



July 24, 2018

Steve Abbs  
Davidon Homes  
1600 S. Main St. #150,  
Walnut Creek, CA 94596

Via e-mail

**RE: Scott Ranch - 28 Lot Revised Application  
Updated Biological Assessment**

Steve,

As requested, we have analyzed the previous 66/63 lot development plan and the revised 28-lot plan for potential impacts to biological resources. A summary table (**Table 1**) is provided below, along with additional discussion.

In terms of the previous biological impacts, there was not much of a difference between the 63-lot plan and the 66-lot plan. The primary separation between the two plans was in the amount of acreage graded, which affected the amount of potential CRLF impacts and, therefore, mitigation. The 63-lot plan would have impacted approximately 0.50 acres less than the 66-lot plan. All of the impacted acreage is considered CRLF movement habitat and required 3:1 mitigation. Therefore the 66-lot plan would have required about 1.50 acres of additional mitigation. Few other differences in biological impacts would occur between those Previous Plans, and therefore table 1 below reflects the more impactful, 66-lot plan (Previous Plan) and the 28-lot plan (Revised Plan).

**Table 1**

<b>Impacted Habitats</b>	<b>66 Lot (Previous Plan) Impacts*</b>	<b>28 lot (Revised Plan) Impacts</b>
<b>CRLF Impacts</b>		
<b>Temporary</b>	5.17 ac	5.9 ac
<b>Permanent</b>	25.17 ac	11.7 ac
<b>Jurisdictional Wetlands/Waters</b>		
<b>Wetlands</b>	0.17	0
<b>Tributaries</b>	344 lf (.026 ac)	0
<b>Outfalls</b>	6	1
<b>Total:</b>	0.196 ac	minor
<b>Native Grassland</b>	3.491 ac	0.85 acres
<b>Water Quality Treatment</b>	within D St. Tributary	Outside of all channels

\*Our calculations differ slightly from those presented in the City's March 2017 Revised Draft FEIR.

**Primary Direct Impacts**

**CRLF Impacts:** The Revised Plan would affect much less CRLF movement habitat than the Previous Plan, and all of the movement habitat affected would be upland. The amount of CRLF mitigation required, as agreed to by the agencies back in 2009, was three acres for every acre permanently impacted. Under the Previous Plan, 25.17 ac would have been permanently impacted, necessitating 75.51 ac of mitigation land. A total of 33.48 ac (5.17 ac temp impacted + 28.31 ac preserved) would have been protected under a conservation easement on the Scott Ranch property. Therefore, a total of 42 ac of off-site mitigation would have required and an existing mitigation bank was identified for this off-site mitigation. The Revised Plan permanently impacts only 11.7 ac (**Figure 1**), which would require a total of 35.1 ac of mitigation land; either with a conservation easement on the Scott Ranch property, off-site, or a combination of the two. The track record of the project and collaboration with the USFWS is good. We expect USFWS to view the reduced impacts of the Revised Plan very favorably and to continue to apply the 3:1 mitigation ratio that USFWS has agreed upon over the years.

**Jurisdictional Impacts:** The Previous Plan included a relatively small amount of jurisdictional impacts including 0.17 acres of seasonal wetlands, 344 linear feet (0.026 ac) of tributaries, and six outfalls to Kelly Creek. The Revised Plan eliminates all of these impacts except for one outfall into Kelly Creek. The amount of outfall impacts can be controlled by the location on the bank where the outfall is placed. These jurisdictional impacts are also minor in regards to potential CRLF impacts, while there were some concerns about the potential CRLF impacts due to loss of jurisdictional waters under the Previous Plan.

**Native Grassland Impacts:** The impacts to the native grasslands have been significantly reduced from 3.49 acres to just 0.85 acres (**Figure 2**). However, under the Previous Plan, this mitigation would have been completed on-site, south of Kelly Creek where native grassland habitat is optimal; it is not currently clear whether native grassland restoration south of Kelly Creek will be acceptable to the sponsors of the Helen Putnam Park Expansion. The apparent potentially available areas for grassland restoration north of Kelly Creek are not optimal for grassland restoration. While it appears that there is potentially room available on-site near the southwest intersection of D Street and Windsor, this area has been heavily grazed and compacted by cattle and contains some significant weed issues, which would make native grassland restoration much more difficult and expensive. Alternatively, there is good potential habitat in the existing Helen Putnam Park adjacent to the Scott Ranch, which would likely be viewed as a positive gain for the Park.

### **Other Jurisdictional Impacts**

**Riparian Woodland Impacts:** Under the Previous Plan, a number of large, native oaks within the riparian woodland habitats of Kelly Creek and the D Street tributary would have been removed. Therefore, the DEIR found that the Previous Plan would have a significant impact on the riparian woodland habitats of Kelly Creek and the D Street tributary. Under the Revised Plan, however, no trees are planned for removal along either Kelly Creek or the D Street tributary. Therefore, the Revised Plan would have no significant impacts to the riparian woodland habitats on the property.

**CDFW Jurisdiction:** The Previous Plan and the Revised Plan both include grading impacts within CDFW jurisdiction. However, the Revised Plan involves a relatively small amount of acreage (0.178) within the top of bank, including approximately 700 square feet for the outfall to Kelly Creek (**Figure 3**) instead of multiple outfalls, which were proposed under the Previous Plan. Therefore, the Revised Plan will include less impacts and should be looked upon more

favorably by agency staff. CDFW jurisdiction may extent past top of bank in some areas to the edge of the riparian tree canopy.

**Water Quality:** The Previous Plan included water quality treatment within the D Street Tributary. This was not well received by the City. The water quality treatment in the Revised Plan is completely outside of Corps/Regional Water Board and CDFW jurisdiction, except for the outfall. This is a much-preferred method of water quality treatment from a local, state, and federal agency standpoint.

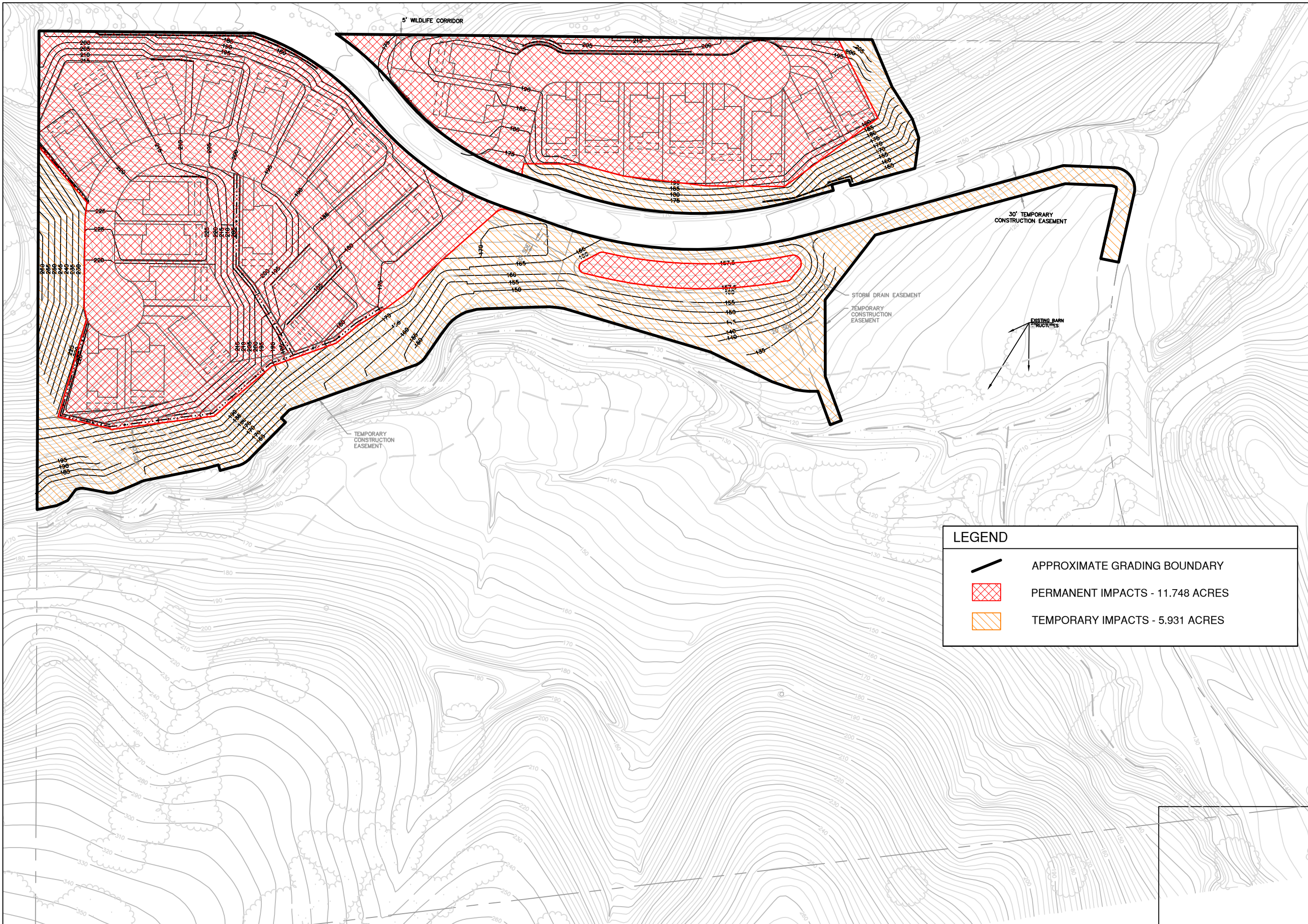
The Previous Plan also contained a total of 6 outfalls within Kelly Creek. The Revised Plan only calls for one outfall into the creek, which will also be preferred by agency staff.

Please let me know if you need any additional information.

Thank you,

Sean Micallef

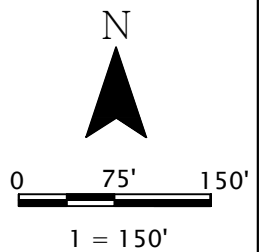
Partner/Chief Ecologist



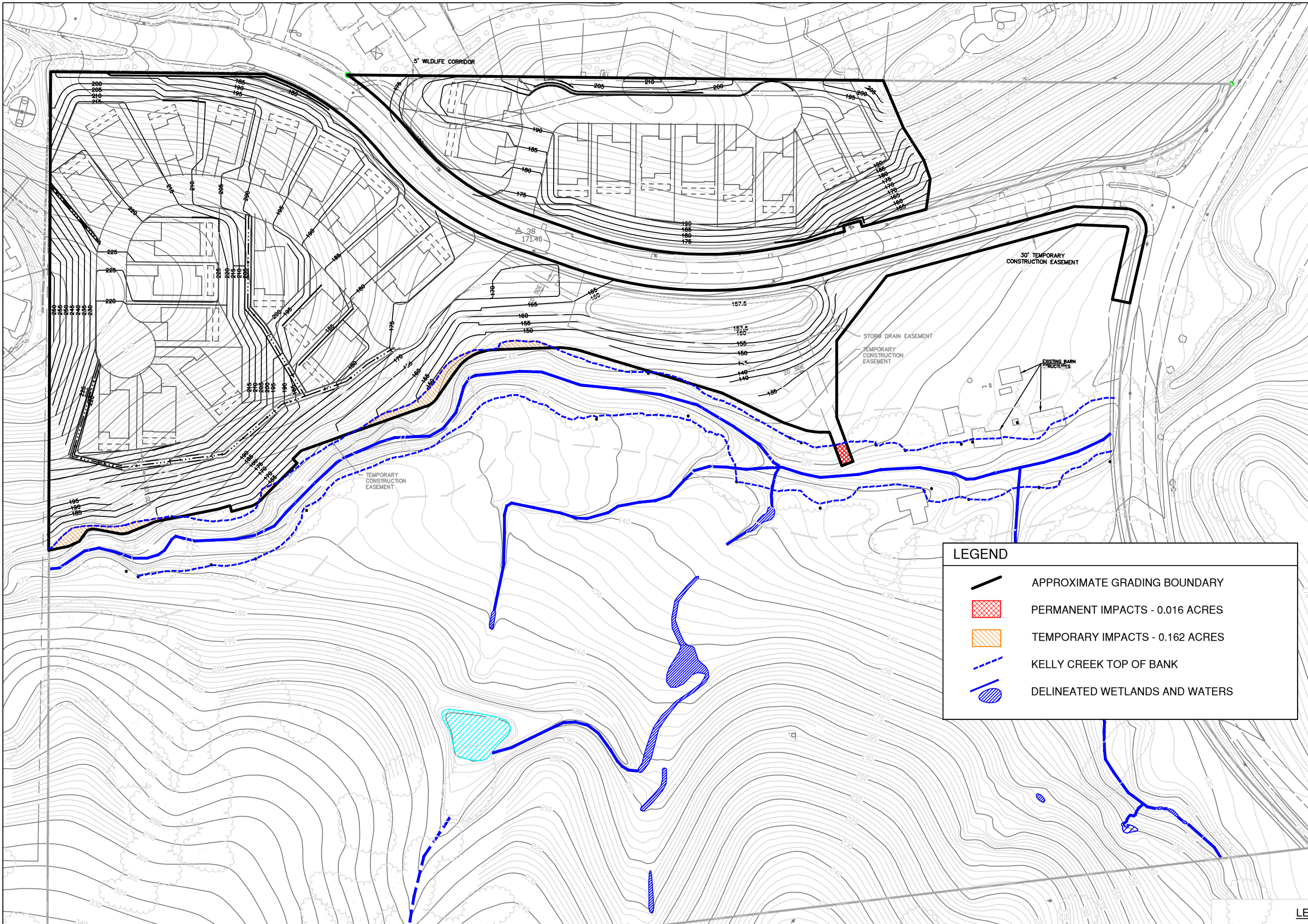
**FIGURE 1**  
 CRLF  
 IMPACTS

**SCOTT RANCH**  
 PETALUMA, CALIFORNIA

LEGEND	
	APPROXIMATE GRADING BOUNDARY
	PERMANENT IMPACTS - 11.748 ACRES
	TEMPORARY IMPACTS - 5.931 ACRES



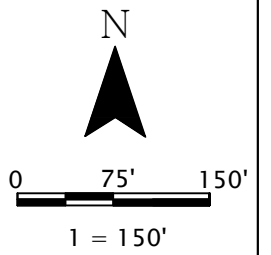
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 BY: CJL  
 DATE: 7.5.2018



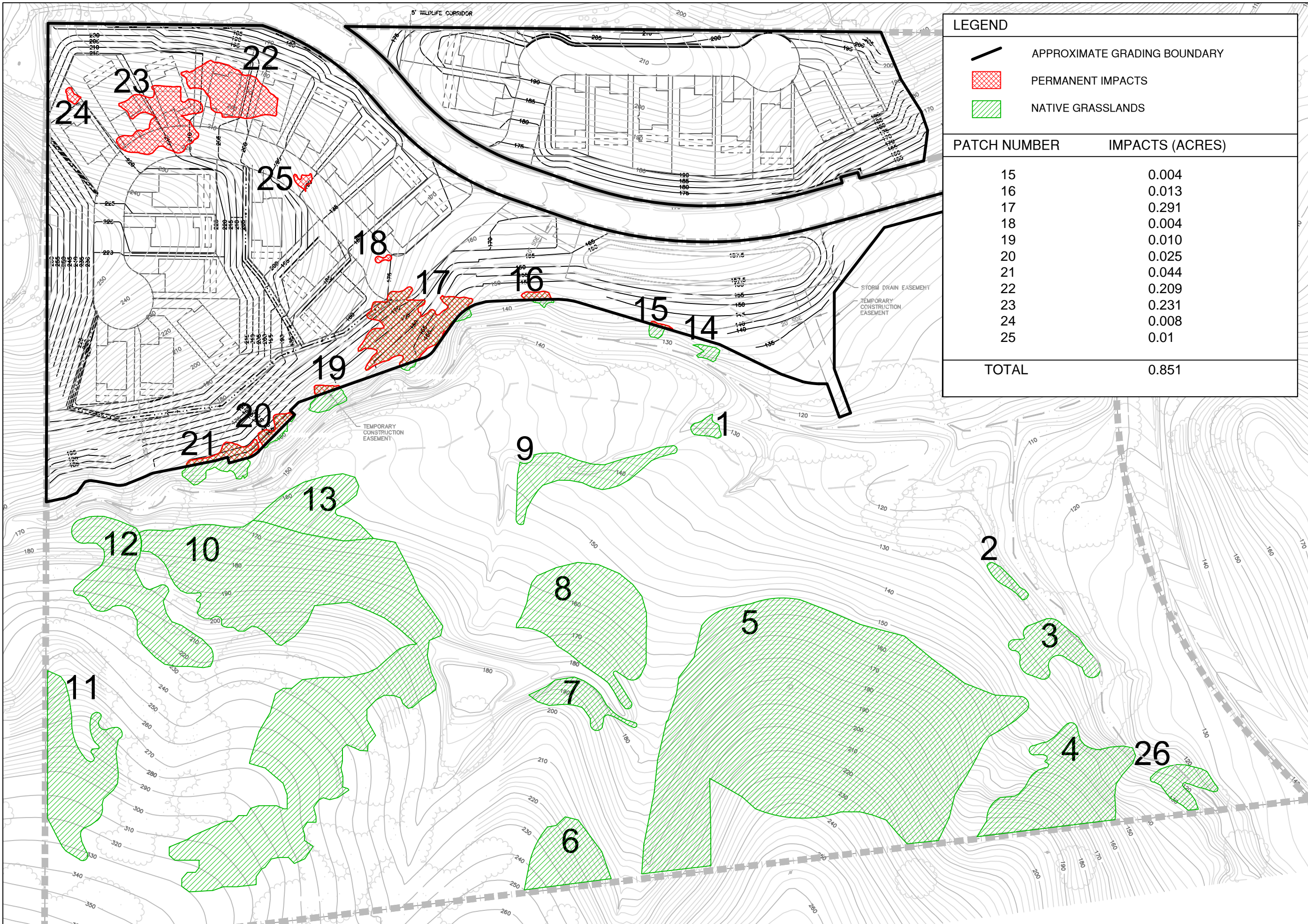
**FIGURE 3**  
**TOP OF BANK**  
**CDFW**  
**IMPACTS**

**SCOTT RANCH**  
 PETALUMA, CALIFORNIA

LEGEND	
	APPROXIMATE GRADING BOUNDARY
	PERMANENT IMPACTS - 0.016 ACRES
	TEMPORARY IMPACTS - 0.162 ACRES
	KELLY CREEK TOP OF BANK
	DELINEATED WETLANDS AND WATERS



SOURCE: BKF ENGINEERS  
 6-4-18 28-LOT PLAN  
 PROJECT NO. 918  
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 BY: CJL  
 DATE: 7.24.2018



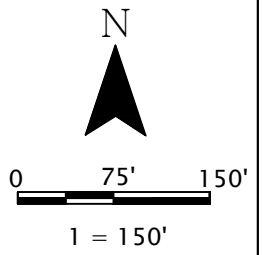
LEGEND	
	APPROXIMATE GRADING BOUNDARY
	PERMANENT IMPACTS
	NATIVE GRASSLANDS
PATCH NUMBER	IMPACTS (ACRES)
15	0.004
16	0.013
17	0.291
18	0.004
19	0.010
20	0.025
21	0.044
22	0.209
23	0.231
24	0.008
25	0.01
<b>TOTAL</b>	<b>0.851</b>



120A Linden Street, Oakland, CA 94607  
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**FIGURE 2**  
**GRASSLAND**  
**IMPACTS**

**SCOTT RANCH**  
**PETALUMA, CALIFORNIA**



SOURCE: BKF ENGINEERS  
 6-4-18 28-LOT PLAN  
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 FILE: D:\Graphic Designer\My Documents\PROJECTS\900-999\918dnc\AutoCAD\918 Impacts 18-06-27.dwg  
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