/Walgreens	0.65
615 SRVB	208060056	City Bank/Various	0.21
607 SRVB	208060057	Fitness	0.05
589 SRVB	208060058	McCaulous	0.40
SRVB	208060059	Parking Lot	3.40

Location	Assessor's Parcel Number (APN)	Existing Land Use	Acreage
107 Town & Country Dr	208060053	Commercial	3.89
135 Town and Country Dr	208060054	Office	1.40
Town and Country Dr	208060062	Office	0.45
140 Town and Country Dr	208060063	Office	0.71
Boone Ct	216080004	Commercial	0.32
200 Boone Ct	216080072	Commercial	1.30
744 SRVB	207012001	Office	0.57
760 SRVB	207012007	Office	0.42
770 SRVB	207012008	Office	0.37
780 SRVB	207012009	Office	0.38
Sub Area 3			
1435 SRVB	208230047	Single Family Residence	1.38
1453 SRVB	208230011	Child Care	0.69
1895 Ridgeland CL	208612007	HOA Facilities	6.31
Elworthy	208230044	Open Space	6
Sub Area 4			
828 Diablo Rd	196270029	Nursery	2.70
Sub Area 5			
699 Old Orchard	216220008	Office	3.77
Sub Area 6			
2900 Camino Tassajara	217040021	Woodranch	8
Camino Tass/Liverpool	218010047	Open Space	2.3
Sub Area 7			
3020 Fostoria Way	218090031	Borel	10
3420 Fostoria Way	218040043	Office	1.71
Fostoria Way	218090032	Town Owned	1.11
Sub Area 8			
CC Country Club	218660001	Open Space	5
		TOTAL ACREAGE	**115.48**

Appendix B

Town of Danville 2023-2031 Housing Element Update Mapbooks





Danville City Limits

sub areas

1

2

Wetland Type (NWI)

Freshwater Emergent Wetland

Freshwater Forested/Shrub Wetland

Riverine

Cal Streams (NHD)

0 250 500 1,000 Feet

0 75 150 300 Meters

1:10,000

Author: AurelieMuckenhirn
Coordinate System: NAD 1983 2011
StatePlane California III FIPS 0403 Ft US

SEQUOIA Ecological Consulting, Inc.

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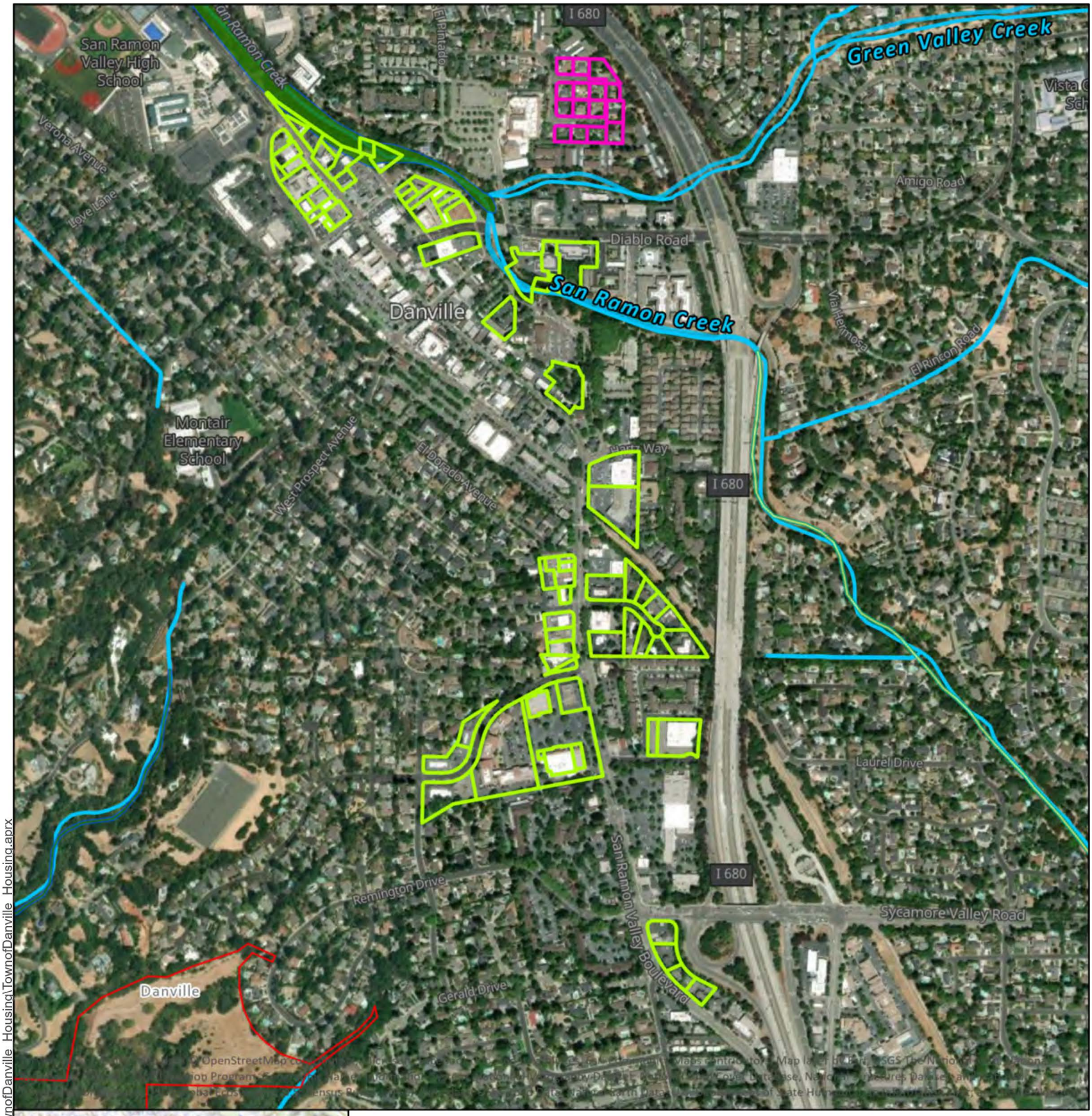

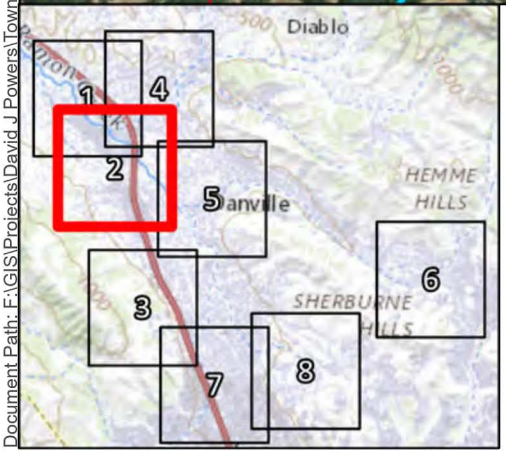

Danville City Limits

sub areas

1

2

Wetland Type (NWI)

Freshwater Emergent Wetland

Freshwater Forested/Shrub Wetland

Riverine

Cal Streams (NHD)

0 250 500 1,000 Feet

0 75 150 300 Meters

1:10,000

Author: AurelieMuckenhirn
Coordinate System: NAD 1983 2011
StatePlane California III FIPS 0403 Ft US

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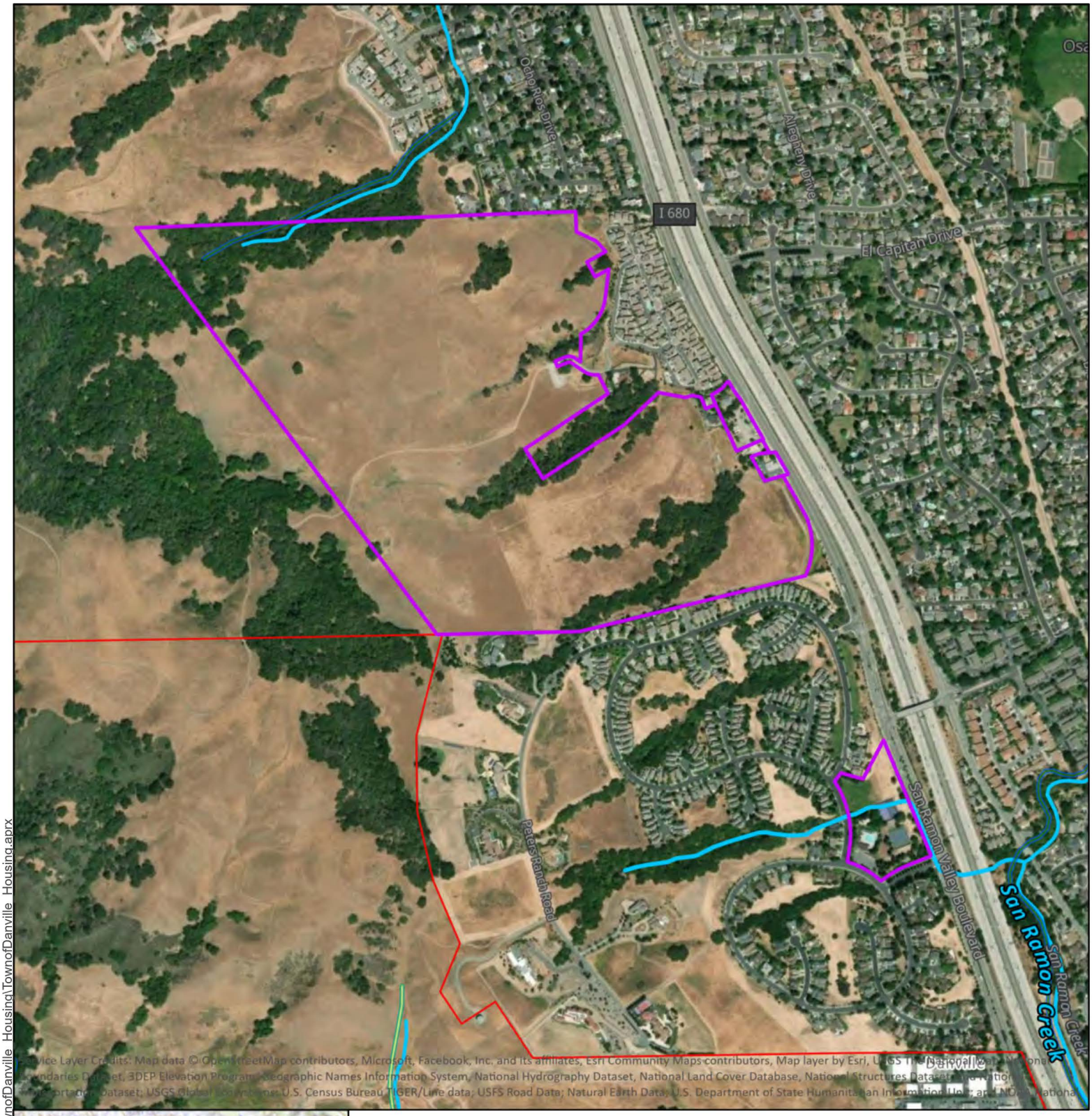

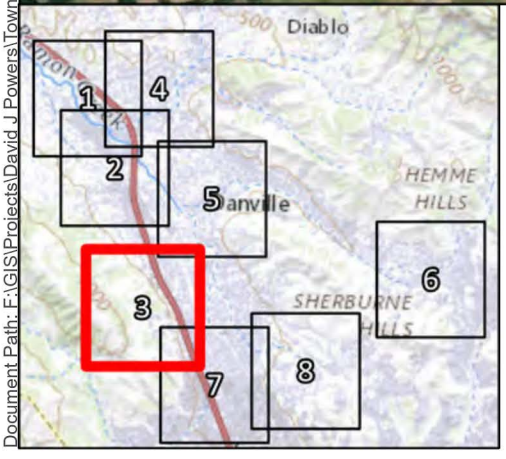

Danville City Limits

sub areas

3

Wetland Type (NWI)

Freshwater Emergent Wetland

Freshwater Forested/Shrub Wetland

Riverine

Cal Streams (NHD)

0 250 500 1,000 Feet

0 75 150 300 Meters

1:10,000

Page 3 of 8

Author: AurelieMuckenhirn
Coordinate System: NAD 1983 2011 StatePlane California III FIPS 0403 Ft US

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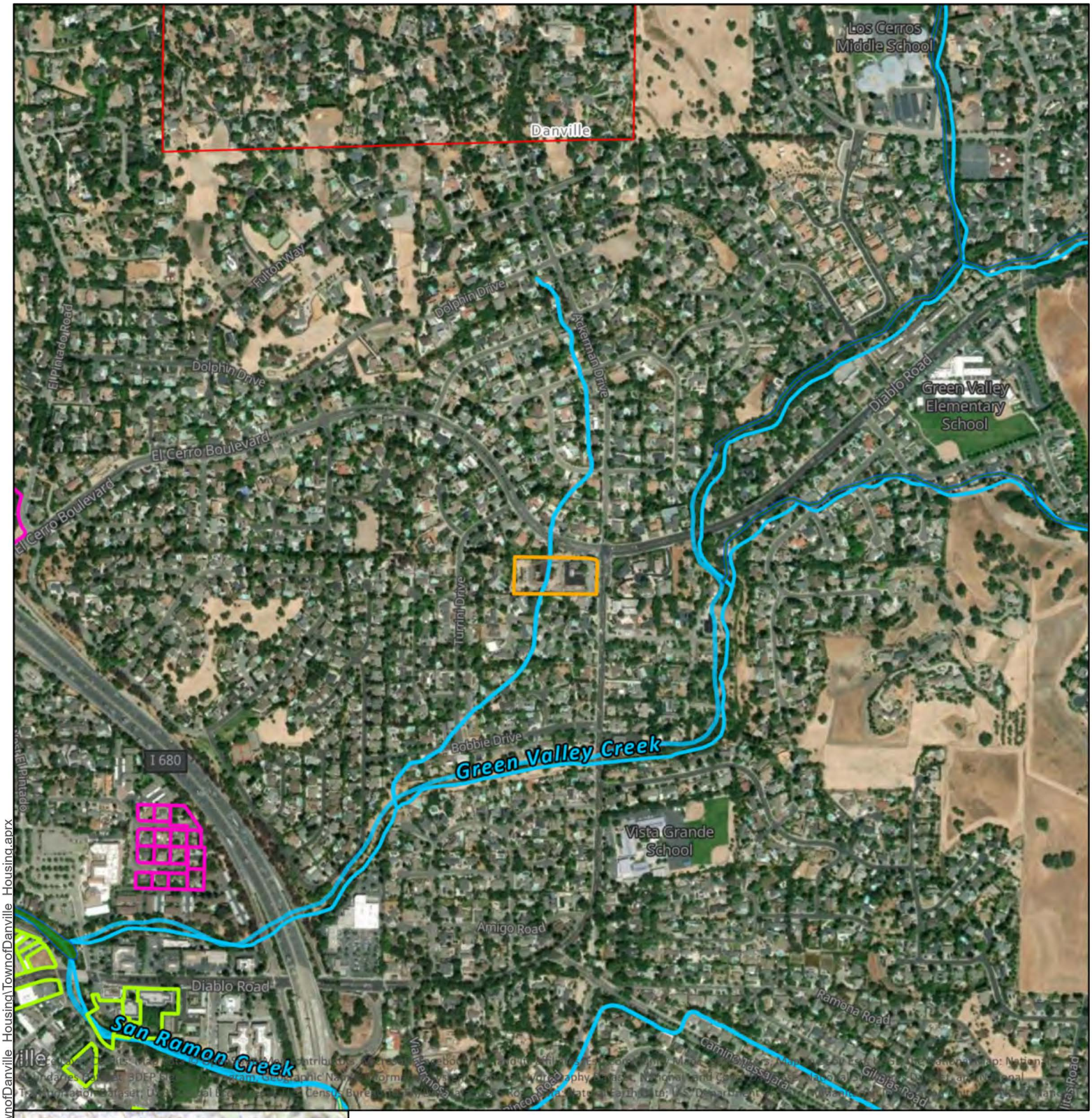

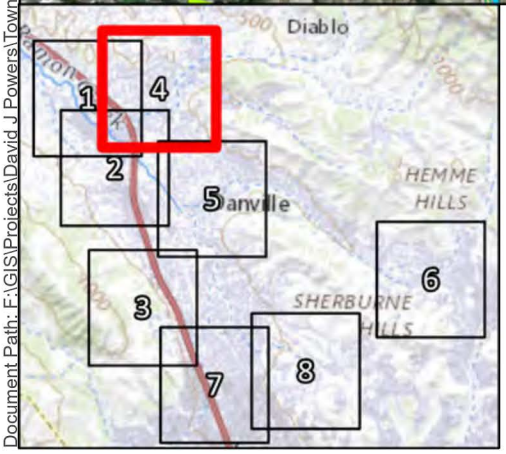

Danville City Limits

sub areas

1

2

4

Wetland Type (NWI)

Freshwater Emergent Wetland

Freshwater Forested/Shrub Wetland

Riverine

Cal Streams (NHD)

0 250 500 1,000 Feet

0 75 150 300 Meters

1:10,000

Author: AurelieMuckenhirn
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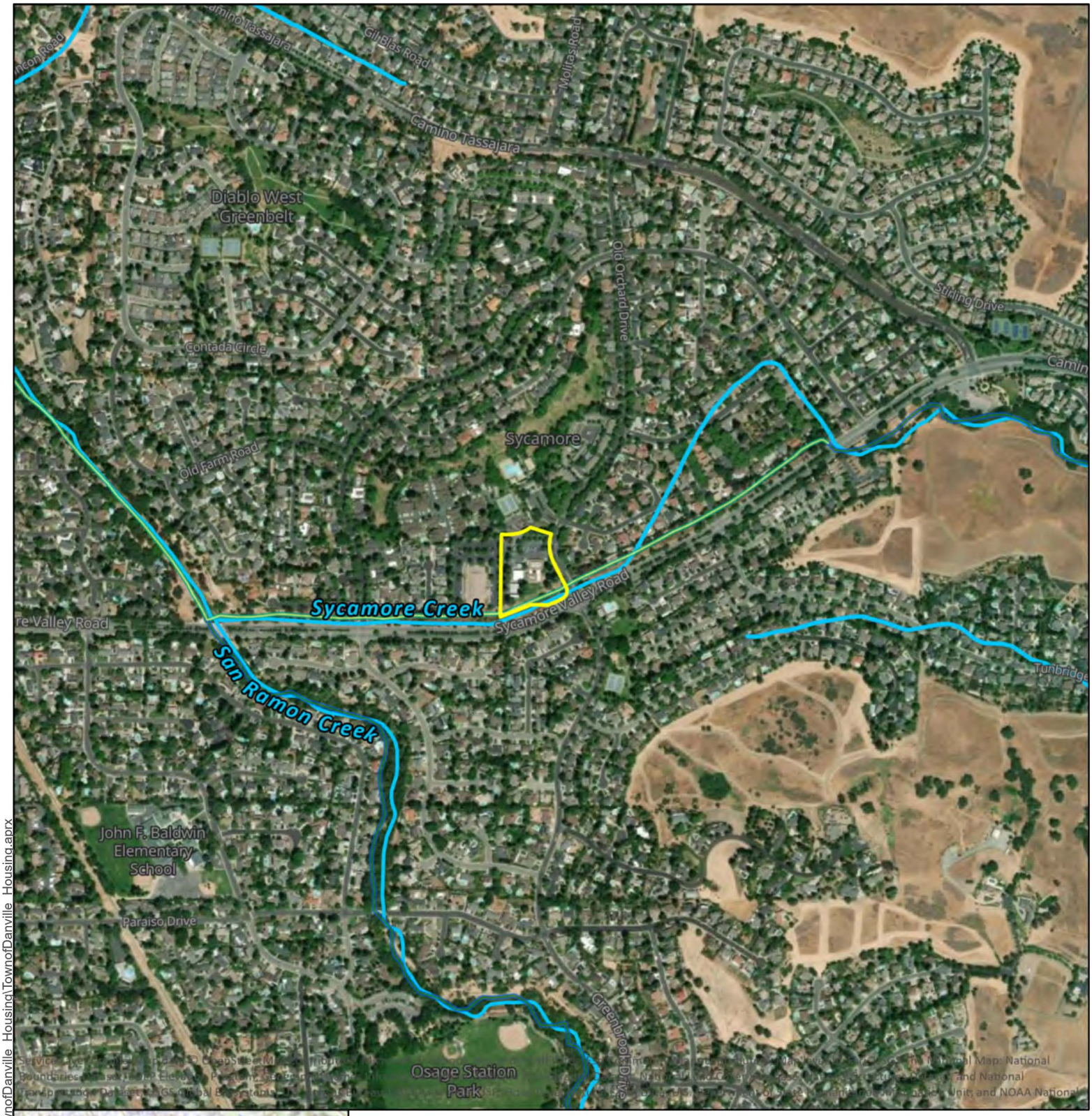

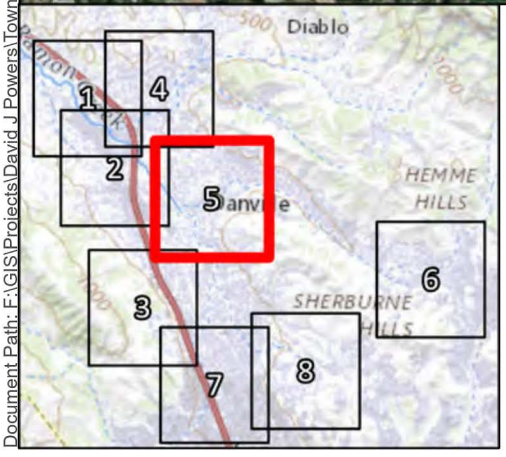

Danville City Limits

sub areas

5

Wetland Type (NWI)

Freshwater Emergent Wetland

Freshwater Forested/Shrub Wetland

Riverine

Cal Streams (NHD)

0 250 500 1,000 Feet

0 75 150 300 Meters

1:10,000

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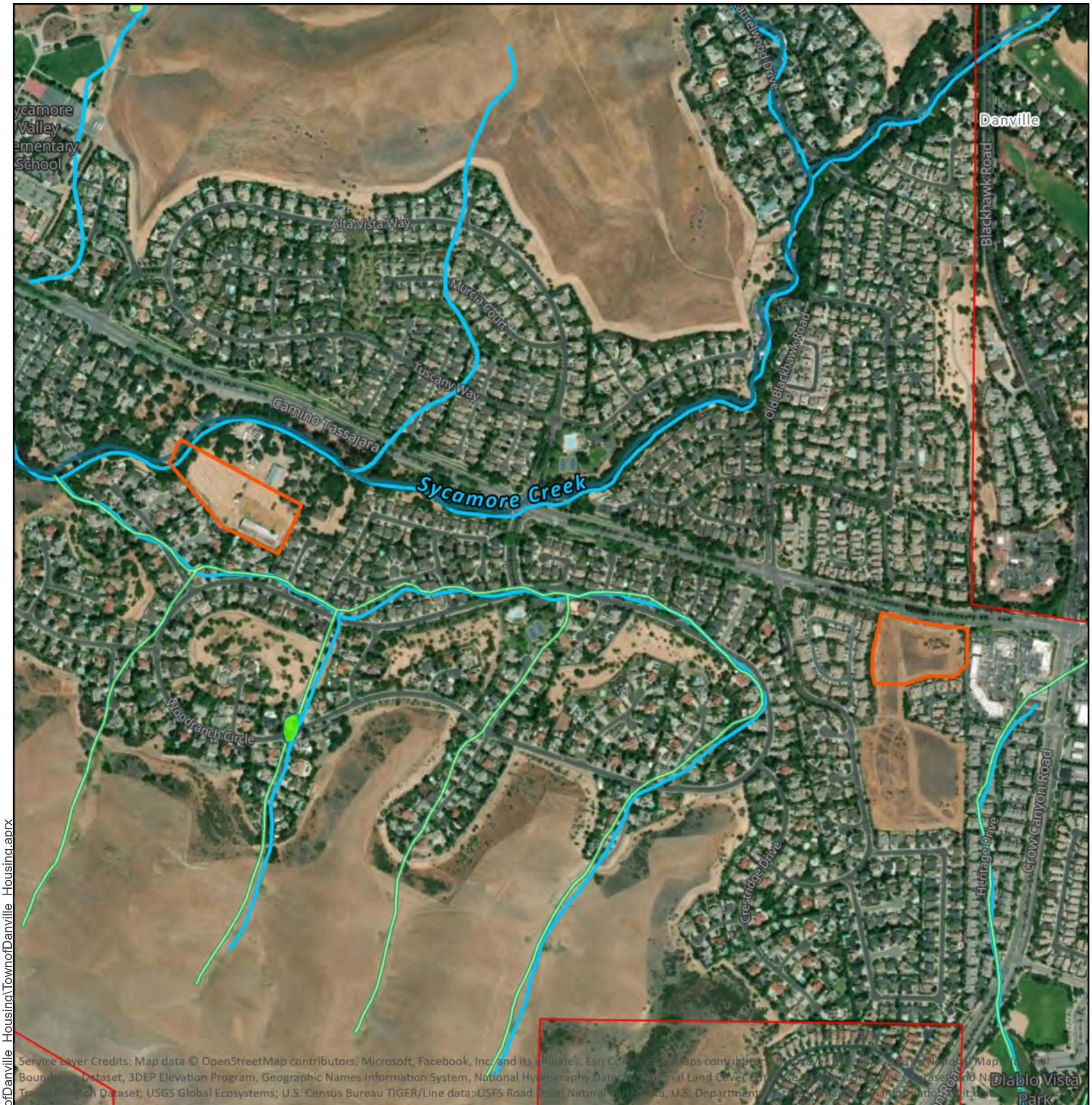

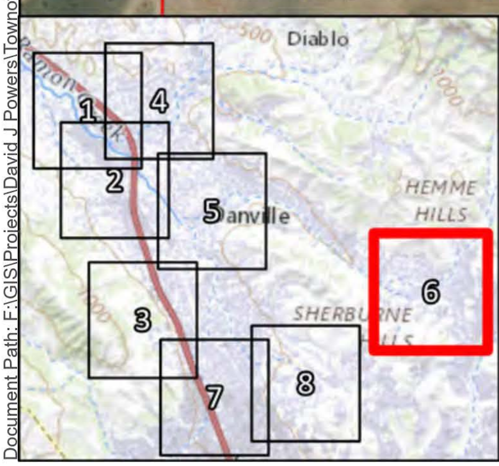

Danville City Limits

sub areas

6

Wetland Type (NWI)

Freshwater Emergent Wetland

Freshwater Forested/Shrub Wetland

Freshwater Pond

Riverine

Cal Streams (NHD)

0 250 500 1,000 Feet

0 75 150 300 Meters

1:10,000

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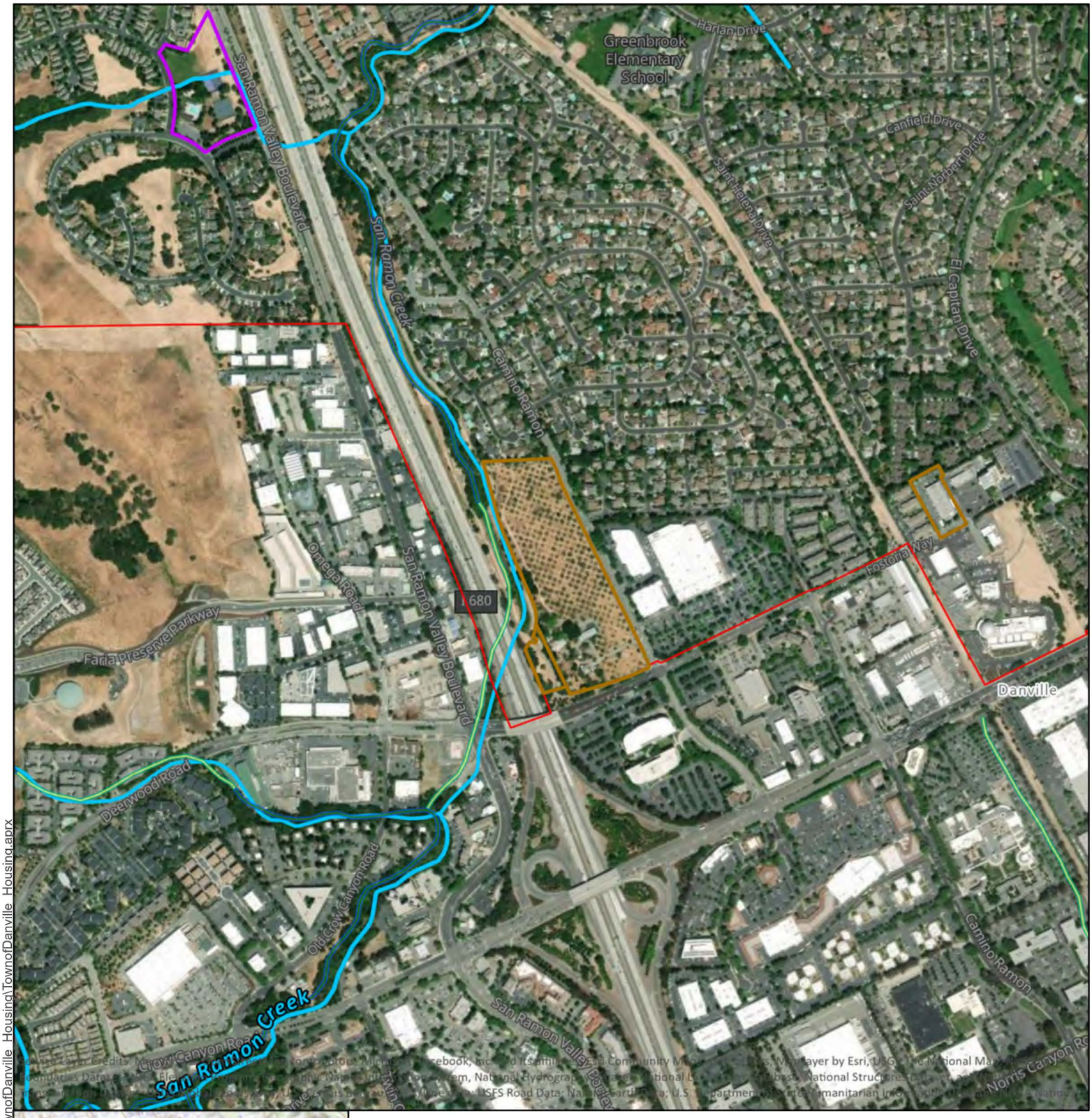

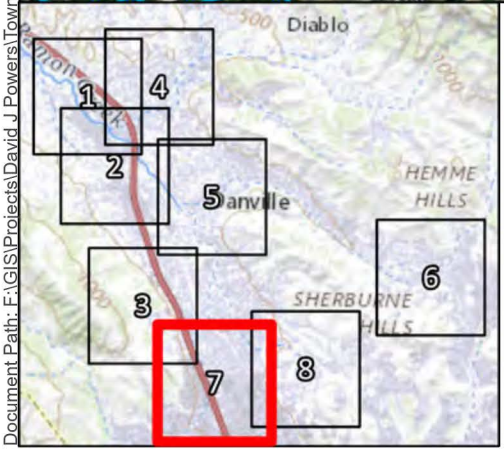

Danville City Limits

sub areas

3

7

Wetland Type (NWI)

Freshwater Emergent Wetland

Freshwater Forested/Shrub Wetland

Riverine

Cal Streams (NHD)

0 250 500 1,000 Feet

0 75 150 300 Meters

1:10,000

Author: AurelieMuckenhirn
Coordinate System: NAD 1983 2011
StatePlane California III FIPS 0403 Ft US

SEQUOIA Ecological Consulting, Inc.

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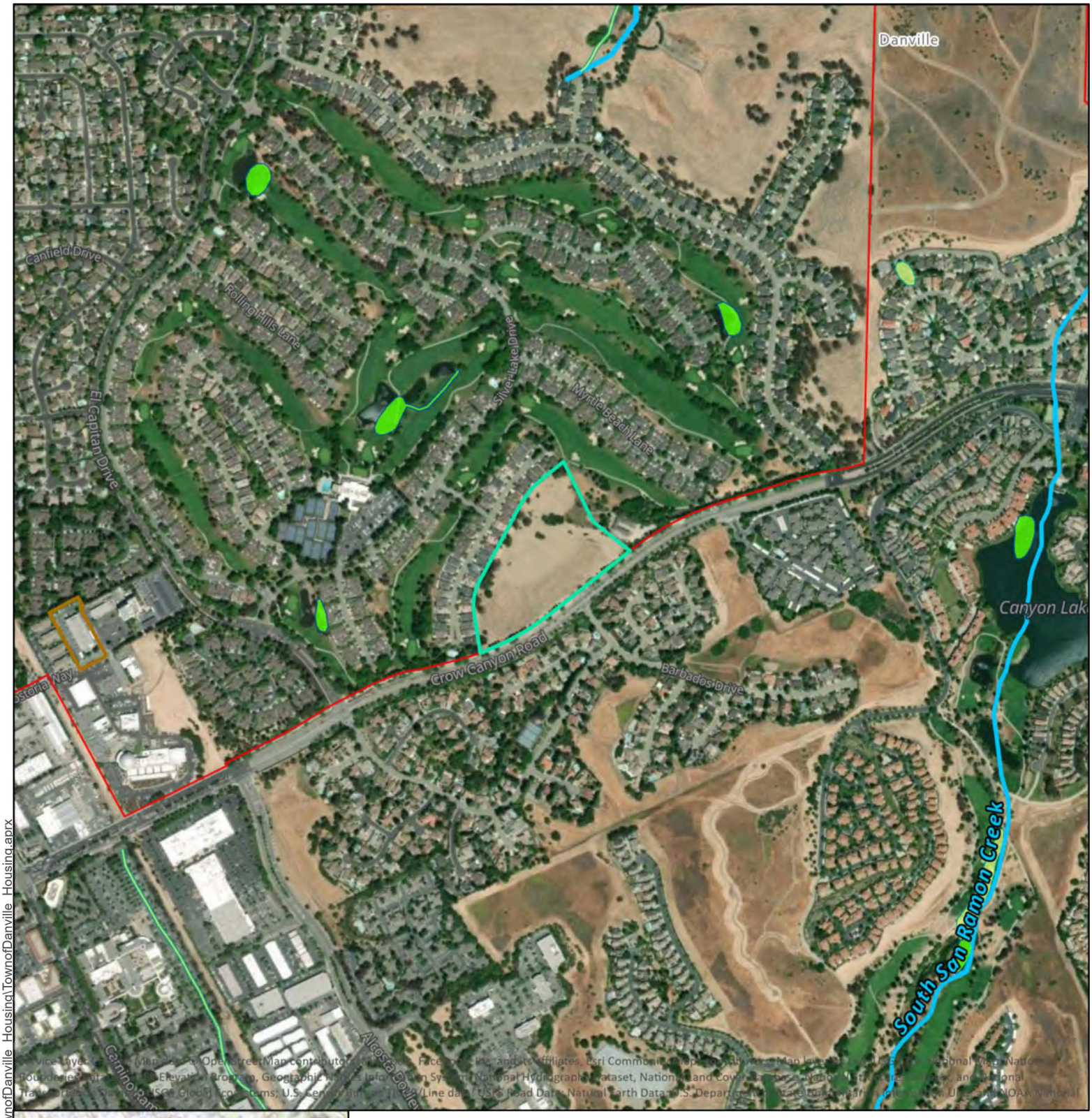

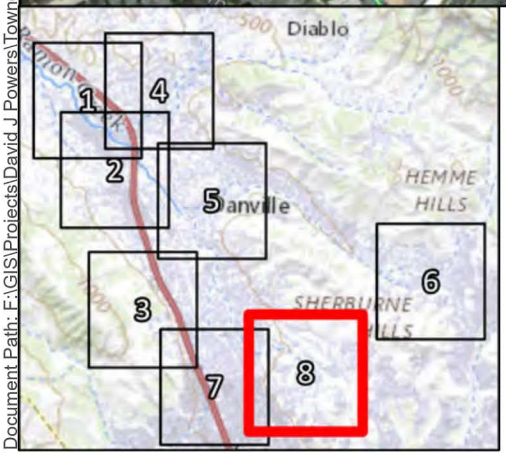

Danville City Limits

sub areas

7

8

Wetland Type (NWI)

Freshwater Emergent Wetland

Freshwater Pond

Riverine

Cal Streams (NHD)

0 250 500 1,000 Feet

0 75 150 300 Meters

1:10,000

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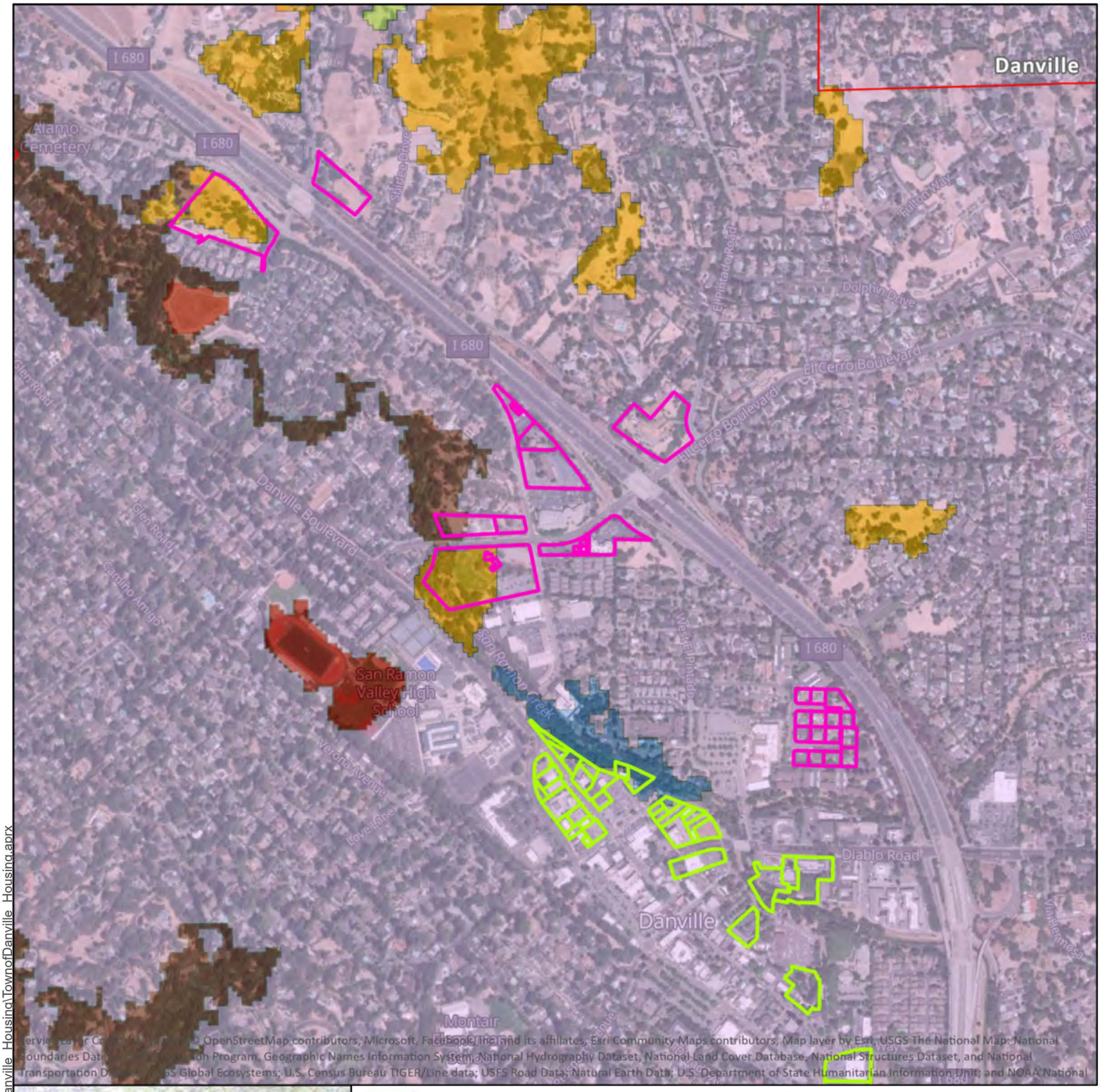

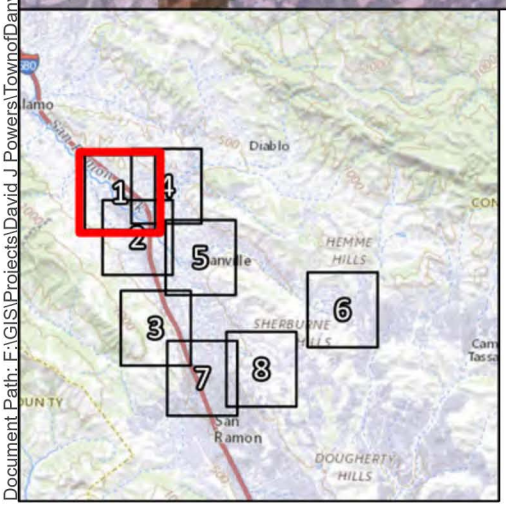

Danville City Limits

sub areas

1

2

Calveg Type

Annual Grasses/ Forbs

Non-native/ Ornamental Grass

Mixed Riparian Hardwood

Coast Live Oak

Blue Oak

Urban

0 250 500 1,000 Feet

0 70 140 280 Meters

N

1:11,000

Author: AurelieMuckenhirn
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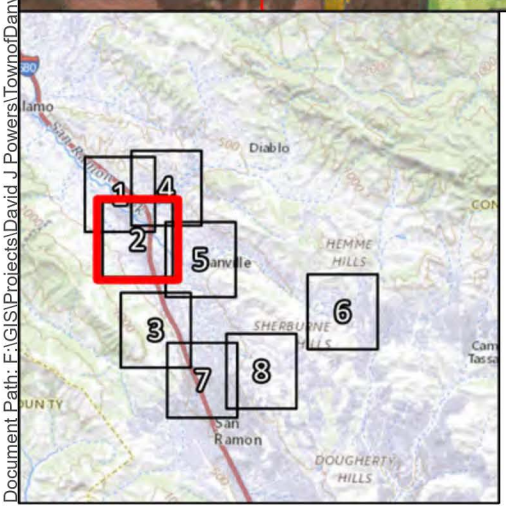

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Danville City Limits

sub areas

1

2

Calveg Type

Annual Grasses/ Forbs

Non-native/ Ornamental Grass

Non-native/ Ornamental Hardwood

Mixed Riparian Hardwood

Coast Live Oak

Blue Oak

Urban

0 250 500 1,000 Feet

0 70 140 280 Meters

1:11,000

Author: AurelieMuckenhirn
Coordinate System: NAD 1983 2011 StatePlane California III FIPS 0403 Ft US

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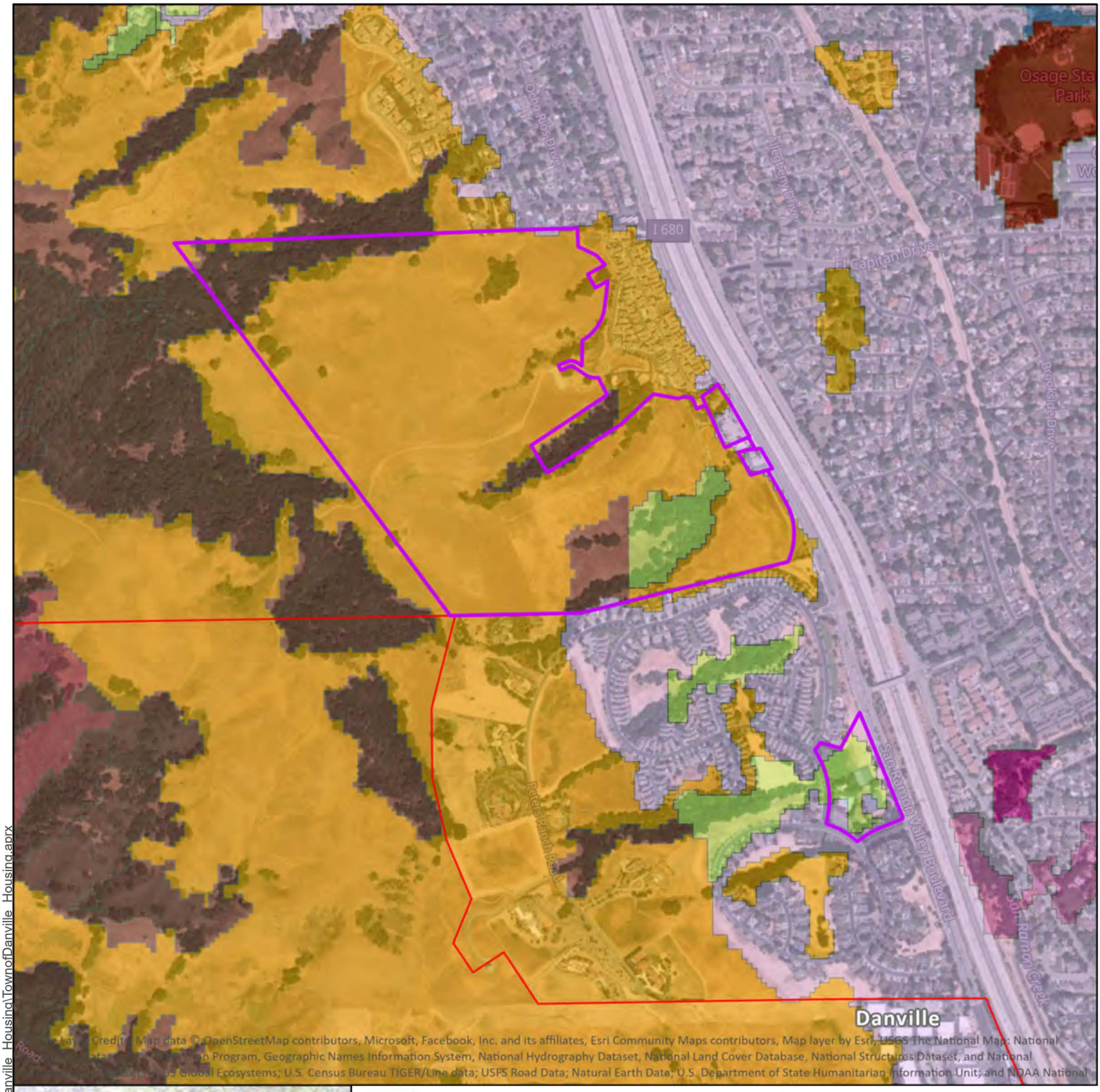

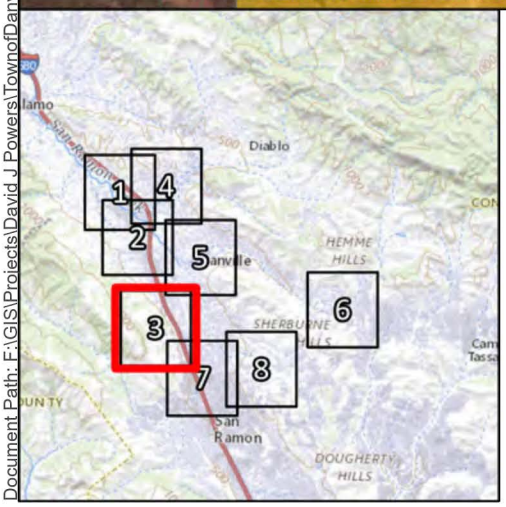

Danville City Limits

sub areas

3

Calveg Type

- Chamise
- Annual Grasses/ Forbs
- Non-native/ Ornamental Grass
- Non-native/ Ornamental Con/ Hwd Mixture
- Mixed Riparian Hardwood
- Coast Live Oak
- Blue Oak
- Valley Oak
- Urban

0 250 500 1,000 Feet

0 70 140 280 Meters

1:11,000

Author: AurelieMuckenhirn
Coordinate System: NAD 1983 2011
StatePlane California III FIPS 0403 Ft US

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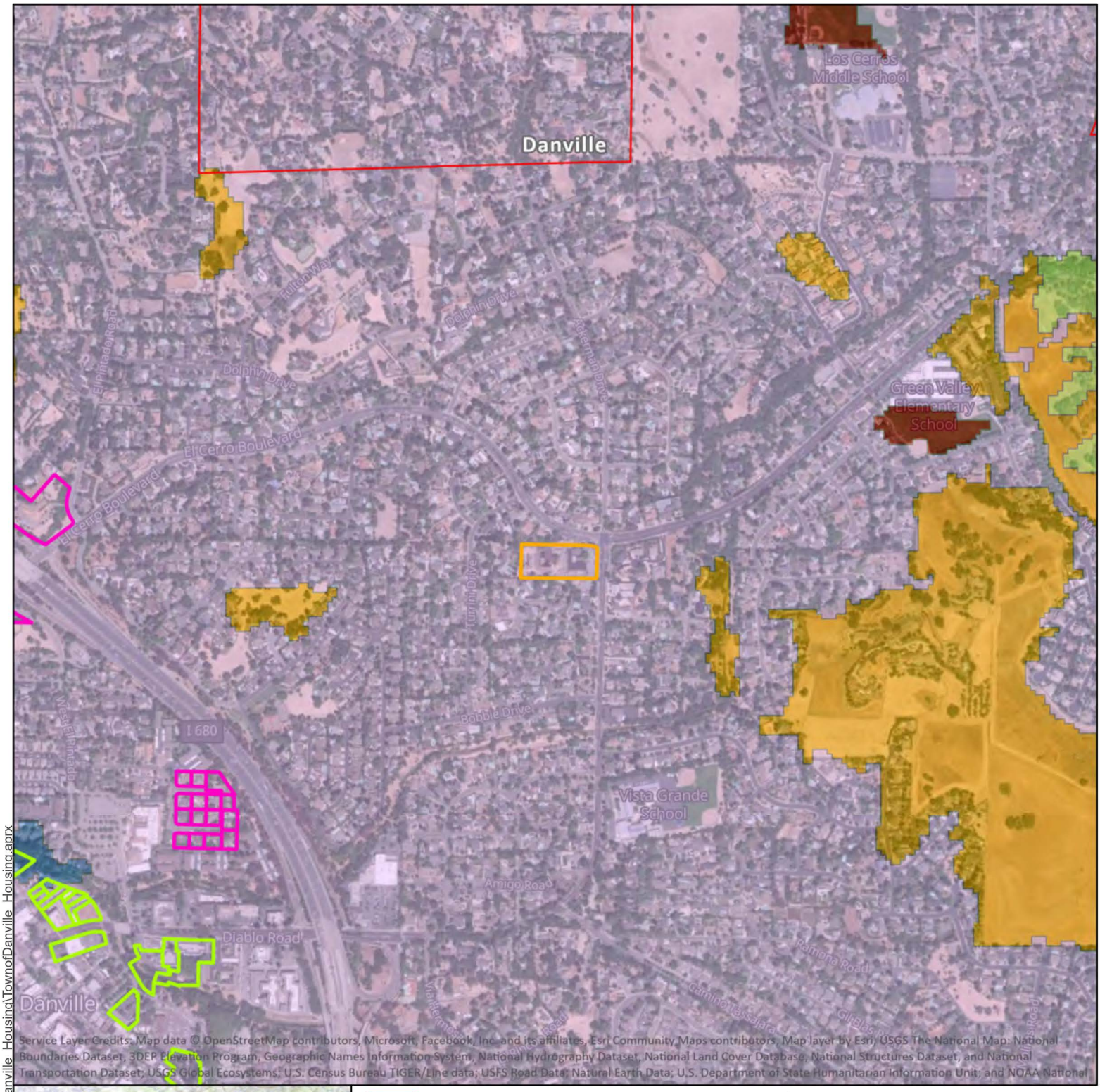

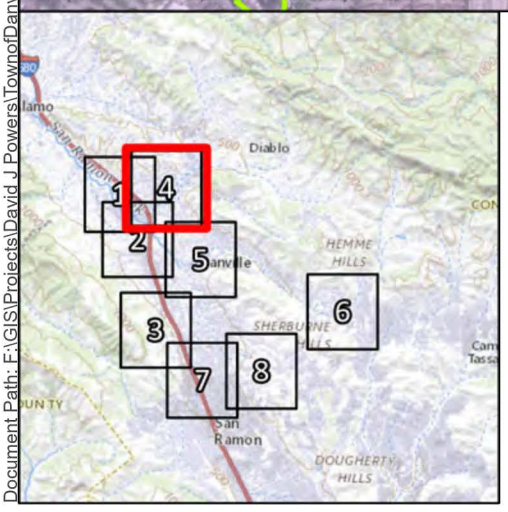

Danville City Limits

sub areas

1

2

4

Calveg Type

Annual Grasses/ Forbs

Non-native/ Ornamental Grass

Mixed Riparian Hardwood

Blue Oak

Urban

0 250 500 1,000 Feet

0 70 140 280 Meters

1:11,000

Author: AurelieMuckenhirn
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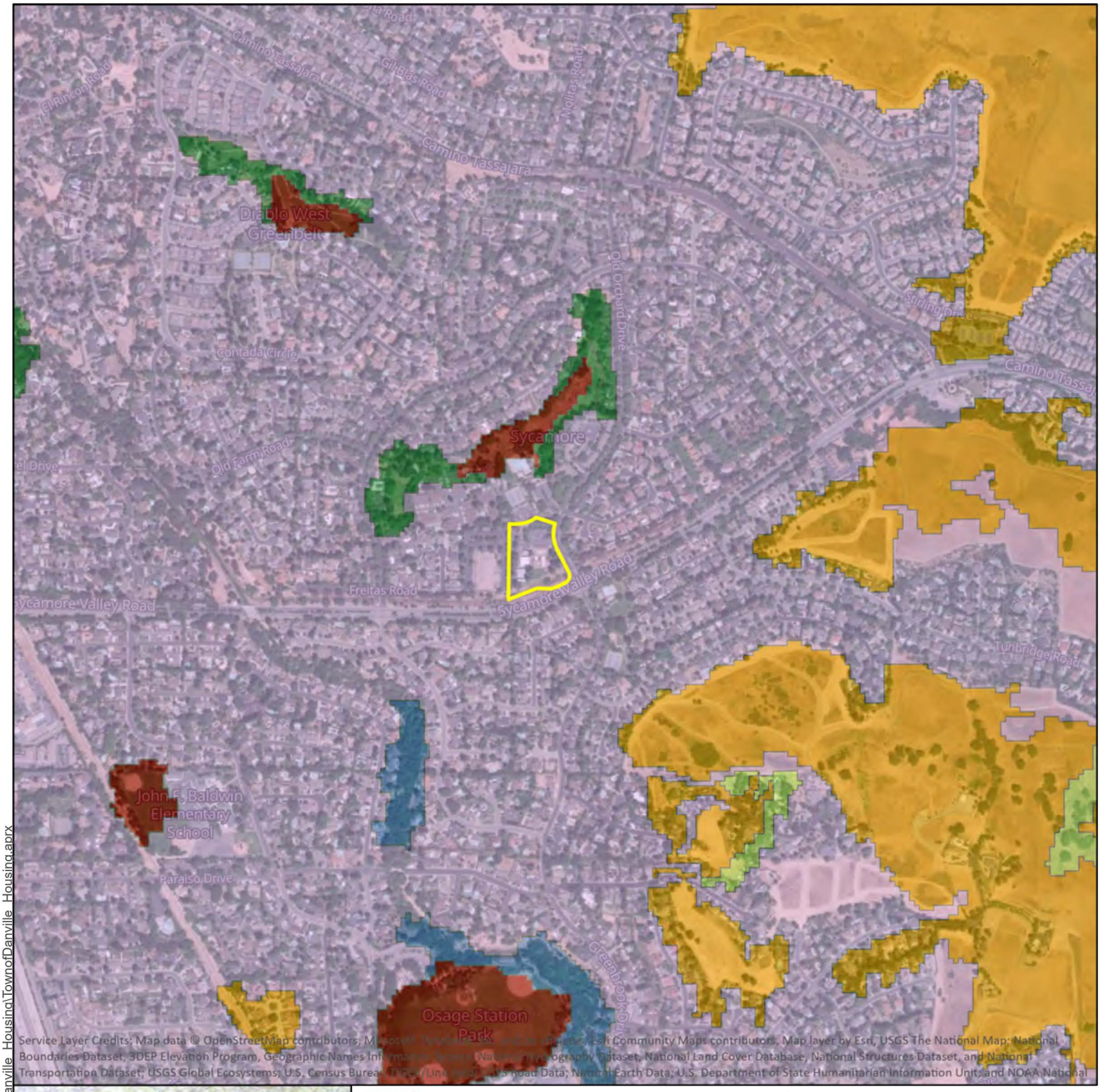

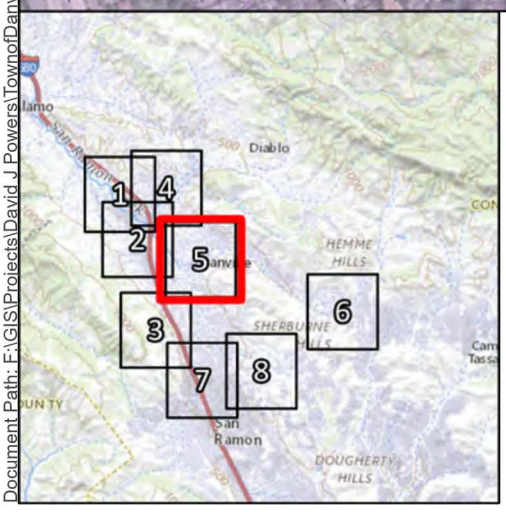

Danville City Limits

sub areas

5

Calveg Type

- Annual Grasses/ Forbs
- Non-native/ Ornamental Grass
- Non-native/ Ornamental Hardwood
- Mixed Riparian Hardwood
- Blue Oak
- Urban

0 250 500 1,000 Feet

0 70 140 280 Meters

1:11,000

Author: AurelieMuckenhirn
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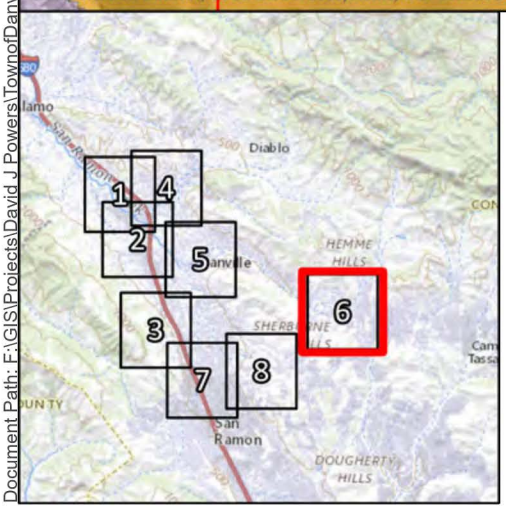


Danville City Limits

sub areas

6

Calveg Type

Annual Grasses/ Forbs

Non-native/ Ornamental Grass

Mixed Riparian Hardwood

Blue Oak

Valley Oak

Urban

0 250 500 1,000 Feet

0 70 140 280 Meters

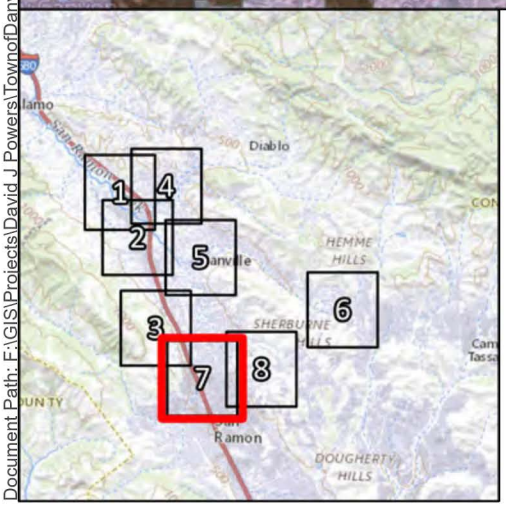
N

1:11,000

Author: AurelieMuckenhirn
Coordinate System: NAD 1983 2011 StatePlane California III FIPS 0403 Ft US

SEQUOIA Ecological Consulting, Inc.

Document Path: F:\GIS\Projects\David J Powers\TownofDanville_Housing\TownofDanville_Housing.aprx



Danville City Limits

sub areas

- 3
- 7

Calveg Type

- Agriculture
- Annual Grasses/ Forbs
- Non-native/ Ornamental Grass
- Non-native/ Ornamental Con/ Hwd Mixture
- Mixed Riparian Hardwood
- Coast Live Oak
- Blue Oak
- Valley Oak
- Urban

0 250 500 1,000 Feet

0 70 140 280 Meters

1:11,000

Author: AurelieMuckenhirn
Coordinate System: NAD 1983 2011 StatePlane California III FIPS 0403 Ft US

SEQUOIA Ecological Consulting, Inc.

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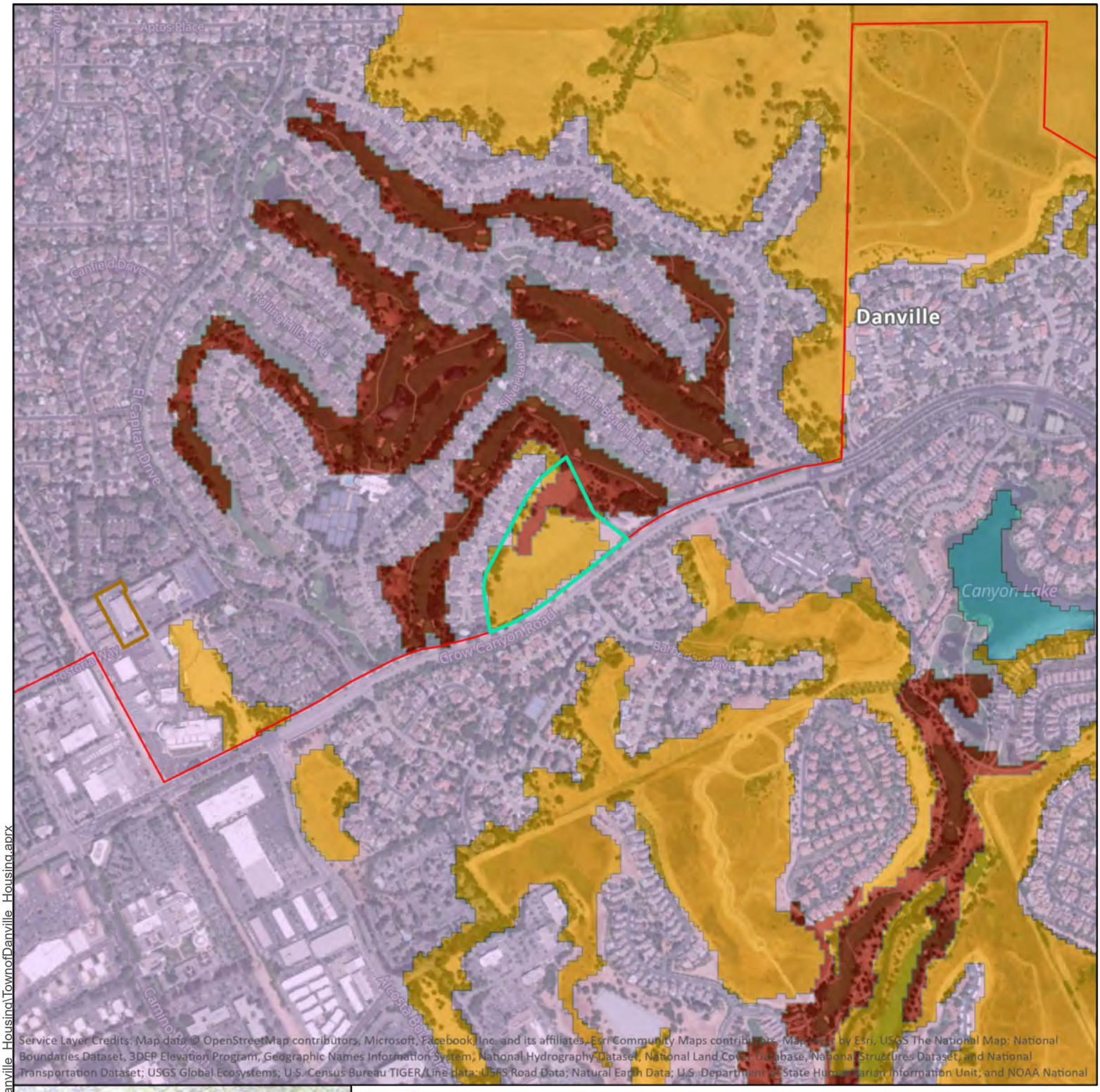

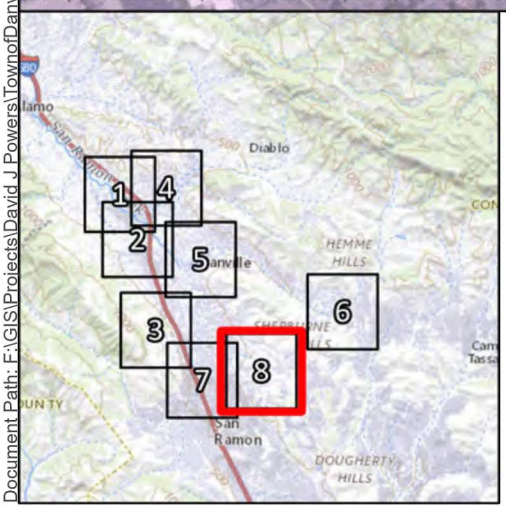

Danville City Limits

sub areas

- 7
- 8

Calveg Type

- Annual Grasses/ Forbs
- Non-native/ Ornamental Grass
- Urban
- Water

0 250 500 1,000 Feet

0 70 140 280 Meters

1:11,000

Author: AurelieMuckenhirn
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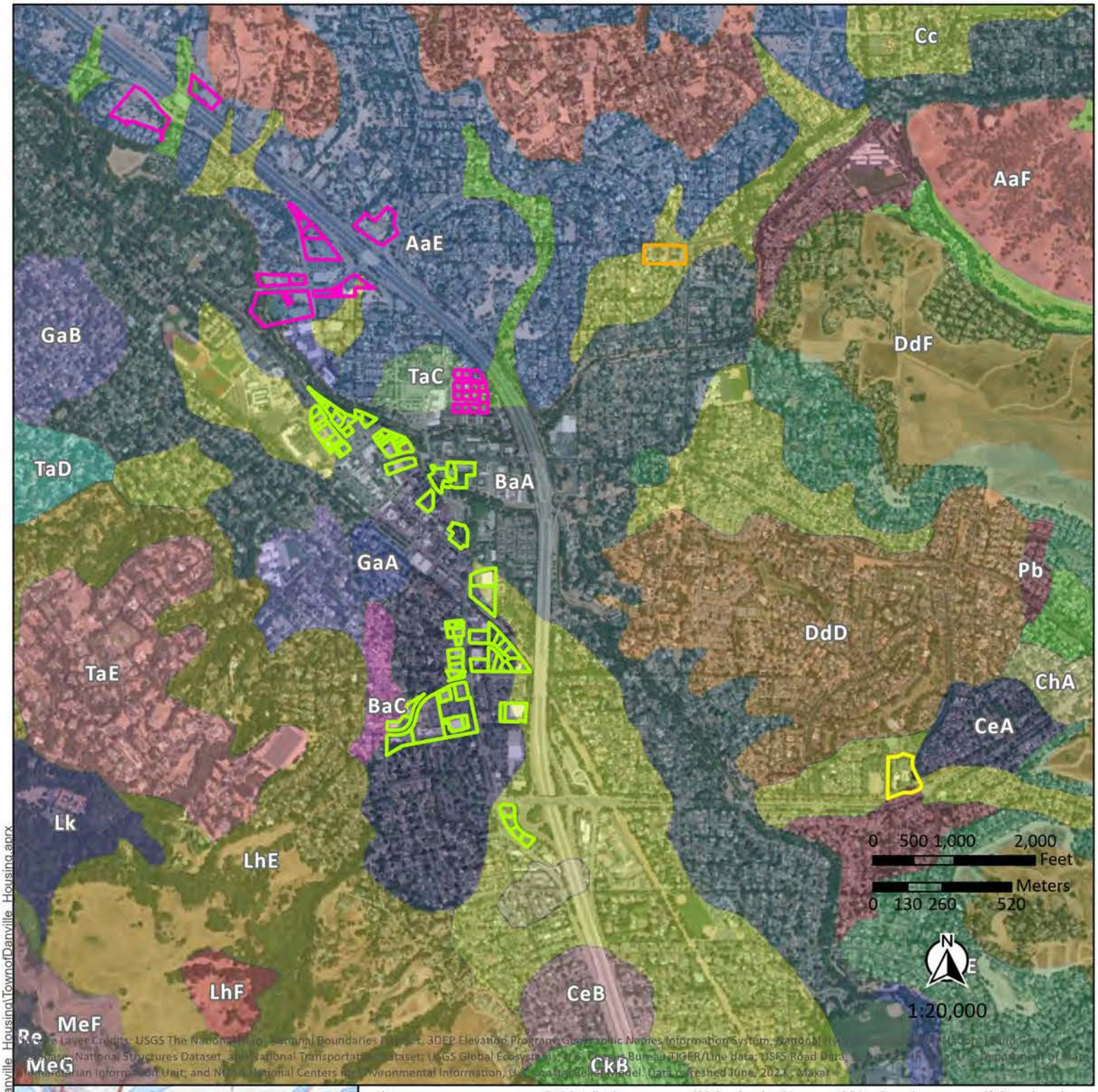

sub areas

- 1
- 2
- 4
- 5

MUSYM, Mapunit Name

- AaE,Alo clay, 15 to 30 percent slopes
- AaF,Alo clay, 30 to 50 percent slopes, MLRA 15
- BaA,Botella clay loam, 0 to 2 percent slopes, MLRA 14
- BaC,Botella clay loam, 2 to 9 percent slopes, MLRA 14
- Cc,Clear Lake clay, 0 to 3 percent slopes, MLRA 14
- CeA,Conejo clay loam, 0 to 2 percent slopes, MLRA 14
- CeB,Conejo clay loam, 2 to 5 percent slopes
- ChA,Conejo clay loam, clay substratum, 0 to 2 percent slopes
- CkB,Cropley clay, 2 to 5 percent slopes
- DdD,Diablo clay, 5 to 25 percent slopes, MLRA 15
- DdE,Diablo clay, 15 to 30 percent slopes, MLRA 15
- DdF,Diablo clay, 30 to 50 percent slopes, MLRA 15
- GaA,Garretson loam, 0 to 2 percent slopes
- GaB,Garretson loam, 2 to 5 percent slopes
- LhE,Los Osos clay loam, 15 to 30 percent slopes
- LhF,Los Osos clay loam, 30 to 50 percent slopes
- Lk,Los Osos-Los Gatos complex
- MeF,Millsholm loam, 15 to 50 percent slopes, moist, MLRA 15
- MeG,Millsholm loam, 20 to 60 percent slopes, moist, MLRA 15
- Pb,Pescadero clay loam, 0 to 6 percent slopes, MLRA 14
- Re,Rock outcrop-Xerorthents association
- TaC,Tierra loam, 2 to 9 percent slopes, MLRA 14
- TaD,Tierra loam, 9 to 15 percent slopes, MLRA 14
- TaE,Tierra loam, 15 to 30 percent slopes, MLRA 14

Author: AurelieMuckenhirn
Coordinate System: NAD 1983 2011
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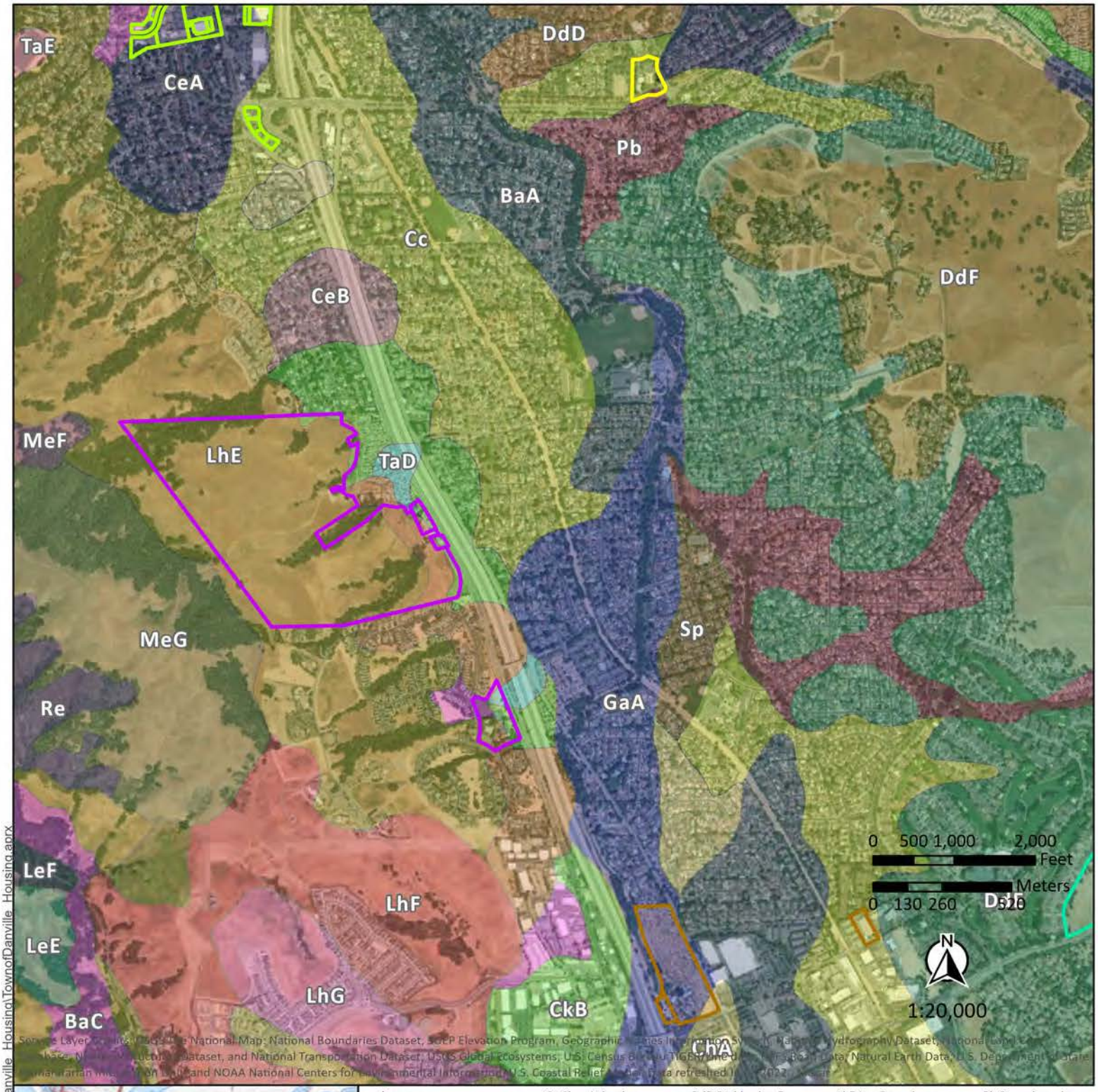

sub areas

- 2
- 3
- 5
- 7
- 8

MUSYM, Mapunit Name

- BaA,Botella clay loam, 0 to 2 percent slopes, MLRA 14
- BaC,Botella clay loam, 2 to 9 percent slopes, MLRA 14
- Cc,Clear Lake clay, 0 to 3 percent slopes, MLRA 14
- CeA,Conejo clay loam, 0 to 2 percent slopes, MLRA 14
- CeB,Conejo clay loam, 2 to 5 percent slopes
- ChA,Conejo clay loam, clay substratum, 0 to 2 percent slopes
- CkB,Cropley clay, 2 to 5 percent slopes
- DdD,Diablo clay, 5 to 25 percent slopes, MLRA 15
- DdE,Diablo clay, 15 to 30 percent slopes, MLRA 15
- DdF,Diablo clay, 30 to 50 percent slopes, MLRA 15
- GaA,Garretson loam, 0 to 2 percent slopes
- LeE,Los Gatos loam, 15 to 30 percent slopes
- LeF,Los Gatos loam, 30 to 50 percent slopes
- LhE,Los Osos clay loam, 15 to 30 percent slopes
- LhF,Los Osos clay loam, 30 to 50 percent slopes
- LhG,Los Osos clay loam, 50 to 75 percent slopes
- MeF,Millsholm loam, 15 to 50 percent slopes, moist, MLRA 15
- MeG,Millsholm loam, 20 to 60 percent slopes, moist, MLRA 15
- Pb,Pescadero clay loam, 0 to 6 percent slopes, MLRA 14
- Re,Rock outcrop-Xerorthents association
- Sp,Sycamore silty clay loam, clay substratum
- TaD,Tierra loam, 9 to 15 percent slopes, MLRA 14
- TaE,Tierra loam, 15 to 30 percent slopes, MLRA 14

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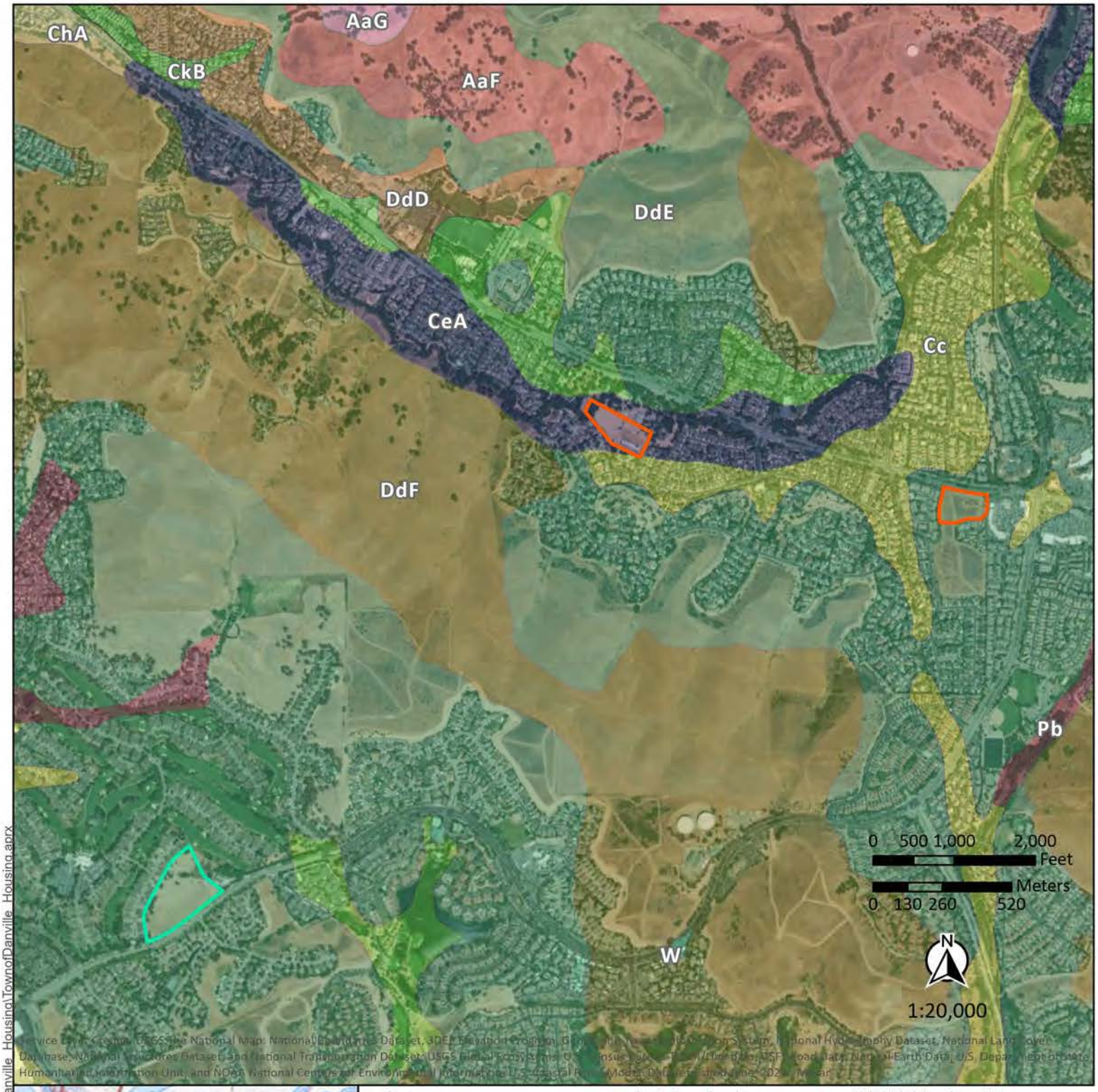

sub areas

- 6
- 8

MUSYM, Mapunit Name

- AaF,Alo clay, 30 to 50 percent slopes, MLRA 15
- AaG,Alo clay, 50 to 75 percent slopes
- Cc,Clear Lake clay, 0 to 3 percent slopes, MLRA 14
- CeA,Conejo clay loam, 0 to 2 percent slopes, MLRA 14
- ChA,Conejo clay loam, clay substratum, 0 to 2 percent slopes
- CkB,Cropley clay, 2 to 5 percent slopes
- DdD,Diablo clay, 5 to 25 percent slopes, MLRA 15
- DdE,Diablo clay, 15 to 30 percent slopes, MLRA 15
- DdF,Diablo clay, 30 to 50 percent slopes, MLRA 15
- Pb,Pescadero clay loam, 0 to 6 percent slopes, MLRA 14
- W,Water

Author: AurelieMuckenhirn
Coordinate System: NAD 1983 2011 StatePlane California III FIPS 0403 Ft US

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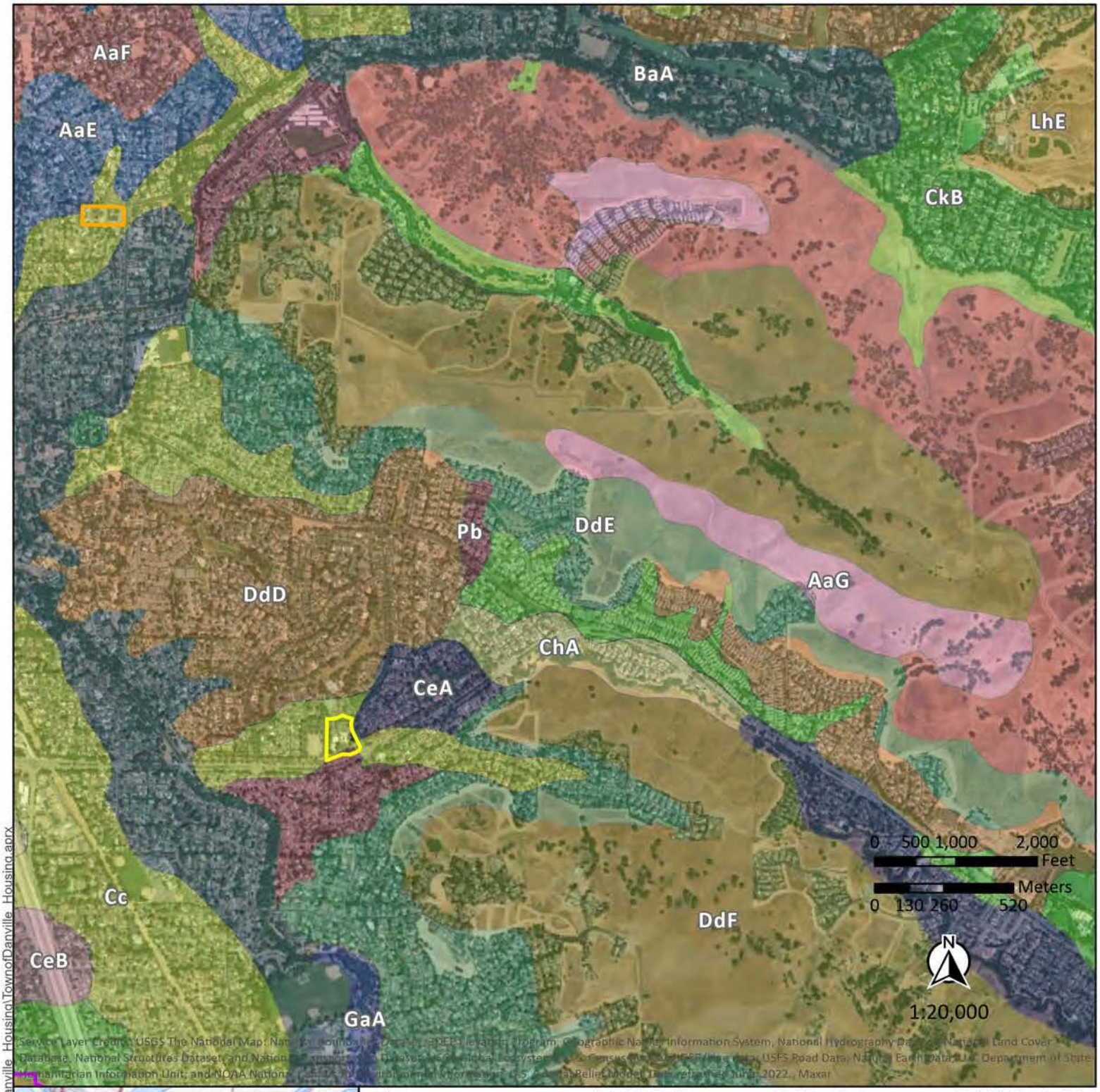

sub areas

- 3
- 4
- 5

MUSYM, Mapunit Name

- AaE,Alo clay, 15 to 30 percent slopes
- AaF,Alo clay, 30 to 50 percent slopes, MLRA 15
- AaG,Alo clay, 50 to 75 percent slopes
- BaA,Botella clay loam, 0 to 2 percent slopes, MLRA 14
- Cc,Clear Lake clay, 0 to 3 percent slopes, MLRA 14
- CeA,Conejo clay loam, 0 to 2 percent slopes, MLRA 14
- CeB,Conejo clay loam, 2 to 5 percent slopes
- ChA,Conejo clay loam, clay substratum, 0 to 2 percent slopes
- CkB,Cropley clay, 2 to 5 percent slopes
- DdD,Diablo clay, 5 to 25 percent slopes, MLRA 15
- DdE,Diablo clay, 15 to 30 percent slopes, MLRA 15
- DdF,Diablo clay, 30 to 50 percent slopes, MLRA 15
- GaA,Garretson loam, 0 to 2 percent slopes
- LhE,Los Osos clay loam, 15 to 30 percent slopes
- Pb,Pescadero clay loam, 0 to 6 percent slopes, MLRA 14

Author: AurelieMuckenhirn
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Appendix C

USFWS Information for Planning and Consultation System Report

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: February 08, 2022
Project Code: 2022-0004610
Project Name: The Town of Danville 2023-2031 Housing Element Project

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:

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:

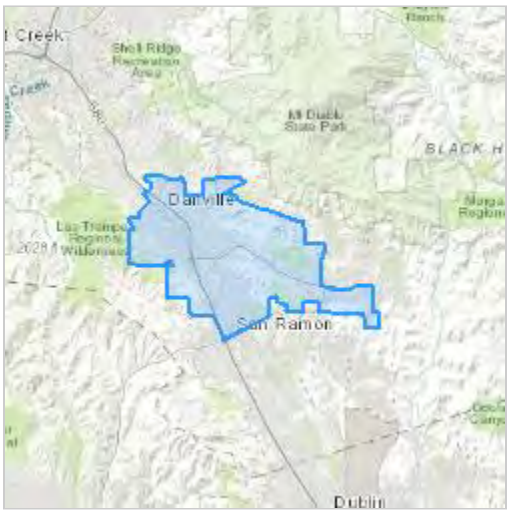
Sacramento Fish And Wildlife Office
Federal Building
2800 Cottage Way, Room W-2605
Sacramento, CA 95825-1846
(916) 414-6600

Project Summary

Project Code: 2022-0004610
Event Code: None
Project Name: The Town of Danville 2023-2031 Housing Element Project
Project Type: Residential Construction
Project Description: As mandated by State law, the proposed Project involves the Town of Danville's preparation of its 2022-2030 Housing Element and a Programmatic Environmental Impact Report to support the adoption of the Town's Housing Element. As part of the 2022-2030 Housing Element, the Town will need to accommodate its Regional Housing Needs Allocation (RHNA) as assigned by the Association of Bay Area Governments (ABAG). The Town's RHNA assignment will include the requirement to accommodate additional residential units with varying densities. Since the Town does not have a sufficient existing inventory of un-developed residential lands, the Town will need to identify sites for potential General Plan Land Use Amendments and site-specific P-1; Planned Unit Development rezoning providing for additional residential uses at varying densities. The Housing Element will need to provide for the required housing inventory and the PEIR will need to provide environmental analysis of the chosen sites to support the potential Land Use Amendments and to allow for future development with little or no additional environmental review needed.

Project Location:

Approximate location of the project can be viewed in Google Maps: https://www.google.com/maps/@37.81167585,-121.97425333136427,14z



Counties: Contra Costa County, California

Endangered Species Act Species

There is a total of 8 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 Least Tern *Sterna antillarum browni* No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/8104	Endangered

Reptiles

NAME	STATUS
Alameda Whipsnake (=striped Racer) *Masticophis lateralis euryxanthus* There is **final** critical habitat for this species. Your location overlaps the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/5524	Threatened

Amphibians

NAME	STATUS
California Red-legged Frog *Rana draytonii* There is **final** critical habitat for this species. The location of the critical habitat is not available. 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. The location of the critical habitat is not available. Species profile: https://ecos.fws.gov/ecp/species/2076	Threatened

Fishes

NAME	STATUS
Delta Smelt *Hypomesus transpacificus* There is **final** critical habitat for this species. The location of the critical habitat is not available. Species profile: https://ecos.fws.gov/ecp/species/321	Threatened

Insects

NAME	STATUS
Monarch Butterfly *Danaus plexippus* No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9743	Candidate

Crustaceans

NAME	STATUS
Vernal Pool Fairy Shrimp *Branchinecta lynchi* There is **final** critical habitat for this species. The location of the critical habitat is not available. Species profile: https://ecos.fws.gov/ecp/species/498	Threatened

Critical habitats

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

NAME	STATUS
Alameda Whipsnake (=striped Racer) *Masticophis lateralis euryxanthus* https://ecos.fws.gov/ecp/species/5524#crithab	Final

IPaC User Contact Information

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Appendix D

NMFS and Calfish Database Species Lists

Town of Danville 2022-2030 Housing Project – NMFS Species Lists

Project occur on the following USGS 7.5-minute quadrangle:

- Las Trampas Ridge—37122-G1
- Diablo—37121-G8

ESA Anadromous Fish

SONCC Coho ESU (T) -
CCC Coho ESU (E) -
CC Chinook Salmon ESU (T) -
CVSR Chinook Salmon ESU (T) -
SRWR Chinook Salmon ESU (E) -
NC Steelhead DPS (T) -
CCC Steelhead DPS (T) - **X**
SCCC Steelhead DPS (T) -
SC Steelhead DPS (E) -
CCV Steelhead DPS (T) - **X**
Eulachon (T) -
sDPS Green Sturgeon (T) -

ESA Anadromous Fish Critical Habitat

SONCC Coho Critical Habitat -
CCC Coho Critical Habitat -
CC Chinook Salmon Critical Habitat -
CVSR Chinook Salmon Critical Habitat -
SRWR Chinook Salmon Critical Habitat -
NC Steelhead Critical Habitat -
CCC Steelhead Critical Habitat -
SCCC Steelhead Critical Habitat -
SC Steelhead Critical Habitat -
CCV Steelhead Critical Habitat -
Eulachon Critical Habitat -
sDPS Green Sturgeon Critical Habitat -

ESA Marine Invertebrates

Range Black Abalone (E) -
Range White Abalone (E) -

ESA Marine Invertebrates Critical Habitat

Black Abalone Critical Habitat -

ESA Sea Turtles

East Pacific Green Sea Turtle (T) -
Olive Ridley Sea Turtle (T/E) -
Leatherback Sea Turtle (E) -
North Pacific Loggerhead Sea Turtle (E) -

ESA Whales

Blue Whale (E) -
Fin Whale (E) -
Humpback Whale (E) -
Southern Resident Killer Whale (E) -
North Pacific Right Whale (E) -
Sei Whale (E) -
Sperm Whale (E) -

ESA Pinnipeds

Guadalupe Fur Seal (T) -
Steller Sea Lion Critical Habitat -

Essential Fish Habitat

Coho EFH - **X**
Chinook Salmon EFH - **X**
Groundfish EFH -
Coastal Pelagics EFH -
Highly Migratory Species EFH -

MMPA Species (See list at left)

ESA and MMPA Cetaceans/Pinnipeds
See list at left and consult the NMFS Long Beach office
562-980-4000

MMPA Cetaceans -
MMPA Pinnipeds -

California Fish Website

Fish Species

Fish Species by Watersheds : 'San Ramon Creek-180500010201'

Freshwater native and non-native fish species present currently and/or historically, determined from the PISCES database (Feb. 26, 2014). Some species, such as salmon or steelhead, may no longer be present upstream of dams that lack fish passage.

Yes/No corresponds to California native species

Black Bullhead

Ameiurus melas

No

Black Crappie

Pomoxis nigromaculatus

No

Central California Coast Winter Steelhead

Oncorhynchus mykiss

Yes

Channel Catfish

Ictalurus punctatus

No

Coastal Rainbow Trout

Oncorhynchus mykiss irideus

Yes

Common Carp

Cyprinus carpio

No

Goldfish

Carassius auratus

No

Hardhead

Mylopharodon conocephalus

Yes

Pacific Lamprey

Entosphenus tridentata

Yes

Pumpkinseed

Lepomis gibbosus

No

Redear Sunfish

Lepomis microlophus

No

Riffle Sculpin

Cottus gulosus

Yes

Sacramento Blackfish

Orthodon microlepidotus

Yes

Sacramento Hitch

Lavinia exilicauda exilicauda

Yes

Sacramento Pikeminnow

Ptychocheilus grandis

Yes

Sacramento Sucker

Catostomus occidentalis occidentalis

Yes

Threadfin Shad

Dorosoma petenense

No

White Catfish

Ameiurus catus

No

White Crappie

Pomoxis annularis

No