

# Biotic Resources Group

Biotic Assessments ♦ Resource Management ♦ Permitting

## Chiocchi Residential Project APN 558-410-33 Santa Clara County, CA

### Biological Report

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December 20, 2021

**CHIOCCHI PROPERTY RESIDENTIAL PROJECT**  
**APN 558-410-33**  
**SANTA CLARA COUNTY, CA**

**BIOLOGICAL REPORT**

**1.0 INTRODUCTION**

The proposed residential development project site is located south of Old Santa Cruz Highway and east of State Route 17 near Lexington Reservoir in southwestern Santa Clara County, California. The project study area encompasses approximately 12.8 acres on APN 588-410-33 as well as a driveway easement to the parcel from Old Santa Cruz Highway. The property's location is depicted on Figure 1.

**Project Description**

The landowner has proposed a single-family residence project on the property, with a driveway from Old Santa Cruz Highway. The home, with associated infrastructure (water tanks, septic system, retaining walls) is proposed in the northern portion of the property. Other project features include a driveway from Old Santa Cruz Highway, which involves grading, cut and fill and placement of a new storm drain and energy dissipator in a seasonal drainage (RI Engineering, Inc. *Grading and Drainage Plan*, dated June 2021).

Aldercroft Creek is located along the southern property line. The creek is located over 200 feet from the proposed residence and driveway. An unnamed, seasonal tributary crosses under the proposed driveway through an existing culvert. Both of these watercourses are tributaries to nearby Lexington Reservoir. The Santa Clara County Water District owns and operates Lexington Reservoir, including Lenihan Dam, the dam spillway, and a pumping system that discharges reservoir waters into Los Gatos Creek. Overflow from Lexington Reservoir enters Los Gatos Creek, the Vasona percolation ponds, and eventually the lower reaches of Los Gatos Creek, a perennial tributary to the Guadalupe River.

The property is located outside the study area of the Santa Clara Valley Habitat Conservation Plan.

**Biological Assessment**

An assessment of the biotic resources on the property, with particular focus on the areas proposed for the residence and driveway, was conducted during a field visit in November 2021. The focus of the field assessment was to identify existing conditions and sensitive biotic resources on the property that may be affected by the proposed project.

Specific tasks conducted for this study include:

- Characterize the major plant communities on the property;
- Identify potential sensitive biotic resources, including plant and wildlife species of concern within the proposed project area;
- Evaluate the potential effects of the proposed project on sensitive biotic resources and recommend measures to avoid or reduce such impacts.

**Intended Use of this Report**

The findings presented in this biological report are intended for the sole use of Bill Chiochi and Santa Clara County in evaluating the proposed project for the subject parcel. The findings presented in this report are for information purposes only; they are not intended to represent the interpretation of any State, Federal or County laws or ordinances pertaining to permitting actions within sensitive habitat of endangered species. The interpretation of such laws and/or ordinances is the responsibility of the applicable governing body.



Figure 1. Location of Property (Los Gatos USGS Quadrangle)

## 2.0 EXISTING RESOURCES

### Methodology

The biotic resources of the 28.8-acre property and driveway easement were assessed through a field visit in November 2021, review of aerial photos and review of pertinent literature for the project region. The proposed project site (proposed residence and driveway area) was walked by a plant ecologist (Kathleen Lyons) and a wildlife biologist (Bryan Mori). During the field survey, the plant communities on the site were identified.

To assess the potential occurrence of special status biotic resources, two electronic databases were accessed to determine recorded occurrences of sensitive plant communities and sensitive species. Information was obtained from the California Native Plant Society's (CNPS) Electronic Inventory (2021) and California Department of Fish & Wildlife's (CDFW) Natural Diversity DataBase "RareFind" (CNDDDB) (CDFW, 2021) for the Los Gatos U.S.G.S. quadrangle and surrounding eight quadrangles. Biological information from the County's GIS database and other reports for the project vicinity were also reviewed.

Prior to conducting field surveys, a potential list of special status or sensitive species was prepared, utilizing species recognized by CDFW, US Fish and Wildlife Service (USFWS) and CNPS (List 1). Reconnaissance-level surveys were conducted in November 2021 to document the botanical and wildlife resources within the property; focused plant or animal surveys were not conducted. The *Jepson Manual* (Hickman, 2012) was the principal taxonomic references used for the botanical work.

This report summarizes the findings of the biotic assessment. The potential impacts of the proposed residential project on sensitive biological resources are discussed below. Measures to reduce significant impacts to a level of less-than-significant are recommended, as applicable.

### Biotic Resources

Four vegetation types were observed within the project study area: mixed oak woodland, grassland, non-native tree groves, and scrub. The proposed residential development area (residence and driveway) is located within areas mapped as grassland and mixed oak woodland. The driveway will also traverse an existing drainage that supports mixed oak woodland. The distribution of the plant communities within the property is depicted on Figure 2.

Soil maps for the area indicate the area supports one soil type: Ben Lomond gravelly sandy loam, 15-30% slopes (516). This soil type is derived from weathered sandstone; no serpentine-derived soils are mapped on the property.

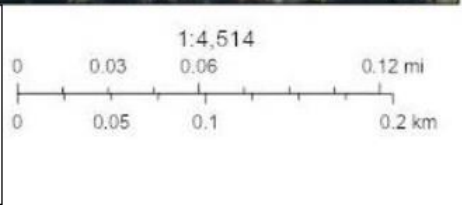
**Mixed Oak Woodland.** Mixed oak woodland is the predominant vegetation type on the subject parcel and along the driveway easement. The woodland is co-dominated by coast live oak (*Quercus agrifolia*), valley oak (*Q. lobata*), and black oak (*Q. kelloggii*); other tree species include California bay (*Umbellularia californica*), California buckeye (*Aesculus californica*), and coast redwood (*Sequoia sempervirens*). The understory varies in plant species and diversity. Open areas support annual grasses and forbs typical of the adjacent grassland, yet some areas support shrubs, such as poison oak (*Toxicodendron diversilobum*), French broom (*Genista monspessulana*), California blackberry (*Rubus ursinus*), and coyote brush (*Baccharis pilularis*).

The character of the oak woodland is depicted in Figure 3. Figure 4 depicts the oak woodland along a portion of the driveway easement.



LEGEND	
MOW	Mixed Oak Woodland
G	Grassland
S	Scrub
NNT	Non-native Tree Grove

Map Source: Santa Clara County GIS



**Figure 2. Distribution of Vegetation Types on Property**



**Figure 3. Character of oak woodland, with grassland**



**Figure 4. Character of oak woodland, with French broom understory, within driveway easement**

**Grassland.** The northern portion of the property supports grassland, as shown on Figures 2 and 3. The grassland was observed to be dominated by annual non-native grasses and forbs, such as wild oat (*Avena sp.*), dogtail grass (*Cynosurus echinoides*), ryegrass (*Festuca sp.*), fiddle dock (*Rumex acetosella*), stinkwort (*Dittrichia graveolens*), creeping nettle (*Urtica repens*), subterranean clover (*Trifolium subterranean*), Italian thistle (*Carduus sp.*), cat's ear (*Hypochaeris sp.*), dandelion (*Taraxacum officinale*), and seedlings of French broom. Native grasses were limited to patches of purple needlegrass (*Stipa pulchra*) and blue wild rye (*Elymus glaucus*) on a lower slope within the driveway easement. Native forbs were not observed as the observations were made during the non-blooming season for most plant species, yet native herbaceous species are expected to occur on site. The character of the grassland is depicted in Figure 5.



**Figure 5. Character of annual grassland at proposed residential development area**

**Scrub.** The southwest edge of the property supports an area of scrub (see Figure 2). This area was detected from aerial imagery of the parcel, but was not field-checked. It is expected the area supports coyote brush, yet other shrubs, such as non-native French broom, may also be present.

**Non-native Tree Grove.** The north western corner of the parcel that abuts State Route 17 supports some non-native tree groves. Species observed include cypress (*Cupressus sp.*) and Japanese yew (*Taxus cuspidata*). These trees abut mixed oak woodland and grassland, as depicted on Figure 2.

### **3.0 SENSITIVE BIOTIC RESOURCES**

#### **Sensitive Habitats**

Sensitive habitats are defined by local, State, or Federal agencies as those habitats that support special status species, provide important habitat values for wildlife, represent areas of unusual or regionally restricted habitat types, and/or provide high biological diversity. CDFW classifies and ranks the State's natural communities to assist in determining the level of rarity and imperilment. Vegetation types are ranked between S1 and S5. For vegetation types with ranks of S1-S3, all associations within the type are considered to be highly imperiled. If a vegetation alliance is ranked as S4 or S5, these alliances are generally considered common enough to not be of concern; however, it does not mean that certain associations contained within them are not rare (CDFW, 2020). The mixed oak woodland (CaCode 71.100.04 Mixed oak – *Quercus kelloggii* / grass) is ranked S4.

In general, oak woodlands are considered critical habitats for the conservation of many bird and mammal species; over 300 vertebrate species are known to use oak trees. Noteworthy features of oak habitats include acorns, snags and cavity-bearing trees. As a seasonal food, acorns play an important role in the survival of many species of wildlife in fall, since a mature oak can produce thousands of acorns during a favorable year. Mature oak trees frequently bear snag limbs and natural cavities as a result of limb scars. Snags are important resources for nesting, roosting, foraging, caching and wintering, but especially critical to primary cavity-nesters such as woodpeckers, which prefer dead trees and limbs for excavation of roost and nest sites. Snags and branches bearing natural cavities also are critical for secondary cavity-nesting birds (e.g., chickadees, titmice, nuthatches, etc.), and as den or roost sites for small mammals. Due to the inherent high wildlife value of oaks, oak habitats are protected resources of the State.

In 2001, the California Oak Woodland Conservation Act was passed. This act formally recognizes the role of oak woodlands as wildlife habitat, erosion control, and sustaining water quality. The Act encourages voluntary, long-term private stewardship and conservation of oak woodland by landowners and provides financial incentives, through the Wildlife Conservation Board (WCB), to protect and promote biologically functional oak woodlands. In a related action, the State amended CEQA with the addition of Public Resources Code 21083.4. This code requires that counties consider the significance of oak woodland conversions under CEQA and adopt an oak woodland management plan pursuant to the Oak Woodlands Conservation Act that contains measures to minimize impacts to oak woodlands along riparian zones, near wetlands and those that contain snags or other features used by wildlife. If significant impacts are determined under CEQA, mitigation alternatives may include conserving oaks through the use of conservation easements (2:1 ratio, conserved to impacted), restoration of former oak woodland area (2:1 ratio), contribution to the Oak Conservation Fund established under CDFW, or other mitigation measures developed by the county. The proposed residential development will affect approximately 7,400 square feet (0.17 acre) of mixed oak woodland to accommodate the driveway and infrastructure for the residence. The proposed project would not remove any oak trees (trees shown for removal on the June 2021 site plan have already been removed, as stated in an arborist report addendum letter, Vaugh Forestry, April 2021); however, tree limbs will require removal for construction clearances and understory vegetation will be removed.

### **Special Status Plant Species**

Plant species of concern include those listed by either the Federal or State resource agencies as well as those identified as rare by CNPS. Based on a search of the CNPS and CNDDDB inventories for the Los Gatos and surrounding 7.5' quadrangles, a review of pertinent literature, and an evaluation of habitat suitability for each species, several special status plant species were considered to have the potential to occur in the vicinity of the property. These species are listed on Table 1.

The property does not support serpentine-derived substrates therefore species endemic to serpentine substrates would not be present on the property, as noted in Table 1. Serpentine substrates occur east of the property within portions of the Sierra Azul Open Space Preserve and north of the property along sections of State Highway 17. An occurrence of Santa Clara County red ribbons (*Clarkia concinna* spp. *automixa*) includes the subject property. The species occurs in moist shaded oak woodland, typically on sunny, exposed rocky outcrops within the woodland. The oak woodland on the subject property lacks this microhabitat. In addition, the prevalence of non-native French broom along the driveway easement reduces the likelihood for the species to be present. The location of special status plant species recorded with CNDDDB within the vicinity of the property, as depicted on the CNDDDB BIOS map is presented as Figure 6.

The November 2021 field survey was sufficient in determining presence or absence of special status woody, perennial species (i.e., trees and shrubs) as these species would be identifiable during this survey period. The late fall season field survey was also sufficient to determine the presence or absence of specialized microhabitats required by several special status species (i.e., serpentine, coastal prairie/grassland, limestone outcrops, and rocky outcrops). The project site was not observed to support any special status trees or shrubs. In addition, due to the lack of specialized microhabitats (i.e., lack of serpentine, rocky outcrops, and native grassland), it was determined that the site has a very low likelihood of supporting special status herbaceous plants. In summary, no special status plant species were observed, or are expected to occur, in the project area.

**Table 1. List of Special Status Plant Species Evaluated for Occurrence within the Chiocchi Property.**

Species	Status	Habitat	Potential or Known Occurrence on Site/Vicinity
Bent-flowered fiddleneck ( <i>Amsinckia lunaris</i> )	CNPS: List 1B.2 State: None Federal: None	Foothill woodland and grassland	Suitable habitat but unlikely due to land management. Known from Sierra Azul OSP and Limekiln Trail near Los Gatos.
Congdon's tarplant ( <i>Centromadia parryi</i> ssp. <i>congdonii</i> )	CNPS: List 1B.1 State: None Federal: None	Seasonal wetlands in annual grasslands	Unlikely occurrence due to lack of suitable habitat. Historic (1908) record from east San Jose.
Robust spineflower ( <i>Chorizanthe robusta</i> var. <i>robusta</i> )	CNPS: List 1B.1 State: None Federal: Endangered	Cismontane woodland, coastal dunes, coastal scrub	Unlikely occurrence due to lack of suitable micro habitat. Historic occ. from Los Gatos (1888).
Mt. Hamilton thistle ( <i>Cirsium fontinale</i> var. <i>campylon</i> )	CNPS: List 1B.2 State: None Federal: None	Seasonal drainage and seeps, serpentine endemic	Unlikely occurrence due to lack of suitable habitat; lack of serpentine. Known from south of Guadalupe Reservoir Dam and SE slope of Mt. Umunhum within Sierra Azul OSP.
Santa Clara red ribbons ( <i>Clarkia concinna</i> ssp. <i>automixa</i> )	CNPS: List 4.3 State: None Federal: None	Mesic oak woodland	Unlikely occurrence due to disturbed condition of oak woodland. Known from road to Mt. Umunhum, road to El Sombroso (Sierra Azul) and historic occ. from Lexington – Alma Soda Road (1907).
San Francisco collinsia ( <i>Collinsia multicolor</i> )	CNPS: List 1B.2 State: None Federal: None	Closed cone pine forest, oak woodlands, shaded, mesic areas; on decomposed shale and serpentine	No suitable micro habitat on property. Recorded from Almaden Quicksilver County Park.
Western leatherwood ( <i>Dirca occidentalis</i> )	CNPS: List 1B.2 State: None Federal: None	Moist areas in coniferous forest, closed-cone pine forest, mixed evergreen forest, foothill woodland, chaparral, wetland-riparian	Not observed on site and unlikely to occur due to lack of suitable micro habitat. Recorded from Mt. Umunhum, Sierra Azul and St. Joseph's OSP.
Santa Clara Valley dudleya ( <i>Dudleya abramsii</i> ssp. <i>setchellii</i> )	CNPS: List 1B.1 State: None Federal: Endangered	Serpentine chaparral, rocky outcrops and grassland	Not observed on site and unlikely due to lack of serpentine substrate; known from Guadalupe Reservoir Dam within Sierra Azul OSP and Almaden Quicksilver County Park.
Fragrant fritillary ( <i>Fritillaria liliacea</i> )	CNPS: List 1B.2 State: None Federal: None	Chaparral talus and rocky grassland; serpentine	Not observed on site and unlikely due to lack of suitable habitat; recorded from Guadalupe Reservoir Dam within Sierra Azul OSP and Almaden Quicksilver County Park.
Loma Prieta hoita ( <i>Hoita strobilina</i> )	CNPS: List 1B.1 State: None Federal: None	Mesic sites in chaparral and woodland; usually serpentinite	Not observed on site and unlikely due to lack of suitable chaparral/woodland within work area. Recorded nearby from Los Gatos Creek canyon, Lenihan Dam area, along Mt. Umunhum Road, Limekiln Trail, Priest Rock Trail, Almaden Quicksilver County Park OSP.

**Table 1. List of Special Status Plant Species Evaluated for Occurrence within the Chiocchi Property.**

Species	Status	Habitat	Potential or Known Occurrence on Site/Vicinity
Smooth lessingia ( <i>Lessingia micradenia</i> var. <i>glabrata</i> )	CNPS: List 1B.2 State: None Federal: None	Serpentine chaparral, rocky outcrops and grassland	Not observed on site and unlikely due to lack of serpentine substrate; known from Guadalupe Reservoir Dam within Sierra Azul OSP and Almaden Quicksilver County Park.
Arcuate bush-mallow ( <i>Malacothamnus arcuatus</i> )	CNPS: List 1B.2 State: None Federal: None	Chaparral	Not observed on site and unlikely due to lack of chaparral; historic record from Los Gatos (1899).
Woodland woollythreads ( <i>Monolopia gracilens</i> )	CNPS: List 1B.2 State: None Federal: None	Serpentine chaparral and grassland, sandy to rocky soils	Not observed on site and unlikely due to lack of serpentine substrate; known from St. Josephs Hill, Limekiln Canyon watershed, west of Mt Umunhum and along Barlow Road within Sierra Azul OSP and summit of first ridge west of Los Gatos (1904).
Hairless popcorn flower ( <i>Plagiobothrys glaber</i> )	CNPS: List 1A State: None Federal: None	Meadows and seeps, alkaline	No suitable habitat within property. Historic record from Los Gatos (1894)
Rock sanicle ( <i>Sanicula saxatilis</i> )	CNPS: List 1B.2 State: Rare Federal: None	Serpentine talus slopes	Not observed on site and unlikely due to lack of serpentine and talus slopes; known from E slope of Mt Umunhum.
Most beautiful jewelflower ( <i>Streptanthus albidus</i> ssp. <i>peramoenus</i> )	CNPS: List 1B.2 State: None Federal: None	Serpentine chaparral, rocky outcrops and grassland	Not observed on site and unlikely due to lack of serpentine substrate; known from St. Joseph's Hill, Guadalupe Reservoir Dam and Mt. Umunhum within Sierra Azul OSP and Almaden Quicksilver County Park.

**CNPS Status:** **List 1B:** These plants (predominately endemic) are rare through their range and are currently vulnerable or have a high potential for vulnerability due to limited or threatened habitat, few individuals per population, or a limited number of populations. List 1B plants meet the definitions of Section 1901, Chapter 10 of the CDFG Code. **List 4:** List 4 is a watch list of plants with limited distribution in the state that have low vulnerability and threat at this time. These plants are uncommon, often significant locally, and should be monitored.

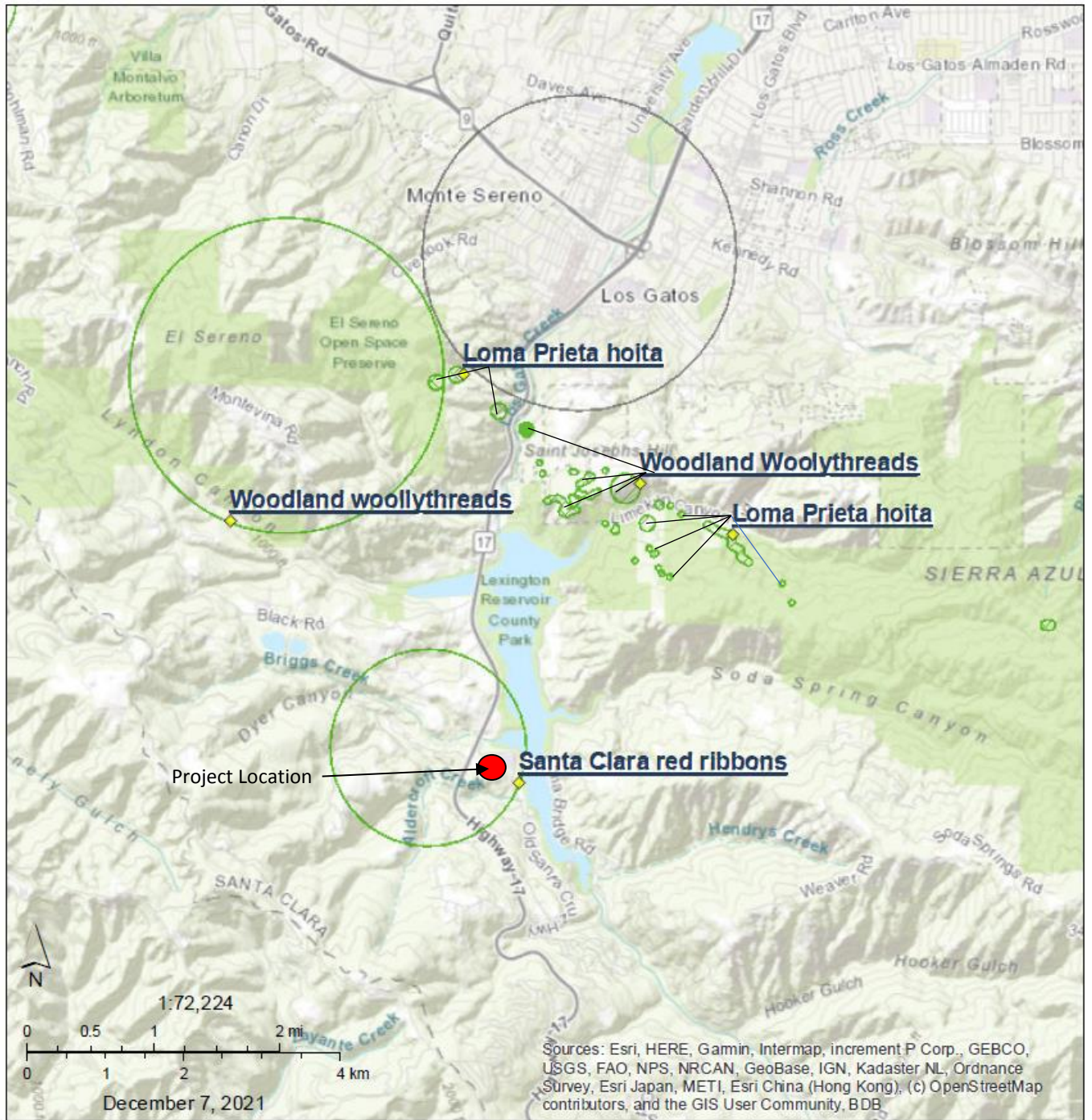


Figure 6. Mapped Occurrences of Special Status Plant Species, CNDDB, 2021

### Special Status Wildlife Species

For the purposes of this report, special status wildlife are defined as species listed as endangered or threatened with CDFW or USFWS, CDFW species of special concern, or locally significant species which may be protected under CEQA Section 15380(d). The potential for special-status species occurrence at the project site was based on habitat evaluation, personal knowledge of species occurrences in the project region, and their documented presence in the project vicinity through review of the California Natural Diversity Data Base (CNDDDB) and the following literature: California Natural Diversity Data Base (CNDDDB 2021); California Amphibian and Reptile Species of Special Concern (Thomson *et al* 2016); California Bird Species of Special Concern (Shuford and Gardali 2008); Breeding Birds Atlas of Santa Clara Valley (Bousman 2007); *Draft* Mammalian Species of Special Concern in California (Bolster 1998); the Santa Clara Valley Habitat Plan (SCVHP); eBird database (<https://ebird.org>) and personal observations. Additionally, the USFWS Revised Guidance on Site Assessments and Field Surveys for the California Red-legged Frog, August 2005 was used as a guide to assess the habitat potential of the project site for red-legged frogs, in order to address the County's updated response to the proposed project (letter dated August 6, 2021).

In all, twenty-nine species-status wildlife species were evaluated as part of this assessment, including nine which are covered in the SCVHP. The SCVHP species were included due to the application of the SCVHP throughout much of Santa Clara Valley and up towards Los Gatos (Table 2). The other twenty species are listed on Table 3. Of the 29 species, six are considered potential inhabitants of the project site, while one, the San Francisco dusky-footed woodrat (*Neotoma fuscipes annectens*) was confirmed (Table 3; Figure 7). Those species that are documented in the CNDDDB are also presented on Figure 8. The remaining species are not considered further in this assessment for one or more of the following reasons: 1) the species is expected to occur in the study area only briefly as a transient (e.g., during migration, occasional foraging); 2) the study area does not support suitable habitat (e.g., breeding ponds, riparian habitat, etc.); and 3) the study area appears to be outside of the species' local distributional range. A summary of the legal status, natural history and local patterns of occurrence for these species are presented on Tables 2 and 3. A detailed discussion of the California red-legged frog is presented at the end of this section.

**Table 2. Covered Wildlife Species within the SCVHP Planning Area**

SPECIES	STATUS	OCCURRENCE
Bay Checkerspot Butterfly <i>Euphydryas editha bayensis</i>	FT	<b>UNLIKELY.</b> This species is restricted to serpentine grasslands. Suitable habitat is absent on the project site. No CNDDDB records from the project vicinity.
California Tiger Salamander <i>Ambystoma californiense</i>	FT, ST	<b>UNLIKELY.</b> CTS breed in seasonal and perennial ponds mostly within valley floor and foothill grasslands. Suitable habitat is absent on the project site. No CNDDDB records from the project vicinity.
California Red-legged Frog <i>Rana draytoni</i>	FT, SSC	<b>UNLIKELY.</b> CRLF breed in quiet stream pools, ponds, freshwater marshes. Capable of long distance overland movements of up to 3 mi. However, suitable breeding and transitional habitat for migrating and dispersing individuals are absent on the project site. The CNDDDB contains records of CRLF at Lexington Reservoir and upper Los Gatos Creek, upstream of the reservoir.
Foothill Yellow-legged Frog <i>Rana boylei</i>	SSC	<b>UNLIKELY.</b> FLYF are highly aquatic and generally found along streams with cobbles, riffles and broken riparian canopy. The project site does not support riparian habitat for this species. There is a CNDDDB record from Hendry's Creek, but the species is thought to be locally extirpated.
Western Pond Turtle <i>Emys marmorata</i>	SSC	<b>UNLIKELY.</b> WPT are highly aquatic and inhabit stream pools, upland ponds, and lakes. WPT nest in adjacent open vegetation, burying eggs in soil with clay content. The project site does not support aquatic habitat. This species has been documented at Lexington Reservoir, but the project site is outside of the species' typical range for overland movement to upland nest sites.
Western Burrowing Owl <i>Athene cucularia hypogea</i>	SSC	<b>UNLIKELY.</b> This species typically nests in valley floor grasslands and open scrub, using small mammal burrows or analogues (e.g., culverts). Wintering habitat is more variable topographically. The project site does not support nesting or wintering habitat, due to the absence of suitable small mammal burrows. No CNDDDB records from the project vicinity.
Least Bell's Vireo <i>Vireo belli pusillus</i>	FE, SE	<b>UNLIKELY.</b> This species typically nests in early successional willow riparian tickets. The project site lacks suitable nesting habitat and is outside of this species' breeding range.
Tricolored Blackbird <i>Agelaius tricolor</i>	SE	<b>UNLIKELY.</b> Tricolored blackbirds nest in secluded freshwater marshes, brambles and thistle patches adjacent to foraging habitat, such as grasslands and fallow agricultural fields. The project site lacks suitable nesting habitat. No CNDDDB records from the project region.
San Joaquin Kit Fox <i>Vulpes macrotis mutica</i>	FE, ST	<b>UNLIKELY.</b> This species inhabits grassland and open scrub habitats of the San Joaquin Valley and adjacent foothills, Carrizo Plains and into the lower Salinas Valley. The project site is outside of the distributional range for this species.

**Status Codes:** FE = Federal endangered species; FT = Federal threatened species; SE = State endangered species; SSC = California Species of Special Concern

**Table 3. Other Special-Status Wildlife of the Project Region**

SPECIES	STATUS	OCCURRENCE
Zayante Band-winged Grasshopper <i>Trimerotropis infantilis</i>	FE	<b>EXTIRPATED.</b> Little is known of the life history of this grasshopper. They are found only in the sandy areas of the Santa Cruz Mountains known as the Zayante Sandhill formation. One historical CNDDDB record is from Alma. The species is considered extirpated from the area.
California Giant Salamander <i>Dicamptodon ensatus</i>	SSC	<b>POSSIBLE.</b> This species is found in a variety of upland forested habitats, seeking cover under logs, rocks, etc. Cool running streams are needed for breeding. Adults have been documented in uplands far from streams. The CNDDDB lists records of this species in the project vicinity. No breeding habitat is present on the project site, but adults and juveniles could be found in the drainage swale, under cover.
Santa Cruz Black Salamander <i>Aneides niger</i>	SSC	<b>POSSIBLE.</b> Terrestrial species found in a variety of upland habitats, but adults seem to be associated with riparian corridors, where it is encountered beneath logs, rocks and other cover. Juveniles have been documented in uplands far from riparian habitat. The CNDDDB lists several records of this species in the project area. Perhaps the drainage swale at the northern section of the project site may provide habitat for this species.
Coast Horned Lizard <i>Phrynosoma blainsvillii</i>	SSC	<b>UNLIKELY.</b> This species occurs in a variety of open scrub, woodlands and grassland habitats with sandy soils and abundant prey (native ants). Suitable soil conditions appeared to be lacking on the project site. No local CNDDDB records.
Silvery Legless Lizard <i>Anniella pulchra</i>	SSC	<b>UNLIKELY.</b> This species occurs in dunes, washes and other open habitats with fine sandy soils. This species is highly fossorial but may be found under cover objects and leaf debris. Suitable habitat appeared to be lacking on the project site.
White-tailed Kite ( <i>Elanus leucurus</i> )	SSC, FP	<b>POSSIBLE.</b> This species nests in live oak woodlands, riparian corridors, eucalyptus groves and in ornamental landscape trees of rural areas. Areas of extensive forest or shrub cover is generally avoided. No breeding birds atlas data or CNDDDB nesting records from the general area (Bousman 2007), but this species has been sighted in the project area during the nesting season (eBird).
Golden Eagle <i>Aquila chrysaetos</i>	FP	<b>UNLIKELY.</b> Golden eagles nest in tall trees and cliff faces of secluded areas. This species is known to nest in the project region at Sierra Azul Open Space Preserve and suspected in other areas along the crest of the Santa Cruz Mountains (CNDDDB; Bousman 2007). The project site does not support nesting habitat, but individuals likely fly over the site during forays.
Bald Eagle <i>Haliaeetus leucocephalus</i>	SE, FP	<b>UNLIKELY.</b> The bald eagle typically nests in secluded trees and snags around lakes, sloughs, rivers. The regional population has been increasing in recent years. The nearest known nest site is at Calaveras Reservoir (Bousman 2007). Several sightings and breeding behavior have been recorded at Lexington Reservoir (eBird). No CNDDDB records for the project area. The project site does not support nesting habitat, but individuals likely fly over the site during foraging bouts.

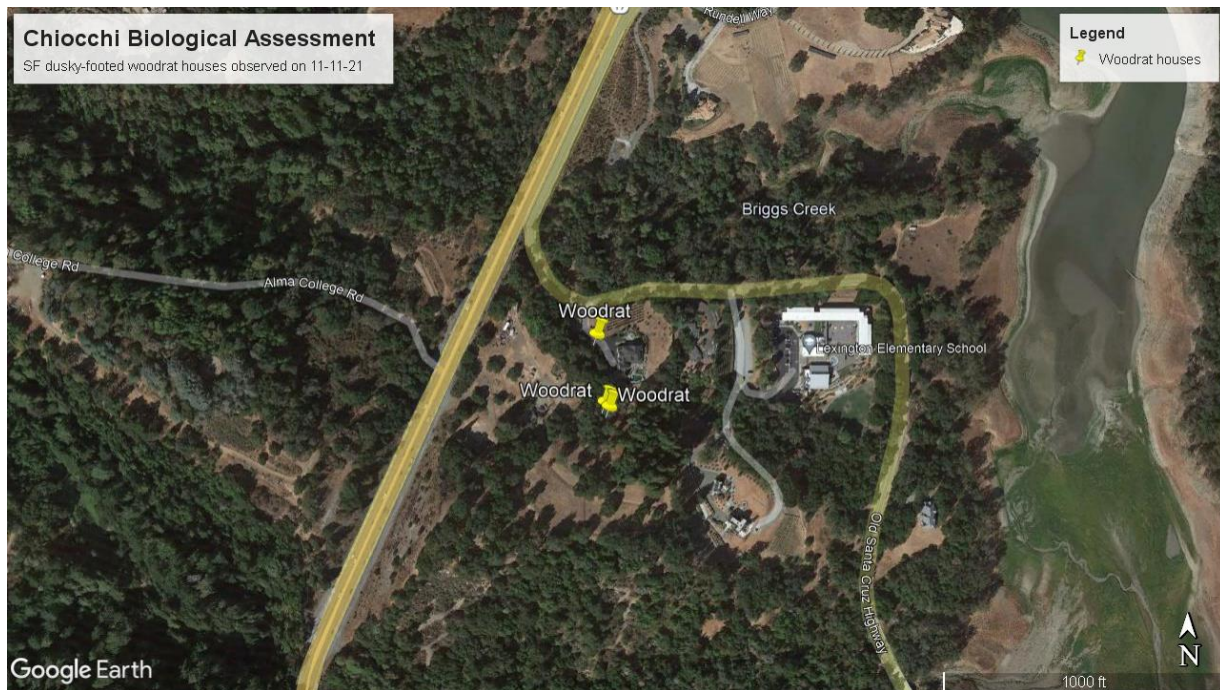
**Table 3. Other Special-Status Wildlife of the Project Region**

SPECIES	STATUS	OCCURRENCE
Northern Harrier <i>Circus hudsonius</i>	SSC	<b>UNLIKELY.</b> Northern harriers nest in secluded sites within grasslands, open scrub and coastal marshes. No nesting habitat is present on the project site. No CNDDDB or breeding birds atlas nesting records from the project area. This species has been seen during the non-breeding season at Lexington Reservoir (eBird).
American Peregrine Falcon <i>Falco peregrinus</i>	FP	<b>UNLIKELY.</b> Nests mostly on secluded bluff faces along the coast and inland cliffs. The CNDDDB includes a sensitive nesting record from the Castle Rock Ridge quad and eBird contains records of this species in the project region. The project site lacks nesting habitat but individuals may be seen in transit flying over the project site.
Long-eared Owl <i>Asio otus</i>	SSC	<b>UNLIKELY.</b> Nesting habitat is typically in dense live oak woodlands and riparian trees, with open meadow foraging habitat nearby. Long-eared owls are rare with only scarce nesting records from the ridgeline of the Santa Cruz Mountains (Bousman 2007). eBird documents records from the Loma Prieta area. There are no CNDDDB records for the project area.
Vaux's Swift <i>Chaetura vauxi</i>	SSC	<b>UNLIKELY.</b> Nesting habitat is in residential chimneys and mature coniferous forests. Breeding birds atlas data and records from eBird exist for the general project region (Bousman 2007; eBird). There are no CNDDDB records for the project area. The project site lacks suitable nesting habitat.
Olive-sided Flycatcher <i>Contopus cooperi</i>	SSC	<b>POSSIBLE.</b> Olive-sided flycatchers nest in forest edges and eucalyptus groves, where tall trees serve as calling posts and hawking (foraging) sites. Nesting has been confirmed in the project vicinity (Bousman 2007). And numerous records have been catalogued in eBird.
Loggerhead Shrike <i>Lanius ludovicianus</i>	SSC	<b>UNLIKELY.</b> Loggerhead shrikes inhabit open landscapes, such as annual grassland, open scrub, and fallow agricultural fields, nesting in shrubs, trees or manmade objects. Mostly a lowland species, but may be found in adjacent foothills (Bousman 2007). No CNDDDB, breeding birds atlas, or eBird records for the project area. The project site appears to be outside of its local nesting distribution.
Purple Martin <i>Progne subis</i>	SSC	<b>UNLIKELY.</b> A cavity nesting species that is closely tied to upper-elevation knob cone pine and mixed Doug fir forest of the Santa Cruz Mountains. Nesting records mostly come from the Summit Ridge area (Bousman 2007; eBird). No CNDDDB records from the project area. No nesting habitat is present on the project site.
Pallid Bat <i>Antrozous pallidus</i>	SSC	<b>POSSIBLE.</b> Found in a variety of habitats. A colonial species that roosts in buildings, tree hollows, rock crevices and under concrete bridges. Pallid bats likely forage throughout the project site and may use large oaks as roost sites. Several observations of this species have been recorded from the project region (CNDDDB).

**Table 3. Other Special-Status Wildlife of the Project Region**

SPECIES	STATUS	OCCURRENCE
Western Red Bat <i>Lasiurus blossevillii</i>	SSC	<b>POSSIBLE.</b> In our region, a migratory species that occurs coastally from the San Francisco Bay area in winter and primarily in the Central Valley during the summer. Prefers warmer summertime temperatures for reproduction (80s – 90s F). Roosts mostly in the foliage of deciduous trees and shrubs in edge habitats near streams and open fields; orchards are used in the Central Valley. This species may be a winter resident of the project region and could occur onsite in evergreen trees. No CNDDDB records for the project area.
Townsend’s Big-eared Bat <i>Corynorhinus townsendii</i>	SSC	<b>UNLIKELY.</b> Roosts mainly in caves and cave analogues, such as old abandoned buildings with dark attics, or in tunnels. Appears to be more abundant in mesic habitats. Potential habitat for this species is absent on the project site, but individuals may forage over the site on occasion. CNDDDB records include Alma College and near Sierra Azul Open Space Preserve.
San Francisco Dusky-footed Woodrat <i>Neotoma fuscipes annectens</i>	SSC	<b>PRESENT.</b> This species was observed in the drainage swale up and downstream of the dirt road crossing. Three stick houses were observed beneath a live oak woodland and California bay canopy. Occupancy status of stick houses unknown.
American Badger <i>Taxidea taxus</i>	SSC	<b>UNLIKELY.</b> Badgers are most abundant in drier, open stages of many shrub, forest and grassland habitats, with friable soils and abundant prey (small burrowing mammals). Although open habitat is present on the project site, the area lacks prey (e.g., ground squirrels) and the surrounding landscape seems marginal due to the extensive forest and scrubland cover. No CNDDDB records for the project area.

**Status Codes:** FP = State fully protected species; SE = State endangered; SSC = State Species of Special Concern.



**Figure 7. Locations of SF dusky-footed woodrat houses observed on the Chiocchi property.**

## CNDDDB Records within 1-mile Radius of Chiochi Project Site

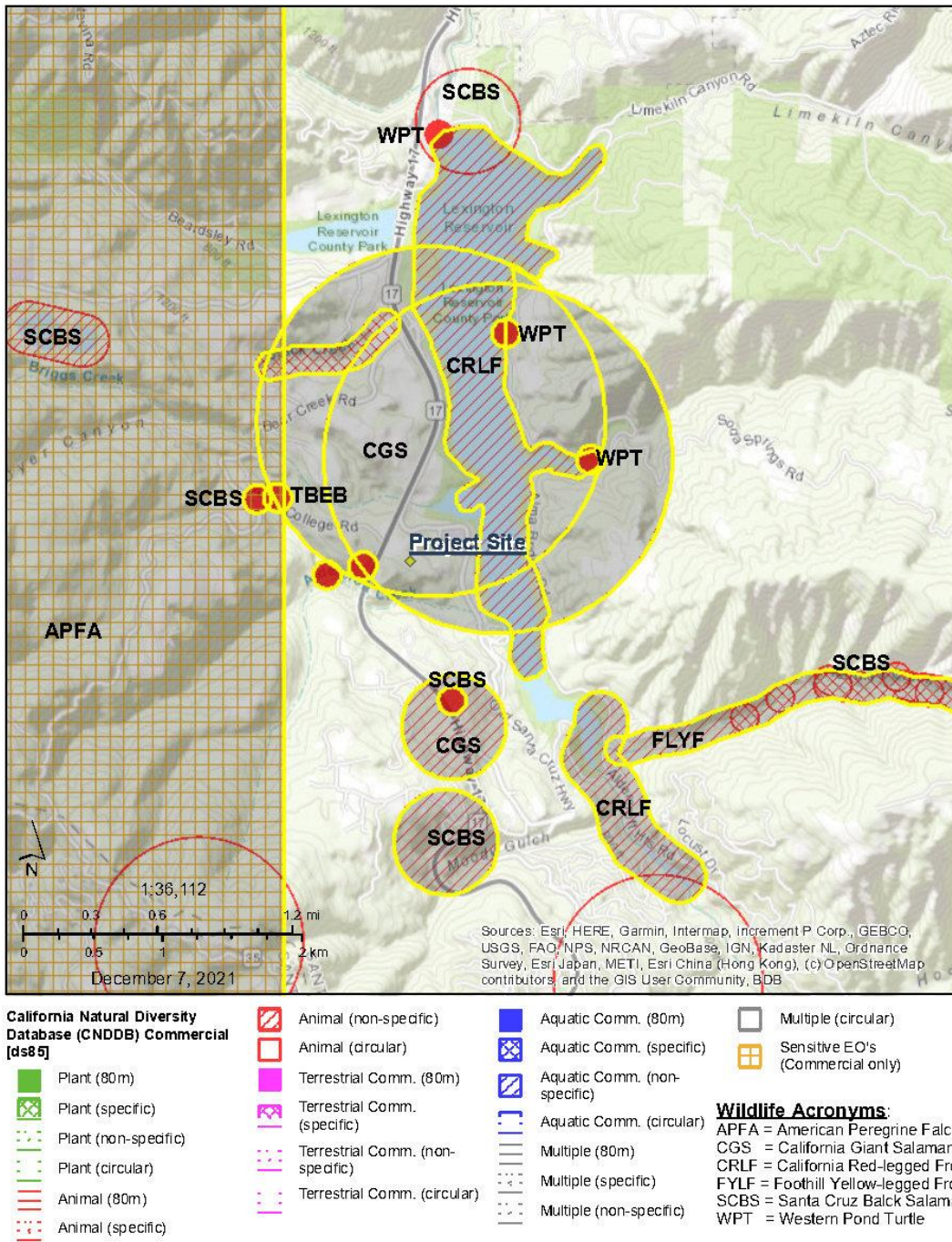


Figure 8. CNDDDB records of special-status wildlife species within a 1-mile radius of the project site.

**California Red-legged Frog.** The California red-legged frog is a federal threatened species and a Priority 1 state species of special concern (CDFW 2021; Thomson *et al.* 2016; USFWS 2002). Historically, the statewide range of this species extended southward from the Marin County coast, and inland from Shasta County, south to Baja California (Jennings and Hayes 1994). However, CRF has been extirpated from 70% of its former range (USFWS 1996), and presently is found primarily in central coastal California, typically in natural and artificial ponds, quiet pools along streams, and coastal marshes (USFWS 1996). During the breeding season, optimal aquatic habitat is characterized by dense emergent or shoreline vegetation and a water depth of 2 feet or more (Hayes and Jennings 1988). However, seasonal ponds located in grasslands with little emergent/shoreline cover may also be used for breeding, where water levels permit the metamorphosis of larvae and rodent burrows offer cover (Thomson *et al.* 2016; USFWS 2002; pers. obs.). Breeding typically occurs between December and April, depending on annual environmental conditions and locality. Egg masses containing 2,000 - 5,000 eggs are deposited near the water surface on emergent vegetation, but occasionally on the pond bottom where attachment sites are absent. Eggs require 6 - 14 days to hatch, and metamorphosis generally occurs within 3.5 - 7 months of hatching, although larvae have been recorded to over-winter at some sites (Fellers, *et al.* 2001). Following metamorphosis, generally between July and September, juveniles reach 25 - 35 mm in size and do not travel far from aquatic habitats, if appropriate cover is present. Adult migrations and juvenile dispersal generally begin with the first rains of the weather-year, although all size classes will move in response to receding water at seasonal ponds. Radio telemetry data indicate that adults engage in straight-line movements irrespective of riparian corridors or topography, and they may move up to 3.0 miles between non-breeding and breeding sites (Bulger, *et al.* 2003; Fellers and Kleeman 2007). At permanent ponds, most CRF remain in the immediate vicinity of the pond, but may move up to 300 feet into surrounding uplands, especially following rains, when individuals may spend days or weeks in suitable refugia (Bulger, *et al.* 2003; pers. obs.). At seasonal breeding sites, frogs will move at least as far as the nearest suitable non-breeding habitat, e.g., riparian zone, marsh, etc. (Fellers and Kleeman 2007). CRF may take refuge in small mammal burrows, leaf litter, or other moist areas during periods of inactivity or when necessary to avoid desiccation (Rathbun, *et al.* 1993; Jennings and Hayes 1994; pers. obs.).

Much of this species' habitat has undergone significant alteration by agricultural, urban development, and water projects, leading to the extirpation of many populations (USFWS 1996). Other factors contributing to the decline of red-legged frogs include their historical exploitation as food; competition and predation by bullfrogs (*Rana catesbeiana*); introduction of predatory fishes (Jennings and Hayes 1985; Hayes and Jennings 1988; Lawler, *et al.* 1999); and increased salinity of coastal breeding sites (Jennings and Hayes 1990). Chytrid fungus, while linked to the decline of some amphibian species, does not appear to have significantly impacted CRLF (Thomson *et al.* 2016).

**Site Assessment.** The CNDDB includes a 2012 CRLF record from Los Gatos Creek, approximately 1.5 miles upstream of Lexington Reservoir and an historic 1956 collection from Lexington Reservoir. Based on these records, a section of Los Gatos Creek and the entirety of Lexington Reservoir is considered CRLF habitat by CDFW (**Figure 8**). Given the species' ability to move overland up to 3 miles, the project site lies within dispersal distance of CRLF inhabiting Los Gatos Creek and the Lexington Reservoir. *However, the project site does not support breeding habitat (i.e., ponds) or transitional habitat for juveniles and adults during migration/dispersal, such as wet meadows, marsh or riparian vegetation. Under these circumstances, this species is not expected to inhabit the project site.*

### **Migratory Bird Treaty Act (MBTA) Species**

Birds and active nests of all native species are protected under the Migratory Bird Treaty Act (MBTA), regardless of their lack of regulatory status as state or federally threatened/endangered, or California species of special concern. The MBTA does exclude protection for migratory birds that have been

introduced to North America, such as rock pigeon (*Columba livia*), Eurasian collared dove (*Streptopelia decaocto*), house sparrow (*Passer domesticus*) and European starling (*Sturnus vulgaris*), among others. The MBTA is administered by the US Fish and Wildlife Service.

A focused bird survey in the appropriate season was not performed as part of this study. Typically, the local nesting season generally spans 1 February – 1 September. Regardless, the project site is expected to support a variety of woodland nesting birds. The grasslands, however, appear to be too limited in extent to support grassland nesting species, such as grasshopper sparrow (*Ammodramus savannarum*), savannah sparrow (*Passerculus sandwichensis*) or western meadowlarks (*Sturnella neglecta*).

#### 4.0 IMPACT AND MITIGATION DISCUSSION

##### Impact Criteria

The thresholds of significance presented in Appendix G of the CEQA Guidelines were used to evaluate project impacts and to determine if implementation of the proposed project would pose significant impacts to biological resources. For this analysis, significant impacts are those that substantially affect, either directly or through habitat modifications:

- a) A species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by CDFW or USFWS;
- b) Riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by CDFW or USFWS;
- c) Federally protected wetlands as defined by Section 404 of the Clean Water Act (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 (HCP), Natural Community Conservation Plan (NCCP), or other approved local, regional, or state habitat conservation plan.

##### Potential Impacts and Mitigation Measures

The proposed grading plan and existing plant community types are depicted on **Figure 9**. The project will require grading within mixed oak woodland and grassland for the proposed residence, driveway, and for residential infrastructure (placement of water tank and septic system). Although the site plan (dated June 2021) shows several oak trees to be removed, the field survey found that these trees have already been removed and this removal was confirmed in an arborist report addendum letter prepared by Vaughn Forestry (April 2021). No additional trees are identified for removal; however, several trees located adjacent to construction will require limb removal and other trimming to accommodate the construction. Understory vegetation within the oak woodland will also be removed along the driveway route. The proposed driveway will impact approximately 7,000 square feet of mixed oak woodland. Residential infrastructure (water tanks with rock swale and storm drain) will affect approximately 400 square feet of woodland.

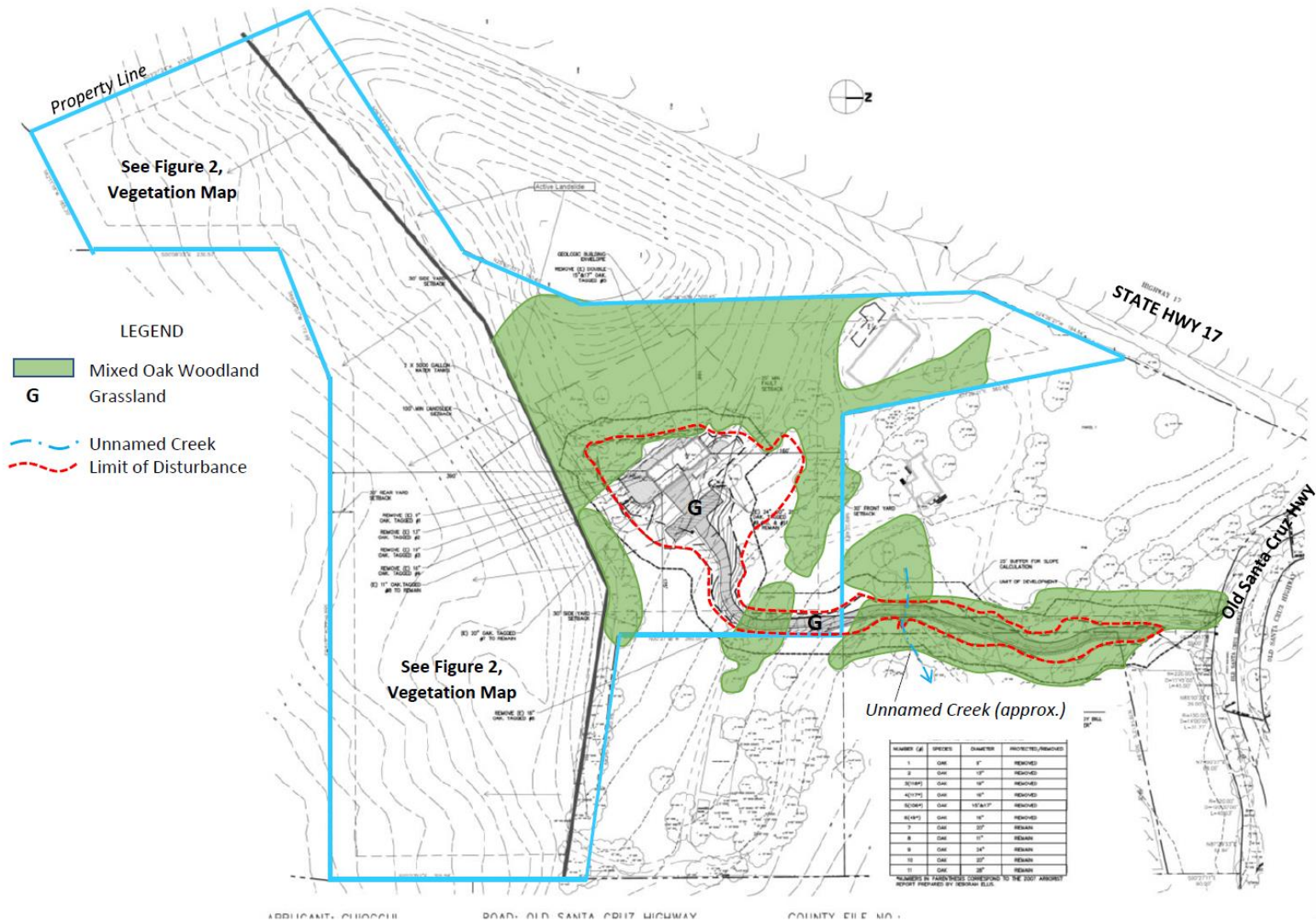


Figure 9. Plant Communities Depicted on Site Plan

The grading and drainage plan for the driveway proposes a storm drain that empties into the unnamed seasonal watercourse. The storm drain improvements include the placement of approximately 50 square feet of rock slope protection (RSP) in the channel (energy dissipator structure). The remainder of the site improvements will occur in grassland.

### Impact Analysis

- a) **Special Status Plant Species.** No special status plant species are expected to occur on site. Although the CNDDDB has a mapped record (polygon) for Santa Clara red ribbons that includes the subject parcel, the oak woodland within the proposed development area lacks this microhabitat. In addition, the prevalence of non-native French broom along the driveway easement reduces the likelihood for the species to be present. No other special status plant species are expected to occur on site.
- b) **Sensitive Habitat.** The site supports mixed oak woodland; this woodland type is not recognized as sensitive by CDFW, nor is this parcel subject to oak woodland measures outlined in the Santa Clara Valley Habitat Conservation Plan. Nevertheless, oak woodlands are recognized as an important habitat in the State and a valuable biological resource for wildlife, and impacts to this resource, including fragmentation, should be minimized wherever feasible. The proposed residence is located in grassland and avoid most impacts to the oak woodland; however, the driveway will traverse this habitat.

**Recommended Measure BIO-1a.** As compensation for the removal of 0.17 acre of oak woodland, the landowners shall implement a program to remove/control the occurrences of invasive, non-native plant species that occur within the oak woodland habitat on the parcel and driveway easement. High priority plant species to be removed/controlled include: French broom, pampas grass, Italian thistle, bull thistle, and stinkwort. This program shall be implemented as part of a long-term natural habitat management program.

**Recommended Measure BIO-1b.** For oak trees designated to be retained and occur within 30 feet of road construction, utility trenching or rough grading for home construction, the trees shall be protected by the placement of 6-foot high plastic construction fencing. Fencing shall be placed along the outside edge of the dripline of the tree or grove of trees. The fencing shall be maintained throughout the site construction period and shall be inspected periodically for damage and proper functioning.

**Recommended Measure BIO-1c.** As construction activities are proposed within the dripline of oak trees designated to be retained, the landowner shall have an arborist on site when grading or trenching occurs in these areas. The arborist shall specify measures to minimize construction-related impacts to trees to be retained, including measures to cut/prune trees and roots encountered during grading and/or trenching. If inadvertent damage to trees occurs, a remediation program should be developed by the arborist and implemented; the measures shall be inspected by the County of Santa Clara Department of Planning and Development and arborist to determine the success of the remedial measures.

**Recommended Measure BIO-1d.** If any landscaping or habitat restoration/enhancement is to occur outside the development envelope, all plantings shall consist of plant materials that are native to the local area and compatible with the existing oak woodland vegetation. Tree plantings shall be limited to native species already present at the project site. There shall be minimal planting under the dripline of the native trees, and the natural leaf mulch or duff on the ground under the tree dripline

shall not be removed. In general, no summer watering will be done within the dripline of mature oak trees.

**Recommended Measure BIO-1e.** If evidence of the invasive plant pathogen responsible for Sudden Oak Death (*Phytophthora ramorum*) is detected on the property, the landowners will voluntarily implement measures to prevent/control the spread of this fungus both on and off-site. Landowners will be responsible for implementing the most current disease-preventing measures for the use, storage and/or transporting of oak firewood as a means of minimizing the spread of the disease within the County and the State of California. Preventative and treatment measures will also be implemented as recommended. Current information on this disease and recommended treatments is available through the California Oak Mortality Task Force and their publications, such as [https://www.suddenoakdeath.org/wp-content/uploads/2010/09/Sudden-Oak-Death-PN-08\\_23\\_2010.pdf](https://www.suddenoakdeath.org/wp-content/uploads/2010/09/Sudden-Oak-Death-PN-08_23_2010.pdf)

**Recommended Measure BIO-1f.** The landowner should not utilize invasive, non-native plant species for landscaping. Plant species that should not be used on the site include all plants recognized by California Invasive Plant Council (Cal-IPC). This list includes: all brooms (i.e., French broom, Spanish broom and Scotch broom), periwinkle (*Vinca* sp.), Cape (or German) ivy, English ivy, Algerian ivy, acacia (all kinds), eucalyptus (all kinds), Monterey pine, cotoneaster, and pyracantha. A full list of species is found on [www.cal-ipc.org](http://www.cal-ipc.org).

- c) **Wetlands.** The storm drain improvements include the placement of approximately 50 square feet of rock slope protection (RSP) in the channel (energy dissipator structure) of the unnamed stream channel. The stream channel is expected to be a regulated waterway by CDFW, RWQCB, and USACE, and subject to concurrence from these agencies.

**Recommended Measure BIO-2. Protection of Stream during Construction.** The landowner shall secure any required permits/agreements with regulatory agencies prior to placement of the storm drain pipe and energy dissipator within the seasonal drainage. The landowner shall implement standard erosion control BMPs to prevent construction materials from entering the seasonal drainage, except for those materials required for the storm drain pipe and energy dissipator. The landowner shall install silt fencing and construction area limit-of-work fencing (i.e., orange construction fencing), where necessary to ensure inadvertent impacts are not incurred to the seasonal drainage. Areas disturbed by placement of the storm drain and energy dissipator shall be revegetated with native grasses and forbs. All staging of equipment and materials, and refueling of equipment, shall be located outside the seasonal drainage. The contractor shall prepare and implement a fuel spill prevention and clean-up plan.

- d) **Special Status Wildlife.** The project may directly and/or indirectly impact the following special status wildlife, if present on site – California giant salamander, Santa Cruz black salamander, white-tailed kite, olive-sided flycatcher, pallid bat, western red bat and SF dusky-footed woodrat. Additionally, project activities could negatively impact MBTA nesting birds. Therefore, implement the protection measures recommended, below.

**Recommended Measure BIO-3. Worker's Environmental Awareness Training.** At start of construction activities, a worker's environmental training shall be performed by a *qualified biologist*. The training should include information on species identification, natural history, the protection measures to be implemented, and the penalties for non-compliance. Each worker

should sign a certification sheet on completion of the training. All new workers should be trained prior to their involvement in construction activities.

**Recommended Measure BIO-4. California Giant Salamander and Santa Cruz Black Salamander.**

Within 72 hours of project start, a qualified biologist should perform a pre-construction survey for CGS and SCBS. The pre-construction survey should focus on searching beneath cover objects, such as rocks, pieces of downed wood, boards, etc., especially within the grading limits surrounding the swale/culvert area. If these species are observed, individuals should be captured and moved outside of the work area in suitable habitat. In the context of this measure, a qualified biologist should possess the proper authorizations from CDFW to handle this species during project construction monitoring.

**Recommended Measure BIO-5. California Giant Salamander and Santa Cruz Black Salamander.**

The *qualified biologist* should be present at the project site during tree/vegetation removal and initial (new) grading activities in and around the swale/culvert area. Once the vegetation removal and initial grading activities in the swale area have been completed, subsequent construction monitoring can be performed by a *designated monitor*, generally a crew leader that will be present at the site at all times. If CGS/SCBS are observed by the *designated monitor* during construction activities, all work in the immediate area must cease and the *qualified biologist* contacted to capture and relocate the individual out of harm's way. Work in that specific area should not proceed until approved by the *qualified biologist*.

**Recommended Measure BIO-6. California Giant Salamander and Santa Cruz Black Salamander.**

Prior to the start of construction activities, the project boundary, including storage and staging areas, and access routes should be clearly delineated with orange construction fencing. No storage of equipment or materials, vegetation removal or maintenance of equipment should be performed outside of the project work area boundaries.

**Recommended Measure BIO-7. White-tailed Kite, Olive-sided Flycatcher and MBTA Nesting**

**Birds.** Perform pre-construction nesting bird surveys no earlier than one week before the scheduled start of the project. The nesting survey should be performed by a qualified biologist and cover the entire property, since potential nesting raptors require buffers at a minimum of 300 feet.

**Recommended Measure BIO-8. White-tailed Kite, Olive-sided Flycatcher and MBTA Nesting**

**Birds.** In the event active nests are observed, the nest site shall be flagged and a buffer shall be established, in an effort to prevent nest failure. The buffer widths shall be determined by the qualified biologist, based on species, site conditions and anticipated construction activities.

**Recommended Measure BIO-9. White-tailed Kite, Olive-sided Flycatcher and MBTA Nesting**

**Birds.** Active nests should be monitored at a frequency determined by the monitoring biologist, but at a minimum of once per week, until the nestlings have fledged.

**Recommended Measure BIO-10. White-tailed Kite, Olive-sided Flycatcher and MBTA Nesting**

**Birds.** In the event that construction activities appear to be interfering with nest maintenance (e.g., feedings and incubation), then construction activities should be postponed until the young have fledged, as determined by the biological monitor.

**Recommended Measure BIO-11. Pallid Bat and Western Red Bat.** Although no trees (potential roost sites) are planned for removal for this project, the close proximity of construction activities adjacent to roost sites could cause abandonment. Therefore, no earlier than two weeks prior to the anticipated start of construction activities, a bat specialist should survey the trees adjacent to the work areas for roosting bats. If present, implement recommendations of the bat specialist, which could include buffer zones and/or scheduling constraints, depending on whether maternity, bachelor, wintering or night roosts are identified, or exclusion measures. Maternity roosts are most important as negative impacts can have broad, far reaching effects, since they are critical for reproduction and can support multiple generations of bats. The qualified biologist should possess the proper authorizations from CDFW to implement bat exclusion measures.

**Recommended Measure BIO-12. San Francisco Dusky-footed Woodrat.** No earlier than two weeks prior to the start of project activities, a qualified biologist should perform a pre-construction survey for woodrat houses within the project work boundaries plus a 25-foot buffer around the project site perimeter. Flag and establish buffers around each woodrat house observed. The buffer width will be determined by the qualified biologist, but will not be less than 5 feet. If a woodrat house is present within the work area and cannot be avoided, then the qualified biologist shall coordinate with CDFW for approval to implement a woodrat relocation plan. This could involve live trapping, the construction of alternate houses in adjacent suitable habitat, and relocating individuals into the newly constructed houses. The woodrat relocation plan must be implemented by a qualified biologist possessing a Scientific Collection Permit authorizing the handling of woodrats. Authorization by CDFW must be obtained prior to the implementation of this measure. Post-relocation monitoring may be required by CDFW, as part of the plan.

- e) **Local Policies.** The resource conservation chapter of the County of Santa Clara General Plan (1994) has policies that encourage retention of woodland and native trees during development, projects avoid fragmentation of habitat, and avoid disruption of wildlife movement corridors. These policies are applicable to the proposed project.
- f) **Conflict with HCP or NCCP.** The site is not located within an area covered by an HCP or NCCP. The site is not located within the Santa Clara Valley Habitat Conservation plan area.

## LITERATURE CITED AND REFERENCES

- Baldwin, B., D. Goldman, D. Keil, R Patterson, T Rosatti and D. Wilken, editors. 2012. The Jepson Manual: Vascular Plants of California. 2<sup>nd</sup> edition. University of California Press. Berkeley
- Barbour & Major, 1988. Terrestrial Vegetation of California. California Native Plant Society, Sacramento, CA
- Bolster, B. C. Ed. 1998. DRAFT Terrestrial Mammal Species of Special Concern in California. California Department of Fish and Game, Sacramento, CA.
- Bousman, W. G. 2007. Breeding Bird Atlas of Santa Clara County, California. Santa Clara Valley Audubon Society, Cupertino, CA.
- Bryan Mori Biological Consulting Services. 2017. Chiocchi Property Biological Assessment Update. Letter-report prepared for Bill Chiocchi, project applicant.
- Bulger, J. B., N. J. Scott Jr., and R. B. Seymour. 2003. Terrestrial Activity and Conservation of Adult California Red-legged Frogs (*Rana aurora draytoni*) in Coastal Forests and Grasslands. Biological Conservation 110: 85-95.
- California Native Plant Society, 2021. Electronic Inventory of Rare and Endangered Plants of California. Electronic Data Base. Los Gatos quadrangle and surrounding quadrangle search.
- California, State of, Department of Fish & Wildlife. 2021. Natural Diversity Data Base, Natural Communities. Rarefind Program.
- California Department of Fish and Game. 2021. Special Animals. List of special status animals (dated October 2021). Sacramento, California.
- California, State of, Department of Fish & Wildlife. 2020. The Vegetation Classification and Mapping Program, List of California Terrestrial Natural Communities Recognized by the CNDDDB. September 2020.
- Ellis, L. P. 2007. Biological Assessments Reports Anderegg Parcel 1 APN 558-41-030, Graziano Parcel APN 558-41-032, Anderegg Parcel APN 558-41-033, Old Santa Cruz Highway, Santa Clara County.
- Fellers, G. M. and P. M. Kleeman. 2007. California red-legged frog (*Rana aurora draytoni*) Movement and Habitat Use: Implications for Conservation. Journal of Herpetology Vol. 41(2), 276-286.
- Fellers, G. M., A. E. Launer, G. Rathbun, S. Bobzien, J. Alvarez, D. Sterner, R. Seymour, and M. Westphal. 2001. Over-wintering tadpoles in the California red-legged frog (*Rana aurora draytoni*). Herpetological Review 32(3), 156-157.

- Hayes, M. P. and M. R. Jennings. 1988. Habitat Correlates of the Distribution of the California Red-legged Frog (*Rana aurora draytoni*) and the Yellow-legged Frog (*Rana boylei*): Implications for Management. In R. Szaro, K. E. Severson and D. R. Patton (tech. coordinators), Proceedings of the Symposium of the Management of Amphibians, Reptiles and Small Mammals in North America. USDA Forest Service, General Tech. Rpt. RM-166.
- Jennings, M. R. and M. P. Hayes. 1994. Amphibian and Reptile Species of Concern in California. California Department of Fish and Game. Sacramento, CA.
- \_\_\_\_\_. 1990. The Status of California Red-legged Frog (*Rana aurora draytoni*) in Pescadero Marsh Natural Reserve. California Department of Parks and Recreation No. 4-823-9018.
- \_\_\_\_\_. 1985. Pre-1900 Over harvest of California Red-legged Frogs (*Rana aurora draytoni*): the Inducement for Bullfrog (*Rana catesbeiana*) Introduction. Herpetologica 41(1):94-103.
- Lawler, S. P., D. A. Dritz and M. Holyoak. 1999. Effects of introduced mosquitofish and bullfrogs on the threatened California red-legged frog. Conservation Biology 13: 613-622.
- NRCS/USDA, 2021. Web Soil Survey of Santa Clara County, California. United States Department of Agriculture, Soil Conservation Service. (SoilWeb).
- Rathbun, G. B., Jennings, M. R., Murphey, T. G. and N. Seipel. 1993. Status and Ecology of Sensitive Aquatic Vertebrates in Lower San Simeon and Pico Creeks, San Luis Obispo County, California. Final Report prepared for California Parks and Recreation, San Simeon, California.
- Shuford, W. D. and T. Gardali, Eds. 2008. California Bird Species of Special Concern. Studies of Western Birds No. 1, published jointly by the Western Field Ornithologists and California Department of Fish and Game.
- Stebbins, R. C. and S. M. McGinnis. 2012. Field Guide to Amphibians and Reptiles of California, Revised Edition. UC Berkeley Press.
- Thompson, R. C., Wright, A. N., and H. B. Shaffer. 2016. California Amphibian and Reptile Species of Special Concern. California Department of Fish and Wildlife.
- USFWS. 2005. U.S. Fish and Wildlife Service Guidance on Site Assessment and Field Surveys for California Red-legged Frogs. Sacramento Field Office, Sacramento, California.
- \_\_\_\_\_. 2002. Recovery plan for the California red-legged frog (*Rana aurora draytoni*). U.S. Fish and Wildlife Service, Portland, Oregon.
- \_\_\_\_\_. 1998. Federal Register/Vol. 63, No. 155/Wednesday, August 12 1998/Proposed Rules.
- \_\_\_\_\_. 1996. Federal Register/Vol. 61, No. 101, Thursday May 23, 1996/Rules and Regulations.
- Vaughn Forestry. 2021. Arborist Report Addendum Letter. Prepared for Bill Chiocchi, dated April 2021.