

California Native Plant Society

East Bay Chapter
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December 1, 2005

John Kopchik
East Contra Costa County Habitat Conservation Plan Association
651 Pine Street, 4th Floor
Martinez, CA 94553

RE: Draft East Contra Costa County HCP/NCCP and Environmental Impact Report

Dear Mr. Kopchik:

The East Bay Chapter of the California Native Plant Society (CNPS) appreciates the opportunity to comment on the East Contra Costa County Habitat Conservation Plan/Natural Community Conservation Plan (HCP/NCCP) and Draft Environmental Impact Report. CNPS is a non-profit organization of more than 10,000 laypersons and professional botanists organized into 32 chapters throughout California. The mission of 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. The following are comments of the East Bay Chapter of CNPS on the *Draft East Contra Costa County HCP/NCCP and Environmental Impact Report*:

While the plan is an ambitious one, CNPS is in favor of accepting the HCP over the alternatives outlined in the EIR. We look forward to seeing the plan implemented to conserve examples, hopefully the best examples, of the plant communities as habitats. CNPS is heartened to see the Stay Ahead provision as that is the key to the plan actually conserving anything. We hope that the funds will become available to enact the plan as outlined and refined by more specific habitats. Overall, our specific comments offer refinements to the HCP and not opposition to the Plan.

Chapter 3: Physical and Biological Resources

3.2.2 Land Cover Mapping Pg. 3-2:

Regardless if land-cover types are "the most widely used units", they are inadequate for many of the applications in HCPs. Generalization leads to inconsistent mapping and labeling of polygons because many types are not defined, or could be interpreted more than one way. Repeatable and defensible techniques are needed and are especially important when monitoring vegetation on a landscape. More detailed community data and height and cover data are important for determining critical habitat for sensitive species, and the generalized land cover mapping can lead to overestimation of potential habitat. The generalized land cover types are inadequate for providing a coarse filter that would help protect the full range of both common and rare species in the Plan Area.

Mapping Procedures Pg. 3-3:



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A 10-acre minimum mapping unit is very coarse and will lead to errors in estimating acreages of land cover types and impacts. In addition, the mapping methodology for the Plan Area does not provide any statistical measure of error for labeling polygons that can be accounted for in estimates of habitat and measures of impact. CalVeg (USDA) data uses a finer mapping scale and at the least, should be considered as an alternative data source for estimating acreages and impacts. A dichotomous key indicating how labeling decisions were made would improve repeatability of mapping.

3.3.2 Existing Land-Cover Types

Grassland Pg 3-8

Disking probably occurred for dry land farming rather than to improve forage.

Native Grassland

Pg. 3-9 Please include scientific names of plant communities. Native grassland alliances listed by CNDDDB (CDFG 2003) but not listed in the HCP include Serpentine bunchgrass. The CNDDDB recognizes “wildrye grassland” as two alliances which should be listed separately: 1) blue wildrye grassland (*Elymus glaucus*), and 2) creeping ryegrass grassland (*Leymus triticoides*). Both alliances occur in the inventory area and additional alliances may be recognized in the future. The diversity and importance of native grassland forbs in native grasslands and the Plan Area deserves attention.

Pg. 3-10 Long-term data suggests trends in native perennial grass abundance independent of grazing management. Two data points, especially without exclosures, are inadequate to infer effects of management.

Alkali grassland Pg. 3-10

Alkali sacaton is not known to occur in the inventory but is known nearby. It has potential to occur in the inventory area. The creeping wildrye alliance can occur in alkali habitats. Alkali grassland also occurs in the Sand Creek area and the Los Vaqueros watershed.

Chaparral and Scrub Pg 3-11

Coastal sage scrub is a poor reference for the soft chaparral in the Plan Area. It should be referred to as Diablan Sage Scrub, sage scrub or interior sage scrub rather than coastal sage scrub. It is ambiguous as to whether “small (less than 10 acre) stands of scattered trees” were mapped as chaparral and scrub when they were imbedded or adjacent to chaparral and scrub, or in general. It is unclear how patches of coastal sage scrub greater than 10 acres were mapped in the Plan Area.

California buckwheat (*Eriogonum fasciculatum*) is unlikely to occur in the project area except where planted by CalTrans, or perhaps as a waif. The northern limit of its’ natural distribution is in Alameda County, a few questionably native individuals occur in Contra Costa County. Bush monkeyflower (*Mimulus aurantiacus*) is a far more conspicuous component of chaparral and scrub communities.

Oak Woodland Pg. 3-13

Lumping of all oak woodland and mixed evergreen forests is unfortunate as these communities have important ecological and compositional differences, and different habitat



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values. Light, substrate, disturbance history, slope, and aspect are probably important factors in determining structure and composition of oak woodland (and mixed evergreen forest pg. 3-14) understory.

Mixed Evergreen Forest Pp. 3:13-14

Tan oak (*Lithocarpus densiflorus*) is not known from anywhere in the East Bay. *Quercus agrifolia*, *Q. wislizenii* and *Q. chrysolepis* can be components of mixed evergreen forests in the Plan Area, not just in the transition zone with oak woodlands. The distribution of this community in the Plan Area is correlated in part with aspect and slope, not just elevation. Wildlife in mixed evergreen forests lacking species of *Quercus* is likely to be different from oak woodlands in that species dependent on acorns would be lacking or uncommon.

Riparian Woodland/Scrub Pg. 3-14

For addressing impacts and regulatory purposes (e.g., Conservation Measure 1.1, pg. 6-11), it might be beneficial to provide various possible criteria for defining riparian vegetation and zones, such as indicator species, vegetation zonation in relation to stream, and some minimum zone. A single criteria is not recommended as indicator species may be absent despite a distinctive vegetation zone associated with a given creek or stream.

3.3.7. Covered Species

(The following applies to both section 3.3.7 – of the HCP/NCCP (subheadings species evaluation) and section 3.2.5 of the EIS/EIR)

CNPS is discouraged that the draft did not use Dianne Lake's publication of *Rare, Unusual and Significant Plants of Alameda and Contra Costa Counties*. The publication was not included in the description of sources on page 3-38, nor was reference to it made elsewhere in the Plan.

Further, location information not contained in the California Natural Diversity Database nor in local herbaria may be contained in this reference and could change the coverage recommendations as listed in Table 3-7.

Although there is one reference to herbaria accession data contained in the UC/Jepson Herbaria's SMASCH database

http://www.mip.berkeley.edu/www_apps/smasch/smasch_coll_evt.html for *Navarretia nigelliformis* ssp. *nigelliformis* why were the other potentially occurring special status plant species evaluated for coverage recommendations not cross-referenced with the Smasch database?

Why was the Sacramento District of the U.S. Fish and Wildlife Services' list of Plant Species of Concern http://www.fws.gov/sacramento/es/spp_lists/plant_sp_concern.cfm not included in source information section or covered species locations?

Why was Dianne Lake, the East Bay's (Alameda and Contra Costa Counties) local expert on both common and rare plant occurrences, not consulted and included in the source information and/or personal communication references?



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CNPS is also concerned that when the HCP reviewed the rare plants to be included, species were rejected that had no records in the area or that had old records and were now presumed extirpated. The recent discovery of the Mount Diablo buckwheat, or *Eriogonum truncatum*, is evidence as to how plants show up that had not been reported for years in a place, sometimes just because no one had looked in exactly the right place before. CNPS is also always finding plants in places where they had not previously been reported, again sometimes just because no one had looked there before or had not looked at the right time of year. There are many areas in the HCP area that have not been well-explored botanically and it is not known whether rare plants are on site without looking first. (Specific issues regarding this are address in comments on table 3.7 below.)

HCP 3.3.7: Definition of a Special Status Species and 3.2.5 of the EIS/EIR

Why is CEQA guideline 15125(a), which requires that impacts to “resources that are rare or unique to that region” be evaluated, not included in the list of Special-Status plant species definitions? If CNPS List 3 and 4 species are included in that definition then CEQA Guideline 15125(a) should also be address since it would also cover species of local significance. Here in the East Bay (Alameda and Contra Costa Counties) Dianne Lake’s publication of *Rare, Unusual and Significant Plants of Alameda and Contra Costa Counties, Seventh Edition* contains numerous species considered locally rare. Particularly her A-1 and A-2 list species would be covered by CEQA guideline 15125(a).

HCP 3.3.7: Covered Species Locations

In the last paragraph of the Covered Species Locations in Section 3.3.7 it is stated that “*The majority of the records come from the CNDDDB. These records represent the best available statewide data but are limited in their use for conservation planning. ... the database is biased geographically towards areas where surveys have been conducted or survey efforts are greater (many areas have not been surveyed at all). Plants typically receive less survey effort than wildlife.*” With these limitations in mind why were other locally valuable references such as *Rare, Unusual and Significant Plants of Alameda and Contra Costa Counties, Seventh Edition* by Dianne Lake, 2004 and the UC/Jepson Herbaria’s SMASCH database http://www.mip.berkeley.edu/www_apps/smasch/smasch_coll_evt.html not included in the references regarding species locations?

Chapter 4: Impact Assessment and Levels of Take

4.2.5 Methods and Assumptions for Assessing the Impact of Covered Activities

The estimate of footprint of temporary impacts outside the ULL may be reasonable, but aren’t well documented. Will these be subject to monitoring/adaptive management described in Ch. 7?

4.3 Effects on Natural Communities, Wetlands, and Streams Pg. 4-11

The discussion of impacts to natural communities and wetlands lacks a discussion of sensitive natural communities within the Land Cover Types that will be impacted. Although quantifying these impacts is difficult, a qualitative discussion would be helpful. For example, the impacts to “Non-native Grasslands” could include “native grassland” communities that were listed on page 3.9 and described as “rare”. This is a potential impact that could be called out in Section 4.3 to provide a more accurate description of potential impacts. Section



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5 includes protection of rare communities in the Preserve Design, but will rare communities that are impacted require compensatory mitigation?

Potential impacts to sensitive natural communities should be avoided as much as possible because their distribution is limited in the Inventory Area. Protecting sensitive natural communities is consistent with the HCP's conservation objective that "Conserves, restores, and provides for the management of representative natural and semi-natural landscapes." and the objective that "Incorporates a range of environmental gradients and high habitat diversity to provide for shifting species distributions due to changing circumstances."

Minimum impacts to undifferentiated wetlands, seasonal wetlands, and alkali wetlands are 25, 20 and 15% respectively (Table 4.2). Because alkali and other wetlands are rare in the Plan Area and statewide, are important habitat for several covered species and biodiversity found only in these habitats, caps should be added to reduce these losses.

Due to the coarse scale of mapping of land cover types, minimum and maximum acreages of natural communities impacted in the Plan Area are likely to overestimate impacts of certain communities and underestimate others. Additional inaccuracy due to mapping errors and lack of an accuracy assessment to determine quantitatively the mapping error are likely to result in additional problems.

The general classification used to determine acreages of protected habitat and projected impacted habitats is disconcerting. Protected areas or projected impact area may be biased towards one or more of the natural community types lumped into the land cover units. For example, most of the "oak woodland" in the protected areas may be mixed evergreen forest, but most of the projected impacted "oak woodland" may be valley oak or blue oak woodland.

Section 4.4.6 Plants

In assessing potential impacts to known occurrences of covered plants, having additional information about the occurrences would be useful in determining the significance of the potential impact (Table 4-6). Page 4-19 states that known occurrences of covered plants are assumed to be extant, except for occurrences within large urban areas, but some of the known occurrences listed in Table 4-6 could be extirpated. The number of known occurrences compared to the number of potentially impacted occurrences is therefore potentially inaccurate, which makes it difficult to assess the relative number of occurrences that are impacted and not impacted. It is also therefore possible that any one of the impacted occurrences is the last remaining extant occurrence in the Inventory Area. For example, the species profile in Appendix D states that the seven occurrences of round-leaved filaree (*Erodium macrophyllum*) in the Inventory Area are mostly historic and cannot be located precisely; therefore, any extant occurrences that are impacted in the Inventory Area could be one of the only extant occurrences in the Inventory Area. In addition, some species' occurrences could be more important to preserve than other occurrences because of its population size, geographic location at the edge of the species' range, genetic uniqueness, and/or unique microhabitat. Although specific information about occurrences is often limited, any information available that could put these potential impacts into a more accurate perspective is recommended for inclusion in the text.



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The list of potential indirect impacts to covered plants on page 4-20 should also include changes in hydrology (drainage patterns) in the Inventory Area and in adjacent areas that affect a plant's suitable habitat (soil alkalinity or hydroperiod) and which subsequently could affect the species' population trend.

4.5.2 Contra Costa Gold Fields

Although only 1.1 acres of Critical Habitat is expected to be impacted, Contra Costa Goldfields could occur in alkali or seasonal wetlands in the Plan Area, of which 20 and 15% are expected to be impacted. Critical habitat was designated using historic localities and potential habitat in the vicinity of historic locations rather than potential habitat throughout its range. Potential impact should be considered outside the context of designated Critical Habitat.

Chapter 5: Conservation Strategy

The conservation strategy takes into account limitations of baseline data available for the plan. The plan should be flexible so that better vegetation and species data can be incorporated in the future. Better vegetation data would include alliance or association level mapping.

Natural Community-level Goals for all habitat types should include a measure to include the full range of community diversity, even if only at the alliance level. This is a consideration in the Preserve Design Principles but should be a goal.

Species-level Goals in general should include more plant occurrences. The numbers appear to be based on the number of known occurrences (as suggested in the Land Acquisition Requirements, pp. 5:29-43), however many acres of unsurveyed land have the potential to support additional populations of these species.

Section 5.1 Summary of Conservation Strategy

Under the bulleted paragraph on page 5-2, it states that "The heart of the conservation strategy is a system of new preserves linked to existing protected lands to form a network of protected areas..." How likely is it that the certain land will be available for fee title or conservation easements to create the new preserves and to acquire key properties that will be necessary for linking protected lands? Please include a discussion of this in the text.

Section 5.2.2 Biological Goals and Objectives

Grassland/Natural Community-level Goals Pg. 5-6

A goal should be added to preserve native biological diversity, including all known and undescribed alliance types, and as many associations as possible in grasslands of the Plan Area.

Oak Woodland/Natural Community-level Goals Pg. 5-7

CNPS requests that an additional goal be added to protect all of the oak woodland and evergreen forest alliances and as many associations as possible.



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Oak Woodland/Species-level Goals Pg. 5-7

Populations of showy madia (*Madia radiata*) should be protected in grassland and oak woodland habitats. It should be noted that this species is more often found in open habitats than oak woodland. In addition, protection goals for Mt. Diablo fairy-lantern (*Calochortus pulchellus*) should be included.

Chaparral/Scrub Natural Community-level Goals Pg. 5-7

CNPS recommends that goals should include: 1) protection of all chaparral and scrub alliances and as many associations as possible in the Plan Area and 2) maintain a disturbance regime that maintains biological diversity associated with this cover type.

Chaparral/Scrub Species-level Goals Pg. 5-7

A goal should be added to preserve native biological diversity, including all known and undescribed alliance types, and as many associations as possible in chaparral communities of the Plan Area.

Habitat Enhancement, Restoration, and Creation Pg 5-19

The importance of protecting and using reference stands (intact, high quality examples of community or ecosystem types to be used as an indication of enhancement, restoration or creation outcome) should be protected studies and utilized. Otherwise, if generic conceptions of community types based on stands not in the region are used, some of the unique values of the region could be lost.

Habitat Enhancement Pg. 5-20

It is good that other measures for success of habitat enhancement will be used for communities inherently low in species richness, cover and productivity. The alternative measure should be an increase in the relative cover of native species to indicate an increase in the percentage of cover that is native rather than an increase in cover of native species. A decrease in non-native species cover would also be an appropriate measurement. It should also be noted that in some cases, soil compaction is beneficial to ponding, so perhaps the measure should be a decrease in inappropriate disturbance.

Mitigation Plans for restoration and enhancement projects often specify that local sources of seeds and cutting should be used in the restoration/enhancement project, but in reality non-local sources are often used because of the lack of availability of local material or costs. To prevent genetic contamination at the restoration/enhancement sites, it is very important to plan these projects in advance to provide sufficient time to collect local seeds/cuttings to contract grow.

5.3 Conservation Measures

5.3.1 Landscape-Level Conservation Measures

Land Acquisition Requirements for Wetlands, Ponds, Streams, and Riparian Woodland/Scrub Pg 5-26

We greatly appreciate that wetlands and streams will be classified at the association or alliance level rather than single land-cover type, and the protection of adequate upland



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habitat and buffers is part of the conservation strategy. This should be done for all community types.

Vegetation Management Pg. 5-57

Establishing buffers for fuel load reduction must be part of the preserve design process and buffer areas cannot be subtracted from the protected acreage. Buffers must be an additional acreage.

Fire Management Pg. 5-59

Fire is a natural component of the East Bay and burning should be allowed periodically or prescribed. However, it should also be recognized that due to increased ignition opportunities (e.g., cars, cigarettes, camp fires and arson) the fire frequency in the East Bay under fire suppression is probably similar than it would be without humans. Fire effects should be monitored in preserves. Potentially vulnerable vegetation types should be considered in prescribed and let burn decisions.

5.3.2 Natural Community-Level Conservation Measures

Conservation Measure 2.1 Pg. 5-70

We applaud the higher restoration criteria for land-cover types that are difficult to restore or create, but we recommend a ratio of 3:1 or higher.

Conservation Measure 2.4 Manage Grassland

- **Pg. 5-80** Classification of the grassland to the association level rather than the alliance level is recommended to increase conservation of additional grassland biodiversity beyond the dominant species.
- **Pg. 5-81** Meyer and Schiffman (1999) did not suggest that mulch benefits native forbs. Some treatments reduced both mulch and cover of native forbs as compared to the untreated plots, but some spring burning reduced mulch more than any other treatment and had the greatest benefit for native forbs. The appropriate conclusion is that treatment, rather than mulch reduction alone, can influence forb abundance.
- **Pp. 5:81-82** A much more rigorous consideration of the effects of fire and grazing are needed to determine appropriate management regimes and techniques to be tested.

Conservation Measure 2.6 Manage Oak woodland and Oak Savannah

Sudden Oak Death pg. 5-88 While SOD has not been reported in the Plan Area and the climate may not be appropriate to make it a threat, other species of *Phytophthora*, could threaten oak woodlands and other plants in the Plan Area. For example, *P. cinnamomi* is devastating stands of *Arctostaphylos myrtifolia* in the Sierran foothills.

Conservation Measure 2.8 Manage Chaparral/Scrub

It is important to note that different associations of chaparral and scrub types are likely to respond differently to fire. Many plant species respond to smoke and heat associated with burning rather than to biomass removal, and would not benefit from non-fire disturbances



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such as livestock grazing, mechanical or hand clearing. Livestock grazing may also damage friable soil of chaparral and scrub stands.

Periodic burning of chaparral is recommended. However, the current fire frequency in the Plan Area might be similar to pre-suppression frequencies because fire suppression has compensated for increased ignition frequencies due to increased human occupation (Keeley, J.E. 2005. International Journal of Wildland Fire 14(3):285-296). Too frequent burning increases the risk of depleting the soil seed bank of chaparral species. In addition, prescribed burning may not be adequate to reduce fuel loads enough to impact fire risk. Winter burns may reduce the soil seed bank through increased mortality due to wet heat.

Chapter 6. Conditions on Covered Surveys

6.2.1 Planning Surveys/Uncommon Vegetation and Uncommon Landscape Features Pp. 6:5-6

Planning survey should include collection of quantitative plant community data such as the CNPS Rapid Assessment or Releve protocols. Vegetation rarity to the association and even subassociation level should be considered. Because the purpose is to maintain regional native biodiversity, regionally rare natural community types should be considered as an “uncommon vegetation type”. The plan should allow other sources of vegetation information on rarity, if they become available instead of defining uncommon types for the Plan as the CDFG list.

6.3.2 Natural Community-Level Measures

Conservation Measure 2.12 Pg. 6-28

The plan only requires avoidance measures for wetlands that are 3 acres or larger. Many of the wetland types including vernal pools are less than 3 acres in size. Avoidance should include vernal pools and alkali wetlands.

Chapter 7: Monitoring and Adaptive Management Program

CNPS appreciates that coordination with CNPS is planned. The procedure of monitoring and adapting to improve conditions based on the monitoring results is admirable. We are concerned, however, that the monitoring and adaptive management procedures seem to apply only to the lands preserved in mitigation for development, not the developed lands. As such, they may be overly stringent and costly. They are scientifically justifiable, and reflect best practice, which is admirable, but CNPS does not support stringent management restraints to preclude setting the lands aside as preserves.

Section 7.2 A pool of Science Advisors is mentioned, but how will they be chosen?

Landscape-Level Monitoring Pp. 7:21-23

Mapping rules and a dichotomous key for determining how to label polygons are recommended for mapping that will be used for monitoring. Clear rules and definitions for mapping land cover or natural community types are required to ensure repeatability required for monitoring.

Mapping invasive plants. Pg. 7-24



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We suggest that instead of mapping several times a year, that fewer resources should be dedicated to monitoring fast spreading non-native species and more resources are dedicated to controlling them.

7.5 Monitoring and Adaptive Management by Natural Community Type

Change to “Monitoring and Adaptive Management by Land Cover Type” because the units referred to in this section are the previously described land cover types.

Some of the list of covered species associated with each land cover type are incomplete (e.g., grasslands and showy madia). CNPS recommends completing these species lists.

Chapter 9: Funding

On page 9-12, regarding field facility maintenance and utilities being included in the cost for each facility, will field facilities actually be necessary on each preserve?

Appendix D – Species Profiles

Some of the covered plant species profiles, such as Mt. Diablo manzanita (*Arctostaphylos auriculata*), are based on occurrence records from a 2001 version of the CNDDDB and the CNPS 2001 *Inventory of Rare and Endangered Plants of California* (sixth edition). Can you please update all profiles to include recent CNDDDB 2005 database records and any additional records and information (such as threats) from the CNPS on-line 2005 database?

HCP Table 3.7 and EIR/EIS Section 3.2.5

Although it is unlikely for large flowered fiddleneck (*Amsinckia grandiflora*) to occur within the plan area what type of protection provisions are included in the HCP/NCCP in the case it is present? If there are no such provisions included regarding this scenario why are they not included?

Why was Suisun Marsh aster (*Aster lentus*) not recommended for coverage in light of the fact that it is recorded from Rock Slough in *Rare, Unusual and Significant Plants of Alameda and Contra Costa Counties, Seventh Edition* by Dianne Lake, 2004? Rock Slough is included in the Inventory Area.

Although it is unlikely for alkali milk vetch (*Astragalus tener* var. *tener*) to occur within the plan area what type of protection provisions are included in the case it is present? If there are no such provisions included regarding this scenario why are they not included?

The common name and scientific name do not match in the seventh row in the plant section of table 3.7, what species was intended to appear? Is the species supposed to be heartscale (*Atriplex cordulata*) or crownscale (*Atriplex coronata* var. *coronata*)? If that row is supposed to contain heartscale why is crownscale absent from the table? Crownscale does occur within the inventory area in several locations including Los Vaqueros, Cowell Ranch, Deer Valley, Horse Valley, Marsh Creek Area and Sand Creek (Lake 2004). In regards to the EIR/EIS - Why is this species not included in Table C-2 and covered in the HCP/NCCP in light of this information?



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Since the rediscovery of Mount Diablo buckwheat (*Eriogonum truncatum*) it should be recommended for coverage in the inventory area as there is suitable habitat. . State Status designation for Mount Diablo buckwheat (*Eriogonum truncatum*) should be changed to List 1B.

Why was stinkbells (*Fritillaria agrestis*) left off of Table 3-7 (and left off of Table C-2 of the EIR/EIS) when it has been documented from Los Vaqueros, Contra Loma, and the Byron area (Lake 2004)?

Why was California hibiscus (*Hibiscus lasiocarpus*) not recommended for coverage in Table 3-7 (and left off of Table C-2 of the EIR/EIS) in light of the fact that it is recorded from Rock Slough in (Lake 2004)? Rock Slough is included in the Inventory Area. California hibiscus distribution is restricted within the Inventory area, why was it not considered a no-take species in Table 6-5?

Although no extant populations of Contra Costa goldfields (*Lasthenia conjugens*) occur within the Inventory area this species can be easily overlooked and could still be present as suitable habitat is present. Considering this, why was Contra Costa goldfields not recommended for coverage but included on the no-take species list?

If three historic collections of little mousetail (*Myosurus minimus* ssp. *aspus*) are recorded from the Inventory Area ((1909, 1955, and 1957 (Lake 2004)) why was this species not recommended for coverage based in Table 3-7 (and left off of Table C-2 of the EIR/EIS) on insufficient information? In addition, why was little mousetail not considered a no-take species in Table 6-5 considering its presence in the Inventory area would be significant?

Although rayless ragwort (*Senecio aphanactis*) has not been seen in the area since 1933 (Lake 2004) if it were discovered in the Inventory Area it would be a significant find. Considering this, it should be considered on the no-take species list (Table 6-5) & (Table C-2 off the EIR/EIS).

Although no occurrences of Livermore tarplant (*Deinandra bacigalupii*) have been reported from Contra Costa County ample suitable habitat is present within the Solano and Pescadero soils in the Inventory area. This species is not listed as Threatened or Endangered but certainly meets that criteria, at the very least under CEQA guideline 15380. With such a sensitive species present in the adjacent county in similar habitat shouldn't it be considered for coverage (Table 3-7) & (Table C-2 of the EIR/EIS), especially since areas in the southern part of the Inventory Area are private and under-botanized? If not recommended for coverage shouldn't Livermore tarplant be considered a no-take species? *D. bacigalupii* is also misspelled in Table 3.7, it should end in two i's.

Although caper-fruited tropidocarpum has not been seen in Contra Costa County since 1981 (Lake 2004) there is also an abundance of suitable habitat in under-botanized private lands, shouldn't it be considered for coverage?



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Thank you for the opportunity to participate in this important process. We look forward to being active participants in the implementation phase of the HCP/NCCP process. If you have any questions, please contact me at 510-734-0335.

Sincerely,

Jessica Olson
East Bay Conservation Analyst
California Native Plant Society

