



California Native Plant Society

East Bay Chapter
Conservation Committee

January 22, 2009

Bill Wycko, Environmental Review Officer
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RE: Case No. 2004.1279E – Notice of Preparation for Alameda Watershed Habitat Conservation Plan (AWHCP)

Dear Mr. Wycko:

The East Bay Chapter of the California Native Plant Society (EBCNPS) appreciates the opportunity to comment on the Notice of Preparation on the Alameda Watershed HCP. The California Native Plant Society (CNPS) is a non-profit organization of more than 10,000 laypersons, professional and academic botanists organized into 33 chapters throughout California. The mission of the CNPS 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.

EBCNPS asks for an extension of the comment period until the date when two key elements of this plan are announced:

- 1) The scope of the permit, anticipated impacts, and subsequent mitigation standards
- 2) The conservation strategy that communicates the goals of this Habitat Conservation Plan

Until these two requirements are met, EBCNPS argues that the SFPUC is not in compliance with the California Environmental Quality Act Guidelines, Section §15082(a)(1), which requires the project proponent to identify “probable environmental effects of the project”.

Clearly promulgating the two above elements will allow for a full review of the scope of the project and alternatives, something that would benefit the SFPUC.

Without the above information, it is unclear whether an HCP is the best approach. The consultant provided that there are “some 500 approved HCPs” without offering any analysis on their efficacy to meet the goals of the plan. **It is clear that currently no HCP in Northern California can be touted as successful.** Although some planning efforts and plans have great aspirations and may succeed, there is not a single plan that *has succeeded*.

EBCNPS recommends the addition of appropriate target plant species that have occurrences in this area. This would include species afforded protection by CDFG and all locally rare taxa found in that area (see Dianne Lake’s Rare, Unusual, and Significant Plant Species of Alameda and Contra Costa Counties). A few species that should have received consideration include: Mount Hamilton Thistle (*Cirsium fontinale* var. *campylon*) CNPS 1B.2, Northern California black walnut (*Juglans hindsii*) CNPS 1B.1, a number of saline *Atriplex* taxa, and Santa Clara thorn mint (*Acanthomintha lanceolata*) CNPS 4.2, to name a few. Since this area is sorely under-surveyed according to the California Natural Diversity Database (CNDDDB), we ask that a list of “no take” species be identified that cannot be impacted by any project. “No take” species are common elements of recent HCPs.

In addition to individual species, CNPS asks that all vegetation types that are listed as rare state-wide by the Department of Fish and Game are properly identified on a resource map. We ask for a minimum mapping unit of one acre for non wetlands, and an up-to-date survey map of all “waters of the United States”.

If an HCP seems to be a reasonable approach, we ask that the typical 30-year permit be reduced to 10-year increments when the progress of plan implementation can be reviewed by appropriate permitting and public trust agencies.

Finally, we ask that the SFPUC outline clear strategies for dealing with boundary issues, such as land-owners that may have different values. How will boundary issues (i.e. air, water, noise) be mitigated with neighbors such as Silva Gates at Apperson Ridge, if they affect implementation of a successful HCP?

EBCNPS is supportive of nearly all written comments made by the Alameda Creek Alliance with regard to this project. Yet, we do hope to provide clarification on the use of grazing as a management tool. An excerpt from our official policy is stated below. The full policy can be found at www.cnps.org.

“Livestock grazing impacts more acres of wild native plant communities in California than any other activity. Livestock affect all aspects of native ecosystems from plant and animal species composition to water quality. CNPS has long been a leader in the search for livestock management techniques that maintain the health of native plant and animal communities. We focus our grazing advocacy work on Federal lands, particularly National Forests and BLM lands, where strong resource protection laws mandate that sustainability and good science must guide all land management.”

This stated, we agree that riparian environments are, more often than not, improperly managed with grazing animals. If the SFPUC intends to utilize grazing as a “mitigation tool”, we ask that the SFPUC demonstrate the level to which it has monitored grazing impacts on grassland composition as well as water quality.

Thank you for your consideration of the above comments. Please do not hesitate to contact me with questions at (510) 734 0335.

Sincerely,

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and

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