

# Biological Resources

This chapter evaluates the potential impacts of the proposed Project on biological resources. This chapter describes biological resources present or potentially present in the Project site and vicinity; discusses federal, state, and local regulations that may affect biological resources; identifies potential impacts that could occur from construction and operation of the Project; and proposes mitigation measures to reduce any potentially significant impacts to a less-than-significant level, as applicable.

## 5.1 Existing Setting

The Project site is in a developed urban area. Land use in the area consists of paved roadways; other transportation infrastructure, including railroads; residential, institutional, commercial, and industrial development; and landscaped parks and recreation areas. Biological resource surveys of the Project site and adjacent areas were completed on August 24, 2016, October 10, 2017, and January 11, 2018. Arborist tree field surveys were conducted January 17 through 19, 2018. The survey areas include all the proposed UFES facilities, including the temporary holding structure location and associated features, and the sewer diversion pipelines (**Figure 5-1**).

### 5.1.1 Regulated Habitats in the Project Area

There are no regulated habitats, including wetlands, present in the Project area. Aquatic/riparian habitat along Borel Creek, a channelized, earthen drainage along the north side of Saratoga Drive is located north of the proposed diversion pipelines (**Figure 10-1**), outside of the Project area. The Borel Creek channel daylights approximately 400 feet southwest of S. Delaware Street and continues east as an aboveground channel for approximately 1 mile to the confluence with Seal Slough. The channelized drainage is located within a 50-foot-wide corridor. Vegetation adjacent to the channel consists primarily of annual grasses and invasive weeds and grasses, various landscape trees and shrubs. The channel is largely open water along the southern edge with occasional narrow bands of emergent vegetation along the northern edge.

Borel Creek is tributary to Seal Slough, which flows through Marina Lagoon to south San Francisco Bay (a traditional navigable water body) and, therefore, it is likely jurisdictional as waters of the United States. The creek does not appear to be tidally influenced due to the presence of multiple water-level control structures in the slough. The channel is also considered to be waters of the State and is regulated by the San Francisco Bay RWQCB.

### 5.1.2 Special-Status Species in the Project Area

Special-status plant and animal species are afforded special recognition by federal, state, or local resource agencies or organizations. Special-status species have relatively limited distribution and generally require specialized habitat conditions. Special-status species are defined as follows:

- Listed, proposed, or candidate for listing under the state or federal Endangered Species Acts
- CDFW Species of Special Concern (SSC) and California Fully Protected (CFP) Species
- Included in the California Native Plant Society's Rare and Endangered Plant Inventory (Rare Plant Rank 1A, 1B, or 2)
- Species that receive consideration during environmental review under CEQA.

The CDFW maintains records in the California Natural Diversity Database (CNDDDB) for the distribution and known occurrences of special-status species and sensitive habitats. The CNDDDB was queried for all

special-status species records within a 5-mile buffer of the Project (CNDDDB, 2018). In addition, a search of the California Native Plant Society (CNPS) database was performed (CNPS, 2018) and the online database of federally listed species provided by the National Oceanic and Atmospheric Administration's National Marine Fisheries Service (NMFS) (NMFS, 2016). Moreover, the U.S. Fish and Wildlife Service (USFWS) IPaC Information for Planning and Conservation online system was checked for species listings (USFWS, 2018a). Species identified in the database searches, and their potential to occur in the Project area, are listed in **Appendix B**.

The CNDDDB lists 45 special-status species occurrences within a 5-mile radius of the Project location (see **Figures 5-2** and **5-3**). Several of these occurrences are based on collections that are more than 50 years old with vague location information. Some species are now extirpated due to development (see Table 1 in **Appendix B**) other species, such as the San Francisco garter snake (*Thamnophis sirtalis tetrataenia*) and peregrine falcon (*Falco peregrinus anatum*), have been broadly mapped to include the entire San Mateo quadrangle. Because of the lack of suitable habitat and the surrounding highly developed urban landscape, special-status wildlife species are considered unlikely to occur at this location.

Wildlife observations at the time of the surveys were limited to common urban-adapted birds (e.g., house sparrow [*Passer domesticus*]). Various waterbird species were observed adjacent to the Project area within Borel Creek east of S. Delaware Street and the storm pond adjacent to Bay Meadows Park, including American coot (*Fulica Americana*), eared grebe (*Podiceps nigricollis*), snowy egret (*Egretta thula*), and mallard (*Anas platyrhynchos*). No mammals, amphibians, or reptiles were observed. Plant species observed during the site surveys included ruderal herbaceous species and ornamental trees and shrubs used for landscaping.

### 5.1.3 Heritage Trees and Street Trees in the Study Area

A certified arborist conducted a tree inventory and assessment within the Project area. Both heritage trees and street trees are located in the Project area. The majority of the street trees that were inventoried are located along the northern and eastern sides of Saratoga Drive. The others are in the center divider and near the southeastern corner of the proposed UFES holding structure area. The species of trees could not be determined during the tree survey. Two heritage horsetail trees are located west of S. Delaware Street on both sides of E. 25th Avenue (Stantec, 2018).

## 5.2 Regulatory Framework

This section discusses specific environmental review and consultation requirements and identifies permits and approvals that may be required from local, state, and federal agencies for the Project.

### 5.2.1 Federal Regulations

#### 5.2.1.1 Endangered Species Act

Provisions of the federal Endangered Species Act (FESA), as amended (16 United States Code [USC] 1531), protect federally listed threatened and endangered species and their habitats from unlawful take. "Take" under FESA includes activities that "harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or...attempt to engage in any such conduct." USFWS regulations define "harm" to include some types of "significant habitat modification or degradation." In the case of Babbitt, Secretary of Interior, et al., *Petitioners v. Sweet Home Chapter of Communities for a Great Oregon*, et al. (No. 94-859) (U.S. Supreme Court, 1995), the United States Supreme Court ruled on June 29, 1995, that "harm" may include habitat modification "...where it actually kills or injures wildlife by significantly impairing essential behavioral patterns, including breeding, feeding or sheltering." FESA also governs the removal, possession, malicious damage, or destruction of endangered plants on federal land. Taking is

allowed only when incidental to an otherwise legal activity through the ESA Section 7 process for federal agencies, and through the FESA Section 10 Habitat Conservation Plan process for private entities.

#### 5.2.1.2 Clean Water Act, Section 401

The RWQCB has jurisdiction under Section 401 of the Clean Water Act (CWA) for activities that could result in a discharge of dredged or fill material to a water body. Projects that are regulated by the U.S. Army Corps of Engineers (USACE) must also obtain water quality certification from the RWQCB. The appropriate RWQCB regulates Section 401 requirements.

#### 5.2.1.3 Migratory Bird Treaty Act

Migratory birds are protected under the Migratory Bird Treaty Act (MBTA) (16 USC 703–711). The MBTA makes it unlawful to take, possess, buy, sell, purchase, or barter any migratory bird listed in 50 CFR 10, including feathers or other parts, nests, eggs, or products, except as allowed by implementing regulations (50 CFR 21). The MBTA protects active nests from destruction, and all nests of species protected by the MBTA, whether active or not, cannot be possessed. The federal agency that addresses issues related to the MBTA is the USFWS. The overwhelming majority of birds found in the Project area are protected under the MBTA.

### 5.2.2 State Regulations

#### 5.2.2.1 California Endangered Species Act

Under the California Endangered Species Act (CESA), the CDFW has responsibility for maintaining a list of endangered and threatened species (California Fish and Game Code 2070). CDFW maintains a list of “candidate species” that are under review for addition to the list of endangered or threatened species. CDFW also maintains lists of “species of special concern,” which serve as species watch lists. Pursuant to the requirements of CESA, an agency reviewing a proposed Project within its jurisdiction must determine whether any state-listed endangered or threatened species may be present in the Project site and determine whether the proposed Project would have a potentially significant impact on such species. In addition, CDFW encourages informal consultation on any proposed Project that may affect a candidate species; however, this consultation is not required. State-listed species are fully protected under the mandates of CESA. “Take” of protected species, incidental to otherwise lawful management activities, may be authorized under California Fish and Game Code Section 206.591, in the form of an Incidental Take Permit. Project-related impacts on species on the CESA endangered or threatened list would be considered significant.

#### 5.2.2.2 Waters of the State/Porter-Cologne Water Quality Control Act

Water quality in California is governed by the Porter-Cologne Water Quality Control Act. This law assigns overall responsibility for water rights and water quality protection to the State Water Resources Control Board (SWRCB) and directs the nine statewide RWQCBs to develop and enforce water quality standards within their boundaries. All waters of the United States that are within the borders of California are also “waters of the state” and fall under the jurisdiction of the SWRCB. Under California law, “waters of the state” means “any surface water or groundwater, including saline waters, within the boundaries of the state.” Therefore, water quality laws apply to surface water and groundwater. The RWQCB has jurisdiction under Section 401 of the CWA in the form of a Section 401 Water Quality Certification for activities that could result in a discharge of dredged or fill material to a water body. Federal authority (using a 401 certification) is exercised in the form of a Notice of Coverage, Waiver of Waste Discharge Requirements, when a project requires a Section 404 permit from the USACE. State authority (using Waste Discharge Requirements under the Porter-Cologne Act) is exercised when a Project is not subject to federal authority. Some wetlands are under RWQCB jurisdiction and waters that are not under USACE

jurisdiction. RWQCB jurisdiction of other waters, such as streams and lakes, extends to all areas below the ordinary high water mark.

The SWRCB regulates discharges under the Porter-Cologne Act through issuance of National Pollutant Discharge Elimination System (NPDES) permits for point source discharges and Waste Discharge Requirements for non-point source discharges. Dischargers whose projects disturb 1 acre or more of soil or whose projects disturb less than 1 acre but are part of a larger common plan of development that in total disturbs 1 acre or more, are required to obtain coverage under the General Permit for Discharges of Storm Water Associated with Construction Activity. The proposed Project would require development of a SWPPP.

#### 5.2.2.3 Native Plant Protection Act

The Native Plant Protection Act (California Fish and Game Code Sections 1900–1913) prohibits take, possession, or sale within the state of any plants with a CDFW designation of rare, threatened, or endangered. An exception in the act allows landowners, under specified circumstances, to take listed plant species, provided the owners first notify CDFW and give that agency at least 10 days to retrieve (and presumably replant) the plants before they are destroyed (Fish and Game Code Section 1913 exempts “the removal of endangered or rare native plants from a canal, lateral ditch, building site, or road, or other right of way”). Impacts of a project on these species are not considered significant unless the species are known to have a high potential to occur within the area of disturbance associated with construction of the proposed Project.

#### 5.2.2.4 Birds of Prey

Under Section 3503.5 of the California Fish and Game Code, it is unlawful to take, possess, or destroy any birds in the orders of Falconiformes or Strigiformes (birds of prey) or to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by this code or any regulation adopted pursuant thereto. Some raptors may nest in urban environments, but nesting raptors are unlikely to occur in or near the Project site. Preconstruction nesting bird surveys would be conducted as described below.

#### 5.2.2.5 Fully Protected Species

California statutes also accord “fully protected” status to specifically identified birds, mammals, reptiles, and amphibians. These species cannot be taken, even with an incidental take permit. Section 3505 of the California Fish and Game Code makes it unlawful to take “any egret or egret, osprey, bird of paradise, gaura, numidi, or any part of such a bird.” Section 3511 protects from take the following fully protected birds: (a) American peregrine falcon (*Falco peregrinus anatum*); (b) brown pelican (*Pelecanus occidentalis*); (c) California black rail (*Laterallus jamaicensis coturniculus*); (d) Ridgway’s rail (formerly known as California clapper rail) (*Rallus longirostris obsoletus*); (e) California condor (*Gymnogyps californianus*); (f) California least tern (*Sterna albifrons browni*); (g) golden eagle; (h) greater sandhill crane (*Grus canadensis tabida*); (i) lightfooted clapper rail (*Rallus longirostris levipes*); (j) southern bald eagle (*Haliaeetus leucocephalus leucocephalus*); (k) trumpeter swan (*Cygnus buccinator*); (l) white-tailed kite (*Elanus leucurus*); and (m) Yuma clapper rail (*Rallus longirostris yumanensis*).

CDFW does not issue take permits, including Incidental Take Permits (ITP), for any of these fully protected species. Species with “fully protected” status and with potential to occur in the Project vicinity are described in **Appendix B**; no impacts by the Project on fully protected species are expected.

#### 5.2.2.6 California Native Plant Society

CNPS is a non-governmental agency that classifies native plant species according to current population distribution and threat-level of extinction. CNPS maintains a list of plant species native to California that have low numbers, limited distribution, or are otherwise threatened with extinction. Potential impacts on populations of CNPS-listed plants receive consideration under CEQA review. Special-status species

with potential to occur in the Project vicinity are described in **Appendix B**; no Project impacts on rare plants are expected to occur.

### 5.2.3 Local Regulations

#### 5.2.3.1 General Plan

The General Plan includes a Conservation, Open Space, Parks, and Recreation Element that contains goals, objectives, policies, actions, and strategies applicable to biological resources. The General Plan goals and policies related to biological resources include the following:

- C/OS 1.1: Lagoon Habitat. Enhance the wildlife habitat value of Marina Lagoon, whenever possible, in conjunction with recreational use and flood control management activities.
- C/OS 1.5: Conversion of Incompatible Uses. Encourage the conversion of existing land uses which are not compatible with adjacent lagoon or wetlands to permitted compatible uses.
- C/OS 2.1: Aesthetic and Habitat Values -- Public Creeks. Preserve and enhance the aesthetic and habitat values of San Mateo, Laurel, and Beresford creeks and other City-owned channels in all activities affecting these creeks.
- C/OS 2.2: Aesthetic and Habitat Values – Private Creeks. Preserve and enhance the aesthetic and habitat values of privately owned sections of all other creeks and channels when cost effective or when these values outweigh economic considerations.
- C/OS 2.3: Hydrologic Impacts. Ensure that improvement to creeks and other waterways do not cause adverse hydrologic impacts on upstream or downstream portions of the subject creek; comply with Safety Element Policy S-2.1 regarding flood control.
- C/OS 2.4: New Creekside Development Requirements. Require that new Creekside development includes the following:
  - a. Adequate setback from the creek bank for flood control as directed by the Safety Element Policy S-2.2.
  - b. Protection or enhancement of riparian vegetation and water (including stormwater) quality.
  - c. Dedication of maintenance/bank stabilization easement in exchange for City assumption of maintenance responsibility.
  - d. Dedication of public access easement where possible and desirable.
- C/OS 6.1: Tree Preservation. Preserve heritage trees in accordance with the City Heritage Tree Ordinance.
- C/OS 6.2: Replacement Planting. Require significant replacement planting when the removal of heritage trees is permitted.
- C/OS 6.3: New Development Requirements. Require the protection of heritage trees during construction activity; require that landscaping, buildings, and other improvements located adjacent to heritage trees be designed and maintained to be consistent with the continued health of the tree.
- C/OS 6.4: Tree and Stand Retention. Retain the maximum feasible number of trees and preserve the character of stands or grove trees in the design of new or modified projects.

#### 5.2.3.2 City of San Mateo Street Tree and Heritage Tree Ordinances

The City of San Mateo Street Trees Ordinance and Heritage Tree Ordinance (Chapters 13.35 and 13.52 of the Municipal Code [City of San Mateo, 2015]) provide for the protection of street trees and heritage trees. Street trees are trees located within the public ROW. The public ROW is typically the strip of land between the street and the sidewalk (planter strip) or the area just behind the sidewalk if a planter strip

does not exist. According to the ordinance, no person may trim, remove, or plant a street tree without a permit from the Parks and Recreation Department. When a street tree removal permit is granted, the tree must be replaced.

Heritage trees defined as any bay (*Umbellularia californica*), buckeye (*Aesculus* spp.), oak (*Quercus* spp.), cedar (*Cedrus* spp.), or redwood (*Sequoia* spp.) tree that has a diameter of 10 inches or more measured at 48 inches above natural grade; or any tree with a trunk diameter of 16 inches or more measured at 48 inches above natural grade. A permit is required for (1) removing a heritage tree, (2) pruning more than one quarter of the crown of existing foliage, or (3) removing more than one third of the root system. A Heritage Tree Application is required for the permit and includes, among other things, the number and location of trees to be removed or pruned by types and the reason for removal or pruning of each. For construction work within a radius measured from the trunk center equal to 10 times the diameter of the tree trunk measured at 4 feet above grade, or other radius determined by the City during the development review process, a tree protection plan is to be prepared by a certified arborist prior to the issuance of a permit for a development project. Trees removed under jurisdiction of a planning approval pursuant to Chapter 27.71 must conform to the replacement conditions specified in the planning approval.

### 5.3 Assessment Methods and Thresholds of Significance

Potential impacts on biological resources were identified based on information collected during the August 24, 2016, October 10, 2017, January 11, 2018, and January 17-19, 2018, site surveys; data from the CNDDDB, USFWS, NMFS, and CNPS searches; and information from the General Plan EIR.

Impacts on biological resources may occur if the proposed Project would result in the following:

- A substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the CDFW or USFWS
- A substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the CDFW or USFWS
- A substantial adverse effect on federally protected wetlands (including, but not limited to, marsh, vernal pool, and coastal) through direct removal, filling, hydrological interruption, or other means
- 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
- Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance
- Conflict with the provisions of an adopted habitat conservation plan, natural community conservation plan, or other approved local, regional, or state habitat conservation plan

As described in Section 5.1.1, the Project area does not contain aquatic or riparian habitats or wetlands; therefore, impacts associated with these habitat types are not discussed further.

### 5.4 Environmental Impacts

Potential impacts of the proposed Project on biological resources are described in subsequent sections.

***Impact 5-1. Would implementation of the proposed Project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species?***

### Impacts on Developed Habitats

Permanent and temporary impacts would occur to approximately 4 acres of developed habitat associated with the temporary holding structure and associated facilities as well as trenching of the diversion sewer pipelines along roadways and other developed areas. Impacts that would be permanent in nature include grading and facilities construction and installation. Temporary construction-related impacts would include trenching and pipeline installation, removal of ruderal vegetation, and increases in noise or dust for short periods during construction. Developed habitats, such as those in the Project area, are common in the region and elsewhere in San Mateo County. Wildlife species that use developed areas for breeding or foraging have access to ample similar habitat in adjacent areas that would not be affected by construction. In addition, the Project area does not provide suitable habitat for special-status plant species. Therefore, impacts to developed habitat would be less than significant.

### Impacts on Special-Status Plants and Wildlife

Special-status plant species have been documented within 5 miles of the Project site (**Appendix B**); however, none of the species would be expected to occur on the Project site because they require habitat types that are not present. Urban development and other habitat modification have resulted in unsuitable habitat for special-status plants that may have occurred in the region historically, including many of the plants that were associated with wetlands and other coastal habitats. No special-status plants are expected to occur in the Project footprint and impacts on rare plants similarly are not expected to occur.

Special-status wildlife species have also been documented to occur within 5 miles of the Project site (**Appendix B**). Most of the species would not be expected to occur within the Project area because of a lack of suitable habitat. Some urban-adapted avian species such as American peregrine falcon (*Falco peregrinus anatum*) may only occur as occasional visitors to the Project area and would likely avoid the area during the temporary construction. Following construction, the Project area would be restored similar to current conditions. The proposed Project would not impact Borel Creek, so no impacts to special-status aquatic species are expected to occur. Therefore, impacts to special status species would be less than significant.

### **Impact 5-2. Would implementation of the proposed Project interfere with the movement of fish or wildlife species?**

While Borel Creek is near the Project area, no construction will occur in or adjacent to the creek. As described in Chapter 10, *Hydrology and Water Quality*, indirect impacts resulting from wind or rain erosion or accidental spills of construction materials could be conveyed into storm drains that connect to Borel Creek. Implementation of **Mitigation Measures 10-1, Install and apply erosion control and stormwater best management practices during construction, and 10-2, Obtain discharge permits to comply with discharge requirements**, would ensure that construction activities would not significantly degrade water quality in Borel Creek and downstream receiving waters, and impacts would be less than significant.

Birds protected under the MBTA and California Fish and Game Code have the potential to occur in the Project site. The nearest trees to the Project site are within Bay Meadows Community Park located directly adjacent to the southern boundary of the proposed Project, and along roadways and adjacent properties near proposed pipeline installations. These trees provide potential habitat for nesting birds. Construction activities, including unexpected tree removal or tree trimming, in the Project site could disrupt nesting birds and cause abandonment of nests or young, which is a potentially significant impact, particularly if a large number of bird nests are impacted. Implementation of **Mitigation Measure 5-2 Protection for nesting raptors and other native birds (consistent with Final PEIR Mitigation Measures 5-1a, 5-1b, and 5-1c)**, would reduce impacts to a less-than-significant level.

With implementation of **Mitigation Measure 5-2**, which is consistent with the mitigation measures for nesting birds in the Final PEIR, impacts of the proposed Project on nesting birds would be less than significant.

***Impact 5-3. Would implementation of the proposed Project require the removal of street trees or heritage trees and potentially conflict with the City of San Mateo Street Tree and Heritage Tree Ordinances?***

In compliance with Final PEIR **Mitigation Measure 5-5, Prepare and implement a tree protection plan for heritage trees**, a certified arborist conducted a tree inventory and assessment as described in Section 5.1.3 above. The proposed Project would not require the removal or trimming of heritage trees. Street tree trimming, or removal is not expected; however, if street tree trimming or removal is necessary, the contractor would be required to implement **Mitigation Measure 5-3, Obtain a street tree trimming/removal permit**. New trees, as well as other groundcovers and shrubs would be replaced, as required by the permit. With implementation of **Mitigation Measure 5-3**, impacts would be reduced to a less-than-significant level.

***Impact 5-4. Would implementation of the proposed Project conflict with provisions of an adopted habitat conservation plan, natural community conservation plan, or other plan?***

The Project site is not located within the boundary of an adopted habitat conservation plan. Portions of the western part of the City are located within the Recovery Plan for Serpentine Soil Species of the San Francisco Bay Area (City of San Mateo, 2009). However, the Project would not be located on serpentine soils (see Chapter 7) and, therefore, would not be located in the recovery plan area. No conflict with provisions of an adopted habitat conservation plan, natural community conservation plan, or other plan would occur.

## 5.5 Mitigation Measures

***Mitigation Measure 10-1. Install and apply erosion control and stormwater best management practices during construction*** is described in Chapter 10.

***Mitigation Measure 10-2. Obtain discharge permits to comply with discharge requirements*** is described in Chapter 10.

The following measure shall be implemented to ensure the Project complies with the Migratory Bird Treaty Act and California Fish and Game Code and to avoid impacts on large numbers of common birds or any special-status birds:

***Mitigation Measure 5-2. Protection for nesting raptors and other native birds (consistent with Final PEIR Mitigation Measures 5-1a, 5-1b, and 5-1c).***

Construction during the nesting season should be avoided, if feasible (CDFW generally recognizes the period between February 1 and August 31 as nesting season). If construction during the nesting season is unavoidable, a preconstruction nesting bird survey shall be performed by a qualified biologist at least 14 days prior to construction if work activities are conducted between February 1 and August 31. Should an active nest for a protected species be observed prior to construction activities, disturbance-free buffers of 300 feet for raptors and 100 feet for non-raptors shall be implemented. Buffers shall be maintained until young have fledged (left the nest on their own), as determined by a qualified biologist, or the nest is no longer active due to non-construction-related reasons. If it is not practicable to avoid work in a buffer zone around an active nest, work activities shall be modified to minimize disturbance of nesting birds but may proceed in these zones at the discretion of a qualified biologist. The biologist, after consulting with CDFW for approval, shall monitor all work activities in these zones periodically when construction is occurring and assess their effect on the nesting birds. If the biologist determines that particular activities pose a high risk of disturbing an active nest, the biologist shall recommend



additional, feasible measures to minimize the risk of nest disturbance. If work cannot proceed without disturbing the nesting birds, or signs of disturbance are observed by a monitor, work may be halted or redirected to other areas until the nesting and fledging is completed or the nest has otherwise failed for non-construction-related reasons. The biologist will contact the USFWS and the CDFW as needed could be contacted regarding alternate avoidance measures if halting or redirecting work is not feasible.

**Mitigation Measure 5-3. Obtain a street tree trimming/removal permit.**

A street tree trimming/removal permit would be obtained from the City's Department of Parks and Recreation if necessary. New trees, as well as other groundcovers and shrubs would be planted, as required by the permit.

## 5.6 References

Bay Conservation Development Commission (BCDC). 2008. *San Francisco Bay Plan*.

California Native Plant Society (CNPS). 2018. Rare Plant Program Inventory of Rare and Endangered Plants (online edition, v8-03 0.39). <http://www.rareplants.cnps.org>. Accessed January 17, 2018.

California Natural Diversity Database (CNDDB). 2018. RareFind. California Department of Fish and Wildlife. Accessed January 2018.

City of San Mateo. 2009. *Draft Environmental Impact Report for the City of San Mateo General Plan Update*. July 27.

\_\_\_\_\_. 2015. *San Mateo City Charter and Municipal Code*. Title 13—Parks and Recreation. <http://qcode.us/codes/sanmateo/>.

National Marine Fisheries, West Coast Region – California (NMFS). 2016. *Intersection of USGS 7.5" Topographic Quadrangles with NOAA Fisheries ESA Listed Species, Critical Habitat, Essential Fish Habitat, and MMPA Species Data within California*. November. List generated January 23, 2018.

Stantec. 2018. San Mateo Basin 2 & 3 Project: Arborist Report. Prepared to the City of San Mateo. February 16.

United States Army Corps of Engineers (USACE). 1987. Environmental Laboratory. 1987. *Corps of Engineers Wetlands Delineation Manual*. Technical Report Y-87-1, U.S. Army Engineer Waterways Experiment Station, Vicksburg, MS.

U.S. Fish and Wildlife Service. 2018a. ECOS Environmental Online Conservation System. IPaC Information for Planning and Conservation. Website. Accessed January 23, 2018.


\_\_\_\_\_. 2018b. Critical Habitat for Threatened & Endangered Species. Accessed January 23, 2018.

U.S. Supreme Court. 1995. *Babbitt, Secretary of the Interior v. Sweet Home Chapter of Communities for a Great Oregon*, 515 U.S. 687.

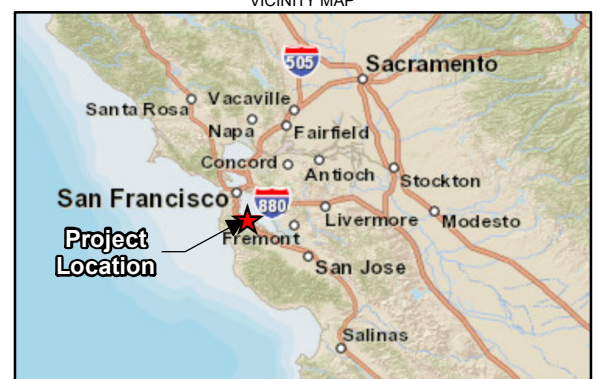
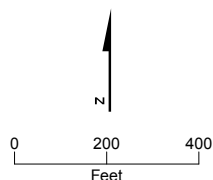


VICINITY MAP

# LEGEND

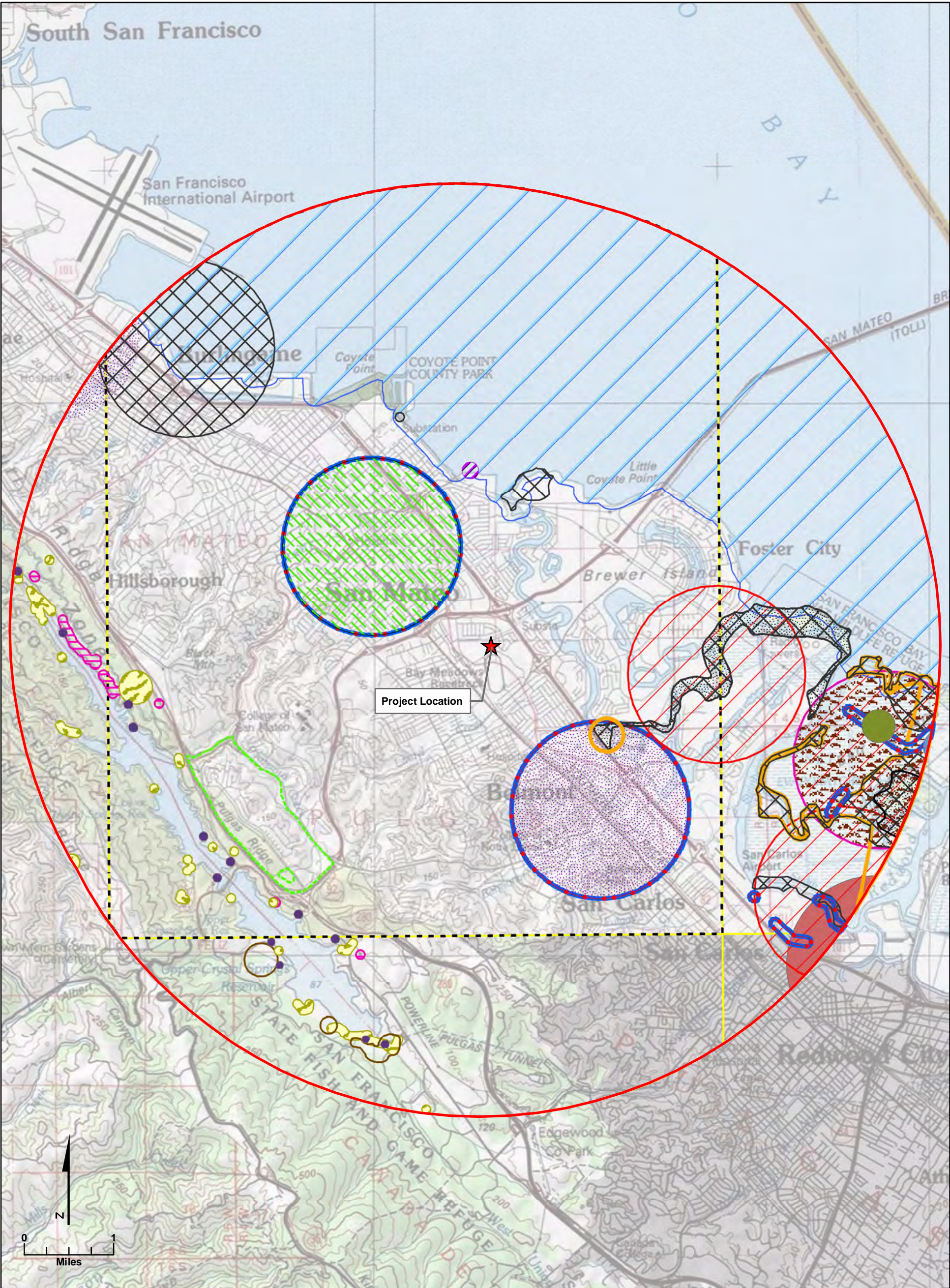
 Maximum Disturbance Footprint (Survey Area)

Service Layer Credits: Sources: Esri, DeLorme, NAVTEQ, USGS, NRCAN, METI, IPC, TomTom  
Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community



**FIGURE 5-1**  
**Survey Area**  
Underground Flow Equalization System, Environmental Impact Report  
City of San Mateo Clean Water Program



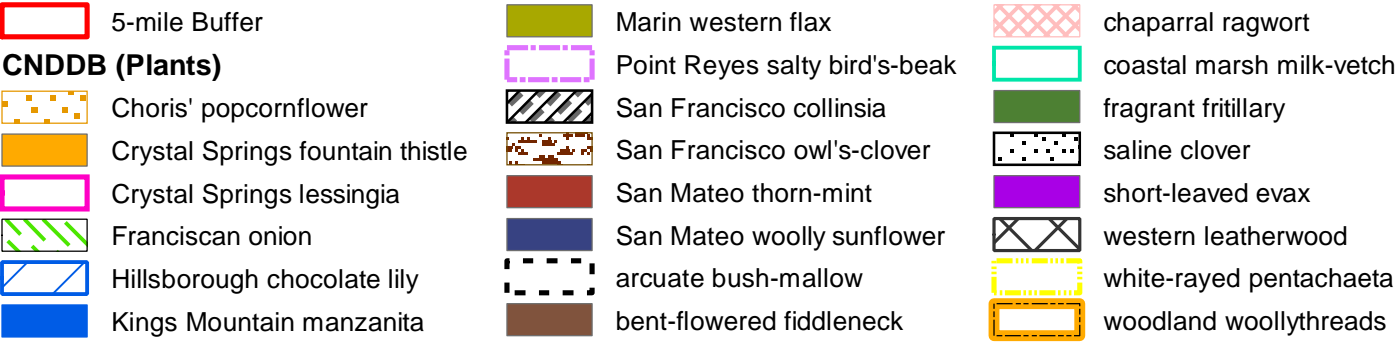
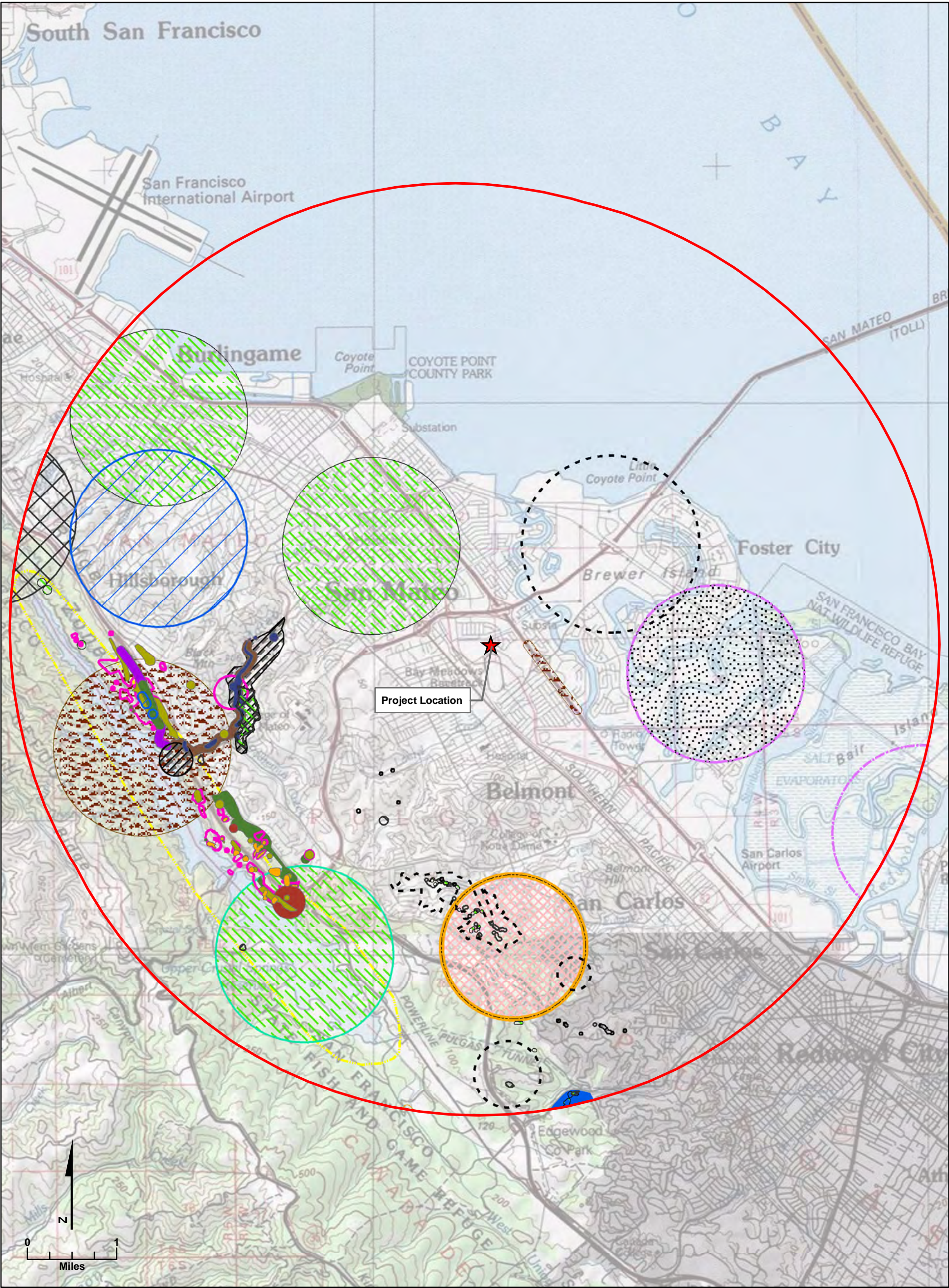


- |                           |                                    |                               |
|---------------------------|------------------------------------|-------------------------------|
| 5-mile Buffer             | California red-legged frog         | salt-marsh harvest mouse      |
| <b>CNDDB (Animals)</b>    | Myrtle's silverspot butterfly      | salt-marsh wandering shrew    |
| Alameda song sparrow      | San Francisco dusky-footed woodrat | saltmarsh common yellowthroat |
| American peregrine falcon | San Francisco gartersnake          | short-eared owl               |
| Bay checkerspot butterfly | burrowing owl                      | western pond turtle           |
| California Ridgway's rail | longfin smelt                      | western snowy plover          |
| California black rail     | marbled murrelet                   | white-tailed kite             |
| California least tern     | northern harrier                   | yellow rail                   |
|                           | pallid bat                         |                               |



**FIGURE 5-2**  
**CNDDB Special-Status**  
**Animal Occurrences**  
 Underground Flow Equalization System,  
 Environmental Impact Report  
 City of San Mateo Clean Water Program





**FIGURE 5-3**  
**CNDDB Special-Status**  
**Plant Occurrences**  
Underground Flow Equalization System,  
Environmental Impact Report  
City of San Mateo Clean Water Program