

# California Native Plant Society

East Bay Chapter  
P O Box 5597, Elmwood Station  
Berkeley, CA 94705

July 13, 2005

Judy Battle  
City of Richmond Planning Department  
1401 Marina Way South  
Richmond, CA 94804

## **Re: Notice of Preparation for an Environmental Impact Report for Canyon Oaks Subdivision II in the City of Richmond**

Dear Mrs. Battle:

Thank you for the opportunity to participate in this important proceeding.

The following are comments of the California Native Plant Society, East Bay Chapter (CNPS), on the *Notice of Preparation for an Environmental Impact Report for Canyon Oaks Subdivision II in the City of Richmond*. The California Native Plant Society is a non-profit organization of more than 10,000 laypersons and professional botanists organized into 32 chapters throughout California. The Society's mission is to increase the understanding and appreciation of California's native plants and to preserve them in their natural habitat through scientific activities, education, and conservation.

Six species listed in CNPS's *Inventory of Rare and Endangered Plants of California* and 13 that are locally rare or rare in the East Bay are known to exist on the eastern side of San Pablo Ridge and have potential to occur in the project area. Eastern San Pablo Ridge is also home to important plant communities such as vernal pools and freshwater marshes. CNPS requests that the EIR reflect this important botanical diversity and the need to protect local and state rare plant species as well as sensitive plant communities.

Pursuant to the mission of protecting California's native flora and vegetation, CNPS submits the following comments for the scoping process:

- CNPS requests that protection and management for state and federally listed species, special status species and sensitive plant communities be thoroughly addressed. Attached is a complete list for all state-listed and special status plant species known to exist in the eastern side of the San Pablo Ridge with potential to occur on the project site. We would like to further explain the rarity of some of the plant species on the list. Western leatherwood (*Dirca occidentalis*), and Diablo helianthella (*Helianthella castanea*) are endemic to California and restricted to the counties surrounding the San Francisco Bay. (listed on CNPS's *Inventory of Rare and Endangered Plants of California*, List 1B species). Locally rare species listed in Dianne Lake's *Rare, Unusual and Significant Plants of Alameda and Contra Costa Counties*<sup>1</sup>, have very limited ranges within the two

East Bay counties. The San Pablo Ridge is one of two known sites in the East Bay for round woolly-marbles (*Psilocarphus tenellus* var. *globiferus*), and narrow-leaved lotus (*Lotus oblongifolius* var. *oblongifolius*), both A1 species. Examples of the List A2 species found in San Pablo Ridge include; tall layia (*Layia hieracioides*), and leopard lily (*Lilium pardalinum* ssp. *pardalinum*). Species designated as A1, A2, and A1x are protected under sections 15380 and 15125(a) of the California Environmental Quality Act (CEQA) which addresses species of local concern and places special emphasis on environmental resources that are rare or unique to the area. All plants on the attached list require appropriate protection and management to minimize fragmentation and ensure the survival of the remaining populations.

- While the attached list contains the special status plant species known to exist on the San Pablo Ridge, there is potential for additional special status species to be found on the project site. For this reason, CNPS requests that the DEIR allow for complete surveys for federally and state listed species as well as special-status plants, bryophytes and wildlife that are protected under CEQA. We request that a thorough biological assessment be conducted at the project site by qualified botanists and wildlife biologists to determine if suitable habitat exists for special-status plant, bryophyte, and wildlife species. If suitable habitat exists, in order for a project to comply with CEQA, focused protocol-level special-status species surveys should be conducted at the site prior to issuing a permit. CNPS requests that protocol-level plant surveys be conducted during the appropriate active growing stage of the life cycle of the target species. The surveys require adequate advance planning. In accordance with CDFG Habitat Conservation Planning Branch recommendations for "...protection of plants which are regionally significant, such as locally rare species, disjunct populations of more common plants, or plants on the CNPS Lists 3 and 4."<sup>2</sup> we recommend that in addition to addressing federal and state listed species and CNPS List 1A, 1B and 2 species, the following species should also be addressed prior to issuing permits: plants and bryophytes that are CNPS List 1A, 1B, 2, 3 or 4 species, lichens on CDFG's Special Vascular Plants, Bryophytes, and Lichens List<sup>3</sup>, plants listed in the *Rare, Unusual and Significant Plants of Alameda and Contra Costa Counties*, and plants that are federal species of concern or federally-listed as species of local concern.
- CNPS would also like to request that sensitive plant communities that are tracked by California Department of Fish and Game be addressed during the EIR process.
- CNPS requests on-site mitigation for all sensitive plant species and communities found on site. Whenever possible, negative impacts on the species should be avoided. If impacts must occur, CNPS suggests mitigation occur at 3:1.
- CNPS is concerned about the number of oak trees that will be removed. While it is encouraging that loss of oaks be mitigated 3:1, CNPS policy favors retention of existing habitat to mitigation planting. Can the project be scaled back or redesigned to protect a significant number of trees?
- In order to fully identify issues and propose scientifically based management decisions, a vegetation map of the existing vegetation alliance is recommended for the document.

CNPS requests that a vegetation map, mapped at the alliance level, be prepared as part of the EIR. CNPS recommends using the Releve or Rapid Assessment methods to achieve this level of mapping detail<sup>4</sup>.

- CNPS is encouraged to see that the majority of home building is planned on previously disturbed areas but is concerned about the site location for the four estate homes. The estate homes will directly impact and fragment a large tract of intact oak woodland and scrub vegetation. Such hillside homes introduce highly flammable materials into the landscape, often resulting in further habitat degradation to achieve fire protection. CNPS suggests confining the development to the lower elevations, and including a “no executive homes” alternative in the EIR. If executive home development must occur, CNPS suggests they must be sited to minimize the need for vegetation management by public agencies seeking to protect the homes from fire, that fewer executive homes be built or confining the building to lower elevations.
- Will a significant fund be included in the EIR for maintenance and management of the Conservation Bank? CNPS is concerned that the project will increase invasive species intrusion, erosion, and pollution, as well as lessen the protection of sensitive plant and animal species found on eastern San Pablo Ridge. CNPS suggests that a significant fund be dedicated specifically to protecting the native plant communities and species, both rare and common, found in the mitigation bank. CNPS also suggests that public access be limited to existing roads and trails to prevent further disturbance and invasive species intrusion.
- CNPS requests that the development landscape use locally native plants, not redwood trees. Further, if straw wattles are used for water filtration purposes, CNPS requests that weed-free straw be used.

We look forward to being active participants in the upcoming EIR process. If you have any questions, please contact me at [jjolson@ebcnps.org](mailto:jjolson@ebcnps.org).

Sincerely,

Jessica Olson  
East Bay Conservation Analyst  
California Native Plant Society

**CEQA-Protected Rare and Unusual Plants  
on the East Side of San Pablo Ridge  
2005  
(Statewide Rare Plants in Upper Case)**

**Rank  
in East**

<b>Bay</b>	<b>Species</b>	<b>Common Name</b>	<b>Habitat</b>
*A2	AMSINCKIA LUNARIS	bent-flowered fiddleneck	Grassland; Woodland; Misc. habitats
*A2	CALOCHORTUS UMBELLATUS	Oakland star-tulip	Chaparral; Scrub; Woodland
A2	Ceanothus thyrsiflorus var. thyrsiflorus	blue blossom; California-lilac	Misc. habitats
A2	Cirsium quercetorum	brownie thistle	Grassland; Woodland
A2	Deschampsia cespitosa ssp. holciformis	tufted hairgrass	Misc. Wetlands
A1?	Dichelostemma volubile(?)	twining brodiaea	Scrub; Woodland
*A2	DIRCA OCCIDENTALIS	western leatherwood	Forest; Riparian; Scrub
A2	Elymus stebbinsii	Parish's wheat-grass	Chaparral; Dry Open Slopes; Forest
A2	Elymus X hansenii	Hansen squirreltail	Grassland
*A2	HELIANTHELLA CASTANEA	Diablo helianthella	Chaparral; Grassland; Woodland
*A1	HOITA STROBILINA (?)	Loma Prieta hoita	Chaparral; Woodland
A1	Iris longipetala	field iris	Misc. habitats
A2	Layia gaillardioides	woodland layia	Scrub; Woodland
A2	Layia hieracioides	tall layia	Misc. habitats
A2	Lilium pardalinum ssp. pardalinum	leopard lily	Freshwater Marsh; Riparian
A1?	Lotus oblongifolius var. oblongifolius(?)	narrow-leaved lotus	Freshwater Marsh
A2	Lupinus arboreus	yellow bush lupine	Coastal Bluff; Coastal Strand; Sand or Sandstone
*A2	MECONELLA OREGONA	Oregon meconella	Grassland; Misc. habitats
A1	Psilocarphus tenellus var. globiferus (var. tenellus is more common)	round woolly-marbles	Vernal Pools; Misc. Wetlands

**NOTE:** Plant species followed by “(?)” have taxonomic or distribution problems and it is not clear if they occur here.

**Explanation of Ranks**

**\*A1 and \*A2:** Species in Alameda and Contra Costa counties listed as rare, threatened or endangered statewide by federal or state agencies or by the state level of CNPS.

**A1x:** Species previously known from Alameda or Contra Costa Counties, but now believed to have been extirpated, and no longer occurring here.

**A1:** Species currently known from 2 or less regions in Alameda and Contra Costa Counties.

**A2:** Species currently known from 3 to 5 regions in the two counties, or, if more, meeting other important criteria such as small populations, stressed or declining populations, small geographical range, limited or threatened habitat, etc.