


## MEMORANDUM

**To:** Krinjal Mathur, City of San José

**From:** Peter T Masson, Consultant 

**Date:** December 20, 2018

**Re:** Natural Resource Review – ARCO Redevelopment Project CP17-028, 2375 Quimby, San José

**CC:** Rina Shah, City of San José

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On April 20, 2018, an Antea Group biologist visited the ARCO facility at 2375 Quimby Road in San José (the Site). The purpose of the Site visit was to review the property for potential concerns regarding natural resources that might exist on or adjacent to the Site.

The Site is currently developed as a gasoline service station. While most of the Site is paved, there are landscaped areas on the north, east and west boundaries. The majority of the plants in these landscaped areas are not native to California and are ornamental. There are currently two native trees on the site that are ordinance sized<sup>1</sup>, which is defined as 38 inches or more in circumference at 4 1/2 feet above ground. The site also contains four non-native ornamental palms (two of which are recently planted and still young) and approximately 11 non-native ornamental bushes.

The Site is bounded on the east and south by roadway, on the north by another development of commercial property, and on the west by a shopping mall.

As an element of the assessment, the US Fish and Wildlife Service (USFWS) iPAC website<sup>2</sup>. While no critical habitats are located on this site, the following species are known to exist in this area:

- San Joaquin Kit Fox (*Vulpes macrotis mutica*)
- California Least Tern (*Sterna antillarum browni*)
- California Red-legged Frog (*Rana draytonii*)
- California Tiger Salamander (*Ambystoma californiense*)
- Delta Smelt (*Hypomesus transpacificus*)
- Bay Checkerspot Butterfly (*Euphydryas editha bayensis*)
- Contra Costa Goldfields (*Lasthenia conjugens*)
- Metcalf Canyon Jewelflower (*Streptanthus albidus ssp. Albidus*)
- Robust Spineflower (*Chorizanthe robusta var. robusta*)
- Santa Clara Valley (*DudleyaDudleya setchellii*)

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<sup>1</sup> City of San José. *Tree Ordinance* (Municipal Code 13.32).

<sup>2</sup> United States Fish and Wildlife Service (USFWS) iPAC website ([www.ecos.fws.gov/ipac](http://www.ecos.fws.gov/ipac)).

The California Natural Diversity Database was also checked and the following two species were also noted to inhabit the quadrangle where the site is located<sup>3</sup>:

- Tricolored Blackbird (*Agelaius tricolor*)
- Foothill yellow-legged frog (*Rana boylei*)

During the Site visit, the Antea Group biologist did not find any habitat suitable to any of these Federal or State species. No rare, threatened, endangered or special status species of flora or fauna are known to inhabit the Site.

While the mature trees on Site could provide transient habitat for the Tricolored Blackbird, it would be unlikely any such birds would nest in an area distant from their food source. However as one of these trees will be removed as part of the project, there is a potential for disturbing nesting raptors or other migratory birds with any construction or tree removal activities.

The Site has the potential to provide habitat for wildlife species associated with urban areas. Trees in urban areas provide food and cover for wildlife adapted to this environment, including birds such as house finch, mourning dove, house sparrow, and Brewer's blackbird. In addition, mature trees on the project Site may provide nesting habitat for raptors. Although no raptors or nests were observed on the Site, raptors and their nests are protected under the Migratory Bird Treaty Act of 1918 and California Department of Fish and Game (CDFG) Code Sections 3503 and 3503.5.

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<sup>3</sup> State of California Department of Fish and Wildlife. *California Natural Diversity Database* ([www.wildlife.ca.gov/Data/CNDDB](http://www.wildlife.ca.gov/Data/CNDDB)).