

APPENDIX B

Biological Resources Study



June 21, 2017

Sares-Regis
901 Mariners Island Boulevard, Suite 700
San Mateo, California 94404

Subject: Biological Resources Study, First Street Green Project, Los Altos, Santa Clara County, California

Dear Sir or Madam:

As requested, LSA presents this biological resources study report for the above-referenced project site in Los Altos, Santa Clara County. The overall purpose of this study was to identify possible biological constraints and issues that may need to be addressed for future site development.

The potential occurrence of sensitive habitats and special-status plants and animals within the property was first assessed by reviewing background information from the California Department of Fish and Wildlife (CDFW) California Natural Diversity Database (CNDDDB; CDFW 2017), as well as aerial photography. Following the review of the background information, LSA conducted a field survey. This letter report provides a description of the wildlife habitats and plant communities present on the site, an analysis of potential impacts to biological resources that may result from developing the site, and an assessment of the potential presence of features that may fall under the jurisdiction and regulation of the CDFW, U.S. Fish and Wildlife Service, U.S. Army Corps of Engineers, and Regional Water Quality Control Board.

SITE LOCATION

The project site is situated within an existing commercial development area at 101-151 First Street in downtown Los Altos, Santa Clara County (Figures 1 and 2). The project site is situated in the *Mountain View, California* 7.5-minute U.S. Geological Survey Quadrangle. The site is bordered by Shasta Street to the north, First Street to the west, Plaza North to the south, and an alley to the east.

METHODS

LSA Senior Wildlife Biologist Gretchen Zantzing conducted a reconnaissance-level survey on May 25, 2017. The survey involved walking around the site to assess the potential for sensitive biological resources, such as nesting birds, roosting bats, trees, and habitat that may constitute biological constraints or require specific permits from State or federal regulatory agencies.

For the purposes of this report, special-status species are defined as follows:

- a) Species that are listed or formally proposed for listing as threatened or endangered under the federal Endangered Species Act.
- b) Species that are listed, or designated as candidates for listing, as rare, threatened, or endangered under the California Endangered Species Act.

- c) Plant species that are on the California Rare Plant Rank Lists 1B and 2.
- d) Animal species designated as Species of Special Concern by CDFW.
- e) Species that meet the definition of rare, threatened, or endangered under Section 15380 of the California Environmental Quality Act guidelines.
- f) Species considered to be a taxon of special concern by local agencies.

SITE CONDITIONS

The project site consists of commercial buildings, parking spaces, and landscaping. The landscaping includes both ornamental and native species, such as walnut (*Juglans* sp.), coast redwood (*Sequoia sempervirens*), coast live oak (*Quercus agrifolia*), Chinese pistache (*Pistacia chinensis*), crape myrtle (*Lagerstroemia* sp.), incense cedar (*Calocedrus decurrens*), Yarwood sycamore (*Platanus acerifolia* "Yarwood"), blackwood acacia (*Acacia melanoxydon*), and Italian cypress (*Cupressus sempervirens*).

Wildlife observed at the project site during LSA's field survey consists of American crow (*Corvus brachyrhynchos*), common raven (*Corvus corax*), mourning dove (*Zenaidura macroura*), chestnut-backed chickadee (*Poecile rufescens*), and dark-eyed junco (*Junco hyemalis*).

SENSITIVE HABITATS

No sensitive habitats, such as wetlands or riparian habitat, occur at the project site.

Wetlands and Waters of the United States

No wetlands or other potentially jurisdictional features occur at the project site.

SPECIAL-STATUS SPECIES

LSA searched the CNDDDB (CDFW 2017) for records of special-status species occurring within the vicinity of the project site. The CNDDDB lists 29 special-status plant species within 5 miles of the site, but none of these plant species would occur at the site due to the lack of suitable habitat. The CNDDDB lists 21 special-status animal species within 5 miles of the site, but only four have the potential to occur in the region due to the presence of suitable habitat: white tailed kite (*Elanus leucurus*), American peregrine falcon (*Falco peregrinus anatum*), pallid bat (*Antrozous pallidus*), and Townsend's big-eared bat (*Corynorhinus townsendii*) (Table A). Out of these four species, however, the pallid bat is the only species that may occur at the project site. Although the coast redwood trees support nesting habitat for white tailed kites, no active or inactive kite nests or other large stick nests were observed during LSA's survey and this species is not likely to nest in a commercial development area. American peregrine falcons are known to nest on buildings, but the buildings on the project site are likely not tall enough to support nesting peregrine falcons. The buildings proposed for removal appear to be in good condition with no visible access holes or evidence (e.g., guano, urine stains) for roosting bats observed during the survey. The terracotta roofs of some of the buildings may provide suitable roosting sites for the pallid bat, but are less suitable for the Townsend's big-eared bat. Townsend's big-eared bats are unlikely to roost on or near the project site, but pallid bats could roost in the buildings and trees. No suitable habitat for other special-status animal species exists on or near the project site.

Table A: Special-Status Species Potentially Occurring in the Vicinity of the Project Site

Scientific Name	Common Name	Status*	Habitat	Potential for Presence
Birds				
<i>Elanus leucurus</i>	White-tailed kite	–/CFP	Forages for small mammals in grassland, high salt marsh, and along grassy road verges; nests in tall trees near open areas.	Although suitable nesting trees are present, the species is not likely to nest in a commercial development area.
<i>Falco peregrinus anatum</i>	American peregrine falcon	FD/SD, CFP	Occurs in open country, mountains, and sea coasts; nests on high cliffs, bridges, and buildings.	On-site buildings are likely not tall enough to support nesting.
Mammals				
<i>Antrozous pallidus</i>	Pallid bat	–/SSC	Occurs in a wide variety of habitats at low elevations; most commonly found in open, dry habitats with rocky areas for roosting.	May roost in buildings and large trees on or adjacent to the project site.
<i>Corynorhinus townsendii</i>	Townsend's Big-eared Bat	–/CT, SSC	Occurs in riparian woodlands, wetlands, forest edges, and open woodlands; roosts in caves, mines, and old buildings.	No suitable roosting habitat is present. Buildings do not appear to provide suitable roosting habitat.

*Status:

– = No status

FD = Federally Delisted

SD = State Delisted

CT = Candidate State Threatened

SSC = California Species of Special Concern

CFP = California Fully Protected

The below mitigation measures should be implemented to avoid potential impacts to special-status nesting birds and roosting bats.

Nesting Bird Preconstruction Survey

To protect nesting white-tailed kites, American peregrine falcons, and other nesting native birds, the following mitigation measure should be implemented to reduce potential impacts to less than significant:

If possible, future construction activities should occur outside the bird nesting season (February 1 through August 31). If construction activities during the nesting season cannot be avoided, a qualified biologist should conduct a preconstruction survey of all suitable nesting habitat (i.e., buildings, trees, shrubs) within 250 feet of the project site (where accessible) no more than 14 days prior to the start of work. If the survey indicates the presence of nesting birds, protective buffer zones should be established around the nests as follows: for raptor nests and certain special-status bird species, the size of the buffer zone should be a 250-foot radius centered on the nest; for other birds, the size of the buffer zone should be a 50- to 100-foot radius centered on the nest. In some cases, the qualified biologist may increase or decrease these buffers depending on the bird species and the level of disturbance that will occur near the nest.

Roosting Bat Preconstruction Survey

To protect roosting bats on or adjacent to the site, the following mitigation measure should be implemented to reduce potential impacts to less than significant:

Prior to construction, a qualified biologist shall conduct a survey to determine if and how bats are using buildings or trees on or adjacent to the site.

- If a bat roost is observed, a qualified biologist shall determine the species of bats present and the type of roost (i.e., day roost, night roost, maternity roost, hibernation site).
- If the bats are identified as common species, and the roost is not being used as a maternity roost or hibernation site, the bats may be evicted from their roost site using methods developed by a qualified biologist experienced in developing and implementing bat mitigation and exclusion plans.
- If special-status bat species are found to be present or if the roost is determined to be a maternity roost or hibernation site for any species of bat, then a qualified biologist experienced in developing bat mitigation and exclusion plans shall develop a mitigation plan to compensate for the lost roost site. Special-status bats or a maternity roost/hibernation site shall not be disturbed until CDFW approves the mitigation plan.

WILDLIFE MOVEMENT

The project site does not provide a significant movement corridor for wildlife since it is located in a developed urban area surrounded by commercial development. Wildlife species that currently move through the project site are urban-adapted species that will likely continue to move through the property after project development.

NURSERY SITES

The project site may provide nests for special-status or common bird species or roosts for special-status or common bat species, but no evidence of established nursery sites, such as heron rookeries and bat roosts, was observed during LSA's survey. The eaves of the building at 151 First Street had nesting material from likely either a non-native house sparrow (*Passer domesticus*) or a native house finch (*Haemorhous mexicanus*), but no active nesting was observed during the survey. These and other birds could nest in the cypress trees near the project site and within the English ivy (*Hedera helix*) growing along the side of the building near 101 First Street. Implementation of the above mitigation measures for nesting birds and roosting bats would protect active nursery sites, if present on or adjacent to the project site.

LOCAL ORDINANCES

The City of Los Altos has a Tree Protection Ordinance (Los Altos Municipal Code Chapter 11.08) that requires a tree removal permit to be obtained prior to removal of any protected trees.

Protected Trees are defined as:

1. Any tree that is 48 inches (4 feet) or greater in circumference when measured at 48 inches above the ground.
2. Any tree designated by the Historical Commission as a Heritage Tree or any tree under official consideration for a Heritage Tree designation. (All Canary Island Palm trees on Rinconada Court are designated as Heritage Trees.)
3. Any tree which was required to be either saved or planted in conjunction with a development review approval (i.e., new two-story house).
4. Any tree located within a public right-of-way.
5. Any tree located on property zoned other than single-family residential.

The project site contains several trees that are protected by the Tree Protection Ordinance (Bench 2016). A tree removal permit should be obtained from the City of Los Altos prior to impacting any protected trees. Recommendations from the tree report (Bench 2016) and tree protection plan (Bench 2017) for the project should be implemented prior to construction to protect or avoid impacts to ordinance-protected trees.

If you have any questions or require additional information, please contact me at Dan.Sidle@LSA.net or at (510) 236-6810.

Sincerely,

LSA Associates, Inc.



Dan Sidle
Associate/Senior Biologist

Attachments: Figure 1: Regional Location and Project Site
Figure 2: Project Site

REFERENCES

California Department of Fish and Wildlife (CDFW). 2017. California Natural Diversity Database (CNDDDB). Sacramento, California. April 4.

Bench, M. L. 2017. Disposition of Trees and a Tree Protection Plan, SRGNC CRES, LLC Project, First Street, 100 Block, Los Altos, California. Prepared by Michael L. Bench, Consulting Arborist, Prunedale, California. June 7.

Bench, M. L. 2016. An Inventory of the Existing Trees, SRGNC CRES, LLC Project, First Street, 100 Block, Los Altos, California. Prepared by Michael L. Bench, Consulting Arborist, Prunedale, California. Site Observations: September 28 and October 12.