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Ecological Consultants

**Halsey House Demolition Project
Biological Resources Report**

Project #4814-01

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Section 1. Introduction

This report describes the biological resources present in the area of the proposed Halsey House Demolition project, the potential impacts of the proposed project on biological resources, and measures necessary to reduce project impacts to less-than-significant levels under the California Environmental Quality Act (CEQA). This assessment is based on the project maps and description provided to H. T. Harvey & Associates by David J. Powers & Associates through July 2024.

1.1 Project Location

The 0.6-acre project site is located within the Redwood Grove Nature Preserve in Los Altos, California (Figures 1 and 2). The Preserve is surrounded by residential development, with University Avenue located to the east, Manresa Lane to the south, Lennox Way and Fremont Road to the west, and Shoup Park to the north. The project site is located on the *Cupertino, California* 7.5-minute United States Geological Survey (USGS) quadrangle.

1.2 Project Description

1.1.1 Background

The Halsey House was built in 1923 and used as a private residence until the property was purchased by the City of Los Altos in 1974 to serve as a park. The building was then converted to a nature center for educational and recreational programming. In 2008, the building was closed to the public. Since 2008, the Halsey House has remained vacant and unused. The Halsey House is a local Historic Landmark and is eligible for the California Register of Historic Resources. As a result, it is considered a historic resource under CEQA.

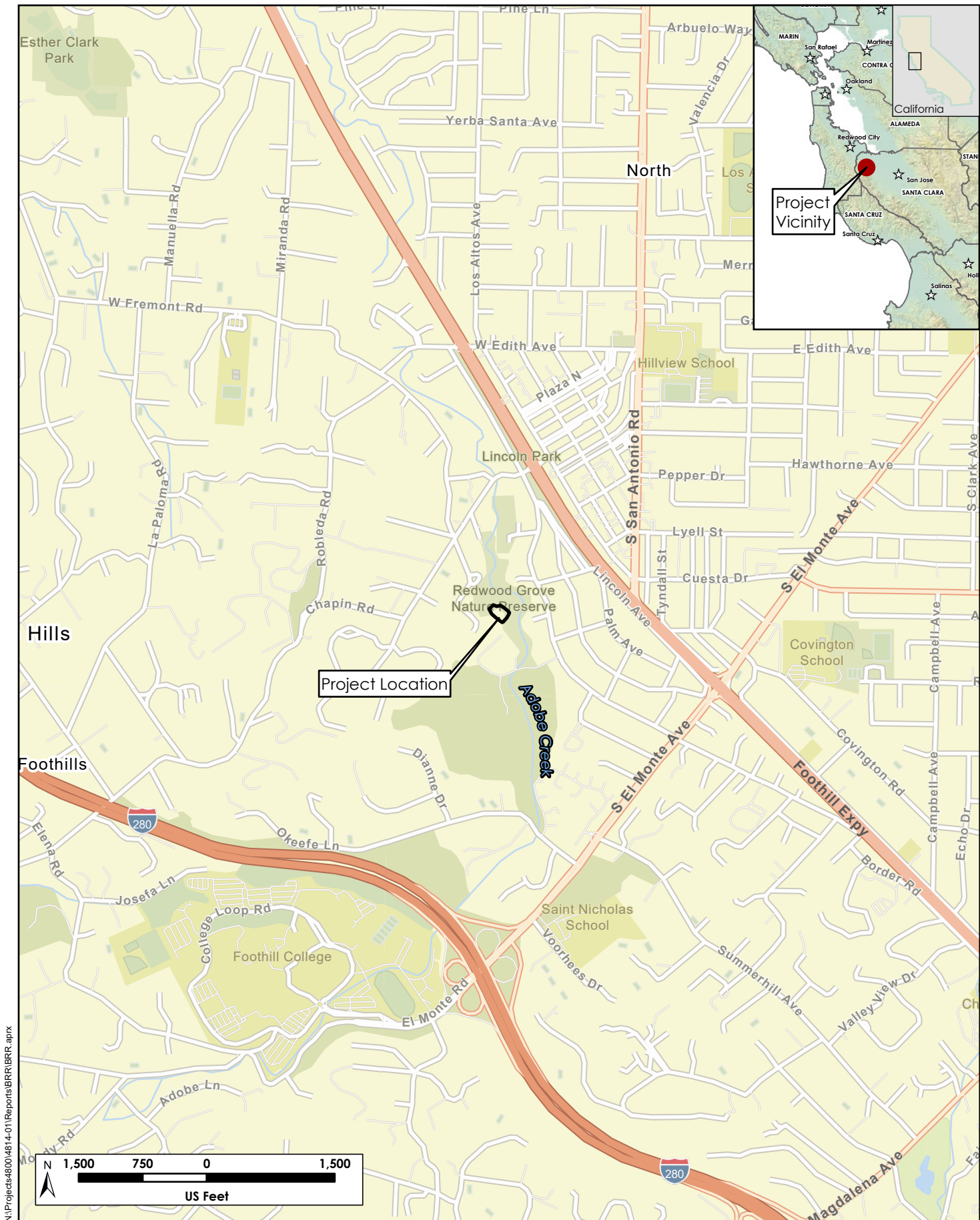
1.1.2 Demolition Details

The project proposes to demolish the Halsey House building. Demolition activities would occur within an approximately 0.6-acre area surrounding the building and would last roughly three months. Equipment and workers would access the site via the Redwood Grove Nature Preserve entrance on University Avenue. Equipment staging would occur within the proposed area of disturbance.

Demolition equipment, such as an excavator and a compact track loader, would be utilized throughout the demolition period. Due to the weight capacity and width of the pedestrian bridge (approximately 8 tons and 10 feet, respectively), the equipment used for demolition would be small and lightweight. For example, the compact track loader would weigh 7 tons and the excavator would weigh 6 tons.

Service utility trucks weighing about 4 tons would be used for hauling. The service trucks would be able to hold a maximum of 3 tons. When hauling materials off-site the service utility trucks would weigh 7 tons total.

During demolition, construction equipment and manual labor would be used to tear down the Halsey House structure. Some of the demolition would be completed manually with hand tools due to the weight and width constraints of the pedestrian bridge. After demolition of the building, the site would be cleared and building materials would be hauled to an appropriate off-site disposal location. Some tree trimming and/or removal may be necessary to allow for demolition of the building.



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Figure 1. Vicinity Map

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Figure 2. Project Site

Halsey House Demolition Project Biological Resources Report (4814-01)
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Section 2. Methods

2.1 Background Review

Prior to conducting field work, H. T. Harvey & Associates ecologists reviewed the project description and site plan provided by David J. Powers & Associates through July 2024; aerial images (Google Inc. 2024); a USGS topographic map; a National Wetlands Inventory map (2024); National Resources Conservation Service (NRCS) soil survey maps (2024); the California Department of Fish and Wildlife's (CDFW's) California Natural Diversity Database (CNDDB) (2024); and other relevant reports, scientific literature, and technical databases. For the purposes of this report, the *project vicinity* is defined as the area within a 5-mile radius surrounding the project site.

In addition, for plants, we reviewed all species on current California Native Plant Society (CNPS) California Rare Plant Rank (CRPR) 1A, 1B, 2A, 2B, 3, and 4 lists (CNPS 2024) occurring in the project region, which is defined as the *Cupertino, California* USGS 7.5-minute quadrangle and surrounding eight quadrangles (*Palo Alto, Mountain View, Milpitas, San Jose West, Mindero Hill, Big Basin, Castle Rock Ridge, and Los Gatos*). In addition, we queried the CNDDB (2024) for natural communities of special concern that occur on the project site, and we perused records of birds reported in nearby areas, such as at Redwood Grove Nature Preserve and Shoup Park, on eBird (Cornell Lab of Ornithology 2024) and on the Peninsula-Birding List Serve (2024).

2.2 Site Visit

H. T. Harvey & Associates plant and wetland ecologist Vanessa Morales, B.S., and wildlife ecologist Zachary Hampson, B.A., conducted a reconnaissance-level survey of the project site on May 7, 2024. The purpose of the surveys was to provide an impact assessment specific to the proposed construction of the project, as described above. Specifically, surveys were conducted to (1) assess existing biotic habitats and plant and animal communities on the project site, (2) assess the project site for its potential to support special-status species and their habitats, and (3) identify potential jurisdictional and sensitive habitats, such as waters of the U.S./state and riparian habitat. V. Morales conducted a focused presence/absence survey for bent-flowered fiddleneck (*Amsinkia lunaris*), arcuate bush mallow (*Malacothamnus arcuatus* var. *arcuatus*), Dudley's lousewort (*Pedicularis dudleya*), and California bottlebrush (*Ehymus californicus*), four special-status plants that were thought to have some potential for occurrence and that would have been detectable during the May 7 site visit, on the project site. Z. Hampson conducted a focused survey for roosting bats and signs of bat presence (e.g., guano and urine staining) in the existing Halsey House structure as well as in trees on the site, as well as a focused survey for nests of the San Francisco dusky-footed woodrat (*Neotoma fuscipes annectens*). In addition, Z. Hampson and H. T. Harvey & Associates wildlife ecologist Emily Malkauskas, B.S., returned to the site on May 16, 2024, to conduct a dusk emergence survey for roosting bats.

Section 3. Regulatory Setting

Biological resources on the project site are regulated by a number of federal, state, and local laws and ordinances, as described below.

3.1 Federal Regulations

3.1.1 Clean Water Act

The Clean Water Act (CWA) functions to maintain and restore the physical, chemical, and biological integrity of waters of the U.S., which include, but are not limited to, tributaries to traditionally navigable waters currently or historically used for interstate or foreign commerce, and adjacent wetlands. Historically, in non-tidal waters, U.S. Army Corps of Engineers (USACE) jurisdiction extends to the ordinary high water (OHW) mark, which is defined in Title 33, Code of Federal Regulations, Part 328.3. If there are wetlands adjacent to channelized features, the limits of USACE jurisdiction extend beyond the OHW mark to the outer edges of the wetlands. In tidal waters, USACE jurisdiction extends to the landward extent of vegetation associated with salt or brackish water or the high tide line. The high tide line is defined in 33 Code of Federal Regulations Part 328.3 as “the line of intersection of the land with the water’s surface at the maximum height reached by a rising tide.” The May 25, 2023 U.S. Supreme Court decision in *Sackett v. Environmental Protection Agency* limited the definition of waters of the U.S. by including only wetlands that have a continuous surface connection with traditional navigable waters. On August 29, 2023, the U.S. Environmental Protection Agency and USACE issued a final implementing rule to amend the definition of waters of the U.S. to conform with the *Sackett* decision.

Construction activities within jurisdictional waters are regulated by the USACE. The placement of fill into such waters must comply with permit requirements of the USACE. No USACE permit will be effective in the absence of Section 401 Water Quality Certification. The State Water Resources Control Board (SWRCB) is the state agency (together with the Regional Water Quality Control Boards [RWQCBs]) charged with implementing water quality certification in California.

Project Applicability: The project site does not support wetland or aquatic habitats. Adobe Creek, located approximately 16 feet off-site to the northeast, is considered jurisdictional waters of the U.S. under the CWA, but no project activities are proposed within the bed and banks of the creek. As a result, a permit from the USACE would not be required for the project.

3.1.2 Rivers and Harbors Act

Section 10 of the Rivers and Harbors Act of 1899 prohibits the creation of any obstruction to the navigable capacity of waters of the U.S., including discharge of fill and the building of any wharfs, piers, jetties, and other structures without Congressional approval or authorization by the Chief of Engineers and Secretary of the Army (33 U.S.C. 403).

Navigable waters of the U.S., which are defined in 33 CFR, Part 329.4, include all waters subject to the ebb and flow of the tide, and/or those which are presently or have historically been used to transport commerce. The shoreward jurisdictional limit of tidal waters is further defined in 33 CFR, Part 329.12 as “the line on the shore reached by the plane of the mean (average) high water.” It is important to understand that the USACE does not regulate wetlands under Section 10, only the aquatic or open waters component of bay habitat, and that there is overlap between Section 10 jurisdiction and Section 404 jurisdiction. According to 33 CFR, Part 329.9, a waterbody that was once navigable in its natural or improved state retains its character as “navigable in law” even though it is not presently used for commerce as a result of changed conditions and/or the presence of obstructions. Historical Section 10 waters may occur behind levees in areas that are not currently exposed to tidal or muted-tidal influence, and meet the following criteria: (1) the area is presently at or below the mean high water line; (2) the area was historically at or below mean high water in its “unobstructed, natural state”; and (3) there is no evidence that the area was ever above mean high water.

As mentioned above, Section 404 of the CWA authorizes the USACE to issue permits to regulate the discharge of dredged or fill material into waters of the U.S. If a project also proposes to discharge dredged or fill material and/or introduce other potential obstructions in navigable waters of the U.S., a Letter of Permission authorizing these impacts must be obtained from the USACE under Section 10 of the Rivers and Harbors Act.

Project Applicability: No current or historical Section 10 Waters are present on or close to the project site, including in Adobe Creek located off-site to the northeast. Therefore, a Letter of Permission from the USACE is not required.

3.1.3 Federal Endangered Species Act

The Federal Endangered Species Act (FESA) protects federally listed wildlife species from harm or *take*, which is broadly defined as “to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, collect, or attempt to engage in any such conduct.” *Take* can also include habitat modification or degradation that directly results in death or injury of a listed wildlife species. An activity can be defined as *take* even if it is unintentional or accidental. Listed plant species are provided less protection than listed wildlife species. Listed plant species are legally protected from take under the FESA only if they occur on federal lands.

The U.S. Fish and Wildlife Service (USFWS) and the National Marine Fisheries Service have jurisdiction over federally listed, threatened, and endangered species under FESA. The USFWS also maintains lists of proposed and candidate species. Species on these lists are not legally protected under FESA, but may become listed in the near future and are often included in their review of a project.

Project Applicability: The May 2024 site visit determined that no federally listed plant species are present on the project site. The monarch butterfly (*Danaus plexippus*), a candidate for listing under FESA, may occur on the project site as an occasional nonbreeding forager or dispersant, but it is not expected to breed on the project

site or to be impacted substantively by the project. No additional federally listed or candidate plant or animal species occur or potentially occur on the project site.

3.1.4 Federal Migratory Bird Treaty Act

The federal Migratory Bird Treaty Act (MBTA), 16 U.S.C. Section 703, prohibits killing, possessing, or trading of migratory birds except in accordance with regulations prescribed by the Secretary of the Interior. The MBTA protects whole birds, parts of birds, and bird eggs and nests, and it prohibits the possession of all nests of protected bird species whether they are active or inactive. An *active* nest is defined as having eggs or young, as described by the USFWS in its June 14, 2018 memorandum “Destruction and Relocation of Migratory Bird Nest Contents”. Nest starts (nests that are under construction and do not yet contain eggs) and inactive nests are not protected from destruction.

Project Applicability: All native bird species that occur on the project site are protected under the MBTA.

3.2 State Regulations

3.2.1 Porter-Cologne Water Quality Control Act

The SWRCB works in coordination with the nine RWQCBs to preserve, protect, enhance, and restore water quality. Each RWQCB makes decisions related to water quality for its region, and may approve, with or without conditions, or deny projects that could affect waters of the state. Their authority comes from the CWA and the Porter-Cologne Water Quality Control Act (Porter-Cologne). Porter-Cologne broadly defines waters of the state as “any surface water or groundwater, including saline waters, within the boundaries of the state.” Because Porter-Cologne applies to any water, whereas the CWA applies only to certain waters, California’s jurisdictional reach overlaps and may exceed the boundaries of waters of the U.S. For example, Water Quality Order No. 2004-0004-DWQ states that “shallow” waters of the state include headwaters, wetlands, and riparian areas. Moreover, the San Francisco Bay Region RWQCB’s Assistant Executive Director has stated that, in practice, the RWQCBs claim jurisdiction over riparian areas. Where riparian habitat is not present, such as may be the case at headwaters, jurisdiction is taken to the top of bank.

On April 2, 2019, the SWRCB adopted the *State Wetland Definition and Procedures for Discharges of Dredged or Fill Material to Waters of the State*. In these new guidelines, riparian habitats are not specifically described as waters of the state but instead as important buffer habitats to streams that do conform to the State Wetland Definition. The *Procedures* describe riparian habitat buffers as important resources that may both be included in required mitigation packages for permits for impacts to waters of the state, as well as areas requiring permit authorization from the RWQCBs to impact.

Pursuant to the CWA, projects that are regulated by the USACE must also obtain a Section 401 Water Quality Certification permit from the RWQCB. This certification ensures that a proposed project will uphold state water quality standards. Because California’s jurisdiction to regulate its water resources is much broader than

that of the federal government, proposed impacts on waters of the state require Water Quality Certification even if the area occurs outside of USACE jurisdiction. Moreover, the RWQCB may impose mitigation requirements even if the USACE does not. Under the Porter-Cologne, the SWRCB and the nine regional boards also have the responsibility of granting CWA National Pollutant Discharge Elimination System (NPDES) permits and Waste Discharge Requirements for certain point-source and non-point discharges to waters. These regulations limit impacts on aquatic and riparian habitats from a variety of urban sources.

Project Applicability: No waters of the state or riparian habitats regulated by the RWQCB are present on the project site. Adobe Creek located off-site to the northeast is considered waters of the state, but no impacts to this creek will result from project activities. Therefore, a Section 401 permit or Waste Discharge Requirement from the RWQCB would not be required.

3.2.2 California Endangered Species Act

The California Endangered Species Act (CESA) (California Fish and Game Code, Chapter 1.5, Sections 2050-2116) prohibits the take of any plant or animal listed or proposed for listing as rare (plants only), threatened, or endangered. In accordance with CESA, the CDFW has jurisdiction over state-listed species (Fish and Game Code 2070). The CDFW regulates activities that may result in *take* of individuals (i.e., “hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill”). Habitat degradation or modification is not expressly included in the definition of *take* under the California Fish and Game Code. The CDFW, however, has interpreted *take* to include the “killing of a member of a species which is the proximate result of habitat modification.”

Project Applicability: The May 2024 site visit determined that no state-listed plant species occur on the project site. The mountain lion (*Puma concolor*), a candidate for listing under CESA, may occur on the site occasionally as a nonbreeder, but no impacts to individuals will result from the project.

3.2.3 Native Plant Protection Act

The Native Plant Protection Act (NPPA), enacted in 1977, allows plants to be designated as rare or endangered by the California Fish and Game Commission (Fish and Game Code Sections 1900–1913). The NPPA includes prohibitions on the take of such plants, with exceptions for certain activities. A total of 64 species, subspecies, and varieties of plants are considered “rare” by the NPPA.

Project Applicability: The May 2024 site visit determined that no NPPA-designated rare plant species occur on the project site.

3.2.4 California Environmental Quality Act

CEQA is a state law that requires state and local agencies to document and consider the environmental implications of their actions and to refrain from approving projects with significant environmental effects if there are feasible alternatives or mitigation measures that can substantially lessen or avoid those effects. CEQA

requires the full disclosure of the environmental effects of agency actions, such as approval of a general plan update or the projects covered by that plan, on resources such as air quality, water quality, cultural resources, and biological resources. The State Resources Agency promulgated guidelines for implementing CEQA known as the State CEQA Guidelines.

Section 15380(b) of the State CEQA Guidelines provides that a species not listed on the federal or state lists of protected species may be considered rare if the species can be shown to meet certain specified criteria. These criteria have been modeled after the definitions in the FESA and the CESA and the section of the California Fish and Game Code dealing with rare or endangered plants and animals. This section was included in the guidelines primarily to deal with situations in which a public agency is reviewing a project that may have a significant effect on a species that has not yet been listed by either the USFWS or CDFW or species that are locally or regionally rare.

The CDFW has produced three lists (amphibians and reptiles, birds, and mammals) of “species of special concern” that serve as “watch lists”. Species on these lists are of limited distribution or the extent of their habitats has been reduced substantially, such that threat to their populations may be imminent. Thus, their populations should be monitored. They may receive special attention during environmental review as potential rare species, but do not have specific statutory protection. All potentially rare or sensitive species, or habitats capable of supporting rare species, are considered for environmental review per the CEQA Section 15380(b). The CNPS, a non-governmental conservation organization, has developed CRPRs for plant species of concern in California in the CNPS Inventory of Rare and Endangered Plants (CNPS 2024). The CRPRs include lichens, vascular, and non-vascular plants, and are defined as follows:

- CRPR 1A Plants considered extinct.
- CRPR 1B Plants rare, threatened, or endangered in California and elsewhere.
- CRPR 2A Plants considered extinct in California but more common elsewhere.
- CRPR 2B Plants rare, threatened, or endangered in California but more common elsewhere.
- CRPR 3 Plants about which more information is needed - review list.
- CRPR 4 Plants of limited distribution-watch list.

The CRPRs are further described by the following threat code extensions:

- .1—seriously endangered in California;
- .2—fairly endangered in California;
- .3—not very endangered in California.

Although the CNPS is not a regulatory agency and plants on these lists have no formal regulatory protection, plants appearing as CRPR 1B or 2 are, in general, considered to meet CEQA’s Section 15380 criteria, and

adverse effects to these species may be considered significant. Impacts on plants that are listed by the CNPS on CRPR 3 or 4 are also considered during CEQA review, although because these species are typically not as rare as those of CRPR 1B or 2, impacts on them are less frequently considered significant.

Compliance with CEQA Guidelines Section 15065(a) requires consideration of natural communities of special concern, in addition to plant and wildlife species. Vegetation types of “special concern” are tracked in Rarefind (CNDDDB 2024). Further, the CDFW ranks sensitive vegetation alliances based on their global (G) and state (S) rankings analogous to those provided in the CNDDDB. Global rankings (G1–G5) of natural communities reflect the overall condition (rarity and endangerment) of a habitat throughout its range, whereas S rankings are a reflection of the condition of a habitat within California. If an alliance is marked as a G1–G3, all of the associations within it would also be of high priority. The CDFW provides the Vegetation Classification and Mapping Program’s (VegCAMP’s) currently accepted list of vegetation alliances and associations (CDFW 2024).

Project Applicability: All potential impacts on biological resources will be considered during CEQA review of the project in the context of this biological resources report. Project impacts are discussed in Section 6 below.

3.2.5 California Fish and Game Code

Ephemeral and intermittent streams, rivers, creeks, dry washes, sloughs, blue line streams on USGS maps, and watercourses with subsurface flows fall under CDFW jurisdiction. Canals, aqueducts, irrigation ditches, and other means of water conveyance may also be considered streams if they support aquatic life, riparian vegetation, or stream-dependent terrestrial wildlife. A *stream* is defined in Title 14, California Code of Regulations Section 1.72, as “a body of water that follows at least periodically or intermittently through a bed or channel having banks and that supports fish and other aquatic life. This includes watercourses having surface or subsurface flow that supports or has supported riparian vegetation.” Using this definition, CDFW extends its jurisdiction to encompass riparian habitats that function as a part of a watercourse. California Fish and Game Code Section 2786 defines *riparian habitat* as “lands which contain habitat which grows close to and which depends upon soil moisture from a nearby freshwater source.” The lateral extent of a stream and associated riparian habitat that would fall under the jurisdiction of CDFW can be measured in several ways, depending on the particular situation and the type of fish or wildlife at risk. At minimum, CDFW would claim jurisdiction over a stream’s bed and bank. Where riparian habitat is present, the outer edge of riparian vegetation is generally used as the line of demarcation between riparian and upland habitats.

Pursuant to California Fish and Game Code Section 1603, CDFW regulates any project proposed by any person that will “substantially divert or obstruct the natural flow or substantially change the bed, channel, or bank of any river, stream, or lake designated by the department, or use any material from the streambeds.” California Fish and Game Code Section 1602 requires an entity to notify CDFW of any proposed activity that may modify a river, stream, or lake. If CDFW determines that proposed activities may substantially adversely affect fish and wildlife resources, a Lake and Streambed Alteration Agreement (LSAA) must be prepared. The LSAA sets

reasonable conditions necessary to protect fish and wildlife, and must comply with CEQA. The applicant may then proceed with the activity in accordance with the final LSAA.

Certain sections of the California Fish and Game Code describe regulations pertaining to protection of certain wildlife species. For example, Code Section 2000 prohibits take of any bird, mammal, fish, reptile, or amphibian except as provided by other sections of the code.

The California Fish and Game Code Sections 3503, 3513, and 3800 (and other sections and subsections) protect native birds, including their nests and eggs, from all forms of take. Disturbance that causes nest abandonment and/or loss of reproductive effort is considered *take* by the CDFW. Raptors (e.g., eagles, hawks, and owls) and their nests are specifically protected in California under Code Section 3503.5. Section 3503.5 states that it is “unlawful to take, possess, or destroy any birds in the order Falconiformes or Strigiformes (birds of prey) or to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by this code or any regulation adopted pursuant thereto.”

Bats and other non-game mammals are protected by California Fish and Game Code Section 4150, which states that all non-game mammals or parts thereof may not be taken or possessed except as provided otherwise in the code or in accordance with regulations adopted by the commission. Activities resulting in mortality of non-game mammals (e.g., destruction of an occupied nonbreeding bat roost, resulting in the death of bats), or disturbance that causes the loss of a maternity colony of bats (resulting in the death of young), may be considered *take* by the CDFW.

Project Applicability: No riparian habitat regulated by the CDFW occurs on the project site. Adobe Creek and associated riparian habitat located off-site to the northeast is regulated by CDFW, but no impacts to riparian habitat along this creek will result from activities under the project. Therefore, a CDFW LSAA would not be required for the project.

Most native bird, mammal, and other wildlife species that occur on the project site and in the immediate vicinity are protected under the California Fish and Game Code. Project impacts on these species are discussed in Section 6.

3.2.6 State Water Resources Control Board Stormwater Regulation

Construction Phase. Construction projects in California causing land disturbances that are equal to 1 acre or greater must comply with state requirements to control the discharge of stormwater pollutants under the NPDES General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (Construction General Permit; Water Board Order No. 2009-0009-DWQ, as amended and administratively extended). Prior to the start of construction/demolition, a Notice of Intent must be filed with the SWRCB describing the project. A Storm Water Pollution Prevention Plan must be developed and maintained during the project and it must include the use of best management practices (BMPs) to protect water quality until the site is stabilized.

Standard permit conditions under the Construction General Permit requires that the applicant utilize various measures including: on-site sediment control BMPs, damp street sweeping, temporary cover of disturbed land surfaces to control erosion during construction, and utilization of stabilized construction entrances and/or wash racks, among other factors. Additionally, the Construction General Permit does not extend coverage to projects if stormwater discharge-related activities are likely to jeopardize the continued existence, or result in take of any federally listed endangered or threatened species.

Post-Construction Phase. In many Bay Area counties, including Santa Clara County, projects must also comply with the California RWQCB, San Francisco Bay Region, Municipal Regional Stormwater NPDES Permit (Water Board Order No. R2-2015-0049, as amended). This permit requires that all projects implement BMPs and incorporate Low Impact Development practices into the design that prevent stormwater runoff pollution, promote infiltration, and hold/slow down the volume of water coming from a site. In order to meet these permit and policy requirements, projects must incorporate the use of green roofs, impervious surfaces, tree planters, grassy swales, bioretention and/or detention basins, among other factors.

Project Applicability. The project will not disturb an acre or more of ground, so the NPDES General Permit would not apply to this project. It is our understanding that the Municipal Regional Stormwater NPDES Permit would apply; however, and the project will comply with the requirements of this permit. Therefore, construction-phase activities would not result in detrimental water quality effects on biological or regulated resources.

3.3 Local Regulations

3.3.1 Los Altos Tree Protection Ordinance

According to the City's Municipal Code Chapter 11.08, it is unlawful to damage or kill any protected tree, or to remove any protected tree from private or public property without obtaining a permit. A protected tree is defined as trees that are 48 inches in circumference at 48 inches above grade, designated by the historical commission as a heritage tree (or that is under consideration for designation as a heritage tree), or any tree that was required by the City to be saved or planted in conjunction with a development review application. City requirements to protect trees designated for preservation during construction include installing protective fencing; maintaining the existing grade out to the dripline of the tree; installing drain wells where impervious surfaces will be placed over a tree's root system; repairing trees that are damaged by construction, and avoiding attachment of signs, wires, or other objects to the tree. Conditions approval for tree removal may include planting replacement trees.

Project Applicability: The project will comply with the City's requirements for any trees that need to be removed.

3.3.2 Los Altos Watercourse Protection Regulations

The City's Municipal Code Chapter 6.32 requires creeks to be maintained reasonably free of trash, debris, excessive vegetation, and other obstacles that would pollute, contaminate, or significantly retard the flow of water. Any discharge into creeks, modification of the natural flow of water, development of permanent structures, earthwork, fence construction, removal of materials from, or placement of materials within a creek requires a permit.

In addition, all parcels along Adobe Creek from Shoup Park south to O'Keefe Lane are subject to a setback equivalent to the greatest of the following distances:

- 40 feet (for parcels 3 acres in size or smaller) or 80 feet (for parcels larger than 3 acres) from the top of the nearest bank,
- The distance of any easement owned or controlled by the Santa Clara Valley Water District, or
- The 100-year floodplain.

No construction activities including structures, grading, paving, fences, water storage facilities, and subsoil disturbance; dumping; use of herbicides or pesticides; or removal of vegetation may occur except with permission from the planning department. Pathways, access roads, utilities, bridges, and fire and flood control measures are allowed. Exceptions are available for special circumstances (e.g., size, shape, and topography) where the proposed activity will not be detrimental to the health, safety, or welfare of persons living or working in the vicinity and is consistent with the purposes of the setbacks as provided.

Project Applicability: No streams are present on the project site. Due to the presence of Adobe Creek approximately 16 feet to the northeast, and because the project site is located in between Shoup Park to the north and O'Keefe Lane to the south, a setback overlaps the project site. The size of the parcel on which the project site is located is 4.3 acres; therefore, the setback defined by the City for this location is 80 feet from the top of bank. The project would need to comply with the City's watercourse protection regulations, which include guidance for allowable uses within the stream corridor. It is our understanding that the City will grant an exception to the 80-foot setback for the project, as the proposed removal of Halsey House will result in returning the area to its natural grade and vegetation, a net benefit to the Adobe Creek corridor.

Section 4. Environmental Setting

4.1 General Project Area Description

The project site is located in the City of Los Altos in Santa Clara County, California (Figure 1). The climate in the project vicinity is coastal Mediterranean, with most rain falling in the winter and spring. Mild cool temperatures are common in the winter, and hot to mild temperatures are common in the summer. Climate conditions in the vicinity include a 30-year average of 18.68 inches of annual precipitation with a monthly average temperature range from 48.5°F to 71.4°F (PRISM Climate Group 2024). Elevations on the project site range from 203–223 feet above mean sea level (Google Inc. 2024). The NRCS has mapped one soil unit on the project site: Urban land-Flaskan complex 2 to 9% slopes (NRCS 2024). Urban land-Flaskan complex is a well-drained soil found on alluvial fans, and is composed of sandy loam, sandy clay loam, gravelly sandy clay loam, and very gravelly sandy loam (NRCS 2024).

4.2 Biotic Habitats

The reconnaissance-level survey identified two biotic habitats on the project site: developed and coast live oak woodland (Figure 3). These biotic habitats are described in detail below. Plant species observed during the reconnaissance-level survey are listed in Appendix A.

4.2.1 Developed

Vegetation. Approximately 0.3 acre of the project site is developed and supports the unoccupied Halsey House building, associated seating areas, an ornamental garden, and an equipment shed (Photo 1). Trees growing in the developed area on the site include native coast live oak (*Quercus agrifolia*) and California bay (*Umbellularia californica*) along with nonnative pepper tree (*Schinus molle*) and persimmon (*Diospyros virginiana*). Understory plants in this area include Douglas iris (*Iris douglasiana*), marah (*Marah fabacea*), privet (*Ligustrum* sp.), annual blue grass (*Poa annua*), foxtail barley (*Hordeum murinum*), and English ivy (*Hedera helix*). Native California poppy (*Eschscholzia californica*), hummingbird sage (*Salvia spathacea*), purple sage (*Salvia leucophylla*), black sage (*Salvia mellifera*), California gooseberry (*Ribes californicum*), coffeeberry (*Frangula californica*), and strawberry (*Fragaria* sp.) are present in the ornamental garden. In addition, nonnative French broom (*Genista monspessulana*) is present adjacent to the Halsey House building.



Photo 1. Developed habitat on the project site.



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Wildlife. Developed areas of the project site serve as wildlife habitat only in a very limited capacity, and most wildlife species that occur in these areas are tolerant of frequent human disturbances. Common wildlife species that are associated with developed areas and can occur in developed portions of the project site include the nonnative European starling (*Sturnus vulgaris*), house mouse (*Mus musculus*), and black rat (*Rattus rattus*), as well as the native western fence lizard (*Sceloporus occidentalis*), raccoon (*Procyon lotor*), and a variety of birds including the Anna’s hummingbird (*Calypte anna*), dark-eyed junco (*Junco hyemalis*), American crow (*Corvus brachyrhynchos*), and northern mockingbird (*Mimus polyglottos*). The buildings on the project site may be attractive to certain bird species in the area that nest on buildings such as the black phoebe (*Sayornis nigricans*), Bewick’s wren (*Thryomanes bewickii*), mourning dove (*Zenaida macroura*), and house finch (*Haemorrhous mexicanus*).

The Halsey House building provides suitable roosting habitat for bats, and an individual Townsend’s big-eared bat (*Corynorhinus townsendii*) was observed roosting in the building during the May 7, 2024 site visit. During the May 16, 2024 dusk emergence survey, two California myotis (*Myotis californicus*) and one Townsend’s big-eared bat were recorded flying overhead with acoustic detectors. In addition, an acoustic detector was left inside the Halsey House building for five nights, during which time 20 Townsend’s big-eared bat calls (which may have been produced by one or several individuals) were recorded (Table 1). Based on the relatively small number of calls detected each night (i.e., 1–7 calls per night), as well as their timing, we determined in consultation with H. T. Harvey & Associates senior bat biologist David Johnston, Ph.D., that the Townsend’s big-eared bat(s) using the building represent a non-maternity roost of a small number of individuals. This was determined based on the detection of calls only in the late evening and early morning, when the bats exited and returned to the roost, as opposed to numerous call detections throughout the night (which is typical when adults are feeding young). This roost likely consists of one or a few individual male bats, which is typical of this species.

Table 1. Summary of Townsend’s Big-Eared Bat Calls Detected Inside Halsey House from May 16–21, 2024

Date	Time				Total Calls Recorded
	midnight	6am	noon	6pm	
16-May				4	4
17-May	2	1		4	7
18-May				1	1
19-May				3	3
20-May	1			3	4
21-May		1			1

4.2.2 Coast Live Oak Woodland

Vegetation. Coast live oak woodland makes up 0.3 acre of the project site. This habitat is dominated by coast live oaks, which are interspersed with several other tree species including native California bay, California buckeye (*Aesculus californica*), and valley oak (*Quercus lobata*) as well as nonnative tree of heaven (*Ailanthus altissima*). Shrubs that occur in the midstory of this habitat include native toyon (*Heteromeles arbutifolia*) and poison oak (*Toxicodendron diversilobum*). The understory is mainly composed of leaf duff and large patches of nonnative Italian thistle (*Carduus pycnocephalus*) and ripgut brome (*Bromus diandrus*) with smaller numbers of native California blackberry (*Rubus ursinus*), foxtail barley, rose clover (*Trifolium birtum*), California buttercup (*Ranunculus californica*), common bedstraw (*Galium aparine*), and miners lettuce (*Claytonia perfoliata*) as well as nonnative curly dock (*Rumex crispus*).



Photo 2. Coast live oak woodland habitat on the project site.

Wildlife. Woodlands dominated by oaks typically support diverse animal communities in California. Coast live oaks provide abundant food resources, including acorns and invertebrates, as well as substantial shelter for animals in the form of cavities, crevices in bark, and complex branching growth. The oak woodland habitat on the project site is part of a larger woodland (including oaks, redwoods [*Sequoia sempervirens*], and other trees) at the Redwood Grove Nature Preserve, and is connected to open space areas supporting woodlands and grasslands to the south between the site and Interstate 280 by Adobe Creek. However, the oak woodland habitat on the site is limited in extent, and the Redwood Grove Nature Preserve and other open spaces along Adobe Creek to the south are isolated from more extensive oak woodland habitats in the region (e.g., large parks in the foothills several miles to the southwest) by residential development and roadways. As a result, the oak woodland habitat on the site provides fewer resources and foraging opportunities for wildlife species compared to more extensive oak woodlands in the region. Nevertheless, due to the high quality of this habitat on the site, the close proximity of riparian habitat associated with Adobe Creek (located approximately 16 feet to the north), and the presence of numerous remnant oaks in the urban forest of the surrounding residential development, a number of wildlife species associated with oak woodlands and tolerant of moderate levels of human disturbance are expected to utilize the coast live oak woodland habitat on the site for breeding and foraging.

Birds such as the chestnut-backed chickadee (*Poecile rufescens*), Anna's hummingbird, bushtit (*Psaltirparus minimus*), Bewick's wren, oak titmouse (*Baeolophus inornatus*), and California scrub-jay (*Aphelocoma californica*) may nest and forage in oaks on the project site. Other birds expected to use this habitat are the wintering hermit thrush (*Catharus guttatus*), ruby-crowned kinglet (*Regulus calendula*), Townsend's warbler (*Setophaga townsendi*), and white-crowned sparrow (*Zonotrichia leucophrys*). Raptors such as the Cooper's hawk (*Accipiter cooperii*) may forage for prey in oak woodlands on the site in small numbers. It is possible that up to one pair of raptors could nest

in the patches of oak woodland habitat on the site, but no active or inactive raptor nests were detected during the site visit, suggesting that raptors have not nested on the site in recent years.

Common amphibians such as the Pacific tree frog (*Pseudacris regilla*) and California slender salamander (*Batrachoseps attenuatus*) may take refuge in leaf duff and forage within oak woodland habitat on the project site. Mammals, including the native bobcat (*Lynx rufus*), coyote (*Canis latrans*), raccoon, and black-tailed deer (*Odocoileus hemionus*) as well as the nonnative eastern gray squirrel (*Sciurus carolinensis*) and Virginia opossum (*Didelphis virginiana*) will forage in the oak woodland habitat on the project site. Additionally, several nests of the native San Francisco dusky footed woodrat, a California species of special concern, are present in this habitat, as are several burrows of Botta's pocket gophers (*Thomomys bottae*). The deer mouse (*Peromyscus maniculatus*) is also a common resident of oak woodlands. Diurnal raptors, such as the red-tailed hawk (*Buteo jamaicensis*), will forage for small mammals on the project site during the day, and nocturnal raptors, such as the great horned owl (*Bubo virginianus*) will forage for nocturnal rodents at night.

The mature oak trees on the site provide potential roosting habitat for bats in cavities; however, no bats were visually observed or recorded acoustically emerging from these or any other trees on the site during the May 16, 2024 dusk emergence survey, indicating that bats are not roosting in these trees currently, and no maternity roosts are present in these trees.

4.3 Adjacent Habitat Areas

Adobe Creek is an intermittent stream located approximately 16 feet northeast of the project site (Figure 2). This creek supported flowing water at the time of the May 2024 site visit. Riparian woodland habitat along Adobe Creek is dominated by coast live oaks, California buckeyes, coast redwoods, and California bays rooted above and below the tops of banks. The understory of this habitat consists of leaf duff and sparse nonnative annual grasses, with occasional native species such as poison oak. Most of the ground is covered in leaf duff or erosion control materials. The creek is incised with steep banks with grades between 10–20%.

Riparian habitats in California generally support exceptionally rich animal communities and contribute disproportionately to landscape-level species diversity. The presence of seasonal water and abundant invertebrates provide foraging opportunities for many species, and the diverse habitat structure provides cover and nesting opportunities. Leaf litter provides cover for California slender salamanders and Pacific tree frogs, among others. Several reptiles may also occur here, including the western fence lizard, western skink (*Eumeces skiltonianus*), and southern alligator lizard (*Elgaria multicarinata*). Mammals such as the ornate shrew (*Sorex ornatus*), California vole (*Microtus californica*), Audubon's cottontail (*Sylvilagus audubonii*), and San Francisco dusky-footed woodrat provide a prey base for mesopredators that forage here, such as the bobcat and coyote.

In addition to amphibians, reptiles, and mammals, the reach of Adobe Creek adjacent to the project site provides suitable foraging and breeding habitat for many of the bird species listed above, as well as the western flycatcher (*Empidonax difficilis*), Wilson's warbler (*Cardellina pusilla*), warbling vireo (*Vireo gilvus*), and others. Raptors such as red-shouldered hawks (*Buteo lineatus*) and Cooper's hawks nest within riparian corridors and

forage there, as well as in adjacent habitats. Riparian habitats are also used heavily by migrant passerines and wintering birds.

4.4 Wildlife Movement

Wildlife movement within and in the vicinity of the project site takes many forms, and is different for the various suites of species associated with these lands. Bird and bat species move readily over the landscape in the project vicinity, foraging over and within both natural lands and landscaped areas. Mammals of different species move within their home ranges, but also disperse between patches of habitat. Generally, reptiles and amphibians similarly settle within home ranges, sometimes moving to central breeding areas, upland refugia, or hibernacula in a predictable manner, but also dispersing to new areas. Some species, especially among the birds and bats, are migratory, moving into or through the project vicinity during specific seasons. Aside from bats, there are no other mammal species in the vicinity of the site that are truly migratory. However, the young of many mammal species disperse from their natal home ranges, sometimes moving over relatively long distances in search of new areas in which to establish.

Movement corridors are segments of habitat that provide linkage for wildlife through the mosaic of suitable and unsuitable habitat types found within a landscape while also providing cover. On a broader level, corridors also function as paths along which wide-ranging animals can travel, populations can move in response to environmental changes and natural disasters, and genetic interchange can occur. In California, environmental corridors often consist of riparian areas along streams, rivers, or other natural features.

Due to the presence of development surrounding the project site, there are currently no well-defined or important movement corridors for mammals, amphibians, or reptiles on or through the project site. Wildlife species may move through the area using cover and refugia as they find them available. Adobe Creek, which eventually drains to the open waters of the San Francisco Bay, and its associated riparian corridor serves as a movement corridor for several common and special-status species of birds fish, mammals, reptiles, and amphibians through the Los Altos area. In addition, a number of birds, mammals, reptiles, and amphibians utilize the riparian corridor of Adobe Creek for movement purposes, as it provides sufficient vegetative cover preferred by these species when navigating across the landscape. Specifically, migratory passerines, rabbits, striped skunks, raccoons, Pacific treefrogs, and alligator lizards, amongst other species, are expected to move along this corridor adjacent to the project site.

Section 5. Special-Status Species and Sensitive Habitats

CEQA requires assessment of the effects of a project on species that are protected by state, federal, or local governments as “threatened, rare, or endangered”; such species are typically described as “special-status species”. For the purpose of the environmental review of the project, special-status species have been defined as described below. Impacts on these species are regulated by some of the federal, state, and local laws and ordinances described in Section 3 above.

For purposes of this analysis, “special-status” plants are considered plant species that meet one or more of the following criteria:

- Listed under FESA as threatened, endangered, proposed threatened, proposed endangered, or a candidate species.
- Listed under CESA as threatened, endangered, rare, or a candidate species.
- Listed by the CNPS as CRPR 1A, 1B, 2, 3, or 4.

For purposes of this analysis, “special-status” animals are considered animal species that meet one or more of the following criteria:

- Listed under FESA as threatened, endangered, proposed threatened, proposed endangered, or a candidate species.
- Listed under CESA as threatened, endangered, or a candidate threatened or endangered species.
- Designated by the CDFW as a California species of special concern.
- Listed in the California Fish and Game Code as fully protected species (fully protected birds are provided in Section 3511, mammals in Section 4700, reptiles and amphibians in Section 5050, and fish in Section 5515).

Information concerning threatened, endangered, and other special-status species that potentially occur on the project site was collected from several sources and reviewed by H. T. Harvey & Associates biologists as described in Section 2.1 above. Figure 4 depicts CNDDDB records of special-status plant species in the general vicinity of the project site and Figure 5 depicts CNDDDB records of special-status animal species. These generalized maps show areas where special-status species are known to occur or have occurred historically.



Figure 4. CNDDDB-Mapped Records of Special-Status Plants

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Figure 5. CNDDDB-Mapped Records of Special-Status Animals

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5.1 Special-Status Plant Species

The CNPS (2024) and CNDDB (2024) identify 89 special-status plant species as potentially occurring in at least one of the nine USGS 7.5-minute quadrangles containing or surrounding the project site (for CNPS) or within the project vicinity (for CNDDB) (Appendix B). Of the 89 potentially occurring special-status plant species, 85 were determined to be absent from the project site for at least one of the following reasons: (1) absence of suitable habitat types, (2) lack of specific microhabitat or edaphic requirements, (3) the elevation range of the species is outside of the range of the project site, and/or (4) the project site is outside the species' known geographic range and/or there are no nearby extant records (Appendix B).

Suitable habitat, edaphic requirements, and elevation range are present on the project site for four special-status plant species; these species are addressed in greater detail in Table 1 below. All of the special-status plant species for which suitable habitat is present on the site would have been detectable during a May survey, and hence were determined to be absent from the site during the May 7, 2024 site visit.

Table 1. Special-Status Plant Species, Their Status, and Potential for Occurrence on the Project Site

Name	*Status	Habitat and Blooming Period	Potential for Occurrence on the Project Site
Federal or State Endangered, Threatened, Candidate, or Rare Species			
Dudley's lousewort (<i>Pedicularis dudleyi</i>)	SR, CRPR 1B.2	Maritime chaparral, cismontane woodland, North Coast coniferous forest, and valley and foothill grassland, often in deep shady woods of older coast redwood forests (blooming period April to June)	Absent. Only low-quality suitable cismontane woodland habitat to support this species is present on the project site. Most occurrences are known from more shaded and mesic habitats with less vegetation in the understory. Known to occur at Portola Redwoods State Park approximately 12 miles to the south (CNDDDB 2024). No individuals were observed on the site during a focused survey conducted in May 2024. Determined to be absent.
CNPS-Listed Plant Species			
Bent-flowered fiddleneck (<i>Amsinckia lunaris</i>)	CRPR 1B.2	Coastal bluff scrub, cismontane woodland, valley and foothill grassland/oak woodland and chaparral (blooming period March to June).	Absent. Suitable grassland habitat to support this species is present on the project site. Bent-flowered fiddleneck is known to occur at Foothills Open Space Preserve approximately 3.9 miles to the southwest (CNDDDB 2024). However, no individuals were observed on the site during a focused survey conducted in May 2024. Determined to be absent.
California bottlebrush (<i>Elymus californicus</i>)	CRPR 1B.2	Cismontane woodland, broadleafed upland forest, North Coast coniferous forest, riparian woodland (blooming period May to August)	Absent. Suitable cismontane woodland habitat to support this species is present on the project site. California bottlebrush is known to occur in Sam McDonald County Park approximately 8.8 miles to the southwest (Calflora 2024). However, no individuals were observed on the site during a focused survey conducted in May 2024. Determined to be absent.
Arcuate bush-mallow (<i>Malacothamnus arcuatus</i>)	CRPR 1B.2	Chaparral and cismontane woodland, sometimes on gravelly alluvial soils, or in any shrub or tree woodland that has recently burned (detectable year-round)	Absent. Has been documented in a wide variety of woody habitats, including oak woodland, and is most prevalent after wildland fires (Morse 2022). Known to occur adjacent to Rancho San Antonio County Park and Open Space Preserve approximately 2.3 miles to the south (CNDDDB 2024). However, no individuals were observed on the site during a focused survey conducted in May 2024. Determined to be absent.

*Key to Status Abbreviations: State Rare (SR); California Rare Plant Rank (CRPR).

CRPR 1B = Rare, Threatened, or Endangered in California and elsewhere

.2 = Moderately threatened in California (20-80% of occurrences threatened)

5.2 Special-Status Animal Species

The legal status and likelihood of occurrence on the project site of special-status animal species known to occur, or potentially occurring, in the surrounding region are presented in Table 2. Most of the special-status species listed in Table 2 are not expected to occur on the project site because it lacks suitable habitat, is outside the known range of the species, and/or is isolated from the nearest known extant populations by development or otherwise unsuitable habitat.

The following special-status species that are present in specialized habitats on the San Francisco Peninsula, or that occurred on or near the Peninsula historically but are no longer present, are absent from the project site due to a lack of suitable habitat and/or isolation of the site from populations by urbanization: the western bumble bee (*Bombus occidentalis*), Crotch's bumble bee (*Bombus crotchii*), Bay checkerspot butterfly (*Euphydryas editha bayensis*), California tiger salamander (*Ambystoma californiense*), Santa Cruz black salamander (*Aneides niger*), California red-legged frog (*Rana draytonii*), foothill yellow-legged frog (*Rana boylei*), San Francisco garter snake (*Thamnophis sirtalis tetrataenia*), northwestern pond turtle (*Actinemys marmorata*), northern harrier (*Circus hudsonius*), burrowing owl (*Athene cunicularia*), grasshopper sparrow (*Ammodramus savannarum*), tricolored blackbird (*Agelaius tricolor*), loggerhead shrike (*Lanius ludovicianus*), and American badger (*Taxidea taxus*). While bald eagles (*Haliaeetus leucocephalus*) and golden eagles (*Aquila chrysaetos*) may fly over the project site at times, none are expected to nest or forage on or close to the project site.

No aquatic habitats to support special-status fish species are present on the project site. Adobe Creek, located 16 feet to the north, potentially supports southern coastal roach (*Hesperoleucus venustus subditus*) and riffle sculpin (*Cottus gulosus*), which are California species of special concern. The Sacramento hitch (*Lavinia exilicauda exilicauda*), also a species of special concern, is not known to occur in the Adobe Creek watershed. Anadromous special-status fish species, including the Central California Coast steelhead (*Oncorhynchus mykiss*), Central California Coast coho salmon (*Oncorhynchus kisutch*), and Pacific lamprey (*Entosphenus tridentatus*), are absent from Adobe Creek due to the tide gates at the mouth of Adobe Creek and the box culverts at the road crossings of El Camino Real and Interstate 280 downstream of the site, which are impassible barriers (Leidy et al. 2005).

The mountain lion (*Puma concolor*), a candidate for listing under CESA; the monarch butterfly (*Danaus plexippus*), a candidate for listing under FESA; and the western red bat (*Lasiurus blossevillei*) and pallid bat (*Antrozous pallidus*), which are California species of special concern, may also forage on the project site. As discussed in Table 2, these species are not expected to den, roost, or breed on or immediately adjacent to the project site due to a lack of suitable habitat, and they will be affected very little, if at all, by the proposed project. In addition, the olive-sided flycatcher (*Contopus cooperi*) is considered a California species of special concern only when nesting; individuals may occasionally occur on or over the project site as nonbreeding transients, foragers, or migrants, but no suitable nesting habitat for this species occurs on the project site.

The California giant salamander (*Dicamptodon ensatus*), Vaux's swift (*Chaetura vauxi*), yellow warbler (*Setophaga petechia*), white-tailed kite (*Elanus leucurus*), San Francisco dusky-footed woodrat, and Townsend's big-eared bat are addressed in greater detail in this report because these species can potentially breed or occur on or immediately adjacent to the project site and/or may be significantly impacted by the proposed project in the absence of avoidance and minimization measures (see Section 6 *Impacts and Mitigation Measures* below).

Table 2. Special-Status Animal Species, Their Status, and Potential for Occurrence on the Project Site

Name	*Status	Habitat	Potential for Occurrence on the Project Site
Federal or State Endangered, Threatened, or Candidate Species			
Bay checkerspot butterfly (<i>Euphydryas editha bayensis</i>)	FT	Native grasslands on serpentine soils. Larval host plants are <i>Plantago erecta</i> and/or <i>Castilleja</i> sp. The flight season extends from late February to early May.	Absent. No suitable habitat; determined to be absent.
Monarch butterfly (<i>Danaus plexippus</i>)	FC	Requires milkweeds (<i>Asclepias</i> spp.) for egg-laying and larval development, but adults obtain nectar from a wide variety of flowering plants in many habitats. Individuals congregate in winter roosts, primarily in Mexico and in widely scattered locations on the central and southern California coast.	May be Present as Nonbreeder. The monarch butterfly occurs throughout the region primarily as a migrant. No milkweeds were observed on the project site during the May 2024 survey, and therefore no breeding habitat is present on the site. Small numbers of individuals may forage on the project site, especially during spring and fall migration. However, the site does not provide high-quality foraging habitat for this species. While ostensibly suitable overwintering habitat for monarchs (i.e., eucalyptus [<i>Eucalyptus</i> sp.] trees) is present within areas of the Redwood Grove Nature Preserve adjacent to the site, no current or historical overwintering sites are known as far inland as the project site; the nearest known overwintering aggregation location is 18.6 miles to the northwest in Coyote Point Recreation Area in San Mateo (Xerces Society 2024).
Crotch's bumble bee (<i>Bombus crotchii</i>)	SC	Open grassland and scrub habitats.	Absent. Although this species was historically found throughout the southern two-thirds of California, population declines and range contractions (25% relative to its historical range) have made this species very scarce in the region (CDFW 2019). Since 2019, there have been documented occurrences of approximately 100 individuals from nearly 20 locations in Santa Clara County (Bumble Bee Watch 2024; iNaturalist 2024; S. Rottenborn, pers. obs.), indicating that the species is still extant, and fairly widespread (albeit in low numbers in most locations) in the county. However, no suitable grassland or scrub habitat to provide nesting and foraging habitat for this species is present on or adjacent to the site, and no high-quality floral resources to attract this species to the site are present. Therefore, this species is determined to be absent.

Name	*Status	Habitat	Potential for Occurrence on the Project Site
Western bumble bee (<i>Bombus occidentalis</i>)	SC	Occurs in a variety of grassland, scrub, and open woodland habitats.	Absent. Although the species was historically found throughout much of central and northern California, including the project vicinity, it has been extirpated from much of its former range, and there are no recent records from Los Altos or nearby areas (CDFW 2019, Bumble Bee Watch 2024, iNaturalist 2024). Therefore, this species is absent from the project site.
Central California coast steelhead (<i>Oncorhynchus mykiss</i>)	FT	Cool streams with suitable spawning habitat and conditions allowing migration between spawning and marine habitats.	Absent. Occurs in the open waters of the San Francisco Bay, and is known to have occurred historically in Adobe Creek. However, the tide gates at the mouth of Adobe Creek can preclude the passage of anadromous fish, and the box culverts at the road crossings of El Camino Real and Interstate 280 downstream of the site are impassible barriers (Leidy et al. 2005). Determined to be absent.
Central California Coast coho salmon (<i>Oncorhynchus kisutch</i>)	FT, ST	Open ocean, estuaries, and rivers	Absent. Central California Coast coho salmon may have occurred historically in the San Francisco Creek watershed, but they have not been observed in San Francisco Estuary streams since the early- to mid-1980's (Leidy 2007). In addition, the tide gates at the mouth of Adobe Creek can preclude the passage of anadromous fish, and the box culverts at the road crossings of El Camino Real and Interstate 280 downstream of the site are impassible barriers (Leidy et al. 2005). Thus, this species is absent from Adobe Creek adjacent to the project site.
California tiger salamander (<i>Ambystoma californiense</i>)	FT, ST	Vernal or temporary pools in annual grasslands or open woodlands. Adults live terrestrially in small mammal burrows.	Absent. The California tiger salamander's range on the San Francisco Peninsula historically occurred as far northwest as Woodside (CNDDDB 2024). The closest extant population is located in the vicinity of Lake Lagunita on the Stanford University Campus, approximately 3.9 miles to the northwest (CNDDDB 2024). Two additional historical occurrences are located 2.5 miles to the south (from 1893) and 3.9 miles to the west (from 1940), on the far side of Interstate 280 (CNDDDB 2024). All of these occurrences are located far beyond the known dispersal distance of the species from the project site, and are separated from the project site by extensive urbanization and busy roadways. Therefore, this species is determined to be absent.

Name	*Status	Habitat	Potential for Occurrence on the Project Site
California red-legged frog (<i>Rana draytonii</i>)	FT, CSSC	Streams, freshwater pools, and ponds with emergent or overhanging vegetation.	Absent. No suitable aquatic breeding habitat for California red-legged frogs is present on the project site, and the nearby Adobe Creek is too fast-flowing and shallow, and lacks suitable pools and submergent vegetation, to provide suitable breeding habitat for this species. Known to occur along Purisima Creek 2.0 miles to the north and at Rancho San Antonio County Park 3.5 miles to the south (CNDDDB 2024). However, dense urbanization and busy roadways present in between these records and the project site represent barriers to dispersal that prevent individuals at these locations from reaching the project site. Thus, this species is determined to be absent.
Foothill yellow-legged frog (<i>Rana boylei</i>)	FT, SE	Streams, freshwater pools, and ponds with emergent or overhanging vegetation.	Absent. No suitable aquatic habitat is present on the project site, and the nearby Adobe Creek is too incised with limited cover to support habitat for this species. Historic records of this species are present in the Stanford and Portola Valley areas, but these records are considered to be extirpated (CNDDDB 2024). The closest population of this species is located more than 9 miles to the southwest in the Santa Cruz Mountains (CNDDDB 2024). Due to the intervening distance between current populations of this species and the project site, this species is determined to be absent.
San Francisco garter snake (<i>Thamnophis sirtalis tetrataenia</i>)	FE, SE, SP	Occurs in a variety of habitats, including riparian areas; requires burrows for hibernation and frogs as a prey base.	Absent. The San Francisco garter snake occurs on the San Francisco Peninsula from just north of the San Francisco–San Mateo County line south to approximately the San Mateo–Santa Cruz County line. An intergrade zone composed of hybrids between the San Francisco garter snake and red-sided garter snake (<i>Thamnophis sirtalis sirtalis</i>) occurs from Palo Alto north to the Pulgas region near Upper Crystal Springs Reservoir (Barry 1994). Thus, the project site is outside the range of the species, and determined to be absent.

Name	*Status	Habitat	Potential for Occurrence on the Project Site
Northwestern pond turtle (<i>Actinemys marmorata</i>)	FPT, CSSC	Permanent or nearly permanent water in a variety of habitats with abundant emergent or riparian vegetation. Females lay eggs in upland habitats, in clay or silty soils in unshaded (often south-facing) areas (Jennings and Hayes 1994).	Absent. Known to occur in the project vicinity west of Interstate 280 approximately 3.1 miles to the southwest at Boranda Lake and 3.5 miles to the west at Felt Lake (CNDDDB 2024). Ostensibly suitable aquatic dispersal and foraging habitat is present in Adobe Creek adjacent to the project site. However, Adobe Creek lacks connectivity to known occurrences of the species, and the lack of deep pools with aquatic escape cover make the habitat unsuitable for regular use by pond turtles. Further, because the closest occurrences of the species are separated from the project site by urban development and Interstate 280, individuals are not expected to successfully disperse across these developed areas to reach the project site. Determined to be absent.
Bald eagle (<i>Haliaeetus leucocephalus</i>)	SE, SP	Occurs mainly along seacoasts, rivers, and lakes; nests in tall trees or in cliffs, occasionally on electrical towers; feeds mostly on fish and waterfowl	Absent. No rivers or lakes are present on or near the project site to provide foraging habitat for this species, and individuals are not expected to nest on the site due to the lack of foraging habitat nearby. Determined to be absent.
Tricolored blackbird (<i>Agelaius tricolor</i>)	ST	Nests near fresh water in dense emergent vegetation.	Absent. The tricolored blackbird has bred in only a few scattered locations in the project vicinity, and is absent from, or occurs only as a nonbreeder in, the surrounding area (Sequoia Audubon Society 2001, Rottenborn 2007a). This species typically nests in extensive stands of tall emergent herbaceous vegetation in non-tidal freshwater marshes and ponds. No suitable nesting habitat is present on the project site or along Adobe Creek adjacent to the site, as no large patches of emergent vegetation, blackberry (<i>Rubus</i> sp.) stands, or other suitable vegetation are present. Further, this species (whose colonies are loud and conspicuous) has never been recorded nesting in the site vicinity (Sequoia Audubon Society 2001, Rottenborn 2007a, Cornell Lab of Ornithology 2024), and high levels of disturbance likely preclude nesting near the site. The site also does not provide suitable foraging habitat for this species.

Name	*Status	Habitat	Potential for Occurrence on the Project Site
Mountain lion (Southern California/Central Coast ESU) (<i>Puma concolor</i>)	SC	Has a large home range size and occurs in a variety of habitats. Natal dens are typically located in remote, rugged terrain far from human activity. May occasionally occur in areas near human development, especially during dispersal.	May be Present as Nonbreeder. In the project region, there are verified sightings reported on BAPP.org (2024) and numerous unpublished reports. This species occurs widely, though at low densities, throughout the Santa Cruz Mountains, and may disperse into lowland/valley floor areas. Mountain lions are not expected to regularly use the project site or establish a den on the site due to high levels of human activity and a lack of suitable denning habitat, but individuals may occur on the site as rare dispersants due to the site's location near the periphery of development in the Los Altos Hills area (i.e., only approximately 1 mile from open lands south of Interstate 280).
California Species of Special Concern			
Pacific lamprey (<i>Entosphenus tridentatus</i>)	CSSC	Occupies anadromous habitat in large streams entering the San Francisco and San Pablo Bays. Spawns in cool (shaded), clear, slow-moving rivers and streams supporting gravel, silt, and sand substrates (Moyle et al. 2015).	Absent. Historically, this species may have been present in streams throughout Santa Clara County. However, the tide gates at the mouth of Adobe Creek can preclude the passage of anadromous fish, and the box culverts at the road crossings of El Camino Real and Interstate 280 downstream of the site are impassible barriers (Leidy et al. 2005). Determined to be absent.
Southern coastal roach (<i>Hesperoleucus venustus subditus</i>)	CSSC	Occur in a wide array of habitats and are tolerant of intermittent surface water, a range of temperatures, and low dissolved oxygen. Spawn in shallow habitats with flow and coarse substrates.	Absent (May be Present in Adjacent Waters). No suitable aquatic habitat is present on the project site. However, this species is known to occur in Adobe Creek (Leidy 2007), and may be present in the adjacent reach of Adobe Creek during months when water is present.
Sacramento hitch (<i>Lavinia exilicauda exilicauda</i>)	CSSC	Warm, lowland, waters including clear streams, turbid sloughs, lakes, and reservoirs. Has a high tolerance for varying stream conditions and water temperature.	Absent. Not known to occur within the Adobe Creek watershed (Leidy 2007). Determined to be absent.
Riffle sculpin (<i>Cottus gulosus</i>)	CSSC	Permanent, cool, headwater streams with an abundance of riffles and rocky substrates.	Absent (May be Present in Adjacent Waters). Riffle sculpin are widespread and locally abundant in the region, and are native to the Adobe Creek watershed (Leidy 2007). No suitable aquatic habitat to support this species is present on the project site. However, individuals may be present in the adjacent reach of Adobe Creek when it contains water.

Name	*Status	Habitat	Potential for Occurrence on the Project Site
California giant salamander (<i>Dicamptodon ensatus</i>)	CSSC	Adults found in wet forests under rocks and logs near streams. Uses cold, clear streams for breeding.	May be Present as Nonbreeder. California giant salamanders are known to occur in the project vicinity in the residential hills surrounding the project site as close as 0.6 mile to the northwest, and along Permanente Creek 3.8 miles to the southwest (CNDDDB 2024). Suitable aquatic habitat is present in Adobe Creek during period when it contains water, and vegetative debris in the riparian woodland along the creek provides upland refugial habitat. Aquatic breeding habitat and riparian nonbreeding habitat to support this species are absent from the project site. However, small numbers of individuals from nearby locations along Adobe Creek or in the surrounding residential hills may disperse across the site on occasion.
Santa Cruz black salamander (<i>Aneides niger</i>)	CSSC	Mixed deciduous and coniferous woodlands and coastal grasslands. Adults found under rocks, talus, and moist woody debris.	Absent. Occurs in the Santa Cruz Mountains and foothills southeast of Interstate 280 (CNDDDB 2024, iNaturalist 2024). However, no records are known from valley floor areas in the project vicinity northeast of Interstate 280 (CNDDDB 2024, iNaturalist 2024). Determined to be absent.
Northern harrier (<i>Circus cyaneus</i>)	CSSC (nesting)	Nests in marshes and moist fields, forages over open areas.	Absent. No suitable nesting or foraging habitat is present on the project site or in the surrounding vicinity, which is developed as a residential area. Determined to be absent.
Burrowing owl (<i>Athene cunicularia</i>)	CSSC	Nests and roosts in open grasslands and ruderal habitats with suitable burrows, usually those made by California ground squirrels (<i>Otospermophilus beecheyi</i>).	Absent. No burrows of California ground squirrels are present on the project site to provide suitable nesting and roosting habitat for this species, and no suitable grasslands are present to provide foraging habitat. Not known to occur on the site, and the nearest occurrences are located several miles away along the periphery of the San Francisco Bay to the north and at Pearson-Arastradero Preserve to the west (Cornell Lab of Ornithology 2024). Determined to be absent.

Name	*Status	Habitat	Potential for Occurrence on the Project Site
Vaux's swift (<i>Chaetura vauxi</i>)	CSSC (nesting)	Nest both in small colonies and as single pairs, occupying cavities in large snags, primarily in old-growth forests. They also occasionally use artificial cavities such as chimneys. Forage aerially.	May be Present. Known to nest in northwestern Santa Clara County (Rottenborn 2007b) and in eastern San Mateo County (Sequoia Audubon Society 2001) near the project location. The residential chimney in the Halsey House building on the site provides suitable nesting habitat for this species, and cavities large snags in surrounding areas at Redwood Grove Nature Preserve also provide suitable habitat. However, no Vaux's swifts were observed on the site during the May 2024 site visit, indicating this species is not nesting on or adjacent to the site currently. Nonbreeding individuals may forage aerially over the project site, especially during migration.
Olive-sided flycatcher (<i>Contopus cooperi</i>)	CSSC (nesting)	Breeds in mature, primarily coniferous, forests with open canopies, along forest edges in more densely vegetated areas, in recently burned forest habitats, and in selectively harvested landscapes.	May be Present as Nonbreeder. Known to nest throughout much of San Mateo County and in northwestern Santa Clara County, including in the project vicinity (Sequoia Audubon 2001, Bousman 2007a). However, no suitable coniferous forest nesting habitat is present on or adjacent to the project site. Occasional nonbreeding individuals may forage on the site, especially during migration.
Loggerhead shrike (<i>Lanius ludovicianus</i>)	CSSC (nesting)	Nests in tall shrubs and dense trees; forages in grasslands, marshes, and ruderal habitats.	Absent. Known to nest in eastern San Mateo County (Sequoia Audubon Society 2001) and in northwestern Santa Clara County (Bousman 2007b). However, no grasslands are present on the site to provide suitable nesting and foraging habitat. Determined to be absent.
Yellow warbler (<i>Setophaga petechia</i>)	CSSC (nesting)	Nests in riparian woodlands.	May be Present as Nonbreeder (May be Present in Adjacent Areas). No suitable riparian nesting habitat is present on the project site. Potentially suitable riparian nesting habitat is present along Adobe Creek adjacent to the site; however, this species is an uncommon breeder in the region, and is not known to nest near the site (Cornell Lab of Ornithology 2024). Thus, the likelihood that this species would nest along Adobe Creek adjacent to the site is relatively low. The yellow warbler is an abundant migrant throughout the project region during the spring and fall, when nonbreeding individuals may forage in woodland habitat on the site.
Grasshopper sparrow (<i>Ammodramus savannarum</i>)	CSSC (nesting)	Nests and forages in grasslands, meadows, fallow fields, and pastures.	Absent. Known to nest and occur in the project region primarily in grasslands, such as at the Pearson-Arastradero Preserve approximately 3.1 miles to the west (Cornell Lab of Ornithology 2024). No suitable nesting or foraging habitat for this species is present on the project site due to the lack the grassland habitat and the presence of trees. Determined to be absent.

Name	*Status	Habitat	Potential for Occurrence on the Project Site
Pallid bat (<i>Antrozous pallidus</i>)	CSSC	Forages over many habitats; roosts in caves, rock outcrops, buildings, and hollow trees.	May be Present as Nonbreeder. Historically, pallid bats were likely present in a number of locations throughout the project region, but their populations have declined in recent decades. However, no known recent (after 1960) records of maternity colonies of this species are present on or adjacent to the project site (CNDDDB 2024, iNaturalist 2024). Suitable roosting habitat for pallid bats is present in the Halsey House building, as well as in cavities in the large coast live oak tree on the project site. However, no pallid bats were detected during focused bat surveys in May 2024, and thus the species is not currently roosting on the site. Individuals from colonies in the region (especially in the Santa Cruz Mountains to the west) could occasionally forage on the project site.
Townsend's big-eared bat (<i>Corynorhinus townsendii</i>)	CSSC	Roosts in caves and mine tunnels, and occasionally in deep crevices in trees such as redwoods or in abandoned buildings, in a variety of habitats.	Present as Nonbreeder. An individual Townsend's big-eared bat was observed roosting in the Halsey House building during the May 2024 site visit, and calls of this species were detected within and outside of the building during the acoustic survey. Based on the relatively small number of calls detected, as well as their timing, we determined in consultation with H. T. Harvey & Associates senior bat biologist David Johnston, Ph.D., that the Townsend's big-eared bats using the building represent a non-maternity roost of a small number of individuals, likely consisting of one or few individual male bats, which is typical of this species.
Western red bat (<i>Lasiurus blossevillei</i>)	CSSC	Roosts in foliage in forest or woodlands, especially in or near riparian habitat.	Low Potential for Occurrence. Western red bats occur in the project vicinity in low numbers as migrants and winter residents, but this species does not breed in the region. Individual western red bats may roost in the foliage of trees virtually anywhere on the project site, but are expected to roost primarily in riparian areas, such as along Adobe Creek to the north. Occasional individuals may forage over the project site year-round.
San Francisco dusky-footed woodrat (<i>Neotoma fuscipes annectens</i>)	CSSC	Nests in a variety of habitats including riparian areas, oak woodlands, and scrub.	Present. Four active woodrat nests were detected on the ground in understory vegetation in coast live oak woodland habitat on the site during the focused survey in May 2024. Suitable habitat for this species is present throughout the coast live oak woodland habitat on the project site.

Name	*Status	Habitat	Potential for Occurrence on the Project Site
American badger (<i>Taxidea taxus</i>)	CSSC	Burrows in grasslands and occasionally in infrequently disked agricultural areas.	Absent. Primarily occurs in extensive grasslands and scrub habitats. This species is known to occur in the project region in the Santa Cruz Mountains to the west (CNDDDB 2024, iNaturalist 2024). Occasional dispersants occur in the project vicinity, and an individual was detected 1.9 miles to the northwest near Foothill Expressway and Arastradero Road in 2019 (iNaturalist 2024). However, badgers are not expected to occur on the project site or establish a den there due to the lack of extensive grasslands present as well as the approximately 5-mile distance between the site and known populations in the Santa Cruz Mountains to the west. Determined to be absent.
State Fully Protected Species			
Golden eagle (<i>Aquila chrysaetos</i>)	SP	Breeds on cliffs or in large trees (rarely on electrical towers); forages in open areas.	Absent. The habitat on the site and within the surrounding Preserve is not sufficiently large to support a nesting pair of golden eagles, and the species would not forage on the site or in the Preserve due to the limited extent of habitat present and its isolation from more extensive habitats in the region, such as in the Santa Cruz Mountains, in the Stanford Dish area, and along the San Francisco Bay. Determined to be absent.
White-tailed kite (<i>Elanus leucurus</i>)	SP	Nests in tall shrubs and trees; forages in grasslands, marshes, and ruderal habitats.	May be Present. White-tailed kites are common residents in open areas in the project vicinity. Trees in the coast live oak woodland habitat on the project site provide suitable nesting habitat for this species. No white-tailed kites or nests of this species were observed on or adjacent to the site during the May 2024 site visit, and the species is not known to occur on the site (Cornell Lab of Ornithology 2024). However, occasional individuals will nest and forage in parks in urban areas, and up to one pair of white-tailed kites may nest in trees on or adjacent to the project site. Individuals of this species may forage on the site year-round.

Key to Abbreviations: Status: Federally Endangered (FE); Federally Threatened (FT); Federal Candidate for Listing (FC); Federally Proposed as Threatened (FPT); State Endangered (SE); State Threatened (ST); State Candidate for Listing (SC); State Fully Protected (SP); California Species of Special Concern (CSSC).

5.3 Sensitive Natural Communities, Vegetation Alliances, and Habitats

Natural communities have been considered part of the Natural Heritage Conservation triad, along with plants and animals of conservation significance, since the state inception of the Natural Heritage Program in 1979. The CDFW determines the level of rarity and imperilment of vegetation types, and tracks sensitive communities in its Rarefind database (CNDDDB 2024). Global rankings (G) of natural communities reflect the overall condition (rarity and endangerment) of a habitat throughout its range, whereas state (S) rankings are a reflection of the condition of a habitat within California. Natural communities are defined using NatureServe's standard heritage program methodology as follows (Faber-Langendoen et al. 2012):

G1/S1:	Critically imperiled
G2/S2:	Imperiled
G3/S3:	Vulnerable.
G4/S4:	Apparently secure
G5/S4:	Secure

In addition to tracking sensitive natural communities, the CDFW also ranks vegetation alliances, defined by repeating patterns of plants across a landscape that reflect climate, soil, water, disturbance, and other environmental factors (Sawyer et al. 2009). If an alliance is marked G1-G3, all of the vegetation associations within it will also be of high priority (CDFW 2024). The CDFW provides VegCAMP's currently accepted list of vegetation alliances and associations (CDFW 2024).

Impacts on CDFW sensitive natural communities, vegetation alliances/associations, or any such community identified in local or regional plans, policies, and regulations, must be considered and evaluated under CEQA (Title 14, Division 6, Chapter 3, Appendix G of the California Code of Regulations). Furthermore, aquatic, wetland and riparian habitats are also protected under applicable federal, state, or local regulations, and are generally subject to regulation, protection, or consideration by the USACE, RWQCB, CDFW, and/or the USFWS.

5.3.1 Sensitive Natural Communities

A query of sensitive natural communities in the CNDDDB (2024) identified four sensitive natural communities as occurring within the nine 7.5-minute USGS quadrangles containing or surrounding the project site: northern coastal salt marsh (Rank G3/S3.2), northern interior cypress forest (Rank G1/S1.2), serpentine bunchgrass (Rank G2/S2.2), and valley oak woodland (G3/S2.1). The coast live oak woodland on the project site does not meet the definition of valley oak woodland natural community type due to the lack of dominance of valley oaks within the overstory. No sensitive natural communities are present on the project site.

5.3.2 Sensitive Vegetation Alliances

None of the habitat types on the site represent or include sensitive vegetation alliances.

5.3.3 CDFW Riparian Habitat

Due to its rarity and disproportionately high habitat values and functions to wildlife, the CDFW considers riparian habitat to be sensitive. As described above in Section 3.2.4, the CDFW would likely claim jurisdiction over areas at, and below, the top of bank lines on either side of Adobe Creek adjacent to the project site, as well as its associated riparian habitat, located approximately 16 feet off-site to the north. However, riparian habitat associated with Adobe Creek does not extend onto the project site, and it would not be directly or indirectly impacted by project activities.

5.3.4 Sensitive Habitats (Waters of the U.S./State)

No wetlands or other waters of the U.S./state occur on the project site. Adobe Creek located approximately 16 feet off-site to the north would likely be considered jurisdictional waters of the U.S. up to the OHW mark, and the RWQCB may claim the banks of Adobe Creek, and riparian habitat rooted below top of bank, as waters of the state. However, these potentially jurisdictional areas are located entirely off-site.

5.3.5 Nonnative and Invasive Species

Several nonnative, invasive plant species occur on the project site. Of these, several have a “limited” rating by the Cal-IPC, indicating they are invasive but their ecological impacts are minor on a statewide level or there was not enough information to justify a higher score. Their reproductive biology and other attributes result in low to moderate rates of invasiveness. Ecological amplitude and distribution are generally limited, but these species may be locally persistent and problematic. These “limited” species on the project site are pepper tree, variable burclover (*Medicago polymorpha*), curly dock, and soft chess (*Bromus hordeaceus*). Species with a “moderate” rating by the Cal-IPC have substantial and apparent—but generally not severe—ecological impacts on physical processes, plant and animal communities, and vegetation structure, and that their reproductive biology and other attributes are conducive to moderate-to-high rates of dispersal, though establishment would be generally dependent on ecological disturbance are: tall sock-destroyer (*Torilis arvensis*), greater periwinkle (*Vinca major*), Italian thistle, rose clover, tree of heaven, ripgut brome, and foxtail barley. Species with a “high” invasive rating by the Cal-IPC have the potential to cause severe ecological impacts on physical processes, plant and animal communities, and vegetation structure. Their reproductive biology and other attributes are conducive to moderate-to-high rates of dispersal and establishment, and most are widely distributed ecologically (Cal-IPC 2024). On the project site, species with a “high” rating are English ivy and French broom. Due to these species’ ubiquity in the region, project activities are not expected to result in the spread of nonnative and invasive plant species.

Section 6. Impacts and Mitigation Measures

CEQA and the State CEQA Guidelines provide guidance in evaluating impacts of projects on biological resources and determining which impacts will be significant. The Act defines “significant effect on the environment” as “a substantial adverse change in the physical conditions which exist in the area affected by the proposed project.”

Appendix G of State CEQA Guidelines provides a checklist of other potential impacts to consider when analyzing the significance of project effects. The impacts listed in Appendix G (Chapter IV) may or may not be significant, depending on the level of the impact. For biological resources, these impacts include whether the project would:

- 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 California Department of Fish and Game 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, regulations or by the California Department of Fish and Game 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”

Potential impacts on biological resources as a result of the proposed project were systematically evaluated at the project level based on the project description provided to us by David J. Powers & Associates through July 2024. Based on this information, it is our understanding that all project impacts including grading, construction, and staging will occur within the limits of boundaries provided, and that all project impacts within this boundary will be permanent. For the purpose of this assessment, we have assumed that the proposed project would impact up to all 0.6 acre of the project site.

Potential impacts on existing biological resources were evaluated by comparing the quantity and quality of habitats present on the project site under baseline conditions to the anticipated conditions after implementation of the proposed project. Direct and indirect impacts on special-status species and sensitive natural communities were assessed based on the potential for the species, their habitat, or the natural community in question to be disturbed or enhanced following implementation of the proposed project.

6.1 Impacts on Special-Status Species: 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 USFWS (Less than Significant with Mitigation)

6.1.1 Impacts on Regionally Common Habitats and Associated Common Plant and Wildlife Species (Less than Significant)

Proposed project activities would result in the permanent removal of up to 0.3 acre of developed areas and 0.3 acre of coast live oak woodland on the project site. These impacts would reduce the extent of vegetation within the impact area and result in a reduction in the abundance of some of the common plant and wildlife species that occur there. However, the developed and coast live oak woodland habitats on the project site occur in a location in Los Altos that has been subject to disturbance in the past, is regularly disturbed by human activities, and are surrounded by developed residential areas such that these habitats do not provide regionally rare or especially high-value habitat for native vegetation, wildlife, or special-status species. In addition, these habitats are abundant and widespread regionally, are not particularly sensitive, and are not especially valuable (from the perspective of providing important plant or wildlife habitat) or exemplary occurrences of these habitat types. Also, following demolition of the building and removal of building materials, the site will remain vegetated with ruderal herbaceous vegetation, which will still have some habitat value. Therefore, impacts on these habitats are considered less than significant under CEQA. Further, because the number of individuals of any common plant or animal species within these habitats, and the proportion of these species' regional populations that could be disturbed, is very small, the project's impacts would not substantially reduce regional populations of these species. Thus, these impacts do not meet the CEQA standard of having a *substantial* adverse effect, and would not be considered significant under CEQA.

6.1.2 Impacts on Water Quality and Special-Status Fish (Less than Significant)

No direct impacts to Adobe Creek, which flows southwest to northeast approximately 16 feet from the project site, are proposed. Indirect impacts on water quality in the creek could potentially occur as a result of project activities, which are located upslope of the creek. Project activities could potentially impact the southern coastal roach and riffle sculpin in Adobe Creek due to a temporary increase in erosion, sedimentation, and turbidity in aquatic habitats located downstream of the work area. Additionally, minor spills of petrochemicals, hydraulic fluids, and solvents may occur during vehicle and equipment refueling. Such leaks/spills could adversely affect water quality downslope and downstream of construction activities.

Indirect impacts on water quality from construction of the project would be avoided and minimized by implementing erosion and sediment control measures, as well as BMPs for work near aquatic environments. In addition, in many Bay Area counties, including Santa Clara County, projects must also comply with the California RWQCB, San Francisco Bay Region, Municipal Regional Stormwater National Pollutant Discharge Elimination System Permit (Water Board Order No. R2-2015-0049). This permit requires that all projects implement BMPs and incorporate Low Impact Development practices into the design to prevent stormwater runoff pollution, promote infiltration, and hold/slow down the volume of water coming from a site after construction has been completed. In order to meet these permit and policy requirements, projects must incorporate the use of green roofs, impervious surfaces, tree planters, grassy swales, bioretention and/or detention basins, among other factors.

Compliance with these permit requirements will minimize the potential for impacts on water quality due to increases in erosion, sedimentation, and turbidity as well as releases of pollutants into Adobe Creek located downslope of the project site. Therefore, project activities are not expected to result in substantial adverse indirect effects on water quality or special-status fish, and such impacts would be less than significant.

6.1.3 Impacts on Nonbreeding Special-Status Invertebrates, Birds, and Mammals (Less than Significant)

Several special-status bird and mammal species may occur on the project site as nonbreeding migrants, transients, or foragers, but they are not known or expected to breed or occur in large numbers within or near the project impact area. These are the monarch butterfly, olive-sided flycatcher, mountain lion, and western red bat.

Few, if any, monarch butterflies are expected to be present on the project site given the small size of the site, the lack of milkweeds on the site, the lack of high-quality floral resources to support foraging individuals, and the lack of any evidence that an overwintering site is present. The olive-sided flycatcher (a California species of special concern) is not expected to occur on or close to the project site as a breeder due to the lack of suitable habitat, but individuals may occur occasionally as foragers during the nonbreeding season. Due to the site's location in a low-density residential area on the periphery of open space areas of the Santa Cruz Mountains, individual mountain lions (a state candidate species) may briefly traverse the site as non-breeding dispersants or foragers, but individuals are not expected to linger for any length of time due to high levels of human activity. The western red bat (a California species of special concern) may roost in small numbers in trees on the project site, but it does not breed in the project region.

Activities under the proposed project would have some potential to impact foraging habitats and/or disturb small numbers of individuals of these species. Construction activities might result in a temporary direct impact through the alteration of foraging patterns (e.g., avoidance of work sites because of increased noise and activity levels during maintenance activities) but would not result in the loss of individuals, as individuals of these species would move away from any construction areas or equipment before they could be injured or killed. Further, the project site does not provide important foraging habitat used regularly or by large numbers of

individuals of any of these species. As a result, impacts of the project will have little impact on these species' foraging habitat and no substantive impact on regional populations of these species. Therefore, this impact would be less than significant under CEQA.

6.1.4 Impacts on the White-Tailed Kite, Vaux's Swift, and Yellow Warbler (Less than Significant)

The white-tailed kite (a state fully protected species) may nest in oak woodland habitat or landscape trees on and adjacent to the project site, the Vaux's swift (a California species of special concern) may nest in the Halsey House chimney or in hollow snags in surrounding areas, and the yellow warbler (a California species of special concern) could potentially nest adjacent to the project site in riparian trees along Adobe Creek. These species are assessed together because the potential impacts of the project on these species would be similar.

Based on site observations, the areal extent of suitable habitats on and adjacent to the project site, and known nesting densities of this species, no more than one pair of white-tailed kites or yellow warblers, or two pairs of Vaux's swifts, could potentially nest on or immediately adjacent to the project site. The project would not result in the permanent loss of suitable nesting habitat for the yellow warbler, as no activities are proposed within the riparian habitat along Adobe Creek. The project would result in the permanent loss of suitable nesting and foraging habitat for the white-tailed kite and Vaux's swift, as well as suitable foraging habitat for the yellow warbler. In addition, activities that occur during the nesting season and cause a substantial increase in noise or human activity near active nests may result in the abandonment of active nests (i.e., nests with eggs or young). Heavy ground disturbance, noise, and vibrations caused by project activities could potentially disturb nesting and foraging individuals and cause them to move away from work areas.

Because the number of nesting pairs that could be disturbed is very small (i.e., one or two pairs), the impacts of project activities would represent a very small fraction of the regional populations of these species. Therefore, neither the potential loss of individual white-tailed kites, Vaux's swifts, or yellow warblers, nor the disturbance of nesting and foraging habitat, would rise to the CEQA standard of having a *substantial* adverse effect, and these impacts would thus not constitute a significant impact on these species or their habitat under CEQA. However, as discussed in Section 3 above, all native migratory birds, including yellow warblers and white-tailed kites, are protected under the MBTA and California Fish and Game Code. Recommended measures to comply with these laws are provided under Section 7 *Compliance with Additional Laws and Regulations*, below.

6.1.5 Impacts on the San Francisco Dusky-Footed Woodrat (Less than Significant with Mitigation)

Four nests of San Francisco dusky-footed woodrats are present in coast live oak woodland habitat on the project site. Woodrats from this community will also forage in oak woodland habitats on the project site. Construction of the project could result in the injury or mortality of individual woodrats and disturbance or destruction of nests and young, leading to increased predation risk on woodrats flushed from nests, as a result of vegetation clearing and operation of equipment.

Although woodrats are abundant in the project region, they are very important ecologically in that they provide an important prey source for raptors (particularly owls) and for predatory mammals, and their nests also provide habitat for a wide variety of small mammals, reptiles, and amphibians. Thus, in our opinion, impacts of the project on four woodrat nests would be considered significant under CEQA.

Implementation of Mitigation Measures BIO-1 through BIO-3 below would reduce this impact to a less-than-significant level under CEQA.

Mitigation Measure BIO-1. Pre-Activity Survey. A qualified biologist will conduct a pre-activity survey for San Francisco dusky-footed woodrat nests within 30 days of the start of work activities. If active woodrat nests are determined to be present in, or within 10 feet of, the impact areas, Measures 2 and 3 below will be implemented, as appropriate.

Mitigation Measure BIO-2. Avoidance Buffers. Active woodrat nests that are detected within the work areas will be avoided to the extent feasible. Ideally, a minimum 10-foot buffer will be maintained between project activities and woodrat nests to avoid disturbance. In some situations, a smaller buffer may be allowed if, in the opinion of a qualified biologist, nest relocation (Measure BIO-3 below) would represent a greater disturbance to the woodrats than the adjacent work activities.

Mitigation Measure BIO-3. Nest Relocation. If avoidance of active woodrat nests within and immediately adjacent to the work areas is not feasible, then nest materials will be relocated to suitable habitat as close to the project area as possible (ideally, within or immediately adjacent to the project site). Relocation efforts will avoid the peak nesting season (February–July) to the maximum extent feasible.

Prior to the start of work activities, a qualified biologist will disturb the woodrat nest to the degree that all woodrats leave the nest and seek refuge outside of the construction area. Disturbance of the woodrat nest will be initiated no earlier than one hour before dusk to prevent the exposure of woodrats to diurnal predators. Subsequently, the biologist will dismantle and relocate the nest material by hand. During the deconstruction process, the biologist will attempt to assess if there are juveniles in the nest. If immobile juveniles are observed, the deconstruction process will be discontinued until a time when the biologist believes the juveniles will be capable of independent survival (typically after 2 to 3 weeks). A no-disturbance buffer will be established around the nest until the juveniles are mobile. The nest may be dismantled once the biologist has determined that adverse impacts on the juveniles would not occur.

Implementation of these measures would minimize impacts of the project on the San Francisco dusky-footed woodrat, and no compensatory mitigation (beyond the relocation of nest materials described above) would be necessary.

6.1.6 Impacts on California Giant Salamander (Less than Significant)

There is a low potential for California giant salamander to occur on the project site when construction occurs, and thus, the project is unlikely to impact this species. However, the possibility that a small number of individuals could occur on the project site cannot be eliminated. Individuals, if present, could be directly impacted by construction activities associated with the project. Individuals may be crushed by foot traffic, vehicles, or equipment, or crushed, trapped, and/or suffocated in their refugia by the passage of heavy equipment. An increase in native and nonnative predators attracted to the project site due to trash left on the work site might temporarily result in increased mortality of individuals of these species. Because project activities will be limited to upland areas, and no impacts on the species' primary habitats (i.e., rocks and woody debris along Adobe Creek, or aquatic habitat in Adobe Creek) would occur, the number of individuals that could be impacted by the project is extremely small (i.e., one or two individuals of each species, at most). Because these impacts would represent such a small proportion of these species' regional populations, they would not rise to the CEQA standard of having a *substantial* adverse effect. For these reasons, project impacts on individual California giant salamanders would be less than significant under CEQA.

Project activities will be limited to upland areas, and no impacts on primary habitats for the California giant salamander (i.e., rocks and woody debris along the creek, or aquatic habitat in the channel) would occur. However, project activities could indirectly impact suitable habitat for these species along Adobe Creek due to a temporary increase in erosion, sedimentation, and turbidity downslope of the work area. Additionally, minor spills of petrochemicals, hydraulic fluids, and solvents may occur during vehicle and equipment refueling. Such leaks/spills could adversely affect water quality downstream of construction activities, potentially impairing the health of eggs or larvae along the creek. However, potential indirect impacts on habitat and individuals due to a reduction in water quality would be avoided and minimized as described in Section 6.1.2 above, and would be less than significant under CEQA.

6.1.7 Impacts on Common and Special-Status Roosting Bats (Less than Significant with Mitigation)

The large coast live oak trees on the project site provide suitable roosting habitat for common bat species, such as the Yuma myotis, California myotis, and big brown bat (*Eptesicus fuscus*), as well as the pallid bat, a California species of special concern. The Townsend's big-eared bat, a California species of special concern, is known to roost in the Halsey House building. These species are grouped together because project impacts on these species will be similar.

Although the trees on the site provide suitable roosting habitat, no evidence of a colony of roosting bats was detected in trees on the site during the May 2024 focused surveys, indicating that bats are not roosting in these trees currently, and no maternity colony is present. Due to the absence of bats during this survey, bats are not expected to be impacted during tree removal or modification.

One individual Townsend's big-eared bat was observed roosting within the Halsey House structure during the May 7 focused survey, and small numbers of calls of this species were recorded within the structure during five nights of acoustic monitoring, indicating that a nonbreeding roost of one or a few individual male bats is present. When the Halsey House building is demolished, individual Townsend's big-eared bats can be physically injured or killed, can be subjected to physiological stress from disturbance during torpor, or can face increased predation because of exposure during daylight. However, no nursing young would be affected. Impacts due to the loss of individual nonbreeding Townsend's big-eared bats would be significant under CEQA, as this could have a substantial effect on the species' small regional population. However, impacts due to the removal of the Halsey House building would be less than significant, as such roosting habitat for small numbers of nonbreeding individuals is widely available in the region. The following measure to avoid and minimize impacts on roosting Townsend's big-eared bats will reduce project impacts on this species to less-than-significant levels under CEQA.

Mitigation Measure BIO-4. Bat Exclusion from Halsey House. Prior to the start of any project-related activities on the exterior or interior of the Halsey House building, a qualified bat biologist will guide and supervise the installation of appropriate exclusion devices to allow any roosting Townsend's big-eared bats (and other bat species, if present) to vacate the roost and prevent bats from reoccupying these features before construction activities are initiated. Bird exclusion netting shall not be used because bats may become entangled in it, potentially leading to mortality. Exclusion materials will be inspected once per month between their installation and initiation of building demolition, to ensure that the materials are in good working order. If exclusion materials become compromised, the applicant shall perform maintenance on these devices, as directed by the qualified bat biologist.

6.2 Impacts on Sensitive Communities: 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 USFWS (Less than Significant)

6.2.1 Impacts on Riparian Habitat or Other Sensitive Natural Communities (Less than Significant)

The CDFW defines sensitive natural communities and vegetation alliances using NatureServe's standard heritage program methodology (CDFW 2024), as described above in Section 5.3. Aquatic, wetland, and riparian habitats are also protected under applicable federal, state, or local regulations, and are generally subject to regulation, protection, or consideration by the USACE, RWQCB, CDFW, and/or the USFWS (see Section 6.3 below). Project impacts on sensitive natural communities, vegetation alliances/associations, or any such community identified in local or regional plans, policies, and regulations, were considered and evaluated.

Adobe Creek flows from southwest to northeast adjacent to, but not through, the project site. The entirety of ground-disturbing project impacts will occur outside of the riparian corridor; thus, the proposed project will have no direct permanent or temporary impacts on riparian habitat. There is potential for indirect effects to

occur within riparian areas downslope of the project site if runoff from the project increases in intensity or frequency due to the proposed project. However, required construction-period BMPs and post-construction stormwater requirements will apply to the proposed project as discussed above in Section 6.1.2, and these requirements would avoid and reduce these impacts to a less-than-significant level.

No other sensitive natural communities are located on the project site or would be affected by the proposed project.

6.3 Impacts on Wetlands: 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 (Less than Significant)

No wetlands or other waters of the U.S./state are present on the project site. Adobe Creek, located 16 feet downslope of the project site to the northwest, supports other waters of the U.S./state but does not support wetlands. The project will avoid all direct impacts on state or federally protected aquatic habitats within this creek.

Because Adobe Creek is located downslope of the project site, there is some potential for the project to result in indirect impacts on other waters of the U.S./state within this creek. However, the project will comply with required construction period BMPs and post-construction storm water requirements will apply to the project as discussed above in Section 6.1.2, and these requirements would minimize increases of peak discharge of storm drain water and to reduce runoff of pollutants to protect water quality, including during construction. Thus, with compliance with permit requirements, potential project impacts on other waters would be less than significant under CEQA.

6.4 Impacts on Wildlife Movement: 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 (Less than Significant)

6.4.1 Impacts on Wildlife Movement (Less than Significant)

For many species, the landscape is a mosaic of suitable and unsuitable habitat types. Environmental corridors are segments of land that provide a link between these different habitats while also providing cover. Development that fragments natural habitats (i.e., breaks them into smaller, disjunct pieces) can have a twofold impact on wildlife: first, as habitat patches become smaller they are unable to support as many individuals (patch size); and second, the area between habitat patches may be unsuitable for wildlife species to traverse (connectivity).

Adobe Creek and the associated riparian corridor provide an important movement pathway for both aquatic and terrestrial wildlife species, connecting natural areas in the project vicinity. Songbirds that migrate along the Pacific Flyway disperse and forage along Adobe Creek in low to moderate numbers. Common, urban-adapted species such as raccoons and striped skunks may use the vegetation along the creek to move north and south through the Los Altos area. Small mammals, such as mice and shrews, will also use this vegetation to move between habitats. Common species of reptiles and amphibians, such as Pacific treefrogs and alligator lizards, amongst other species, are also expected to move along this corridor adjacent to the project site. The proposed demolition of Halsey House will not result in any loss of aquatic, wetland, or riparian habitat along Adobe Creek or in any substantial reduction in the value of the Adobe Creek corridor for wildlife movement. The removal of the Halsey House building within the 80-foot setback adjacent to the creek is expected to provide at least a minor improvement in conditions within the setback, potentially allowing animals to move more readily along the adjacent section of the creek. Thus, aquatic and terrestrial species would continue to be able to move north to south along Adobe Creek following completion of the project, without any substantial reduction in such movement. Therefore, the project would not 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, and this impact is determined to be less than significant.

6.5 Impacts due to Conflicts with Local Policies: Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance (Less than Significant with Mitigation)

6.5.1 Impacts Due to the Removal of Ordinance-Sized Trees (Less than Significant)

The project may remove existing trees on the site, including protected trees as defined by the City (see Section 3.3.1 above), and the applicant will submit a permit application for tree removal. In accordance with the City's Municipal Code, the City will comply with applicable permit conditions including installing protective fencing; maintaining the existing grade out to the dripline of the tree; installing drain wells where impervious surfaces will be placed over a tree's root system; repairing trees that are damaged by construction, and avoiding attachment of signs, wires, or other objects to the tree. Conditions of approval for tree removal may also include planting replacement trees. With the incorporation of these measures to ensure compliance with the Los Altos Hills Municipal Code, any potential impacts related to conflicts with local policies or ordinances protecting trees would be less than significant.

6.5.2 Impacts Due to Encroachment into the Stream/Riparian Corridor (Less than Significant)

To protect the ecological functions and values of a stream, buffers are often prescribed between new development and the stream (or its banks or associated riparian habitat). These buffers provide habitat for plants and animals associated with the stream, provide habitat connectivity (i.e., areas used for wildlife movement, including flight paths for birds), reduce indirect effects of adjacent development (e.g., noise, lighting, human activity, or invasive species) on the natural stream and riparian habitats, allow for the possible

future expansion of natural habitat, help to maintain site hydrology, and in some areas allow for runoff to be treated (e.g., by flowing through vegetated areas) before it enters the stream. In addition, vegetative communities within stream buffers may provide important refugia for animals associated with wetland and riparian habitats along the creek during flood events, when little to no such refugia may be present within the banks of the creek itself. In general, larger buffers protect more of the ecological functions and values of the stream than smaller buffers.

As discussed in Section 3.3.2 above, the City's Watercourse Protection Regulations state that a protected stream setback is present along Adobe Creek, and extends a horizontal distance of 80 feet measured from the top of bank. This setback overlaps the project site, as shown on Figure 3. In our opinion, based on the moderate quality of the riparian habitat along Adobe Creek and the wildlife community present at this location (discussed in Section 4.3 above), the City's specified 80-foot-wide setback measured from the top of bank is an appropriate buffer distance between new construction and Adobe Creek to maintain suitable riparian functions and values.

Under the proposed project, certain areas within the setback on the project site would be modified in some way. Currently, the setback area on the project site consists predominantly of developed areas, with 243 square feet of coast live oak woodland (Figure 3). The project would permanently remove the Halsey House building from the setback, and some trees within the setback may be removed or modified to accommodate the project. The demolition of Halsey House and the removal of 243 square feet of coast live oak woodland within the setback would require a setback exception from the City, because vegetation would be removed and grading would occur. However, it is our understanding that the City will grant an exception for all project activities within the 80-foot setback along Adobe Creek. Thus, project impacts due to conflicts with the City's Watercourse Protection Regulations are less than significant.

Further, the removal of the Halsey House building is expected to provide at least a minor improvement in habitat conditions within the setback. Removal of the building may provide animals in the riparian corridor with less of a sense that they are "hemmed in" by adjacent development, and the building footprint will become ruderal habitat that will provide some habitat value (e.g., as foraging habitat) for animals associated with the creek corridor. Although up to 243 square feet of coast live oak woodland habitat may be removed or trimmed, these impact areas will be reseeded or replanted, and the net effect of the project will be ecologically beneficial due to removal of the building. Therefore, the project's encroachment into the stream corridor (consisting of removal of Halsey House, converting 243 square feet of coast live oak woodland to developed areas, and reseeded or planting impacted areas) would not be considered a significant biological impact under CEQA.

6.6 Impacts due to Conflicts with an Adopted Habitat Conservation Plan: Conflict with the provisions of an adopted habitat conservation plan,

natural community conservation plan, or other approved local, regional, or state habitat conservation plan (No Impact)

The project site is not located within an area covered by an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. Therefore, the project would not conflict with any such plans.

6.7 Cumulative Impacts (Less than Significant)

Cumulative impacts arise due to the linking of impacts from past, current, and reasonably foreseeable future projects in the region. Future development activities in Los Altos will result in impacts on the same habitat types and species that will be affected by the proposed project. The proposed project, in combination with other projects in the area and other activities that impact the species that are affected under the project, could contribute to cumulative effects on special-status species. Other projects in the area include both development and maintenance projects that could adversely affect these species and restoration projects that will benefit these species.

The cumulative impact on biological resources resulting from the project in combination with other projects in the larger region would be dependent on the relative magnitude of adverse effects of these projects on biological resources compared to the relative benefit of impact avoidance and minimization efforts prescribed by planning documents, CEQA mitigation measures, and permit requirements for each project; and compensatory mitigation and proactive conservation measures associated with each project. In the absence of such avoidance, minimization, compensatory mitigation, and conservation measures, cumulatively significant impacts on biological resources would occur.

However, many projects in the region that impact resources similar to those impacted by the project will be subject to CEQA requirements. It is expected that such projects will mitigate their impacts on sensitive habitats and special-status species through the incorporation of mitigation measures and compliance with permit conditions.

Regardless of the magnitude and significance of cumulative impacts that result from other projects, the proposed project is not expected to have a substantial effect on biological resources, and would implement the mitigation measure described above to reduce impacts under CEQA to less than significant levels. Thus, provided that this project successfully incorporates the mitigation measure described in this biological resources report, the project will not have a cumulatively considerable contribution to cumulative effects on biological resources.

Section 7. Compliance with Additional Laws and Regulations for Nesting Birds

Several species of common native birds protected by the MBTA and California Fish and Game Code may nest in trees and shrubs on the site or immediately adjacent to the site. It is also possible that protected native birds could nest on the buildings on the site. The removal of vegetation or demolition of buildings supporting active nests may cause the direct loss of eggs or young, while construction-related activities located near an active nest may cause adults to abandon their eggs or young. This type of impact would not be significant under CEQA, in our opinion, because of the local and regional abundances of the species that could potentially nest on the site and the very low magnitude of the potential impact of development on these species (i.e., the project is expected to impact only a few pairs of these species, which is not a substantial impact on their regional populations). However, the following measures should be implemented to ensure that project activities do not violate the MBTA and California Fish and Game Code:

Measure 1. Avoidance of the Nesting Season. To the extent feasible, the initiation of commencement of demolition and construction activities should be scheduled to avoid the nesting season. If demolition and construction activities are initiated outside the nesting season, all potential demolition/construction impacts on nesting birds protected under the MBTA and California Fish and Game Code will be avoided. The nesting season for most birds in San Mateo County extends from February 1 through August 31.

Measure 2. Pre-Activity/Pre-Disturbance Surveys. If it is not possible to schedule the initiation of demolition and construction activities between September 1 and January 31, then pre-activity surveys for nesting birds should be conducted by a qualified ornithologist to ensure that no nests will be disturbed during project implementation. We recommend that these surveys be conducted no more than seven days prior to the initiation of demolition or construction activities. During this survey, the ornithologist will inspect all trees and other potential nesting habitats (e.g., trees, shrubs, and buildings) in and immediately adjacent to the impact areas for nests.

Measure 3. Non-Disturbance Buffers. If an active nest is found sufficiently close to work areas to be disturbed by these activities, the ornithologist will determine the extent of a construction-free buffer zone to be established around the nest (typically 300 feet for raptors and 100 feet for other species), to ensure that no nests of species protected by the MBTA and California Fish and Game Code will be disturbed during project implementation.

Measure 4. Nesting Deterrence. If construction activities will not be initiated until after the start of the nesting season, all potential nesting substrates (e.g., bushes, trees, grasses, and other vegetation) that are scheduled to be removed by the project may be removed prior to the start of the nesting season (e.g., prior to February 1). This will preclude the initiation of nests in this vegetation, and minimize the potential delay of the project due to the presence of active nests in these substrates.

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Appendix A. Plants Observed

Family	Scientific Name	Common Name	Cal-IPC Rank ¹
Lauraceae	<i>Umbellularia californica</i>	California bay	
Anacardiaceae	<i>Schinus molle</i> *	pepper tree	Limited
Anacardiaceae	<i>Toxicodendron diversilobum</i>	poison oak	
Apiaceae	<i>Torilis arvensis</i> *	tall sock-destroyer	Moderate
Apocynaceae	<i>Vinca major</i> *	greater periwinkle	Moderate
Araliaceae	<i>Hedera helix</i> *	English ivy	High
Asteraceae	<i>Artemisia californica</i>	California sagebrush	
Asteraceae	<i>Carduus pycnocephalus</i> ssp. <i>pycnocephalus</i> *	Italian thistle	Moderate
Cucurbitaceae	<i>Marah fabacean</i>	California man-root	
Fabaceae	<i>Genista monspessulana</i> *	French broom	High
Fabaceae	<i>Medicago polymorpha</i> *	variable burclover	Limited
Fabaceae	<i>Trifolium hirtum</i> *	Rose clover	Moderate
Fagaceae	<i>Quercus agrifolia</i>	coast live oak	
Fagaceae	<i>Quercus lobata</i>	valley oak	
Grossulariaceae	<i>Ribes californicum</i>	Hillside gooseberry	
Lamiaceae	<i>Monardella villosa</i> ssp. <i>villosa</i>	coyote-mint	
Lamiaceae	<i>Salvia leucophylla</i>	purple sage	
Lamiaceae	<i>Salvia mellifera</i>	black sage	
Lamiaceae	<i>Salvia spathacea</i>	California hummingbird sage	
Montiaceae	<i>Claytonia parviflora</i>	small-flowered claytonia	
Oleaceae	<i>Ligustrum sp.</i> *	privet	
Papaveraceae	<i>Eschscholzia californica</i>	California poppy	
Polygonaceae	<i>Rumex crispus</i> *	curly dock	Limited
Ranunculaceae	<i>Ranunculus californicus</i>	California buttercup	
Rhamnaceae	<i>Frangula californica</i>	California coffee berry	
Rosaceae	<i>Fragaria vesca</i>	wood strawberry	
Rosaceae	<i>Heteromeles arbutifolia</i>	toyon	
Rosaceae	<i>Rubus ursinus</i>	California blackberry	
Rubiaceae	<i>Galium aparine</i>	goose grass	
Sapindaceae	<i>Aesculus californica</i>	California buckeye	
Simaroubaceae	<i>Ailanthus altissima</i> *	tree of heaven	Moderate

Viburnaceae	<i>Sambucus mexicana</i>	blue elderberry	
Iridaceae	<i>Iris douglasiana</i>	Douglas iris	
Poaceae	<i>Bromus diandrus</i> *	ripgut brome	Moderate
Poaceae	<i>Bromus hordeaceus</i> *	soft chess	Limited
Poaceae	<i>Hordeum murinum</i> *	foxtail barley	Moderate
Poaceae	<i>Poa annua</i> *	annual blue grass	

¹Cal-IPC Ranks (Cal-IPC 2024):

- Watch List – These species are predicted to become invasive if no further actions are taken. Distribution may range from limited to widespread in specific regions.
- Limited – These species are invasive, but their ecological impacts are minor on a statewide level. They have low to moderate rates of colonization. Although their distribution is generally limited, these species may be locally persistent and problematic.
- Moderate – These species have substantial and apparent—but generally not severe—ecological impacts on the surrounding habitat. They have moderate to high rates of dispersal. Distribution may range from limited to widespread.
- High – These species have severe ecological impacts on the surrounding habitat. They have moderate to high rates of dispersal and establishment, and most are widely distributed.

*Nonnative or invasive species

Appendix B. Special-Status Plants Considered but Rejected for Occurrence

Common Name	Scientific Name	No Suitable Habitat	Edaphic Conditions Absent	Outside the Elevation Range	Outside of Known Geographic Range/No Nearby Extant Records
San Mateo thorn-mint	<i>Acanthomintha duttonii</i>	X	X		
Franciscan onion	<i>Allium peninsulare</i> var. <i>franciscanum</i>		X		
California androsace	<i>Androsace elongata</i> ssp. <i>acuta</i>				X
slender silver moss	<i>Anomobryum julaceum</i>		X	X	
coast rockcress	<i>Arabis blepharophylla</i>		X		
Anderson's manzanita	<i>Arctostaphylos andersonii</i>	X			
Schreiber's manzanita	<i>Arctostaphylos glutinosa</i>		X	X	
Ohlone manzanita	<i>Arctostaphylos ohloneana</i>	X	X	X	
Kings Mountain manzanita	<i>Arctostaphylos regismontana</i>	X	X	X	
Bonny Doon manzanita	<i>Arctostaphylos silvicola</i>	X	X	X	
Humboldt County milk-vetch	<i>Astragalus agnicidus</i>			X	
alkali milk-vetch	<i>Astragalus tener</i> var. <i>tener</i>	X	X	X	
Brittlescale	<i>Atriplex depressa</i>	X	X		
lesser saltscale	<i>Atriplex minuscula</i>	X	X		
Brewer's calandrinia	<i>Calandrinia breweri</i>	X	X		
Santa Cruz Mountains pussypaws	<i>Calyptridium parryi</i> var. <i>hessae</i>		X	X	
Congdon's tarplant	<i>Centromadia parryi</i> ssp. <i>congdonii</i>	X			X
Point Reyes salty bird's-beak	<i>Chloropyron maritimum</i> ssp. <i>palustre</i>	X		X	X
Ben Lomond spineflower	<i>Chorizanthe pungens</i> var. <i>hartwegiana</i>	X	X		
robust spineflower	<i>Chorizanthe robusta</i> var. <i>robusta</i>	X	X		

Common Name	Scientific Name	No Suitable Habitat	Edaphic Conditions Absent	Outside the Elevation Range	Outside of Known Geographic Range/No Nearby Extant Records
Mt. Hamilton thistle	<i>Cirsium fontinale</i> var. <i>fontinale</i>	X	X		
fountain thistle	<i>Cirsium fontinale</i> var. <i>campylon</i>	X	X		
lost thistle	<i>Cirsium praeteriens</i>		X	X	X
Brewer's clarkia	<i>Clarkia breweri</i>		X	X	
Santa Clara red ribbons	<i>Clarkia concinna</i> ssp. <i>automixa</i>	X			
Lewis clarkia	<i>Clarkia lewisii</i>	X			X
round-headed Chinese-houses	<i>Collinsia corymbosa</i>	X		X	X
San Francisco collinsia	<i>Collinsia multicolor</i>	X	X		
clustered lady's-slipper	<i>Cypripedium fasciculatum</i>	X	X	X	
western leatherwood	<i>Dirca occidentalis</i>	X			
Santa Clara Valley dudleya	<i>Dudleya abramsii</i> ssp. <i>setchellii</i>	X		X	
small spikerush	<i>Eleocharis parvula</i>	X	x		
San Mateo woolly sunflower	<i>Eriophyllum latilobum</i>	X	X		
Hoover's button-celery	<i>Eryngium aristulatum</i> var. <i>hooveri</i>	X	X	X	
Jepson's coyote-thistle	<i>Eryngium jepsonii</i>	X	X		
San Francisco wallflower	<i>Erysimum fanciscanum</i>		X		X
San Joaquin spearscale	<i>Extriplex joaquinana</i>	X	X		X
minute pocket moss	<i>Fissidens pauperculus</i>	X			
fragrant fritillary	<i>Fritillaria liliacea</i>		X		
phlox leaf serpentine bedstraw	<i>Galium andrewsii</i> ssp. <i>gatense</i>		X	X	
Toren's grimmia	<i>Grimmia torenii</i>	X	X		
vaginulate grimmia	<i>Grimmia vaginulata</i>	X	X		
San Francisco gumplant	<i>Grindelia hirsutula</i> var. <i>martitima</i>	X	x		
short-leaved evax	<i>Hesper-evax sparsiflora</i> var. <i>brevifolia</i>	X			X
Santa Cruz cypress	<i>Hesperocyparis abramsiana</i> var. <i>abramsiana</i>	X	X	X	
Butano Ridge cypress	<i>Hesperocyparis abramsiana</i> var. <i>butanoensis</i>	X	X	X	
Marin western flax	<i>Hesperolinon congestum</i>	X	X		
Loma Prieta hoita	<i>Hoita strobilina</i>	X	X		X

Common Name	Scientific Name	No Suitable Habitat	Edaphic Conditions Absent	Outside the Elevation Range	Outside of Known Geographic Range/No Nearby Extant Records
harlequin lotus	<i>Hosackia gracilis</i>		X		
coast iris	<i>Iris longipetala</i>	X			
Contra Costa goldfields	<i>Lasthenia conjugens</i>		X		X
legenere	<i>Legenere limosa</i>	X			X
serpentine leptosiphon	<i>Leptosiphon ambiguus</i>		X		
bristly leptosiphon	<i>Leptosiphon aureus</i>				X
large-flowered leptosiphon	<i>Leptosiphon grandiflorus</i>		X		
broad-lobed leptosiphon	<i>Leptosiphon latisectus</i>			X	X
woolly-headed lessingia	<i>Lessingia hololeuca</i>	X	X		
smooth lessingia	<i>Lessingia micradenia</i> var. <i>glabrata</i>		X	X	
spring lessingia	<i>Lessingia tenuis</i>			X	
Hall's bushmallow	<i>Malacothamnus hallii</i>	X			
Woodland woollythreads	<i>Monolopia gracilens</i>		X	X	
Prostrate vernal pool navarretia	<i>Navarretia prostrata</i>	X	X		
Kellman's bristle moss	<i>Orthotrichum kellmanii</i>	X	X		
Dudley's lousewort	<i>Pedicularis dudleyi</i>	X	X		
Santa Cruz Mountains beardtongue	<i>Penstemon rattanii</i> var. <i>kleei</i>	X		X	X
white-rayed pentachaeta	<i>Pentachaeta bellidiflora</i>		X		X
white-flowered rein orchid	<i>Piperia candida</i>	X	X		
Michael's rein orchid	<i>Piperia michaelii</i>	X			X
Choris' popcornflower	<i>Plagiobothrys chorisianus</i> var. <i>chorisianus</i>	X	X		
Hickman's popcornflower	<i>Plagiobothrys chorisianus</i> var. <i>hickmanii</i>	X			
hairless popcornflower	<i>Plagiobothrys glaber</i>	X			X
California alkali grass	<i>Puccinellia simplex</i>	X	X		
Lobb's aquatic buttercup	<i>Ranunculus lobbii</i>	X			
Sanford's arrowhead	<i>Sagittaria sanfordii</i>	X			
Hoffmann's sanicle	<i>Sanicula hoffmannii</i>	X	X		
rock sanicle	<i>Sanicula saxatilis</i>		X	X	

Common Name	Scientific Name	No Suitable Habitat	Edaphic Conditions Absent	Outside the Elevation Range	Outside of Known Geographic Range/No Nearby Extant Records
chaparral ragwort	<i>Senecio aphanactis</i>	X	X		
Santa Cruz microseris	<i>Stebbinsoseris decipiens</i>		X		X
most beautiful jewelflower	<i>Streptanthus albidus</i> ssp. <i>peramoenus</i>	X	X		
northern slender pondweed	<i>Stuckenia filiformis</i> ssp. <i>alpina</i>	X		X	X
California seablite	<i>Suaeda californica</i>	X		X	X
two-fork clover	<i>Trifolium amoenum</i>	X			X
Santa Cruz clover	<i>Trifolium buckwestiorum</i>	X	X		
saline clover	<i>Trifolium hydrophilum</i>	X			X
Pacific Grove clover	<i>Trifolium polyodon</i>	X	X		
Methuselah's beard lichen	<i>Usnea longissima</i>	X	X		