East Contra Costa County
Habitat Conservation Plan
Natural Community
Conservation Plan

City of Brentwood
City of Clayton
City of Oakley
City of Pittsburg
Contra Costa County
ECCC Habitat Conservancy

City of Pittsburg
Application Form and Planning Survey Report to Comply with and Receive Permit Coverage under the East Contra Costa County Habitat Conservation Plan and Natural Community Conservation Plan

Project Applicant Information:

Project Name: Tuscany Meadows

Project Applicant's Company/Organization: Discovery Builders, Inc

Contact's Name: Ms. Noelle Ortland

Contact's Phone: 925 682-6419 Fax: 925 689-2047

Contact's Email: NOrtland@discoverybuilders.com

Mailing Address: Discovery Builders, Inc.
c/o Ms. Noelle Ortland
4061 Port Chicago Highway
Concord, Ca. 94520

Project Description:

Lead Planner: Kristin Vahl

Project Location: South of Buchanan Road and west of Somersville Road

Project APN #s: 089-015-013

Number of Proposed Parcels/Units: 1,365, plus landscaped (common) parcels

Size of Parcels: Average lot size = 4,395+/- square feet

Project Description/Purpose (Brief): Residential Development - Single Family Detached/Multi-family

Biologist Information:

Biological/Environmental Firm: Moore Biological Consultants

Lead Contact: Diane S. Moore, M.S.

Contact's Phone: (209) 745-1159 Fax: (209) 745-7513

Contact's Email: moorebio@softcom.net

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Galt, CA 95632

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East Contra Costa County HCP/NCCP Planning Survey Report for Highlands Ranch II City of Pittsburg

I. Project Overview

Project proponent: Discovery Builders, Inc.

Project Name: Tuscany Meadows

Application Submittal Date: June 2012

Jurisdiction:
☐ Contra Costa County ☐ Participating Special Entity[1]
☐ City of Oakley
☒ City of Pittsburg
☐ City of Clayton
☐ City of Brentwood

Check appropriate Development Fee Zone(s):
☐ Zone I ☐ Zone IV
☒ Zone II
☐ Zone III

See Figure 9-1 of the Final HCP/NCCP for a generalized development fee zone map. Detailed development fee zone maps by jurisdiction are available from the jurisdiction or at www.eccdfpce.org

Total Parcel Acreage: 169.67

Acreage of land to be permanently disturbed[1]: 169.67

Acreage of land to be temporarily disturbed[2]: 0

[1] *Participating Special Entities* are organizations not subject to the authority of a local jurisdiction. Such organizations may include school districts, water districts, irrigation districts, transportation agencies, local park districts, geologic hazard abatement districts, or other utilities or special districts that own land or provide public services.

[1] *Acreage of land permanently disturbed* is broadly defined in the HCP/NCCP to include all areas removed from an undeveloped or habitat-providing state and includes land in the same parcel or project that is not developed, graded, physically altered, or directly affected in any way but is isolated from natural areas by the covered activity. Unless such undeveloped land is dedicated to the Preserve System or is a deed-restricted creek setback, the development fee will apply. The development fees were calculated with the assumption that all undeveloped areas within a parcel (e.g., fragments of undisturbed open space within a residential development) would be charged a fee; the fee per acre would have been higher had this assumption not been made. See Chapter 9 of the HCP/NCCP for details.

[2] *Acreage of land temporarily disturbed* is broadly defined in the HCP/NCCP as any impact on vegetation or habitat that does not result in permanent habitat removal (i.e. vegetation can eventually recover).

Project Description

Concisely and completely describe the project and location. Reference and attach a project vicinity map **(Figure 1)** and the project site plans **(Figure 2)** for the proposed project. Include all activities proposed for site, including those disturbing ground (roads, bridges, outfalls, runoff treatment facilities, parks, trails, etc.) to ensure the entire project is covered by the HCP/NCCP permit. Also include proposed construction dates. Reference a City/County application number for the project where additional project details can be found.

City/County Application Number: Subdivision 8654

Anticipated Construction Date: 2014

Project Description:

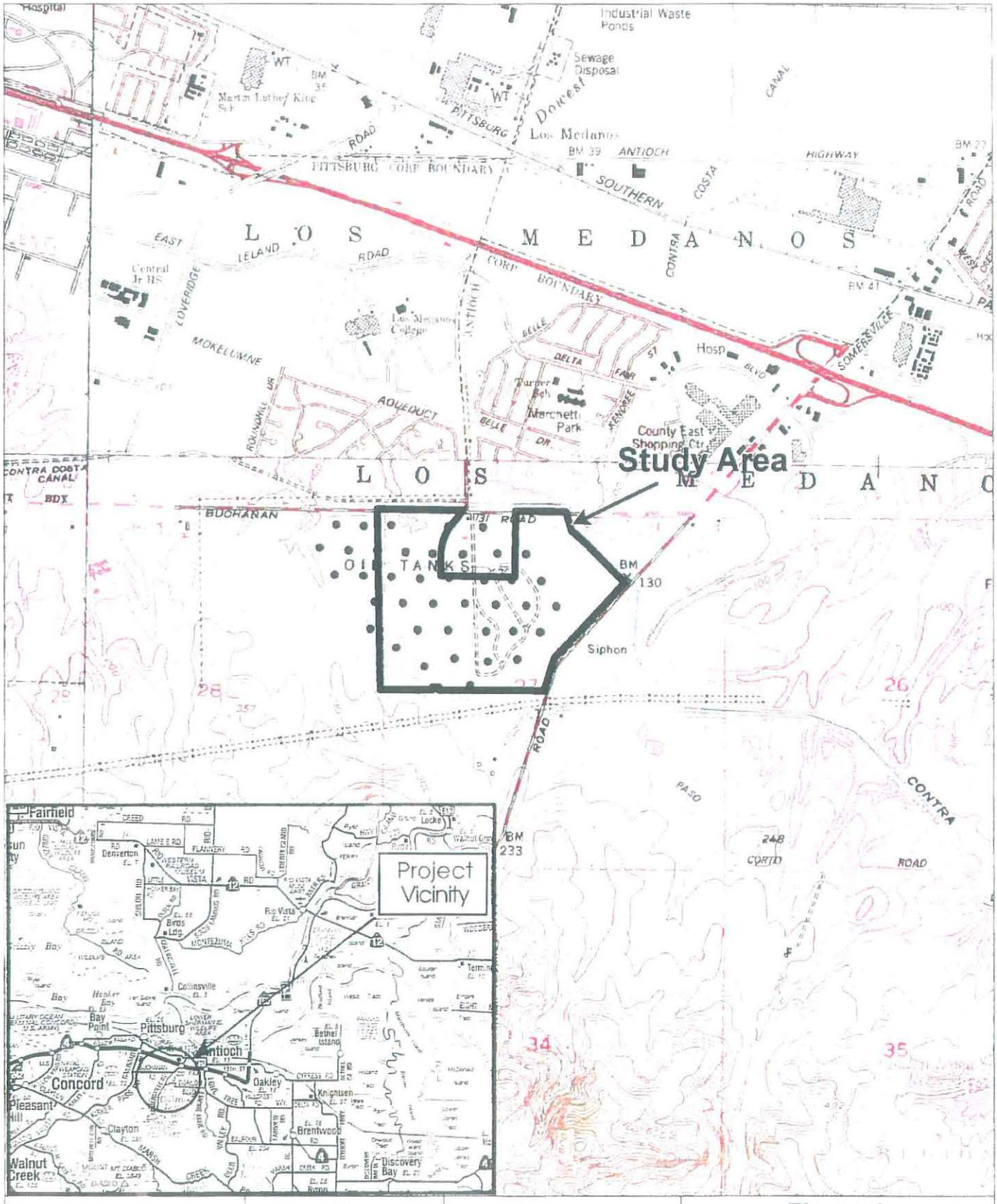
This is an approximately 169.7+/- acre site in southeast Pittsburg designated for Residential development per the Pittsburg General Plan. The site is within Section 27 in Township 2 North, Range 1 East of the USGS 7.5-minute Antioch South topographic quadrangle (Figure 2). The proposed project is for single family residential homes and is zoned RS-4 and RH.

II. Existing Conditions and Impacts

Land Cover Types

In completing the checklist in Table 1, click in the appropriate fields and type the relevant information. Please calculate acres of terrestrial land cover types to nearest tenth of an acre. Calculate the areas of all jurisdictional wetlands and waters land cover types to the nearest hundredth of an acre. If the field is not applicable, please enter N/A. The sum of the acreages in the *Acreage of land to be "permanently disturbed" and "temporarily disturbed" by project* column should equal the total impact acreage listed above.

Land cover types and habitat elements identified with an ([a]) in Table 1 require identification and mapping of habitat elements for selected covered wildlife species. In Table 2a and 2b below, check the land cover types and habitat elements found in the project area and describe the results. Insert a map of all land cover types present on-site and other relevant features overlaid on an aerial photo below as Figure 3a.



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USGS Base Map:
ANTIOCH SOUTH, CA
7.5 minute topographic quadrangle
Sections: 27&28
Township: 02N
Range: 01E

Figure 1

SITE MAP/USGS

Tuscany Meadows

Contra Costa County, CA

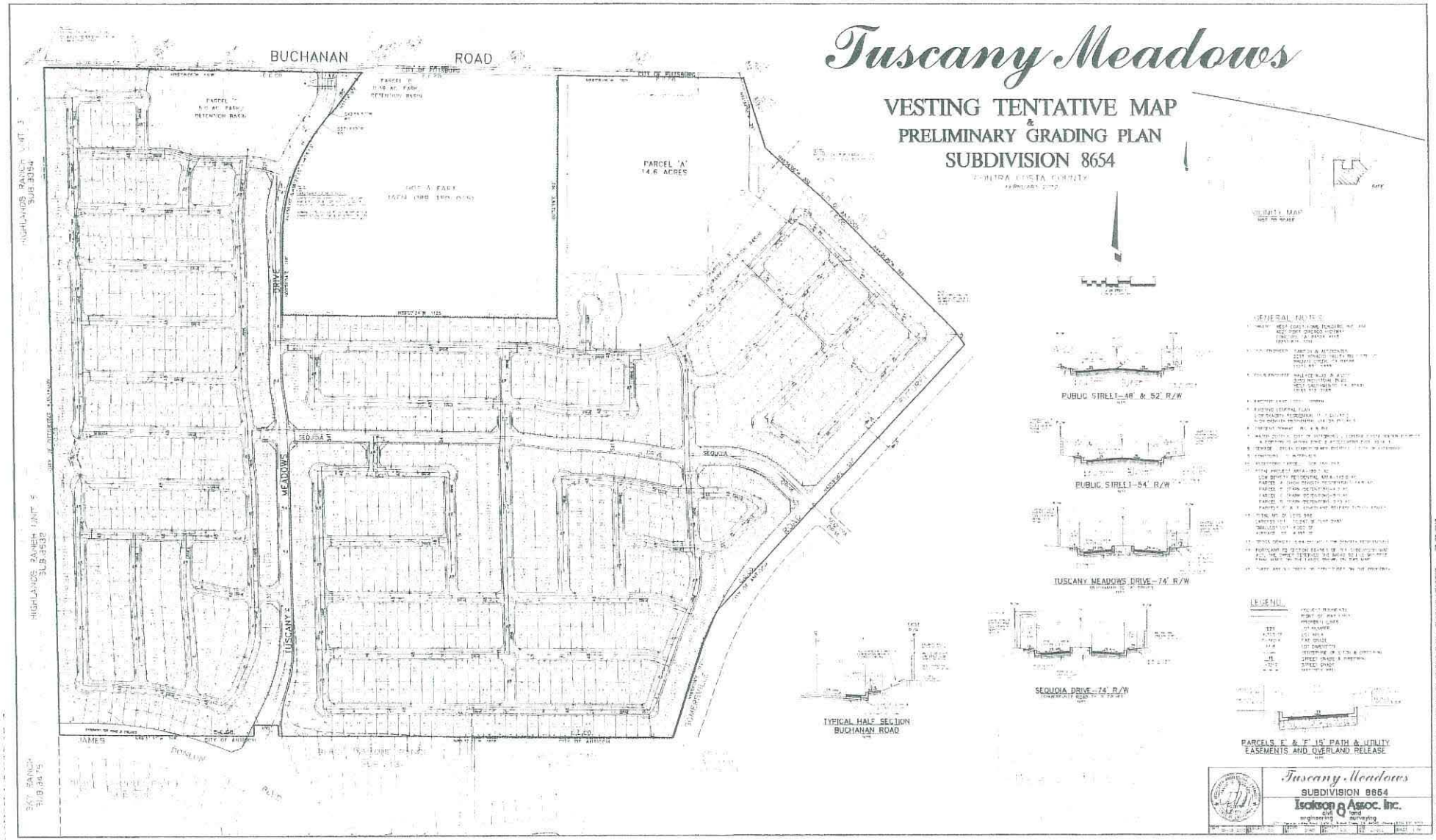


FIGURE 2. TENTATIVE MAP

Figure 3a

Field Verified Land Cover Map

Tuscany Meadows

Contra Costa County, CA

Moore Biological Consultants

N W E S

0 200 400 800

Scale in Feet

Table 1. Land Cover Types on the Project Site as Determined in the Field and Shown in Figures 3a and 3b.

Land Cover Type (acres, except where noted)	Acreage of Land to be "Permanently Disturbed" by Project[b]	Acreage of Land to be "Temporarily Disturbed" by Project[b]	Acreage of Land Proposed for HCP/NCCP Dedication on the Parcel:	
			Stream Setback	Preserve System Dedication
Grassland[a]				
☐ Annual grassland	N/A	N/A	N/A	N/A
☐ Alkali grassland	N/A	N/A	N/A	N/A
☒ Ruderal	169.7+/-	N/A	N/A	N/A
☐ **Chaparral and scrub**	N/A	N/A	N/A	N/A
☐ **Oak savanna**[a]	N/A	N/A	N/A	N/A
☐ **Oak woodland**	N/A	N/A	N/A	N/A
Jurisdictional wetlands and waters				
☐ Riparian woodland/scrub	N/A	N/A	N/A	N/A
☐ Permanent wetland[a]	N/A	N/A	N/A	N/A
☐ Seasonal wetland[a]	N/A	N/A	N/A	N/A
☐ Alkali wetland[a]	N/A	N/A	N/A	N/A
☐ Aquatic (Reservoir/Open Water)[a]	N/A	N/A	N/A	N/A
☐ Slough/Channel[a]	N/A	N/A	N/A	N/A
☐ Pond[a]	N/A	N/A	N/A	N/A
☐ Stream (acres) [a, d]	N/A	N/A	N/A	N/A
☐ Total stream length (feet) [a, d]	N/A	N/A	N/A	N/A
Stream length by width category				
☐ ≤ 25 feet wide	N/A	N/A	N/A	N/A
☐ > 25 feet wide	N/A	N/A	N/A	N/A
Stream length by type and order[e]				
☐ Perennial	N/A	N/A	N/A	N/A
☐ Intermittent	N/A	N/A	N/A	N/A
☐ Ephemeral, 3rd or higher order	N/A	N/A	N/A	N/A
☐ Ephemeral, 1st or 2nd order	N/A	N/A	N/A	N/A
Irrigated agriculture[a]				
☐ Cropland	N/A	N/A	N/A	N/A
☐ Pasture	N/A	N/A	N/A	N/A
☐ Orchard	N/A	N/A	N/A	N/A
☐ Vineyard	N/A	N/A	N/A	N/A

Land Cover Type (acres, except where noted)	Acreage of Land to be "Permanently Disturbed" by Project[b]	Acreage of Land to be "Temporarily Disturbed" by Project[b]	Acreage of Land Proposed for HCP/NCCP Dedication on the Parcel[c]	
			Stream Setback	Preserve System Dedication
Other				
☐ Nonnative woodland	N/A	N/A	N/A	N/A
☐ Wind turbines	N/A	N/A	N/A	N/A
Developed				
☐ Urban	N/A	N/A	N/A	N/A
☐ Aqueduct	N/A	N/A	N/A	N/A
☐ Turf	N/A	N/A	N/A	N/A
☐ Landfill	N/A	N/A	N/A	N/A
Uncommon Vegetation Types (subtypes of above land cover types)				
☐ Purple needlegrass grassland	N/A	N/A	N/A	N/A
☐ Wildrye grassland	N/A	N/A	N/A	N/A
☐ Wildflower fields	N/A	N/A	N/A	N/A
☐ Squirreltail grassland	N/A	N/A	N/A	N/A
☐ One-sided bluegrass grassland	N/A	N/A	N/A	N/A
☐ Serpentine grassland	N/A	N/A	N/A	N/A
☐ Saltgrass grassland (= alkali grassland)	N/A	N/A	N/A	N/A
☐ Alkali sacaton bunchgrass grassland	N/A	N/A	N/A	N/A
☐ Other uncommon vegetation types (please describe)	[describe additional uncommon vegetation types here]			
Uncommon Landscape Features or Habitat Elements				
☐ Rock outcrop	N/A	N/A	N/A	N/A
☐ Cave[a]	N/A	N/A	N/A	N/A
☐ Springs/seeps	N/A	N/A	N/A	N/A
☐ Scalds	N/A	N/A	N/A	N/A
☐ Sand deposits	N/A	N/A	N/A	N/A
☐ Mines[a]	—	—		—
☐ Buildings (bat roosts)[a]	—	—		—
☐ Potential nest sites (trees or cliffs)[a]	—	—		—
Total (Developed Acres)	169.7	N/A	N/A	N/A

Land Cover Type (acres, except where noted)	Acreage of Land to be "Permanently Disturbed" by Project[b]	Acreage of Land to be "Temporarily Disturbed" by Project[b]	Acreage of Land Proposed for HCP/NCCP Dedication on the Parcel[c]	
			Stream Setback	Preserve System Dedication

[a] Designates habitat elements that may trigger specific survey requirements and/or best management practices for key covered wildlife species. See Chapter 6 in the HCP/NCCP for details.

[b] See Section 9.3.1 of the HCP/NCCP for a definition of "permanently disturbed" and "temporarily disturbed." In nearly all cases, all land in the subject parcel is considered permanently disturbed.

[c] Dedication of land in lieu of fees must be approved by the local agency and the Implementing Entity before they can be credited toward HCP/NCCP fees. See Section 8.6.7 on page 8-32 of the Plan for details on this provision. Stream setback requirements are described in Conservation Measure 1.7 in Section 6.4.1 and in Table 6-2.

[d] Specific requirements on streams are discussed in detail in the HCP/NCCP. Stream setback requirements pertaining to stream type and order can be found in Table 6-2. Impact fees and boundary determination methods pertaining to stream width can be found in Table 9-5. Restoration/creation requirements in lieu of fees depend on stream type and can be found in Tables 5-16 and 5-17.

[e] See glossary (Appendix A) for definition of stream type and order.

Field-Verified Land Cover Map

Insert field-verified land cover map. The map should contain all land cover types present on-site. The map should be representative of an aerial photo. Identify all pages of the field-verified land cover map as **(Figure 3a). Please attach representative photos of the project site (Figure 3b).**

Jurisdictional Wetlands and Waters

Jurisdictional wetlands and waters are defined on pages 1-18 and 1-19 of the Final HCP/NCCP as the following land cover types: permanent wetland, seasonal wetland, alkali wetland, aquatic, pond, slough/channel, and stream. (It should be noted that definitions of these features differ for state and federal jurisdictions.) If you have identified any of these land cover types to be present on the project site in Table 1, complete the section below.

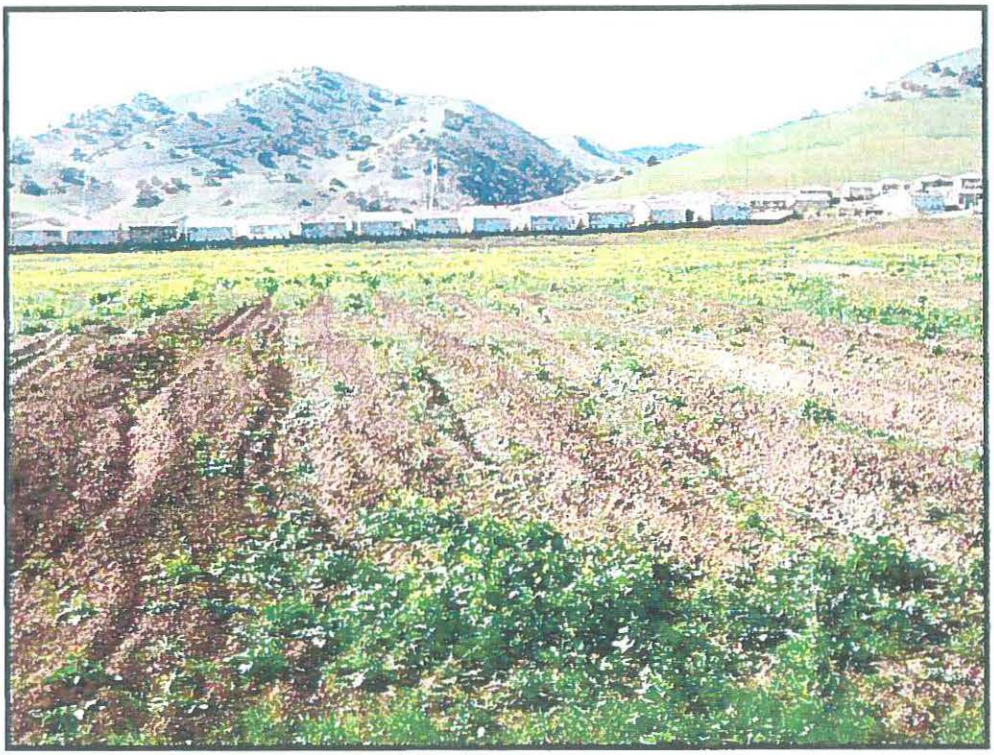
Indicate agency that certified the wetland delineation:

☐ USACE, ☐ RWQCB, or ☐ the ECCC Habitat Conservancy

☐ Wetland delineation is attached (Jurisdictional Determination)

Provide any additional information on Impacts to Jurisdictional Wetland and Waters below.

Planted oat crop with volunteer mustard in the northeast part of the site, looking south; 04/04/12.



Recently disked grassland in the north-central part of the site, looking south; 04/04/12.

FIGURE 3b

MOORE BIOLOGICAL

REPRESENTATIVE PHOTOGRAPHS

Species-Specific Planning Survey Requirements

Based on the land cover types found on-site and identified in Table 1, check the applicable boxes in Table 2a then provide the results of the planning surveys below. In Table 3 check corresponding preconstruction survey or notification requirements that are triggered by the presence of particular landcover types or species habitat elements as identified in Table 2a. The species-specific planning survey requirements are described in more detail in Section 6.4.3 of the HCP/NCCP.

Table 2a. Species-Specific Planning Survey Requirements Triggered by Land Cover Types and Habitat Elements in the project area based on Chapter 6 of the Final HCP/NCCP.

Land Cover Type in the project area?	Species	Habitat Element in the project area?	Planning Survey Requirement
☒ Grasslands, oak savanna, agriculture, ruderal	San Joaquin kit fox	Assumed if within modeled range of species	Identify and map potential breeding and denning habitat and potential dens if within modeled range of species (see Appendix D of HCP/NCCP).
	Western burrowing owl	Assumed	Identify and map potential breeding habitat.
☐ Aquatic (ponds, wetlands, streams, slough, channels, & marshes)	Giant garter snake	☐ Aquatic habitat accessible from San Joaquin River	Identify and map potential habitat.
	California tiger salamander	☐ Ponds and wetlands in grassland, oak savanna, oak woodland ☐ Vernal pools ☐ Reservoirs ☐ Small lakes	Identify and map potential breeding habitat. Document habitat quality and features. Provide Implementing Entity with photo-documentation and report.
	California red-legged frog	☐ Slow-moving streams, ponds, and wetlands	Identify and map potential breeding habitat. Document habitat quality and features. Provide Implementing Entity with photo-documentation and report.
☐ Seasonal wetlands	Covered shrimp	☐ Vernal pools ☐ Sandstone rock outcrops ☐ Sandstone depressions	Identify and map potential breeding habitat.
Any	Townsend's big-eared bat	☐ Rock formations with caves ☐ Mines ☐ Abandoned buildings outside urban areas	Map and document potential breeding or roosting habitat.

Land Cover Type in the project area?	Species	Habitat Element in the project area?	Planning Survey Requirement
	Swainson's hawk	☐ Potential nest sites (trees within species' range usually below 200'). **Note: no trees in the site; only a few large trees near the site.**	Inspect large trees for presence of nest sites.
	Golden eagle	☐ Potential nest sites (secluded cliffs with overhanging ledges; large trees). **Note: no trees in the site; only a few large trees near the site. No cliffs in or near the site.**	Document and map potential nests.

[a] Vernal pool fairy shrimp, vernal pool tadpole shrimp, longhorn fairy shrimp, and midvalley fairy shrimp.

Results of Species-Specific Planning Surveys Required in Table 2a

1. Describe the results of the planning survey conducted as required in Table 2a. Planning surveys will assess the location, quantity, and quality of suitable habitat for specified covered wildlife species on the project site. Covered species are assumed to occupy suitable habitat in impact areas and mitigation is based on assumption of take.

General Setting: The Highlands Ranch II Subdivision site is located in Pittsburg, Contra Costa County, California (Figure 1). The site is within Section 27, within Township 2 North, Range 1 East of the USGS 7.5-minute Antioch South topographic quadrangle (Figure 2). The site is situated at elevations of approximately 100 to 150 feet above mean sea level and slopes gently to the northeast. The site was historically used as a tank farm for oil storage and the soil throughout the site has been tilled and processed subject to ongoing remediation efforts. Land uses in this portion of Pittsburg were primarily agricultural and industrial, but have been converting to primarily residential uses. There are subdivisions directly adjacent to the north, west, and south sides of the site (Figure 4). There is an industrial site to the southeast of the site, across Somersville Road.

Vegetation and Habitat Types: The site is best described as historical California annual grassland series (Sawyer and Keeler-Wolf, 1995) that has been highly disturbed by industrial use, agricultural use, and other human activities. The site has been farmed in dryland hay crops for the past several years and most of the site supported an oat (*Avena fatua*) crop that had not yet been harvested during the April 4, 2012 field survey (Figure 3b). The oats are site intermixed with various native and non-native annual grass and weed species including perennial ryegrass (*Lolium perenne*), foxtail barley (*Hordeum murinum*), rancher's fireweed (*Amsinckia menziesii*), bull thistle (*Cirsium vulgare*), filaree (*Erodium botrys*), yellow star-thistle (*Centaurea solstitialis*), and rose clover (*Trifolium hirtum*). There is very little vegetation in the north-central part of the site (Figure 3b).

There are no trees or shrubs in the site. There are a few relatively large off-site ornamentals along the edges of the Chevron facilities parcel on the south side of Buchannan road that has a 10' concrete precast wall which borders three sides of the site.

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Figure 4

N
W E
S

0 200 400 800

Scale in Feet

Planning Survey
Species Habitat Map

Tuscany Meadows

Contra Costa County, CA

San Joaquin Kit Fox: The site is ruderal annual grassland (Figure 4) that is within the range of San Joaquin kit fox (*Vulpes macrotis mutica*), mapped as "Suitable Core Habitat" in the modeled range of the species as mapped in Appendix D. The site was inspected for burrows or dens with evidence of kit fox occupancy (i.e. scat, tracks) or burrows or dens that meet the dimensional criteria for kit fox. Comprehensive inspection of potential den habitat was accomplished by driving and walking meandering transects throughout the property. No potential San Joaquin kit fox dens were observed.

Western Burrowing Owl: The site is ruderal annual grassland (Figure 4) that is within the range of western burrowing owl (*Athene cunnicularia*). The site and visible areas on adjacent lands were inspected for burrowing owls and ground squirrel burrows with evidence of burrowing owl occupancy (i.e., white wash, pellets, feathers). Comprehensive inspection of potential burrowing owl habitat was accomplished by driving and walking meandering transects throughout the property. No western burrowing owls or burrows with evidence of burrowing owl occupancy were observed.

Swainson's Hawk: The site is ruderal annual grassland along the extreme western edge of the range of Swainson's hawks (*Buteo swainsoni*). There are no potential nest trees in the site, although there are some relatively large potential nest trees in the Chevron facilities parcel on the south side of Buchannan road that is bounded on three sides by the site (Figure 4). Trees visible from the site were inspected for raptor stick nests. No nests were observed in off-site trees visible from the site. **No Swainson's hawks were observed and no active Swainson's hawks were located during the 2012 survey, which was conducted during the nesting season of this species. It is considered unlikely this species will nest in the trees in parcels near the site in the future.**

Golden Eagle: The site is ruderal annual grassland and is within the range of golden eagles (*Aquila chrysaetos*). There are no potential nest trees in the site, although there are some relatively large potential nest trees in the Chevron facilities parcel on the south side of Buchannan road that is bounded on three sides by the site (Figure 4). Trees visible from the site were inspected for raptor stick nests. No nests were observed in off-site trees visible from the site. **No golden eagles were observed and this species nests more often on cliffs than in trees.**

2. Reference and attach the Planning Survey Species Habitat Maps as required in Table 2a (Figure 4).

Covered and No-Take Plants

On suitable land cover types, surveys for covered and no-take plants must be conducted using approved CDFG/USFWS methods during the appropriate season to identify any covered or no-take plant species that may occur on the site (see page 6-9 of the Final HCP/NCCP). Based on the land cover types found in the project area and identified in Table 1, check the applicable boxes in Table 2b and provide a summary of survey results as required below. If any no-take plants are found in the project area, the provisions of Conservation Measure 1.11 must be followed (see *Avoidance and Minimization Measures* below).

Table 2b. Covered and No-Take Plant Species, Typical Habitat Conditions, and Typical Blooming Periods

Land Cover Type in the project area?	Plant Species	Covered (C) or No-Take (N)?	Typical Habitat or Physical Conditions, if Known	Typical Blooming Period[a]
☐ Oak savanna	Diablo Helianthella (*Helianthella castanea*)	C	Elevation above 650 feet[b]	Mar–Jun
	Mount Diablo fairy-lantern (*Calochortus pulchellus*)	C	Elevation between 650 and 2,600 feet[b]	Apr–Jun
☐ Oak woodland	Brewer's dwarf flax (*Hesperolinon breweri*)	C		May–Jul
	Diablo Helianthella (*Helianthella castanea*)	C	Elevation above 650 feet[b]	Mar–Jun
	Mount Diablo fairy-lantern (*Calochortus pulchellus*)	C	Elevation between 650 and 2,600 feet[b]	Apr–Jun
	Showy madia (*Madia radiata*)	C		Mar–May
☐ Chaparral and scrub	Brewer's dwarf flax (*Hesperolinon breweri*)	C		May–Jul
	Diablo Helianthella (*Helianthella castanea*)	C	Elevation above 650 feet[b]	Mar–Jun
	Mount Diablo buckwheat (*Eriogonum truncatum*)	N		Apr–Sep; uncommonly Nov–Dec.
	Mount Diablo fairy-lantern (*Calochortus pulchellus*)	C	Elevation between 650 and 2,600 feet[b]	Apr–Jun
	Mount Diablo Manzanita (*Arctostaphylos auriculata*)	C	Elevation between 700 and 1,860 feet; restricted to the eastern and northern flanks of Mt. Diablo[b]	Jan–Mar
☐ Alkali grassland	Brittlescale (*Atriplex depressa*)	C	Restricted to soils of the Pescadero or Solano soil series; generally found in southeastern region of plan area[b]	May–Oct
	Caper-fruited tropidocarpum (*Tropidocarpum capparideum*)	N		Mar-Apr
	Contra Costa goldfields (*Lasthenia conjugens*)	N	Generally found in vernal pools	Mar–Jun
	Recurved larkspur (*Delphinium recurvatum*)	C		Mar–Jun

Land Cover Type in the project area?	Plant Species	Covered (C) or No-Take (N)?	Typical Habitat or Physical Conditions, if Known	Typical Blooming Period[a]
	San Joaquin spearscale (*Atriplex joaquiniana*)	C		Apr-Oct
☐ Alkali wetland	Alkali milkvetch (*Astragalus tener* ssp. *tener*)	N		Mar–Jun
	Brittlescale (*Atriplex depressa*)	C	Restricted to soils of the Pescadero or Solano soil series; generally found in southeastern region of plan area[b]	May–Oct
	San Joaquin spearscale (*Atriplex joaquiniana*)	C		Apr–Oct
☒ Annual grassland	Alkali milkvetch (*Astragalus tener* ssp. *tener*)	N		Mar–Jun
	Big tarplant (*Blepharizonia plumosa*)	C	Elevation below 1500 feet[b]	Jul–Oct
	Brewer's dwarf flax (*Hesperolinon breweri*)	C	Restricted to grassland areas within a 500+ buffer from oak woodland and chaparral/scrub[b]	May–Jul
	Contra Costa goldfields (*Lasthenia conjugens*)	N	Generally found in vernal pools	Mar–Jun
	Diamond-petaled poppy (*Eschscholzia rhombipetala*)	N		Mar–Apr
	Large-flowered fiddleneck (*Amsinckia grandiflora*)	N		Apr–May
	Mount Diablo buckwheat (*Eriogonum truncatum*)	N		Apr–Sep; uncommonl y Nov–Dec
	Mount Diablo fairy-lantern (*Calochortus pulchellus*)	C	Elevation between 650 and 2,600[b]	Apr–Jun
	Round-leaved filaree (*California macrophylla*)[1]	C		Mar–May
	Showy madia (*Madia radiata*)	C		Mar–May

Land Cover Type in the project area?	Plant Species	Covered (C) or No-Take (N)?	Typical Habitat or Physical Conditions, if Known	Typical Blooming Period[a]
☐ Seasonal wetland	Adobe navarretia (*Navarretia nigelliformis* ssp. *nigelliformis*)	C	Generally found in vernal pools[b]	Apr–Jun
	Alkali milkvetch (*Astragalus tener* sp. *tener*)	N		Mar–Jun
	Contra Costa goldfields (*Lasthenia conjugens*)	N	Generally found in vernal pools	Mar–Jun

[a] From California Native Plant Society. 2007. *Inventory of Rare and Endangered Plants* (online edition, v7-07d). Sacramento, CA. Species may be identifiable outside of the typical blooming period; a professional botanist shall determine if a covered or no take plant occurs on the project site.

[b] See Species Profiles in Appendix D of the Final HCP/NCCP.

Results of Covered and No-Take Plant Species Planning Surveys Required in Table 2b

Describe the results of the planning survey conducted as required in Table 2b. Describe the methods used to survey the site for all covered and no-take plants, including the dates and times of all survey's conducted (see Tables 3-8 and 6-5 of the HCP/NCCP for covered and no-take plants). In order to complete all the necessary covered and no-take plant surveys, both spring and fall surveys are required, check species survey requirements below.

If any covered or no-take plants were found, include the following information in the results summary:

- Description and number of occurrences and their rough population size.
- Description of the "health" of each occurrence, as defined on pages 5-49 and 5-50 of the HCP/NCCP.
- A map of all the occurrences.
- Justification of surveying time window, if outside of the plant's blooming period.
- The CNDDB form(s) submitted to CDFG (if this is a new occurrence).

A description of the anticipated impacts that the covered activity will have on the occurrence and/or how the project will avoid impacts to all covered and no-take plant species. All projects must demonstrate avoidance of all six no-take plants (see table 6-5 of the HCP/NCCP).

Survey Methods

A survey to assess potentially suitable habitat for special-status plants and search for special-status plants was undertaken on April 4, 2012. The site was systematically searched by driving and walking throughout the site.

Survey Results and Discussion

The site is ruderal annual grassland. On-site grasslands are highly disturbed by past industrial uses, past and ongoing soil remediation efforts, and also routine disking. No covered or no-take plants were observed or are expected to occur in the project site. Each of the plant species identified in Table 2b as potentially occurring in annual grassland habitats is discussed below.

Alkali Milkvetch: The California Native Plant Society (CNPS) on-line Inventory of Rare and Endangered Plants (2010) describes alkali milkvetch (*Astragalus tener* ssp. *tener*) as occurring in annual grasslands in adobe clay soils, and alkaline vernal pools, at elevations between 0 and 60 meters above sea level. **There is no suitable habitat in the site for this species**. The CNPS Inventory describes this species as extirpated (i.e., no longer existent) in Contra Costa County.

Big Tarplant: The CNPS Inventory describes big tarplant (*Blepharizonia plumosa*) as occurring in annual grassland habitats at elevations between 30 and 505 meters above sea level. **The highly disturbed ruderal grassland in the site does not provide suitable habitat for this species. The site is not mapped in the ECCCHCP/NCCP as either "Suitable Low Potential Habitat" or "Suitable Habitat" for this species (Appendix Figure D-21c).**

Brewer's Dwarf Flax: The CNPS Inventory describes Brewer's dwarf flax (*Hesperolinon breweri*) as occurring in annual grasslands, usually in serpentinite soils, at elevations between 90 and 900 meters above sea level. The site is below the elevation range of Brewer's dwarf flax. **The site is not mapped in the ECCCHCP/NCCP as either "Suitable Low Potential Habitat" or "Suitable Habitat" for this species (Appendix Figure D-26c).**

Contra Costa Goldfields: The CNPS Inventory describes Contra Costa goldfields (*Lasthenia conjugens*) as occurring in annual grassland habitats and vernal pools at elevations between 0 and 470 meters above sea level. **There are no vernal pools in the site.**

Diamond-petaled Poppy: The CNPS Inventory describes diamond-petaled poppy (*Eschscholzia rhombipetala*) as occurring in annual grassland habitats with alkaline or clay soils, at elevations between 0 and 975 meters above sea level. **No areas of alkaline or clay soils were observed in the site.** The CNPS Inventory describes this species as extirpated in Contra Costa County.

Large-flowered Fiddleneck: The CNPS Inventory describes large-flowered fiddleneck (*Amsinckia grandiflora*) as occurring in annual grassland habitats at elevations between 275 and 550 meters above sea level. **The site is far below the elevation range of this species.**

Mount Diablo Buckwheat: The CNPS Inventory describes Mount Diablo buckwheat (*Eriogonum truncatum*) as occurring in annual grassland habitats with sandy soils, at elevations between 3 and 350 meters above sea level. The highly disturbed condition of the ruderal grassland in the site greatly reduces the suitability of the site for this species. **The CNPS Inventory describes Mount Diablo buckwheat as now being known from only one population in Contra Costa County, within Mount Diablo State Park.**

Mount Diablo Fairy-lantern: The CNPS Inventory describes Mount Diablo fairy-lantern (*Calochortus pulchellus*) as occurring in annual grassland habitats with sandy soils, at elevations between 30 and 840 meters above sea level. In contrast, the ECCCHCP/NCCP describes this species as occurring at elevations between 650 and 2,600 feet above sea level. Either way, the site is below the elevation range of the species. **The site is not mapped in the ECCCHCP/NCCP as "Suitable Habitat" for this species (Appendix Figure D-22c).**

Round-leaved Filaree: The CNPS Inventory describes round-leaved filaree (*California macrophylla*) as occurring in cismontane woodland habitats and annual grassland habitats with

clay soils, at elevations between 15 and 1,200 meters above sea level. The highly disturbed condition of the ruderal grassland in the site greatly reduces the suitability of the site for this species. The site is at the low end or below the elevation range of round-leaved filaree. **The site is not mapped in the ECCCHCP/NCCP as either "Primary Habitat" or "Secondary Habitat" for this species (Appendix Figure D-24c).**

Showy Madia: The CNPS Inventory describes showy madia (*Madia radiata*) as occurring in annual grassland habitats at elevations between 25 and 900 meters above sea level. The highly disturbed condition of the ruderal grassland in the site greatly reduces the suitability of the site for showy madia. The CNPS Inventory describes this species as extirpated in Contra Costa County, and there are no known records of showy madia in the ECCCHCP/NCCP planning area.

III. Species-Specific Monitoring and Avoidance Requirements

This section discusses subsequent actions that are necessary to ensure project compliance with Plan requirements. Survey requirements and Best Management Practices pertaining to selected covered wildlife species are detailed in Section 6.4.3, *Species-Level Measures*, beginning on page 6-36 of the Final HCP/NCCP.

Preconstruction Surveys for Selected Covered Wildlife

If habitat for selected covered wildlife species identified in Table 2a was found to be present in the project area. In Table 3, identify the species for which preconstruction surveys or notifications are required based on the results of the planning surveys. Identify whether a condition of approval has been inserted into the development contract to address this requirement.

Table 3. Applicable Preconstruction Survey and Notification Requirements based on Land Cover Types and Habitat Elements Identified in Table 2a.

Species	Preconstruction Survey and Notification Requirements
☐ None	
☒ San Joaquin kit fox (p. 6-38)	Map all dens (>5 in. diameter) and determine status. Determine if breeding or denning foxes are in the project area. Provide written preconstruction survey results to FWS within 5 working days after surveying.
☒ Western burrowing owl (p. 6-40)	Map all burrows and determine status. Document use of habitat (e.g. breeding, foraging) in/near disturbance area (within 500 ft.)
☐ Giant garter snake (p. 6-44)	Delineate aquatic habitat up to 200 ft. from water's edge. Document any sightings of garter snake.
☐ California tiger salamander (p. 6-46) (notification only)	Provide written notification to USFWS and CDFG regarding timing of construction and likelihood of occurrence in the project area.

☐ California red-legged frog (p. 6-47) (notification only)	Provide written notification to USFWS and CDFG regarding timing of construction and likelihood of occurrence in the project area.
☐ Covered shrimp species (p. 6-47)	Document and evaluate use of all habitat features (e.g., vernal pools, rock outcrops). Document occurrences of covered shrimp.
☐ Townsend's big-eared bat (p. 6-37)	Determine if site is occupied or shows signs of recent occupation (guano).
☒ Swainson's hawk (p. 6-42)	Determine whether nests are occupied.
☒ Golden eagle (p. 6-39)	Determine whether nests are occupied.
Note: Page numbers refer to the HCP/NCCP.	

Preconstruction Surveys as Required for Selected Covered Wildlife in Table 3

Describe the preconstruction survey's or notification conditions applicable to any species checked in Table 3. All preconstruction surveys shall be conducted in accordance with the requirements set forth in Section 6.4.3, *Species-Level Measures*, and Table 6-1 of the HCP/NCCP.

San Joaquin Kit Fox: Prior to any ground disturbance related to covered activities, a USFWS/CDFG approved biologist will conduct a preconstruction survey in areas identified in the planning surveys as supporting suitable breeding or denning habitat for San Joaquin kit fox. The surveys will establish the presence or absence of San Joaquin kit foxes and/or suitable dens and evaluate use by kit foxes in accordance with USFWS survey guidelines (U.S. Fish and Wildlife Service 1999). Preconstruction surveys will be conducted within 30 days of ground disturbance. On the parcel where the activity is proposed, the biologist will survey the proposed disturbance footprint and a 250-foot radius from the perimeter of the proposed footprint to identify San Joaquin kit foxes and/or suitable dens.
Adjacent parcels under different land ownership will not be surveyed. The status of all dens will be determined and mapped. Written results of preconstruction surveys will be submitted to USFWS within 5 working days after survey completion and before the start of ground disturbance. Concurrence is not required prior to initiation of covered activities.

If San Joaquin kit foxes and/or suitable dens are identified in the survey area, the measures described below will be implemented.

Western Burrowing Owl: Prior to any ground disturbance related to covered activities, a USFWS/CDFG approved biologist will conduct a preconstruction survey in areas identified in the planning surveys as having potential burrowing owl habitat. The surveys will establish the presence or absence of western burrowing owl and/or habitat features and evaluate use by owls in accordance with CDFG survey guidelines (California Department of Fish and Game 1993).

On the parcel where the activity is proposed, the biologist will survey the proposed disturbance footprint and a 500-foot radius from the perimeter of the proposed footprint to identify burrows and owls. Adjacent parcels under different land ownership will not be surveyed. Surveys should take place near sunrise or sunset in accordance with CDFG guidelines. All burrows or burrowing owls will be identified and mapped. Surveys will take

place no more than 30 days prior to construction. During the breeding season (February 1-August 31), surveys will document whether burrowing owls are nesting in or directly adjacent to disturbance areas. During the non-breeding season (September I-January 31), surveys will document whether burrowing owls are using habitat in or directly adjacent to any disturbance area. Survey results will be valid only for the season (breeding or non-breeding) during which the survey is conducted.

Swainson's Hawk: Prior to any ground disturbance related to covered activities that occur during the nesting season (March 15-September 15), a qualified biologist will conduct a preconstruction survey no more than 1 month prior to construction to establish whether Swainson's hawk nests within 1,000 feet of the project site are occupied. If potentially occupied nests within 1,000 feet are off the project site then their occupancy will be determined by observation from public roads or by observations of Swainson's hawk activity (e.g., foraging) near the project site. If nests are occupied, minimization measures and construction monitoring are required (see below).

Golden Eagle: Prior to implementation of covered activities, a qualified biologist will conduct a preconstruction survey within 0.5 miles of the project site to establish whether nests of golden eagles are occupied (see Section 6.3.1, Planning Surveys). If nests are occupied, minimization requirements and construction monitoring will be required.

Construction Monitoring & Avoidance and Minimization Measures for Selected Covered Species

If preconstruction surveys for key covered wildlife species establish the presence of any such species, construction monitoring will be necessary. In Table 4, check the boxes for the species that will be assessed during the preconstruction surveys (see Table 3). A summary of the construction monitoring requirements for each species is provided in Table 4 and these measures must be implemented **in the event that preconstruction surveys described in Table 3 detect the covered species**. A summary of avoidance measures is also provided in Table 4 and these measures must be implemented if construction monitoring detects the species or its sign. These construction monitoring and avoidance requirements are described in detail in Section 6.4.3, Species-Level Measures, of the Final HCP/NCCP.

Construction Monitoring Plan Requirements in Section 6.3.3, Construction Monitoring, of the Final HCP/NCCP:

☒ **Before implementing a covered activity, the applicant will develop and submit a construction-monitoring plan to the Implementing Entity[3] for approval.**

Table 4. Applicable Construction Monitoring Requirements

Species Assessed by Preconstruction Surveys	Monitoring Action Required if Species Detected
☐ None	N/A
☒ San Joaquin kit fox (p. 6-38)	Establish exclusion zones (>50 ft) for potential dens. Establish exclusion zones (>100 ft) for known dens. Notify USFWS of occupied natal dens.
☒ Western burrowing owl (p. 6-40)	Establish buffer zones (250 ft) around nests. Establish buffer zones (160 ft) around burrows.
☐ Giant garter snake (p. 6-44)	Delineate 200-ft buffer around potential habitat. Provide field report on monitoring efforts. Stop construction activities if snake is encountered; allow snake to passively relocate. Remove temporary fill or debris from construction site. Mandatory training for construction personnel.
☐ Covered shrimp species (p. 6-47)	Establish buffer around outer edge of all hydric vegetation associated with habitat (50 feet of limit of immediate watershed supporting the wetland, whichever is larger). Mandatory training for construction personnel.
☒ Swainson's hawk (p. 6-42)	Establish 1,000-ft buffer around active nest and monitor compliance.
☒ Golden eagle (p. 6-39)	Establish 0.5-mile buffer around active nest and monitor compliance.

[3] The East Contra Costa County Habitat Conservancy and the local land use Jurisdiction must review and approve the plan **prior** to the commencement of all covered activities (i.e. construction).

Construction Monitoring & Avoidance and Minimization Measures as Required for Selected Covered Wildlife in Table 4

Describe the construction monitoring and avoidance and minimization measures applicable to any species checked in Table 4. A summary of avoidance measures is provided in Table 4, these measures must be implemented if construction monitoring detects the presence of the species. The construction monitoring & avoidance and minimization measures requirements are described in detail in Section 6.4.3, Species-Level Measures, of the HCP/NCCP.

San Joaquin Kit Fox:

Avoidance and Minimization Requirements

- If a San Joaquin kit fox den is discovered in the proposed development footprint, the den will be monitored for 3 days by a USFWS/CDFG approved biologist using a tracking medium or an infrared beam camera to determine if the den is currently being used.
- Unoccupied dens should be destroyed immediately to prevent subsequent use.
- If a natal or pupping den is found, USFWS and CDFG will be notified immediately. The den will not be destroyed until the pups and adults have vacated and then only after further consultation with USFWS and CDFG.
- If kit fox activity is observed at the den during the initial monitoring period, the den will be monitored for an additional 5 consecutive days from the time of the first observation to allow any resident animals to move to another den while den use is actively discouraged. For dens other than natal or pupping dens, use of the den can be discouraged by partially plugging the entrance with soil such that any resident animal can easily escape. Once the den is determined to be unoccupied it may be excavated under the direction of the biologist. Alternatively, if the animal is still present after 5 or more consecutive days of plugging and monitoring, the den may have to be excavated when, in the judgment of a biologist, it is temporarily vacant (i.e., during the animal's normal foraging activities).

Construction Monitoring

If dens are identified in the survey area outside the proposed disturbance footprint, exclusion zones around each den entrance or cluster of entrances will be demarcated. The configuration of exclusion zones should be circular, with a radius measured outward from the den entrance(s). No covered activities will occur within the exclusion zones. Exclusion zone radii for potential dens will be at least 50 feet and will be demarcated with four to five flagged stakes. Exclusion zone radii for known dens will be at least 100 feet and will be demarcated with staking and flagging that encircles each den or cluster of dens but does not prevent access to the den by kit fox.

Burrowing Owl:

Avoidance and Minimization and Construction Monitoring Requirements

If burrowing owls are found during the breeding season (February I-August 31) the project proponent will avoid all nest sites that could be disturbed by project construction during the remainder of the breeding season or while the nest is occupied by adults or young.

Avoidance will include establishment of a non-disturbance buffer zone (described below). Construction may occur during the breeding season if a qualified biologist monitors the nest and determines that the birds have not begun egg-laying and incubation or that the juveniles from the occupied burrows have fledged. During the non-breeding season (September 1-January 31), the project proponent should avoid the owls and the burrows they are using, if possible. Avoidance will include the establishment of a buffer zone (described below).

If occupied burrows for burrowing owls are not avoided, passive relocation will be implemented. Owls should be excluded from burrows in the immediate impact zone and within a 160-foot buffer zone by installing one-way doors in burrow entrances. These doors should be in place for 48 hours prior to excavation. The project area should be monitored daily for 1 week to confirm that the owl has abandoned the burrow. Whenever possible, burrows should be excavated using hand tools and refilled to prevent reoccupation (California Department of Fish and Game 1995). Plastic tubing or a similar structure should be inserted in the tunnels during excavation to maintain an escape route for any owls inside the burrow.

Swainson's Hawk:

Avoidance and Minimization and Construction Monitoring Requirements

During the nesting season (March 15-September 15), covered activities within 1,000 feet of occupied nests or nests under construction will be prohibited to prevent nest abandonment. If site-specific conditions or the nature of the covered activity (e.g., steep topography, dense vegetation, limited activities) indicate that a smaller buffer could be used, the Implementing Entity will coordinate with CDFG/USFWS to determine the appropriate buffer size.

If young fledge prior to September 15, covered activities can proceed normally. If the active nest site is shielded from view and noise from the project site by other development, topography, or other features, the project applicant can apply to the Implementing Entity for a waiver of this avoidance measure. Any waiver must also be approved by USFWS and CDFG. While the nest is occupied, activities outside the buffer can take place.

Golden Eagle:

Avoidance and Minimization Requirements

Covered activities will be prohibited within 0.5 mile of active nests. Nests can be built and active at almost any time of the year, although mating and egg incubation occurs late January through August, with peak activity in March through July. If site-specific conditions or the nature of the covered activity (e.g., steep topography, dense vegetation, limited activities) indicate that a smaller buffer could be appropriate or that a larger buffer should be implemented, the Implementing Entity will coordinate with CDFG/USFWS to determine the appropriate buffer size.

Construction Monitoring

Construction monitoring will focus on ensuring that no covered activities occur within the buffer zone established around an active nest. Although no known golden eagle nest sites occur within or near the Urban Limit Line, covered activities inside and outside of the Preserve System have the potential to disturb golden eagle nest sites. Construction monitoring will ensure that direct effects to golden eagles are minimized.

IV. Landscape and Natural Community-Level Avoidance and Minimization Measures

Describe relevant avoidance and minimization measures required to address the conservation measures listed below. If a conservation measure is not relevant to the project, explain why.

For All Projects

HCP/NCCP Conservation Measure 1.10. Maintain Hydrologic Conditions and Minimize Erosion

Briefly describe how the project complies with this measure. See page 6-21 of the Final HCP/NCCP for details.

The project has been designed to maintain hydrologic conditions and minimize erosion. Site drainage will be conveyed to a municipal storm drain system.

The project applicant will develop a Storm Water Pollution Prevention Plan (SWPPP) that will identify best management practices (BMPs) to be implemented to minimize the introduction of foreign material into waterbodies, control stormwater runoff, minimize erosion and sedimentation, and limit the amount of surface disturbance to the area.

Standard construction BMPs will be employed during construction to minimize the potential for erosion and off-site transport of fines. BMPs will include use of water trucks, appropriate compaction of soil, and installation of straw wattles, silt fences or other technologies along the perimeter of the site during construction, and stabilization of bare soils as appropriate with seeding, straw, and/or hydromulch.

HCP/NCCP Conservation Measure 1.11. Avoid Direct Impacts on Extremely Rare Plants, Fully Protected Wildlife Species, or Covered Migratory Birds

Briefly describe how the project complies with this measure. See page 6-23 of the Final HCP/NCCP for details.

The potential for special-status plants to occur within the site is considered extremely remote, as described above in Section III.

Species-specific pre-construction surveys, and if needed, monitoring and avoidance requirements for San Joaquin kit fox, burrowing owl, Swainson's hawk, and golden eagle will be conducted as described above in Section III. There is no suitable habitat in the site for ringtail (*Bassariscus astutus*), a "fully protected species," per California Fish and Game Code Section 4700. Similarly, there is no suitable nesting habitat in the site for peregrine falcon (*Falco peregrinus*), a "fully protected species," per California Fish and Game Code Section 3511.

White-tailed kite (*Elanus caeruleus*), another "fully protected species," per California Fish and Game Code Section 3511 could potentially nest in off-site trees. Prior to any ground

disturbance related to covered activities that occur during the nesting season (March 15-August 31), a qualified biologist will conduct a preconstruction survey no more than 1 month prior to construction to establish whether white-tailed kite is nesting in trees visible from the site. In the event active nests are found, the applicant will develop and submit a construction-monitoring plan to the Implementing Entity[4] for approval.

On-site grasslands could be used by other species of nesting birds protected by the Migratory Bird Treaty Act. If possible, vegetation removal will occur outside of the general bird nesting season (February 1 through August 31). Alternately, a qualified biologist will conduct a preconstruction survey no more than 2 weeks prior to vegetation removal. If active nests are found, vegetation removal will be delayed until the young have fledged.

For Projects on or adjacent to Streams or Wetlands

HCP/NCCP Conservation Measure 1.7. Establish Stream Setbacks

Briefly describe how the project complies with this measure. See page 6-15 and Table 6-2 of the Final HCP/NCCP for details. For questions on the stream setback requirements, please contact the Conservancy.

N/A - there are no streams in the site.

HCP/NCCP Conservation Measure 2.12. Wetland, Pond, and Stream Avoidance and Minimization

Briefly describe how the project complies with this measure. See page 6-33 of the Final HCP/NCCP for details.

N/A – there are no wetlands, ponds, or streams in the site

For Projects adjacent to Protected Natural Lands (existing and projected)

Covered activities adjacent to permanently protected natural lands will require a variety of special considerations to address issues associated with characteristics of the urban-wildland interface. These considerations are intended to minimize the impacts of development on the integrity of habitat preserved and protected under the terms of the Plan. Permanently protected natural lands are defined as any of the following (see the latest Preserve System map on the Conservancy web site, www.cocohcp.org).

- Publicly owned open space with substantial natural land cover types including but not limited to state and regional parks and preserves and public watershed lands (local and urban neighborhood parks are excluded).
- Deed-restricted private conservation easements.

[4] The East Contra Costa County Habitat Conservancy and the local land use Jurisdiction must review and approve the plan **prior** to the commencement of all covered activities (i.e. construction).

- HCP/NCCP Preserve System lands.
- Potential HCP/NCCP Preserve System lands (see Figure 5-3 in the HCP/NCCP).

HCP/NCCP Conservation Measure 1.6. Minimize Development Footprint Adjacent to Open Space

Briefly describe how the project complies with this measure. See page 6-14 of the Final HCP/NCCP for details.

Not applicable – the project is not adjacent to an HCP/NCCP preserve or other Open Space area.

HCP/NCCP Conservation Measure 1.8. Establish Fuel Management Buffer to Protect Preserves and Property

Briefly describe how the project complies with this measure. See page 6-18 of the Final HCP/NCCP for details.

Not applicable – the project is not adjacent to an HCP/NCCP preserve, other Open Space area, or wildland. Lands to southeast of the site is grassland vegetation, similar to that in the site; this grassland is separated from the site by Somersville Road; on-site development does not pose a fire threat to lands across this major road.

HCP/NCCP Conservation Measure 1.9. Incorporate Urban-Wildland Interface Design Elements

Briefly describe how the project complies with this measure. See page 6-20 of the Final HCP/NCCP for details.

Not applicable – the project is not adjacent to an HCP/NCCP preserve or other Open Space area.

For Rural Infrastructure Projects

Rural infrastructure projects provide infrastructure that supports urban development within the urban development area. Such projects are divided into three categories: transportation projects, flood protection projects, and utility projects. Most rural road projects covered by the Plan will be led by Contra Costa County. All flood protection projects covered by the Plan will be led by the County Flood Control District. Utility projects will likely be led by the private companies that own the utility lines. A complete discussion of rural infrastructure projects is presented in Section 2.3.2 of the Final HCP/NCCP beginning on page 2-18.

HCP/NCCP Conservation Measure 1.12. Implement Best Management Practices for Rural Road Maintenance

Briefly describe how the project complies with this measure. See page 6-25 of the Final HCP/NCCP for details.

Not applicable – this is not a road maintenance project.

HCP/NCCP Conservation Measure 1.13. Implement Best Management Practices for Flood Control Facility Maintenance

Briefly describe how the project complies with this measure. See page 6-26 of the Final HCP/NCCP for details.

Not applicable – this is not a flood control facility maintenance project.

HCP/NCCP Conservation Measure 1.14. Design Requirements for Covered Roads outside the Urban Development Area

Briefly describe how the project complies with this measure. See page 6-27 of the Final HCP/NCCP for details.

Not applicable – this is not a road project outside the Urban Development Area.

V. Mitigation Measures

Complete and Attach Exhibit 1 (Permanent Impact Fees) and/or Exhibit 2 (Temporary Impact Fees) Fee Calculator(s) for Permanent and Temporary Impacts.

- Briefly describe the amount of fees to be paid and when.

See Section 9.3.1 of the HCP/NCCP for details. If land is to be dedicated in lieu of fees or if restoration or creation of jurisdictional wetlands or waters is to be performed in lieu of fees, summarize these actions here and attach written evidence that the Conservancy has approved these actions in lieu of fees.