3.3 Biological Resources

Environmental Setting

PHYSICAL SETTING

Daly City is located on the San Francisco Bay Peninsula and, like the neighboring communities, it has been heavily developed and is now over 90 percent urbanized. Portions of San Bruno Mountain within Daly City and certain areas in the Coastal Zone are the only large undeveloped areas in the city that support relatively large patches of suitable habitat for special status species. While San Bruno Mountain supports high quality habitat for several endangered species, most undeveloped areas along the coastline are highly disturbed and dominated by exotic plants leaving very little native habitat.

San Bruno Mountain as a whole is the largest undeveloped landmass on the upper peninsula and supports a diverse collection of biological resources. In total, San Bruno Mountain encompasses 3,600 acres within the jurisdictions of Brisbane, Daly City, and South San Francisco. The largest portion of that land, 2,800 acres, is San Bruno Mountain State and County Park, operated by San Mateo County Department of Parks and Recreation. The city includes a small part of the northern and western boundary of the mountain (totaling approximately 300 acres). It is host to a number of special status plant and animal species, including the federally endangered Mission blue *(Plebejus icarioides missionensis)*, callippe silverspot *(Speyeria callippe callippe)*, and San Bruno elfin *(Callophrys mossii bayensis)* butterflies.

The Coastal Zone in Daly City consists of all lands within the city limits that are west of Skyline Boulevard as well as two areas in the northern part of the city which are east of Skyline Boulevard. Within the Coastal Zone, all beach parcels are publicly owned, while most upland parcels immediately adjacent to Highway 35 are privately owned. A big portion of the Coastal Zone is developed with single-family detached homes constructed as part of the Westlake neighborhood in the 1950s and 1960s. Subsequent private development has been minimal since the City adopted its first Coastal Element in 1984. The terrain of coastal bluffs and the threat of landslides have severely restricted the potential for new development in the Coastal Zone.

The publicly owned land within the Coastal Zone is held by either Daly City, the State of California, or by the federal government, and consists of open space and beaches. Mussel Rock Park located in the southwest corner of Coastal Zone, contains the largest patch of the undisturbed habitat in the Coastal Zone. Thornton Beach State Park forms the northern-most habitat area. Much of the native vegetation within the Coastal Zone however, has been replaced with exotic invasive plants which limits its value to native species.

Wildlife Habitats

Wildlife habitats provide food, shelter, movement corridors, and breeding opportunities for wildlife species. They are classified in general terms with an emphasis on vegetation structure, species composition, soil structure, and water availability. The dominant remaining habitat types in the city are: chamise-redshank chaparral, annual grass, and coastal scrub, which are located along the Coastal Zone and the periphery of San Bruno Mountain. Table 3.3-1 summarizes the land cover and habitat types, approximate acreage and percentage of each in the city and SOI. Figure 3.3-1 shows the habitat types in the city and SOI.

TABLE 3.3-1: LAND COVER/WILDLIFE HABITAT FOUND IN DALY CITY AND SOI

Land Cover/Habitat	*Acres*	*Percent of Total*
Urban	4,907.8	90.2
Annual Grassland	1,50.7	2.8
Coastal Scrub	285.5	5.3
Barren*	47.1	0.9
Eucalyptus	21.9	0.4
Oak Woodlands	15.6	0.3
Coastal Dune	8.9	0.1
Total	5,437.4	100

* The California Department of Forestry and Fire Protection designated 18.3 acres on the north coastline as Lacustrine habitat, however aerial photography indicates that this land is beach and therefore is more appropriately categorized as Barren habitat.

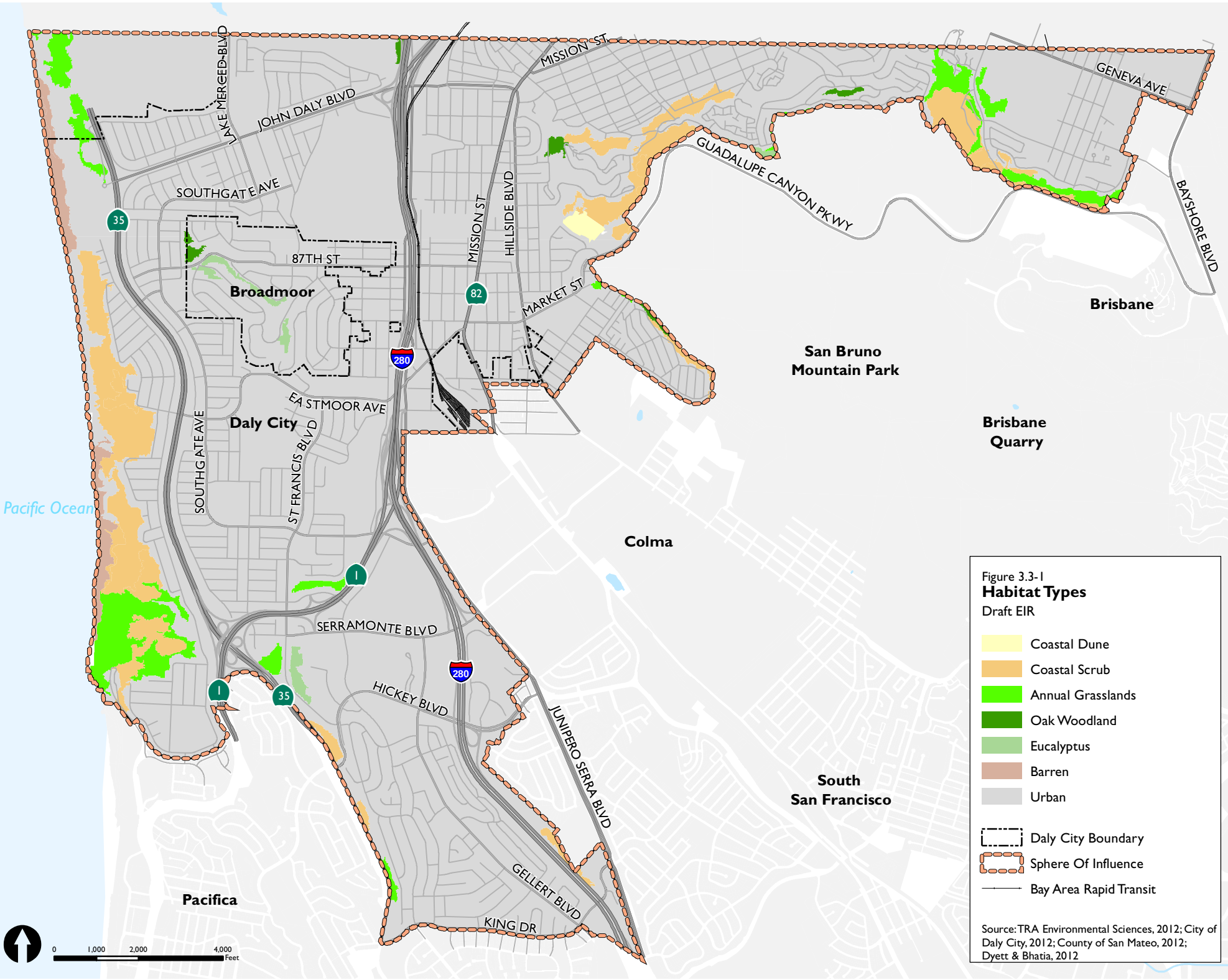
Source: California Department of Forestry and Fire Protection, 2002.

Urban

Daly City is overwhelmingly urbanized and urban land cover covers approximately 90.5 percent of the city and SOI. Where vegetation does exist, it tends to consist primarily of introduced ornamental trees, shrubs and manicured grasses as well as invasive weeds in disturbed areas. Species richness depends greatly upon community design. Most areas offer minimal cover only. The small patches of vegetation which remain favor species of birds and mammals which have adapted to human habitation.

Annual Grassland

Annual grassland dominates flat areas in the southern portion of the Coastal Zone near Mussel Rock Park as well as the northeastern portion of San Bruno Mountain. Annual grassland also occurs along arterial road and highway corridors. It is primarily characterized by non-native annual grasses and forbs which provide foraging and breeding opportunities for many wildlife species.


JOHN DALY BLVD
LAKE MERCED BLVD
SOUTHGATE AVE
87TH ST
Broadmoor
Daly City
EASTMOOR AVE
SOUTHGATE AVE
ST FRANCIS BLVD
MISSION ST
HILLSIDE BLVD
MARKET ST
MISSION ST
GUADALUPE CANYON PKWY
GENEVA AVE
BAYSHORE BLVD
Brisbane
San Bruno Mountain Park
Brisbane Quarry
Colma
South San Francisco
Pacific Ocean
SERRAMONTE BLVD
HICKEY BLVD
JUNIPERO SERRA BLVD
GELLERT BLVD
KING DR
Pacifica
35
280
82
1
0 1,000 2,000 4,000 Feet
Figure 3.3-1
Habitat Types
Draft EIR
Coastal Dune
Coastal Scrub
Annual Grasslands
Oak Woodland
Eucalyptus
Barren
Urban
Daly City Boundary
Sphere Of Influence
Bay Area Rapid Transit
Source: TRA Environmental Sciences, 2012; City of Daly City, 2012; County of San Mateo, 2012; Dyett & Bhatia, 2012

Coastal Scrub

Coastal scrub is most common along moderate slopes in the southern portion of the Coastal Zone, inland from Mussel Rock Park and along ridges near San Bruno Mountain. It is characterized by thick concentrations of dry vegetation. It is frequently dominated by non-native species such as French broom *(Genista monspessulana)* and pampas grass *(Cortaderia selloana)*. It supports both overstory trees and understory vegetation.

Barren

Barren land is generally devoid of vegetation but is not developed like urban habitat. Barren land includes both the sandy beaches and exposed bedrock cliffs found along the Coastal Zone.

Eucalyptus

Eucalyptus stands are typically artificially developed. The structure of each individual stand varies greatly depending upon the purpose for which it was planted. Typically eucalyptus stands have a dense overstory with very little development of understory plants. There is very little species diversity and most stands are overwhelmingly dominated by red gum *(Eucalyptus camaldulensis)* and blue gum *(Eucalyptus globules)*. Wildlife use the high canopy to develop roosts, perches, and nests. The stringy bark also creates microhabitats for small vertebrates.

Oak Woodland

Oak woodlands within the city are dominated by coast live oak *(Quercus agrifolia*), forming either pure stands or mixing with deciduous evergreen hardwoods to form a thick overstory canopy. Branches regularly touch but do not overlap allowing light to penetrate the canopy. Shade tolerant shrubs and herbaceous plants are common in the understory. A number of wildlife species use coastal oak woodlands for food, breeding, and cover.

Coastal Dune

Coastal dune land is frequently devoid of vegetation due to loose, sandy soils. Patches of dense ground cover may be found intermittently between open dunes, ice plant *(Carpobrotus edulis)* is frequently dominant. Coastal dune land was historically one of the most dominant habitat types in the region however much of that land has been converted into urban uses.

Special-Status Species

Special-status species are plants and animals that are legally protected under the federal and state endangered species acts, or other regulations, and/or species that are considered sufficiently rare by the scientific community to qualify for such a listing. Species known to occur, according to the California Natural Diversity Database (CNDDB), within five miles of the city and SOI, and which therefore may have a reasonable probability of occurring within the city and SOI are listed in Table 3.3-2.

TABLE 3.3-2: SPECIAL-STATUS SPECIES POTENTIALLY FOUND IN DALY CITY AND SOI

Species	*Listing Status*	*Habitat requirements*	*Potential for Occurrence*
Invertebrates			
Bay checkerspot butterfly *(Euphydryas editha bayensis)*	FT	Native grasslands on outcrops of serpentine soil in the vicinity of the San Francisco Bay. *Plantago erecta* is the primary host plant.	None. No suitable habitat present.
Callippe silverspot butterfly *(Speyeria callippe callippe)*	FE	Grasslands with host plant, *Viola pedunculata*. Males congregate on hilltops in search of females.	Moderate. Suitable habitat with host plants may exist within grassland areas.
Mission blue butterfly *(Plebejus icarioides missionensis)*	FE	Grassland and coastal scrub with any of host plants (*Lupinus albifrons, L.variicolor, L. formosus*).	Moderate. Suitable habitat with host plants may exist within grassland and coastal scrub areas.
Myrtle's silverspot *(Speyeria zerene myrtleae)*	FE	Restricted to the foggy, coastal dunes/hills of the Point Reyes Peninsula; extirpated from coastal San Mateo County.	None. Species extirpated from coastal San Mateo County.
San Bruno elfin butterfly *(Callophrys mossii bayensis)*	FE	Rocky outcrops within grassland and coastal scrub, with host plant *Sedum spathulifolium*.	Low. Small potential for suitable habitat with host plants within grassland and coastal scrub areas.
Fish			
Hardhead *(Mylopharodon conocephalus)*	SSC	Low to mid-elevation streams in the Sacramento-San Joaquin drainage. Also present in the Russian River.	None. No suitable habitat present.
Steelhead - central California coast DPS *(Oncorhynchus mykiss irideus)*	FT	From Russian River, south to Soquel Creek and to, but not including, Pajaro River. Also San Francisco and San Pablo Bay basins.	None. No suitable habitat present.
Tidewater goby *(Eucyclogobius newberryi)*	FE	Brackish water habitats along the CA coast. Found in shallow lagoons and lower stream reaches, they need fairly still but not stagnant water & high oxygen levels.	None. No suitable habitat present.

TABLE 3.3-2: SPECIAL-STATUS SPECIES POTENTIALLY FOUND IN DALY CITY AND SOI

Species	*Listing Status*	*Habitat requirements*	*Potential for Occurrence*
Amphibians			
California red-legged frog *(Rana draytonii)*	FT, SSC	Found within permanent and semipermanent aquatic habitats, such as creeks and cold-water ponds, with emergent and submergent vegetation; may aestivate in rodent burrows or cracks during dry periods.	None. No suitable bay habitat present.
Reptiles			
San Francisco garter snake *(Thamnophis sirtalis tetrataenia)*	FE, SE, FP	Vicinity of freshwater marshes, ponds and slow moving streams. Prefers dense cover & water depths of at least one foot. Upland areas near water are also very important.	None. No suitable bay habitat present.
Western pond turtle *(Emys marmorata)*	SSC	An aquatic turtle found in ponds, marshes, rivers, streams, and irrigation ditches. Requires basking sites and suitable (sandy banks or grassy open fields) upland habitat.	None. No suitable bay habitat present.
Birds			
California black rail *(Laterallus jamaicensis coturniculus)*	ST, FP	Inhabits freshwater marshes, wet meadows & shallow margins of saltwater marshes bordering larger bays. Nests and forages in tidal emergent wetland with pickleweed and cordgrass.	None. No suitable bay habitat present.
California clapper rail *(Rallus longirostris obsoletus)*	FE, SE, FP	Salt-water & brackish marshes traversed by tidal sloughs in the vicinity of San Francisco Bay. Nests and forages in emergent wetland with pickleweed, bulrush, and cordgrass.	None. No suitable bay habitat present.
Saltmarsh common yellowthroat *(Geothlypis trichas sinuosa)*	SSC	Resident of the San Francisco Bay region, in fresh and salt water marshes. Uses tall grasses, tules, or willows for nesting.	None. No suitable bay habitat present.
Alameda song sparrow *(Melospiza melodia pusillula)*	SSC	Salt marshes of the south arm of San Francisco Bay. Nests low in grindelia bushes (high enough to escape high tides) and in pickleweed.	None. No suitable bay habitat present.

TABLE 3.3-2: SPECIAL-STATUS SPECIES POTENTIALLY FOUND IN DALY CITY AND SOI

Species	*Listing Status*	*Habitat requirements*	*Potential for Occurrence*
American peregrine falcon *(Falco peregrinus anatum)*	FP	Near wetlands, lakes, rivers, or other water; on cliffs, banks, dunes, mounds; also, human-made structures.	Low. May forage and nest within the planning area.
Bank swallow *(Riparia riparia)*	ST	Colonial nester; nests primarily in riparian and other lowland habitats west of the desert. Requires vertical banks/cliffs with fine-textured/sandy soils near streams, rivers, lakes, ocean to dig nesting hole.	Moderate. Potentially suitable nesting habitat along coastal cliffs.
Mammals			
Pallid bat *(Antrozous pallidus)*	SSC	Deserts, grasslands, shrublands, woodlands & forests. Most common in open, dry habitats with rocky areas for roosting.	None. No suitable habitat present.
Western red bat *(Lasiurus blossevillii)*	SSC	Typically associated with riparian areas for foraging and roosting below 3,000 ft. They tend to roost in tree foliage, especially near water.	None. No suitable habitat present.
American badger *(Taxidea taxus)*	SSC	Most abundant in drier open stages of most shrub, forest, and herbaceous habitats, with friable soils and open, uncultivated ground.	None. No suitable habitat present.
Plants			
Bent-flowered fiddleneck *(Amsinckia lunaris)*	CNPS 1B.2	Open cismontane woodland, valley and foothill grassland.	None. No suitable habitat present.
Franciscan manzanita *(Arctostaphylos franciscana)*	CNPS 1B.1	Chaparral, coastal scrub.	None. Species occurrence is well documented and is restricted to the Presidio in San Francisco.
San Bruno Mountain manzanita *(Arctostaphylos imbricate)*	CNPS 1B.1	Chaparral, coastal scrub.	None. Species occurrence is well documented and is known to occur only on San Bruno Mountain.

TABLE 3.3-2: SPECIAL-STATUS SPECIES POTENTIALLY FOUND IN DALY CITY AND SOI

Species	*Listing Status*	*Habitat requirements*	*Potential for Occurrence*
Presidio manzanita *(Arctostaphylos montana ssp. Ravenii)*	CNPS 1B.2	Chaparral, coastal prairie, coastal scrub. Open rocky serpentine slopes.	None. Species occurrence is well documented and is restricted to the Presidio in San Francisco.
Montara manzanita *(Arctostaphylos montaraensis)*	CNPS 1B.2	Chaparral, coastal scrub.	None. Species occurrences are well documented and are only known from San Bruno Mountain and Montara Mountain.
Pacific manzanita *(Arctostaphylos pacifica)*	CNPS 1B.2	Coastal scrub	None. Species occurrence is well documented and is known to occur only on San Bruno Mountain.
Alkali milk-vetch *(Astragalus tener var. tener)*	CNPS 1B.2	Alkali flats, vernal pools in valley grassland.	None. No suitable habitat present.
Bristly sedge *(Carex comosa)*	CNPS 2.1	Marshes and swamps, lake margins, wet places.	None. No suitable habitat present.
Pappose tarplant *(Centromadia parryi ssp. Parryi)*	CNPS 1B.2	Chaparral, coastal prairie, meadows and seeps, marshes, valley and foothill grassland-vernally mesic/often alkaline	None. No suitable habitat present.
San Francisco Bay spineflower *(Chorizanthe cuspidata var. cuspidate)*	CNPS 1B.2	Coastal bluff scrub, coastal dunes, coastal prairie, coastal scrub.	Present. Species has been found within coastal sand dunes in the planning area.
Robust spineflower *(Chorizanthe robusta var. robusta)*	FE, SE, CNPS 1B.1	Cismontane woodland, coastal dunes, coastal scrub. Sandy terraces and bluffs or in loose sand.	Very low. Suitable habitat present, but species believed extirpated from San Mateo County.

TABLE 3.3-2: SPECIAL-STATUS SPECIES POTENTIALLY FOUND IN DALY CITY AND SOI

Species	*Listing Status*	*Habitat requirements*	*Potential for Occurrence*
Franciscan thistle *(Cirsium andrewsii)*	CNPS 1B.2	Coastal bluff scrub, broadleaved upland forest, coastal scrub.	Very low. Suitable habitat present, however species likely to have been discovered as the few populations in the region are well known.
Compact cobwebby thistle *(Cirsium occidentale var. compactum)*	CNPS 1B.2	Chaparral, coastal dunes, coastal prairie, coastal scrub, on dunes and on clay in chaparral.	None. Only nearby population occurred in San Francisco and was extirpated.
Round-headed Chinese-houses *(Collinsia corymbosa)*	CNPS 1B.1	Coastal dunes, coastal prairie.	None. No suitable habitat present.
San Francisco collinsia *(Collinsia multicolor)*	CNPS 1B.2	Moist shady woodland, associated with California buckeye, honeysuckle, ferns, coast live oak, poison oak.	None. No suitable habitat present.
Western leatherwood *(Dirca occidentalis)*	CNPS 1B.2	Broadleafed upland forest, chaparral, closed-cone coniferous forest, cismontane woodland, north coast coniferous forest, riparian forest and woodland.	None. No suitable habitat present.
Fragrant fritillary *(Fritillaria liliacea)*	CNPS 1B.2	Coastal scrub, valley and foothill grassland, coastal prairie on serpentine.	None. No suitable habitat present.
Blue coast gilia *(Gilia capitata ssp. Chamissonis)*	CNPS 1B.1	Coastal dunes, coastal scrub.	Very low. Suitable habitat present, however species likely to have been discovered as the few populations in the region are well known.

TABLE 3.3-2: SPECIAL-STATUS SPECIES POTENTIALLY FOUND IN DALY CITY AND SOI

Species	*Listing Status*	*Habitat requirements*	*Potential for Occurrence*
Dark-eyed gilia *(Gilia millefoliata)*	CNPS 1B.2	Coastal dunes.	None. The only coastal dunes within the planning area have been surveyed and this plant was not found present.
San Francisco gumplant *(Grindelia hirsutula var. maritime)*	CNPS 3.2	Coastal scrub, Coastal bluff scrub, valley and foothill grassland. Sandy or serpentine slopes.	Low. Limited suitable habitat present.
Diablo helianthella *(Helianthella castanea*	CNPS 1B.2	Broadleaved upland forest, chaparral, cismontane woodland, coastal scrub, grassland. Usually in chaparral/oak woodland interface in rocky soils.	Low. Moderately suitable habitat present. Only extant population in the region is on San Bruno Mountain.
White seaside tarplant *(Hemizonia congesta ssp. Congesta)*	CNPS 1B.2	Coastal scrub, valley and foothill grassland.	None. No known extant populations in San Francisco or San Mateo Counties.
Short-leaved evax *(Hesperevax sparsiflora var. brevifolia)*	CNPS 1B.2	Coastal bluff scrub, coastal dunes.	Low. Limited suitable habitat present.
Kellogg's horkelia *(Horkelia cuneata var. sericea)*	CNPS 1B.1	Closed-cone coniferous forest, coastal scrub, chaparral, on old dunes and coastal sandhills.	Low. Limited suitable habitat present.
Point Reyes horkelia *(Horkelia marinensis)*	CNPS 1B.2	Coastal dunes, coastal prairie, coastal scrub, in sandy flats and dunes near coast.	Low. Limited suitable habitat present. Species known in the region from one historical record.
Beach layia *(Layia carnosa)*	FE, SE, CNPS 1B.1	Coastal dunes, on sparsely vegetated, semi-stabilized dunes, usually behind foredunes.	None. No suitable habitat present. Species extirpated from region.

TABLE 3.3-2: SPECIAL-STATUS SPECIES POTENTIALLY FOUND IN DALY CITY AND SOI

Species	*Listing Status*	*Habitat requirements*	*Potential for Occurrence*
Coast yellow leptosiphon *(Leptosiphon croceus)*	CNPS 1B.1	Coastal bluff scrub, coastal prairie.	Very low. Limited suitable habitat present. Species known in the region from one record at Moss Beach.
Rose leptosiphon *(Leptosiphon rosaceus)*	FE, CNPS 1B.1	Coastal bluff scrub.	Very low. Limited suitable habitat present. Species known in the region from one record at Mori Point.
San Francisco lessingia *(Lessingia germanorum)*	FE, SE, CNPS 1B.1	Coastal scrub from remnant dunes. Open sandy soils relatively free of competing plants.	Present. Species has been found within coastal sand dunes in the planning area.
Arcuate bush-mallow *(Malacothamnus arcuatus)*	CNPS 1B.2	Chaparral, cismontane woodland.	None. No suitable habitat present.
Marsh microseris *(Microseris paludosa)*	CNPS 1B.2	Closed-cone coniferous forest, cismontane woodland, coastal scrub, valley and foothill grassland.	None. No known extant populations in San Francisco or San Mateo Counties.
White-rayed pentachaeta *(Pentachaeta bellidiflora)*	FE, SE, CNPS 1B.1	Valley and foothill grassland. Open dry rocky slopes and grassy areas, often on soils derived from serpentine bedrock.	None. No suitable habitat present.
Choris' popcorn-flower *(Plagiobothrys chorisianus var. chorisianus)*	CNPS 1B.2	Chaparral, coastal prairie, coastal scrub, in mesic sites.	Low. Moderately suitable habitat present.
Adobe sanicle (Sanicula maritime)	CNPS 1B.1	Meadows and seeps, valley and foothill grassland, chaparral, coastal prairie.	None. No known extant populations in San Francisco or San Mateo Counties.

TABLE 3.3-2: SPECIAL-STATUS SPECIES POTENTIALLY FOUND IN DALY CITY AND SOI

Species	*Listing Status*	*Habitat requirements*	*Potential for Occurrence*
San Francisco campion (Silene verecunda ssp. Verecunda)	CNPS 1B.2	Coastal scrub, valley and foothill grassland, coastal bluff scrub, chaparral. Often on rocky soils, mudstone, or shale.	Low. Limited suitable habitat present.
California seablite (*Suaeda californica*)	FE, CNPS 1B.1	Coastal saltwater marshes and swamps.	None. No suitable habitat present.
Showy rancheria clover *(Trifolium amoenum)*	FE, CNPS 1B.1	Valley and foothill grassland, coastal bluff scrub. Sometimes on serpentine soil, open sunny sites, swales.	Very low. Little suitable habitat. No known, extant populations in the region.
San Francisco owl's-clover *(Triphysaria floribunda)*	CNPS 1B.2	Coastal prairie, valley and foothill grassland.	Low. Limited suitable habitat present. Only historical records known for San Mateo County.
Coastal triquetrella *(Triquetrella californica)*	CNPS 1B.2	Grows within 30 meters from the coast in coastal scrub, grasslands and in open gravels on roadsides, hillsides, and rocky slopes.	Low. Limited suitable habitat present.

Notes:

Status

FE: Federal endangered

FT: Federal threatened

SE: State endangered

ST: State threatened

SR: State Rare

SP: State Fully Protected

SSC: California species of special concern

CNPS 1B: Rare, threatened or endangered in California and elsewhere

Threat Rank

0.1: Seriously threatened in California (high degree/immediacy of threat)

0.2: Fairly threatened in California (moderate degree/immediacy of threat)

0.3: Not very threatened in California (low degree/immediacy of threats or no current threats known)

Source: CNDDB, 2012; USFWS, 2012; CNPS, 2012.

Critical Habitat

Neither the U.S. Fish and Wildlife Service (USFWS) or the National Marine Fisheries Service (NMFS) have designated any critical habitat within the city. Daly City is located within the Central California Coast Evolutionary Significant Unit of steelhead, however, no rivers or streams are present within the city which could support steelhead.

Habitat Connectivity/Wildlife Movement

Habitat corridors facilitate wildlife migration and movement within landscapes and are important to the viability of many wildlife populations. Wildlife movement may include migration (one-way per season), inter-population movement (long-term genetic flow), and small travel pathways (daily movements within a territory).

Wildlife movement within the city is extremely limited due to urban development, especially for land mammals (e.g. coyote). San Bruno Mountain, the largest habitat area in the region, is largely isolated from historical pathways by surrounding development. Only winged species (e.g. birds, butterflies) migrate through the mountain. Small travel pathways within the city are also impaired due to urban development.

REGULATORY SETTING

Federal Regulations

Endangered Species Act (FESA)

The FESA protects fish and wildlife species that are listed as threatened or endangered, and their habitat from unlawful take. The USFWS is generally responsible for the protection of wildlife species while the National Oceanic and Atmospheric Administration, National Marine Fisheries Service (NMFS) is generally responsible for marine species. Endangered species, subspecies, or distinct population segments are those considered in danger of extinction through all or most of their range. Threatened species, subspecies, and distinct populations segments are those likely to become endangered in the near future. Take is defined as any action or attempt to "hunt, harm, harass, pursue, shoot, wound, capture, kill, trap, or collect a species." Take also applies to any "significant habitat modification or degradation."

Section 7 of the FESA requires that all federal agencies consult with the USFWS and NMFS if a proposed project may affect a listed species or its habitat.

Section 9 of the FESA prohibits unlawful take of any federally threatened or endangered fish or wildlife species. It also prohibits unlawful removal, possession, or malicious damage or destruction, of any endangered plant from federal land. Candidate species do not receive Section 9 protection.

Section 10 of the FESA allows states, local governments, private parties, and other non-federal entities to receive authorization from the USFWS and NMFS to incidentally take listed species. The USFWS and NMFS may issue an Incidental Take Permit provided the project activities are otherwise legal and would not have the potential to jeopardize the continued existence of the species. Section 10 requires that the applicant prepare a Habitat Conservation Plan which addresses project impacts and proposes mitigation to compensate for those impacts.

Clean Water Act (CWA)

The overall goal of the CWA is to "restore and maintain the chemical, physical, and biological integrity of the Nation's waters." It is enforced by the Environmental Protection Agency (EPA) and the United States Army Corps of Engineers (USACE). The CWA applies to "waters of the United States", which includes lakes, streams, rivers (and their tributaries), and wetlands.

Section 404 of the CWA regulates the placement of structures, dredging, and the discharge of fill material into "waters of the United States". Proponents must obtain a USACE permit for all discharges of dredged or fill materials into waters of the United States. The USACE issues both general (i.e. nationwide), and individual permits. General permits are issued by category and are not subject to public review and cover activities which typically involve minimal impacts to aquatic resources. Individual permits require a public review process and are typically required for larger projects which are more likely to involve impacts to aquatic resources.

Section 401 of the CWA requires that both individual and nationwide permits must be certified by the State Water Resources Control Board (SWRCB) in order to be valid.

Migratory Bird Treaty Act (MBTA)

Migratory birds are protected under the MBTA. The MBTA prohibits the take, possession, import, export, transport, selling, barter, purchase, exchange, or offering for sale of any migratory birds, parts, eggs, or nests without a valid permit.

State Regulations and Authorities

California Endangered Species Act (CESA)

The California Endangered Species Act (CESA), administered by the California Department of Fish and Game (CDFG), protects wildlife and plants listed as "threatened" or "endangered" by the California Fish and Game Commission, as well as species identified as candidates for listing. Section 2080 of the Fish and Game Code prohibits "take" of any species that the commission determines to be an endangered species or a threatened species. Take is defined in Section 86 of the Fish and Game Code as "hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill." The CESA restricts all persons from taking listed species except under certain circumstances. The state definition of take is similar to the federal definition, except that the CESA does not prohibit indirect harm to listed species by way of habitat modification. Under CESA, an action must have a direct, demonstrable detrimental effect on individuals of the species. The CESA emphasizes early consultation to avoid potential impacts to rare, endangered, and threatened species and to develop appropriate mitigation planning to offset project caused losses of listed species populations and their essential habitats.

CDFG maintains lists of animal species of special concern (CSSC) that serve as "watch lists." A CSSC is not subject to the take prohibitions of the CESA. The CSSC are species that are declining at a rate that could result in listing under the federal ESA or CESA and/or have historically occurred in low numbers, and known threats to their persistence currently exist. This designation is intended to result in special consideration for these animals and is intended to focus attention on the species to help avert the need for costly listing under federal and state endangered species laws. This designation also is intended to stimulate collection of additional information on the biology, distribution, and status of poorly known at-risk species, and focus research and management attention on them.

State agencies should not approve projects as proposed that would jeopardize the continued existence of any endangered or threatened species or result in the destruction or adverse modification of habitat essential to the continued existence of those species, if there are reasonable and prudent

alternatives available consistent with conserving the species or its habitat which would prevent jeopardy (Fish and Game Code § 2053). Under Sections 2080.1 or 2081(b) of the California Fish and Game Code, CDFG may permit incidental take of species listed under CESA, except for species that are designated as fully protected. California statutes accord "fully protected" status to a number of specifically identified birds, mammals, reptiles, and amphibians. These species cannot be "taken," even with an incidental take permit..

California Department of Fish and Game

Steambed Alteration

State and local agencies are subject to California Fish and Game Code Section 1602 which governs construction activities that will substantially divert or obstruct the natural flow or substantially change the bed, channel, or bank of any river, stream, or lake designated by the CDFG. Under Section 1602 a discretionary Streambed and Alteration Agreement permit must be issued by the CDFG prior to starting construction activities within lands under CDFG jurisdiction. Generally that jurisdiction is anywhere within the 100 year floodplain of a stream or river containing fish or wildlife resources.

Native Plant Protection

The Native Plant Protection Act prohibits take, possession, or sale of any plants designated by the State as rare, threatened, or endangered. Under specific circumstances owners may first notify CDFG and give that state agency at least 10 days to come and retrieve the plants before they are destroyed. Project impacts to 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.

California Native Plant Society (CNPS)

The CNPS is a non-governmental agency that classifies California native plant species according to current population distribution and threat-level. The CNPS publishes that listing in the Inventory of Rare and Endangered Vascular Plants of California. The CNPS classification is relevant to identifying potential impacts to biological resources due to implementation of the Daly City 2030 General Plan. Potential impacts to populations of CNPS-listed plants receive consideration under CEQA review. The following identifies the definitions of the CNPS listings:

- List 1A: Plants believed to be extinct
- List 1B: Plants that are rare, threatened, or endangered in California and elsewhere
- List 2: Plants that are rare, threatened, or endangered in California, but are more numerous elsewhere

All of the plant species on List 1 and List 2 meet the requirements of Section 1901, Chapter 10 (Native Plant Protection Act) or Sections 2062 and 2067 (CESA) of the California Fish and Game Code and are eligible for state listing.

Coastal Zone Management Act (CZMA)

The goal of the CZMA is to preserve, protect, develop, and where possible, restore or enhance the nation's coastal zone, which includes territorial sea and inland bays. Proposed projects which affect

water use in the coastal zone must be consistent with the state's coastal management program. All actions taken by a federal entity or actions which require a federal permit are subject to the CZMA. Since Daly City is located near both the San Francisco Bay and Pacific Ocean nearly any proposed action requiring a federal permit would be subject to the CZMA.

Marine Mammal Protection Act (MMPA)

The Marine Mammal Protection Act prohibits the taking of marine mammals or marine mammal products except under special permit conditions. Take is broadly defined under the MMPA to include capturing, killing, and harassing marine mammals. The MMPA applies to all seals, sea lions, whales, and other marine mammals.

Porter-Cologne Water Quality Control Act

The Porter-Cologne Water Quality Control Act assigns overall responsibility for water rights and water quality control to the SWRCB which in directs the nine statewide Regional Water Quality Control Boards (RWQCBs) to develop and enforce water quality standards.

California Regional Water Quality Control Board

California state law defines "waters of the state" means "any surface water or groundwater, including saline waters, within the boundaries of the state." California water quality regulations therefore apply to surface waters, groundwater, and isolated wetlands. In general, the RWQCBs regulate discharges to isolated waters in much the same way as they do for federal-jurisdictional waters, using Porter-Cologne rather than CWA authority.

Clean Water Act, Section 401 Water Quality Certification

Section 401 of the CWA requires all applicants for federal licenses or permits to conduct any activity that may result in a discharge of pollutants into waters of the United States to obtain a certification that the discharge will comply with applicable effluent limitations and water quality standards.

Locally, the San Francisco Bay Regional Water Quality Control Board (SFBRWQCB) is responsible for enforcing water quality regulations, developing criteria for protecting water resources, and controlling discharges to surface waters of the state by issuing waste discharge requirements or issuing conditional waivers. All proposed projects applying for Section 404 permits from the USACE must obtain Section 401 certification from the SFBRWQCB.

A request for water quality certification by the SFBRWQCB and a Notice of Intent application for a General Permit for Storm Water Discharges Associated with Construction Activities are prepared and submitted following completion of the CEQA environmental document and submittal of the wetland delineation to USACE.

National Pollutant Discharge Elimination System (NPDES)

California has been delegated permit authority for the NPDES permit program, including stormwater permits for all areas (except Native American lands). Issuing CWA Section 404 permits remains the responsibility of the USACE but the State actively uses its CWA Section 401 certification authority to ensure Section 404 permits protect state water quality standards.

Local Regulations

San Bruno Mountain Habitat Conservation Plan (HCP)

The San Bruno Area Habitat Conservation Plan (HCP) was executed as an Agreement in November 1982 with the US Fish and Wildlife Service, California Department of Fish and Game, County of San Mateo, the cities of Brisbane, Daly City and South San Francisco, and several private property owners. The HCP was created to provide for the indefinite perpetuation of the Mission blue butterfly and to protect habitat of the other Species of Concern. It includes the establishment of public ownership of sufficient habitat area to support the species as well as funding for the ongoing maintenance of the habitat. Funding is provided by limited development that was excluded from such habitat area and devoted to urban uses, including, among others, residential, community service, commercial and recreational uses.

Given that the San Bruno Mountain encompasses approximately 3,600 acres, with various ownerships and within various cities, the HCP presents a single unifying and coordinating document to provide protection, enhancement and funding for the entire San Bruno Mountain ecological community. The HCP provides for the perpetuation of conserved habitat areas through eradication of exotic species; re-vegetation with grassland species; effective yearly monitoring of the species of concern to control reintroduction of exotics; and patrol of the area to discourage destructive human activities.

Portions of three of the four HCP planning areas are located within the jurisdiction of Daly City (Saddle, Radio Ridge, and Guadalupe Hills). Within those areas, all designated development has been completed including Point Pacific, Village in the Park, South Hills Estates, Linda Vista, and Bay Ridge. All of this development resulted in a net gain of available habitat either through dedication, easements, or on-site restoration. Furthermore, all of these projects continue to contribute to a trust fund that is used to maintain and monitor the habitat in perpetuity.

City of Daly City Municipal Code

Chapter 17.27 – RP Resource Protection Combining District

The -RP combining district provides development regulations for designated open space areas and for a buffer zone surrounding designated open space areas to ensure that the character and intensity of allowable development is compatible with, and does not create or contribute to, adverse impacts on sensitive resources or geotechnically hazardous areas.

Chapter 12.40 – Urban Forestry

This chapter provides regulations to optimize the use of trees and other landscaping within the city. This chapter requires plans submitted to the City for the construction, repair or alteration of any building, house or structure to include provisions for sufficient guards or protectors to prevent injury to any existing publicly owned trees, shrubs, flowers or vines. It also imposes conditions regarding the displacement of trees, where a comparable size tree shall be planted or a fee is paid to the City to cover the cost of replacing a removed tree.

Impact Analysis

SIGNIFICANCE CRITERIA

Implementation of the proposed General Plan would have a significant impact if it would:

- Have 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 CDFG or USFWS;
- Have a substantial adverse effect on any riparian habitat or other sensitive natural community identifier in local or regional plans, policies, regulations, or by the CDFG or USFWS;
- Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the CWA (including, but not limited to, marsh, vernal pool, coastal, etc.) 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; or
- Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

METHODOLOGY AND ASSUMPTIONS

Analysis of the effects of implementing the Proposed General Plan was based the review of available data sources, including the CNDDB, San Bruno Mountain HCP, and applicable guidelines and regulations.

The potential growth resulting from implementing the proposed General Plan was compared to environmental baseline conditions to determine impacts. The significance criteria and the special-status definition noted above were used in combination with the profile of existing biological resources described above to identify the potential impact of future development.

SUMMARY OF IMPACTS

Future development under the proposed General Plan would primarily occur on infill sites or land contiguous to existing development. Proposed development in the vicinity of open space along the coast or San Bruno Mountain, or other potential habitats could pose a risk of potential impacts. However, adherence to established regulations and proposed General Plan policies will ensure that these potential impacts are less than significant. The proposed General Plan does not allow development in areas where it was not previously allowed, and does not include specific development projects. Additionally the proposed General Plan will not exceed development allowances under the San Bruno Mountain HCP nor will it conflict with the HCP.

The water along the beach in the Coastal Zone is designated Estuarine and Marine Wetland.[1] There is no potential for development adjacent the Wetland, and the area along the bluff continues to be designated Open Space Preservation. There are no riparian habitats within Daly City.[2] Additionally, the proposed General Plan will not conflict with the City's Urban Forestry chapter in the Municipal Code. Therefore there will be no impacts regarding adverse effects on federally protected wetlands, riparian habitat, and conflicts with the City's Urban Forestry Ordinance, and will not be discussed further.

IMPACTS AND MITIGATION MEASURES

Impact 3.3-1

Future development under the proposed General Plan will not have a significant adverse effect, either directly or through habitat modifications, on any species identified as candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the CDFG and USFWS. (*Less than Significant*)

Daly City is mostly urbanized and few undeveloped sites suitable for development remain within the city. As discussed previously, two undeveloped areas of Daly City, areas within the Coastal Zone and San Bruno Mountain, are the only areas that contain relatively large patches of suitable habitat for special species status.

Coastal Zone

As discussed previously, a large portion of the Coastal Zone is developed with single-family detached homes, and is classified as urban, as shown in Figure 3.3-1. Single-family residential areas are considered areas of stability with few opportunities for redevelopment. A significant portion of the Coastal Zone is also designated Open Space Preservation (OSP) and Public Park (PP). The area that has the most potential for redevelopment is the area designated as Retail and Office (C-RO) along Highway 35 at John Daly Boulevard.

Much of this area has been overrun with exotic species such as ice plant *(Delosperma)* and is poor habitat for most special status species. The proposed General Plan is not changing the land use designation of this area. Additionally, future development in the Coastal Zone will be subject to restrictions established in the –RP Zoning District which will ensure that future development will not adversely impact sensitive resources within the Coastal Zone. Existing federal, state, and local regulations applicable to the Coastal Zone, and proposed General Plan policies will impacts to candidate, sensitive, or special status species to less than significant.

San Bruno Mountain

As discussed previously, San Bruno Mountain supports high quality habitat for several endangered species. The city includes a small part of the northern and western boundary of the mountain

[1] U.S. Fish and Wildlife, National Wetlands Inventory, available at http://107.20.228.18/Wetlands/WetlandsMapper.html#, accessed August 16, 2012.

[2] California State Coastal Conservancy, Watershed Management/Habitat Protection and Restoration (Watershed) Component of the San Francisco Bay Area Integrated Regional Water Management Plan, November 2006.

(totaling approximately 300 acres). Areas along the periphery of San Bruno Mountain are mainly designated Open Space Preservation (OSP) or Low Density Residential (R-LD). While development potential along the periphery of San Bruno Mountain is limited, there are a couple of undeveloped parcels that could accommodate development located at the end of Theirs Street in the Reservoir Hill area of the Crocker Planning Area. Under the proposed General Plan, this area is designated Open Space Preservation (OSP) and Low Density (R-LD) Residential.

This area supports a remnant sand dune system that is favorable habitat for the San Francisco Bay spineflower *(Chorizanthe cuspidate var. cuspidate)*, which was found to be present on the site in June 2010. In addition, the federal and state-listed endangered San Francisco lessingia *(Lessingia germanorum)* was mapped there in 2003 and is therefore also assumed to be present. Additionally some moderately suitable habitat exists for San Francisco gumplant *(Grindelia hirsultula var. maritime)*, and American badger *(Taxidea taxus),* though neither species is known to be present on the site. The area is just outside the boundary of the San Bruno Mountain HCP and is therefore not subject to the provisions of the HCP.

Another undeveloped area is located in Carter Canyon and is currently designated Retail and Office (C-RO). Under the proposed General Plan, the area will be designated Low Density Residential (R-LD). The R-LD land use designation will be more consistent with the surrounding residential land uses and will limit the intensity of development in the area and therefore decrease potential impacts on habitat. The area is within the boundary of the San Bruno Mountain HCP and is therefore is subject to the provisions of the HCP.

The proposed General Plan does not include any development projects for these areas. Any future projects will have to submit a development application to the City for review and undergo site specific environmental review. In addition, any development on parcels that contain San Francisco lessingia would have to comply with the California Endangered Species Act as described in the regulatory setting. Existing federal, state and local regulations, as well as policies in the proposed General Plan will reduce impacts to candidate, sensitive, or special status species to less than significant levels.

Proposed General Plan Policies and Tasks that Reduce the Potential Impact

Policy RME-8: Through the development of a Stormwater Management Program, ensure that all new development complies with applicable municipal stormwater Municipal Regional Stormwater NPDES Permit by incorporating controls that reduce water quality impacts over the life of the project in way that is both technically and economically feasible, and reduces pollutants in stormwater discharges to the maximum extent practicable.

Task RME-8.1: Appoint a stormwater control coordinator within either the Department of Public Works or Department of Water/Wastewater charged with overseeing the implementation of the City's Stormwater Management Program. The coordinator shall be responsible for reviewing public and private stormwater control mechanism proposals, requiring amendments to such controls as part of the development review process, and their proper construction.

Policy LU-17: Ensure that private development is responsible for providing any on- or off-site improvements related to and/or mitigating the impacts it causes.

Policy LU-18: Development activities shall not be allowed to significantly disrupt the natural or urban environment and all reasonable measures shall be taken to identify and prevent or mitigate potentially significant effects.

Task LU-18.1: Ensure that potentially significant environmental impacts associated with development proposals are properly mitigated through conditions of approval, mitigation measures, project design, or project denial. In cases where the impacts may not be completely preventable but will not significantly disrupt the community, the City may recognize that the benefits of a project may outweigh the environmental consequences. In no case shall the City approve a project that endangers the health, safety, or welfare of the public.

Policy LU-22: Continue to recognize the importance of the San Bruno Mountain Habitat Conservation Plan (HCP), uphold the integrity of the concepts behind the HCP, and respect the agreements that serve to implement it.

Task LU-22.1: Amend the Zoning Ordinance to require approval of a San Bruno Mountain Site Activity Permit for any construction projects located with the HCP area (see also Task RME-16.2).

Policy LU-23: Through the development review process, work to protect and preserve special status plant and animal species.

Task LU-23.2: The City shall continue to consult with the Department of Fish and Game, Army Corps of Engineers, and other regulatory agencies to identify avoidance or mitigation measures where special status species and their respective habitats would be potentially significantly affected by development proposals (see also Task RME-16.2).

Policy RME-10: Minimize development in all areas designated as open space preservation.

Task RME-10.1: Review the land uses in the Zoning Ordinance to ensure that allowed uses are consistent with the intent of the Open Space Preservation designation.

Policy RME-16: The City shall continue to recognize the importance of the San Bruno Mountain Habitat Conservation Plan (HCP), uphold the integrity of the concepts behind the plan, and respect the agreements that serve to implement it (see also Task LU-5.6).

Task RME -16.1: Through the development review process, the City shall continue to assist with the effort of preserving undisturbed habitat containing unique flora and fauna in areas adjacent to San Bruno Mountain State and County Park. Where mandated by State or federal law, the City shall adopt mitigation measures to either reduce to insignificance or eliminate the impacts on these resources as part of the approval private development occurring in the HCP area or vicinity (see also Task LU 23.1).

Task RME-16.2: Amend the Zoning Ordinance to require approval of a San Bruno Mountain Site Activity Permit for any construction projects located with the HCP area (see also Task RME-23.2).

Policy RME-17: Preserve environmentally sensitive habitat by imposing strict regulations on development in areas that have been identified as environmentally sensitive habitat.

Task RME-17.1: Require biological assessment as part of any development application that has the potential to affect flora and fauna that are protected by State and/or federal regulation, as determined by the City.

Policy CST-4: Recognize the existing horse stables on Olympic Way as an important visitor-serving use and provide regulations that serve to allow stable uses to continue in the future.

Task CST-4.1: The new Coastal Commercial zone shall allow existing horse stables (and expansions thereof) subject to the issuance a Coastal Development Permit.

Policy CST-5: Protect the natural resources found in the Coastal Zone by conducting a rigorous environmental evaluation for all development proposals.

Task CST-5.1: Amend the Zoning Ordinance to require that for any development proposal on a previously undeveloped parcel or undeveloped portions of parcels that site-specific biological evaluations and field observations to identify Environmentally Sensitive Habitat Areas and other sensitive resources be provided to the City as part of a complete application.

Task CST-5.2: Amend the Zoning Ordinance to define Coastal Zone Wetland in accordance with Section 30121 of the Coastal Act and Title 14 (Section 13577).

Policy CST-6: Take measures to ensure that new plant material introduced into the Coastal Zone are species native to the local coastal region.

Task CST-6.1: Amend the Zoning Ordinance to require that any new landscaping introduced to the Coastal Zone as part of any landscaping or development project provide only species native to the local coastal region and that the plan identify the removal of all non-natives from the site.

Task CST-6.2: For new development in the Coastal Zone, amend the Zoning Ordinance to require the permanent implementation of landscape plans through bonding or other method (e.g., deed restriction).

Task CST-6.3: Ensure that landscape improvements and any future landscape upgrades at Thornton Vista incorporate species native to the local coastal region exclusively.

Mitigation Measures

None required.

Impact 3.3-2

Future development under the proposed General Plan will not significantly interfere 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. (*Less than Significant*)

As shown in Figure 3.3-1, much of Daly City is classified as urban and there are no streams or rivers within the city. Existing habitats that could support wildlife are surrounded by urban areas and therefore do not support the migration of land animals. Trees within the city may however be used by migratory birds as they travel through the region. With the development of future projects, trees within the city can potentially be temporarily or permanently removed. Though such a loss would not pose a significant obstacle to bird migration, the City's Urban Forestry Ordinance and proposed General Plan policies will minimize the decrease of trees within the city. Therefore impacts to wildlife species movement will be less than significant.

Proposed General Plan Policies and Tasks that Reduce the Potential Impact

Policy HE-25: Provide a greater number of street trees throughout Daly City's neighborhoods.

Task HE-25.1: Amend the Zoning Ordinance to require street tree planting as part of the construction of any new home and any remodel to any residential structure exceeding 50 percent valuation of the structure being remodeled. The Ordinance shall require uniform street tree spacing within new neighborhoods of one tree per each 25 linear feet of curb, to the maximum extent practical. All new street trees shall receive irrigation.

Task HE-25.2: Amend the plan check process to ensure compliance with amended Zoning Ordinance provisions related to street tree planting. At a minimum, applicants and developers shall identify street

Mitigation Measures

None required.

Impact 3.3-3

Implementation of the proposed General Plan will not conflict with the provisions of the San Bruno Mountain Habitat Conservation Plan. (*Less than Significant*)

Portions of the city are within the San Bruno Mountain HCP planning areas and therefore subject to the provisions of the San Bruno Mountain HCP as well as the proposed General Plan. To minimize potential conflicts between the proposed General Plan and HCP, the proposed General Plan specifically recognizes the authority of the HCP and supports its implementation. Therefore implementation of the proposed General Plan will not conflict with the HCP, resulting in less than significant impacts.

Proposed General Plan Policies and Tasks that Reduce the Potential Impact

Proposed General Plan policies LU-22 and RME-16 listed under Impact 3.3-1 reduce the any potential conflicts between the proposed General Plan and HCP.

Mitigation Measures

None required.