

| Commenter (Your Name) | Comment # | Comment Location: |           |        |                      | Substantive Reviewer Comment (e.g., organization, content; grammatical comments should be entered in the Word file)  | Action Taken in Response   |
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| Inderbitzen           | 1         | General           |           |        |                      | While the desire for a coordinated approach to conservation is meritorious, local jurisdictions have already made the most significant contribution to this effort by establishing their UGBs. Thus, while this coordinated conservation goal is appropriate outside the UGBs, inside the UGBs the focus should be limited to the legal obligations of the landowner/developer in the permit process, i.e. avoidance, minimization and mitigation.   | Comment noted.   |
| Inderbitzen           | 2         | General           |           |        |                      | If the EACCS were to recognize this distinction and acknowledge that the two areas will be approached differently (because the goal is different in each area), the strategy is much more likely to gain broad support among the private community and local jurisdictions and result in a greater degree of success.  | While the areas might be approached differently the goals are inherently the same. There are areas with sensitive resources inside of UGBs. Further creating two different strategies for these two areas would only make this more complex.   |
| Inderbitzen           | 3         | General           |           |        |                      | <p>The EACCS is built on a foundation of 19 focal species. This list includes both listed and nonlisted species. "The Conservation Strategy includes measures to protect all 19 focal species as if they are currently listed as endangered or threatened under ESA and/or CESA" [see, 1.3.3 at page 1-9]. As a conservation strategy this may or may not be a sound starting point, but as a permitting strategy this approach is unsupportable and will lead to an endless stream of challenges to the permitting process. The EACCS must either remove the nonlisted species and all habitat references built upon those species from the list or clearly indicate that they will not be considered in the permitting process on a par with listed species and their habitats.</p> <p>The credibility and usefulness of the Strategy is weakened by the inclusion of 6 species for which the EACCS admits predictive models could not be developed [See, 2.4.1.3 at page 2-29].</p> <p>For one of these species, Callippe Silverspot butterfly, "the number of known occurrences within the study area was so low [I believe it to be zero] and the habitat requirements so general that the habitat potential could not be modeled with confidence." In addition, for two out of the four criteria established in the strategy, information was so limited that the criteria cannot be met and for the other two the information is questionable. Yet, the EACCS insists on including this as a focal species. This is an example of the kind of conclusory analysis that severely undercuts the credibility of the document. This species and all references to its habitat should be removed from the EACCS.</p> | All of the species addressed in the EACCS are CEQA species. That is, regardless of whether they are listed they would need to be included in a CEQA analysis and avoidance, minimization, and mitigation assigned accordingly. Further, those species are also under the purview of CDFG as a trustee agency. For this reason the non-listed species will remain in the EACCS. |
| Inderbitzen           | 4         | General           |           |        |                      | Mapping procedures are equally suspect. It is noted that the "range of mapping units is sufficient for regional conservation planning..." and therefore by definition is not adequate for project specific analysis [See, 2.4.1.1 at page 2-26].   | True. Which is why it is further stated in the document that project level surveys and groundtruthing are necessary when applying the concepts of the strategy. For example, you could not use this document to determine if there are wetlands on a parcel. You would need to visit the parcel, conduct a survey, and delineate the wetlands if they were present.            |
| Inderbitzen           | 5         | General           |           |        |                      | Notwithstanding the acknowledgement that the data to develop the EACCS is limited to a regional perspective, it establishes as one of its two primary purposes to "convey the project level permitting and environmental compliance requirements of ESA, CESA, CEQA, NEPA and other applicable laws ... for all projects within the study area..." [See, 3.1 at page 3-1]. As a result, mitigation requirements are established without ever going to the effort to first identify individual project impacts [See, 3.2.1 at pages 3-4 and 3-5].   | Since projects are not defined or even listed as part of this process it was not possible to estimate impacts from those projects. This <i>proposed</i> approach is more in line with that of a HCP and was beyond the scope of this effort.   |
| Inderbitzen           | 6         | General           |           |        |                      | This document should clearly state that landowners have the ability to opt out of this Strategy without being penalized for following the existing project by project basis process with the resource agencies. This concern arises due to page 5-16 which details that projects that do not follow these conservation goals will be penalized – "Additionally, the mitigation standards and analysis presented in the Conservation Strategy should not apply to projects that do not incorporate the conservation goals, objectives, and priorities of the strategy. Those projects will require additional analysis and most likely increased mitigation."   | Based on the time and effort that the resource agencies have put into the EACCS it is reasonable to assume that if a project applicant chooses to ignore it there will be some penalty that results, be it increased mitigation ratios, and slower timeline, or all around uncertainty about how the process will play out.  |

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| Inderbitzen           | 7         | General           |           |        |                      | The EACCS promotes itself as a process to streamline and simplify the permitting process with local governments and resource agencies. But, how can a streamlined and simplified process be possible when many of the mitigation requirements in the document specify working with the resource agencies to determine the final ratio [see page 1-3 "individual projects may need to implement different or move avoidance, minimization, and mitigation measures than what is outlined here" and page 3-40 "Typically, the mitigation in these communities will be based on standards set for focal species. In situations where no focal species or their habitat is present, mitigation will be determined on the basis of the functions and values of the watercourse on the individual project site. In such cases, mitigation ratios will be determined by the, the RWQCB, CDFG, or all three.], and when a landowner has species on site that are not covered by this document and need to be permitted with the resource agencies in a separate and concurrent process (business as usual approach)? Such projects would be hampered by dealing with two different processes, timeframes, reviewing entities, etc.                             | Since projects will still go through the standard permit process this is not out of line with the intent of the EACCS. For some resource areas standardized mitigation ratios could not be determined due to variability in resources or potential impacts.   |
| Inderbitzen           | 8         | General           |           |        |                      | It is troublesome that this document assumes that all focal species are present and protected at the highest possible level, as this requires land owners to provide mitigation at higher than needed (typical) ratios for species that may not occur or are not protected at an elevated level [see page 1-9 "The Conservation Strategy includes measures to protect all 19 focal species as if they are currently listed as endangered or threatened under ESA and/or CESA. Therefore, if any nonlisted focal species becomes listed in the future, it is anticipated that additional conservation within the study area should not be required"]. The EACCS should be revised to require the current typical protection and mitigation.   | See response to comment 5 .   |
| Inderbitzen           | 9         | General           |           |        |                      | Page 1-11 notes that "Range: The species is known to occur or is likely to occur within the Conservation Strategy study area, based on credible evidence, or the species is not currently known in the study area but is expected to occur in the study area in the foreseeable future (e.g., through range expansion or reintroduction to historic range).[italics added] and on Page 2-28 "Habitat distribution models were developed for select focal species to predict where in the study area species are more likely to occur based on known habitat requirements." These approaches exceed other planning and resource mitigation documents which provide mitigation which relies upon accurate surveys for actual presence/existence of a species and actual harm to it. The EACCS needs to be revised to remove these concepts and associated mitigation and goals as including them affects the veracity of the document and presents it as poor science and having a lack of accurate background support.  | These species selection criteria are widely accepted in similar regional conservation plans when determining the species that will be addressed in the plan. Site specific surveys are still required to determine if habitat is present for a particular species. Just because a species is listed as a focal species does not mean that mitigation will be required for all projects. |
| Inderbitzen           | 10        | General           |           |        |                      | Many of the maps in the EACCS need to be updated to reflect the current policy and physical conditions of the City of Dublin; this may be the case for the other cities and the county also. Page 2-3 notes that the Strategy's mapping is based on 2008 land use designations in the Dublin General Plan and page 2-24 notes that land cover mapping is based on photographs dated 2005 and 2007. Both sources are out of date and as a result, do not accurately illustrate planned/approved and existing development within the Dublin general plan area. For instance, many of the projects we have been involved with are not recognized as having been approved, permitted by the resource agencies, and/or constructed in the EACCS—which results in the maps illustrating these lands as open space and having occurring or potential for land covers and focal species which is misleading and erroneous. Additionally, the maps show small isolated open space areas within developed areas as potential or occurring land covers and/or focal species which is unusual as these sorts of open spaces do not meet with the conservation goals of the Strategy or resource agencies in general (result in small and/or isolated communities). | Comment noted   |

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| Inderbitzen           | 11        | General           |           |        |                      | The EACCS has a heavy and single emphasis on Conservation, which is problematic especially in light of the above comment that the EACCS does not accurately reflect planned, approved and constructed development projects that will reduce the amount of open space lands illustrated in and anticipated by the Strategy. The document states that it provides guidance, but very quantitative mitigation and steps are outlined [see page 1-3 "the intent [is] that it becomes the blueprint for all mitigation and conservation in the study area".] The EACCS needs to be rewritten to recognize that development is anticipated within the area and that the EACCS will fairly address and integrate these uses with reasonable goals and mitigation.  | If development was not anticipated in the study area the EACCS would never have been developed. Future development should benefit from having this strategy in place.   |
| Inderbitzen           | 12        | General           |           |        |                      | Mitigation is required for impacts to generally all undeveloped land cover types which is different from the "project by project basis" to date and will add extensive costs and time delays to projects. These impacts are identified as requiring mitigation at a minimum of 3:1 with actual ratios to be "justified through the CEQA process and in coordination with the Resource Agencies". [see pages 3-4, 3-14, others]. These conservation objectives for land cover are exceptionally high. In addition, it appears that the definition of habitat quality has been changed from typical processing to date [see page 3-3 "The quality of the habitat on a project site should be assessed, excluding the influence of current land management practices or other anthropogenic sources of disturbance" such as when a site is currently farmed/disked), mitigating for land cover types (plant communities) without protected species, and so forth]. Many of the mitigation ratios included in the EACCS exceed those ratios determined by and approved by the resource agencies for projects in the last few years that we have been involved with. Some have increased by a significant amount. We suggest that the mitigation ratios be reanalyzed to bring them into conformance with recently approved projects in the area as this would increase the likelihood that property owners would accept following the EACCS rather than continuing with the existing "project by project" permitting process. | The EACCS, including the mitigation ratios, was developed with the entire Steering Committee and the Resource Agencies. These ratios therefore capture the latest thinking on mitigation standards for Alameda County.  |
| Inderbitzen           | 13        | General           |           |        |                      | In Chapter 3, many of the protection measures seem over and above what has been the norm in the past-- especially for foraging habitat, CTS, Golden Eagle, Burrowing Owl, and Tricolored Blackbirds. [see page 3-65]. Mitigation ratios should be revised to reflect current ratios already in standard practice for "project by project" permitting and not desired ratios.  | For all of the species listed, foraging habitat is as important as nesting/breeding or overwintering habitat. In some cases it could be the limiting factor (e.g., burrowing owls, tricolored blackbirds). To that end EACCS expands mitigation requirements to include these and all other important natural history functions for each species. |
| Inderbitzen           | 14        | General           |           |        |                      | Very gross mapping units are utilized in the EACCS. This creates an inaccurate assumption of the land covers and species within the EACCS area and results in a corresponding inaccurate assumption of mitigation lands to be achieved. It also forces landowners to perform site specific analysis to determine actual on site conditions, and thus incurring further financial costs and time delays. It is troublesome that this document attempts to preserve and increase open space areas without the benefit of assured benefits—take permits, ground truthing/finer grain accuracy, no rule changes, etc. This document needs to be refined to provide greater detail and consistency.  | It is infeasible to expect that a plan could be written for 271,000 acres and that all areas would be mapped on foot. This method and scale of mapping is widely accepted for regional conservation plans of this size. Since the EACCS is not an HCP take permits cannot be issued.  |
| Inderbitzen           | 15        | General           |           |        |                      | We have concerns with changing protocol/mitigation ratios and goals, about whether the most up to date document is available/used, the lack of certainty for land owners/developers as the rules can/will change, and so forth as the EACCS is noted to be iterative and updated as new information is obtained. [see page 3-2]. More consideration is needed regarding these issues before the EACCS can be released.  | The Implementation Committee will be reviewing new information and considering updates to the EACCS at least annually. Implementation Committee meetings will be open to the public so that input on specific issues can be aired and discussed.  |

| Committer (Your Name) | Comment # | Comment Location: |           |        |                      | Substantive Reviewer Comment (e.g., organization, content; grammatical comments should be entered in the Word file)  | Action Taken in Response   |
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| Inderbitzen           | 16        | General           |           |        |                      | Incentive programs are mentioned as something that can be created by the Implementation Committee throughout the EACCS. How, when, etc would these be created and be usable by applicants? At first blush it seems that these would not be available for quite a while during which development projects are moving forward without the benefit of the programs.   | Incentive programs are unrelated to development projects. Incentive programs are meant as a way to identify funding sources for conservation on private lands, not to provide mitigation. They would not likely be created by the Implementation Committee but perhaps by one of its members, likely Alameda County. If development projects are moving forward and funding is provided through mitigation dollars, then there will be less need for incentive programs. |
| Inderbitzen           | 17        | General           |           |        |                      | The EACCS needs to be amended to create feasible and reasonable mitigation. Much of the identified mitigation is infeasible as it would be so difficult and time consuming to obtain or have the timing fall within reasonable parameters for development projects. For instance, under Standardized Mitigation Ratios [see page 3-42] "While final determinations are subject to site-specific conditions, it is recommended that mitigation generally not be allowed at sites supporting lower quality habitat than the site being affected. However, exceptions can be made where potential mitigation sites with lower quality habitat have the potential to be enhanced or restored to a level of equal or higher habitat value. If such a decision is made, it is further recommended that the enhancements or restoration actions be completed prior to initiation of project impacts to ensure that the mitigation adequately offsets the impacts."  | This ensures that resources are not lost before they are replaced. Since most development project take 2-5 years from concept to groundbreaking, this "recommendation" is reasonable.  |
| Inderbitzen           | 18        | General           |           |        |                      | Landowners should not be penalized with increased mitigation ratios for not being able to obtain mitigation lands as outlined throughout the mitigation guidance discussion in Chapter 3; this issue needs to be reconsidered and revised to prevent significant cost and timing impacts to the landowner if they can not find anyone willing to sell fee simple or easements for a particular species or habitat, or at a reasonable price. Currently a larger geographical area can be utilized for mitigation with agency approval under the "project by project" process and this should be made available in the EACCS.   | If the project owner can demonstrate that there are not mitigation opportunities available inside of the county, including existing conservation banks, but there are opportunities outside of the county the resources agencies would entertain that as an option. this is stated in each mitigation ratio table.   |
| Inderbitzen           | 19        | General           |           |        |                      | The Red legged frog avoidance and mitigation guidance seems infeasible. For instance, "First and foremost, project applicants must protect suitable habitat that currently exists. Avoiding direct and indirect impacts on California red-legged frogs and loss of occupied aquatic habitat during construction and post-project activities can be accomplished at the project level." [see page 3-51], and "A mitigation site must have documented species presence and contain both an aquatic (breeding) and upland component. If impacts would only affect upland habitat (i.e., suitable upland habitat within the typical dispersal distance of a known breeding location), the mitigation site must still either contain occupied breeding habitat or be within the typical dispersal distance of protected occupied breeding habitat." Resource agencies have been concerned with the creation of isolated communities in the recent past and have encouraged such ponds to be removed and recreated elsewhere to provide larger complexes of habitat and communities. The EACCS needs to be modified to allow a greater range of mitigation options and flexibility, and reflect current agency mitigation decisions. | This is the current working policy of the USFWS and CDFG.  |

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| Inderbitzen           | 20        | General           |           |        |                      | Numerous studies have been prepared in the Tri-Valley to determine the presence of San Joaquin Kit Fox. These studies found limited locations of presence. Based on this, it is troublesome to see that the San Joaquin Kit Fox Mitigation Guidance section is framed to assume the presence of foraging or dispersal habitat due to land cover characteristics and requires mitigation of habitat lands. In addition, the note on page 3-74 is worrisome as to the intent of the measures and EASCCS: "[Note: it is difficult to prove absence of San Joaquin kit fox on a parcel in this part of its range because population densities are so low]." The EASCCS should be amended to reflect accurate scientific data.  | This is the current working policy of the USFWS and CDFG.  |
| Inderbitzen           | 21        | General           |           |        |                      | Some of the AMMs (Avoidance and Minimization Measures) in Table 3-2 are problematic: Will GEN-03 give resource agencies the right to review contracts between a land owner/developer and contractors? GEN-11 and GEN-17 will add additional material and labor costs to a project, and GEN-16 is problematic in not allowing construction to continue in the 24 hours before a storm. These AMMs should be revised to clarify and provide less costly alternatives.  | Since these AMMs are stated up front it allows project applicants to build these costs into project budgets. This way there are no hidden costs and AMMs can actually be implemented.  |
| Inderbitzen           | 22        | General           |           |        |                      | Table 3-3. Species-Specific AMMs outlines measures that will need to be done if a species is found onsite. In the past, resource agencies have allowed the physical removal of species, however, this action is not listed as an allowable technique. This option should be included as an acceptable mitigation measure, especially for development sites.  | If this provision is allowed it will be included in the Incidental Take Statement that is attached to the biological opinion for a particular project.   |
| Inderbitzen           | 23        | General           |           |        |                      | We are concerned about how resource agencies will react and cooperate with development proposals for areas identified in Chapter 4's Conservation Zone (CZ) as a priority to conserve land covers and species. The conservation goals of up to 90% of land covers or species habitat, including protection of connectivity corridors, in many CZs seem unachievable, especially where development projects have and will be occurring. Statements in the EACCS should be included to reiterate that this document is only for guidance and landowners have the right to continue processing under the current project by project basis procedures without fear of retribution.   | The resources agencies will certainly approach each situation differently and based on the project that is being proposed and the uniqueness of land covers that are being impacted. In essence these goals were set so that project impacts can be assessed with the big picture in mind. The resource agencies will find it difficult to permit a project that will preclude the protection of 90% of a rare land cover type because it will ensure that a unique resource is lost forever. They will have fewer issues permitting projects in more common land cover types. |
| Inderbitzen           | 24        | General           |           |        |                      | By participating in the EACCS, landowner/developer costs will increase due to the greater than typical mitigation ratios and mitigation required for land covers. Additionally, page 5-9 discusses that additional fees to track and prepare reports for the EACCS outside of the normal permitting process could be imposed --- "[a] small fee could be imposed by local land use agencies on project utilizing the strategy to help pay for the administrative costs of implementing the strategy. The need for the fee and the amount of the fee will be determined by a separate cost analysis conducted by the Committee." What incentive is there for landowners to participate in this process, as streamlined permitting doesn't appear to be enough to offset the problems.   | Streamlining the permit process will create cost savings by shortening the schedule and avoiding project delays. There is also benefits to having certainty in the process and identifying the true cost of a project up front.  |
| Inderbitzen           | 25        | 5                 |           |        |                      | Section 5.4.1 Local Governments is written such that it ignores the ability of the land owner to opt out of this process [see page 5-9: "Each jurisdiction and/or organization will present the Conservation Strategy to their respective Boards and Councils for acceptance within six months of completion. Upon acceptance, members of the Implementation Committee and participating agencies and organizations will direct project applicants operating within their jurisdiction to the Conservation Strategy for guidance on how projects should avoid, minimize, and mitigate for impacts on biological resources in the study area."] The EACCS text needs to discuss and detail the ability of land owners to rightfully continue with the "project by project basis" process and not be penalized by the agencies for deciding to not follow the EACCS process. | Everyone will still be operating on a project-by-project basis. Project proponents can enter into direct negotiations with the agencies if they choose to do so. This is not a declaration that they need to make. Rather, they can simply present something different than what is provided in the EACCS and explain why they think it is more appropriate. If the agencies disagree they will likely steer the applicant back to EACCS.  |

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| Inderbitzen           | 26        | 5                 |           |        |                      | Section 5.6.1.1 Use of the Conservation Strategy for Project Planning and Mitigation, item 10 [see page 5-17] is problematic as it requires a project application to be submitted concurrently to a City (or County) and the resource agencies. By doing so, the applicant can receive conflicting direction, conditions, requirements, and approvals and spend endless time trying to resolve these issues; the land use approving jurisdiction can become hamstrung by resource agencies; and having more than one entity involved at one time could affect/delay the permitting of the project, especially if one agency is backlogged and can't review the project in a timely manner. The implementation of the EACCS needs to be revised so that a development project can move efficiently and quickly through the entitlement process. | Text modified to address issue.  |
| Inderbitzen           | 27        | General           |           |        |                      | Section 5.6.1.1 Use of the Conservation Strategy for Project Planning and Mitigation, item 11 [see page 5-18] is problematic as it denotes that CEQA, etc can't start until the resource agencies accept the complete project application. This section needs to be clarified to define what "accept" means so that a development project is not further delayed as it is processed through the local government approval process. If "accept" means that agencies have negotiated and approved all ratios, even those ones that are needed to be determined by the agency (as no specified ratio listed in the EACCS) as directed by the EACCS, this is a immensely significant problem based on anticipated resource agency timing due to lack of personnel and review time.   | Text modified to address issue.  |
| Zone 7                | 28        |                   | 2.3.5     |        | 4                    | Perennial flow in Arroyo de la Laguna is provided mainly by Lake del Valle releases, and perennial flows from Arroyo las Positas, San Ramon Cr. and Alamo Cr. The quarries only contribute intermittently.   | Text modified to address issue.  |
| Zone 7                | 29        |                   | 2.3.5     |        | 5                    | Perennial flows are only below confluence of Arroyo las Positas. Turn of the century and later channelization and man-made connection to Arroyo de la Laguna has done the most to alter the ecology of the stream downstream of Livermore. The Upper watershed is unaffected by Zone 7's artificial releases; and the "hydrologic regime" remains mostly "natural".  | Text modified to address issue.  |
| Zone 7                | 30        |                   | 2.3.5     |        | 6                    | More importantly, flows in Arroyo Valle below Lake Del Valle are regulated by DWR's dam operations (i.e., "flood releases" and Zone 7's and ACWD's "water rights" releases; whereas above the Lake the flow regime is "natural"  | Text added.  |
| Zone 7                | 31        |                   | 2.3.5     |        | 7                    | Arroyo Los Positas is a gaining stream in its upper reaches providing for perennial flows along its entire length. The flow is often augmented in the summer with releases made from the SBA for Livermore's Springtown GC diversion.  | Text added.  |
| Zone 7                | 32        |                   | 2.3.5     |        | 7                    | "also a" or "another"?   | Text modified to address issue.  |
| Zone 7                | 33        |                   | Table 3-3 |        | Fish-1               | Bullet #9: Good; This does not seem to conflict with our current efforts to obtain permits for our AM/Lk H Diversion project.  | Comment noted.   |
| Zone 7                | 34        |                   | Table 3-3 |        | Fish-1               | Bullet #12: This too seems to be consistent with our Mines Rd Stream Crossing project.   | Comment noted.   |
| Belcher               | 35        |                   | 2         |        |                      | The Callippe has been found and documented on what is now Callippe Preserve Golf Course and on the proposed Oak Grove property (a client of Mr. Inderbitzen)   | Comment noted.   |
| Belcher               | 36        |                   | 2         |        |                      | The potential habitat areas are easily identified (look for their host plant, a diminishing viola plant) AND they fly in these areas during a predictable window of time in the spring.  | Comment noted.   |
| Belcher               | 37        |                   | 2         |        |                      | The Callippe is on the FEDERALLY ENDANGERED LIST.  | Noted in Appendix D  |
| Belcher               | 38        |                   | 2         |        |                      | The stewardship of this group should always give locally occurring species also on the Federally Endangered list immediate inclusion on a EACCS focal species list. Not including the Callippe on the EACCS focal list "severely undercuts the credibility of the document" and the implied charter of the EACCS   | The Callippe silverspot butterfly is included on the focal species list. |

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| Barry                 | 39        | General           |           |        |                      | Much of my concern relates to the lack of understanding regarding the historical and current role of rancher stewardship and grazing across public and private lands in the study area, I think a major obstacle to the strategies effectiveness is the lack of current scientific literature presented and used to provide descriptions of ecological functions as it relates to cover types and focal species. In particular the following references should have been consulted and cited:<br><br><i>Barbour, Keeler-Wolf, Schoenherr. 2007. Terrestrial Vegetation of California. Berkeley: UC Press. Chapters to review include: Northern Coastal Scrub, Oak Woodland, Chaparral, Valley Grassland and Vernal Pools.</i><br><br><i>Stromberg, Corbin, D'Antonio. 2007. California Grasslands, Ecology and Management. Berkeley:UC Press. Chapters to review include: Serpentine Grasslands, Grazing Ecology, Fire Ecology.</i> | Information from these citations will be incorporated either prior to the final draft of the strategy or during the first update of the strategy in year 1 of implementation. |
| USFWS                 | 40        | General           |           |        |                      | Check citations in text with lit. cited in Chapter 6 (missing citations and pers comms) (comment applies to all chapters)   | Comment noted.  |
| USFWS                 | 41        | General           |           |        |                      | Make sure citations in text are uniform throughout the document (i.e. USFWS or US Fish and Wildlife Service, not both) (comment applies to all chapters and appendices).  | Comment noted.  |
| USFWS                 | 42        | General           |           |        |                      | Consistent use of acronyms and abbreviations (comment applies to all chapters and appendices)   | Comment noted.  |
| USFWS                 | 43        |                   | 1         |        |                      | Page 1-2, section 1.1.1: Redundant sentences before and after listing Steering Committee members. Suggested sentence before the list: The federal, state, and local entities listed below formed a Steering Committee that directed the preparation of this Conservation Strategy in partnership: list of agencies. Start the next sentence with: The Conservation Strategy will...   | Text modified to address issue.   |
| USFWS                 | 44        |                   | 1         |        |                      | Page 1-3, section 1.1.3, paragraphs 1 and 2: Replace regulatory agencies with resource agencies   | Text modified to address issue.   |
| USFWS                 | 45        |                   | 1         |        |                      | Page 1-5, section 1.2.2, paragraph 1: Remove Corps. Corps didn't participate in UAG.  | Text modified to address issue.   |
| USFWS                 | 46        |                   | 1         |        |                      | Page 1-7, section 1.2.3: Change public meeting date from July 2010 to September 2010  | Text modified to address issue.   |
| USFWS                 | 47        |                   | 1         |        |                      | Page 1-8, section 1.3.2, 4 <sup>th</sup> line: Change FWS to USFWS.   | Text modified to address issue.   |
| USFWS                 | 48        |                   | 1         |        |                      | Page 1-8, section 1.3.2, 6 <sup>th</sup> line: Change an HCP to a HCP.  | Text modified to address issue.   |
| USFWS                 | 49        |                   | 1         |        |                      | Page 1-9, section 1.3.3, 1 <sup>st</sup> line: Change tense to: The Conservation Strategy creates a...  | Text modified to address issue.   |
| USFWS                 | 50        |                   | 1         |        |                      | Page 1-9, section 1.3.3, 2 <sup>nd</sup> paragraph, 3rd line: Change tense to: The Conservation Strategy provides a...  | Text modified to address issue.   |
| USFWS                 | 51        |                   | 1         |        |                      | Page 1-10, species evaluation bullet: Use EBRPD since using CNPS acronym.   | Text modified to address issue.   |
| USFWS                 | 52        |                   | 1         |        |                      | Page 1-21, section 1.4.5, 3 <sup>rd</sup> paragraph, last sentence: Change to: The USFWS will write....   | Text modified to address issue.   |
| USFWS                 | 53        |                   | 2         |        |                      | Page 2-12, section 2.2.4.3, last paragraph, last sentence: Use EBRPD.   | Text modified to address issue.   |
| USFWS                 | 54        |                   | 2         |        |                      | Page 2-13, section 2.2.4.3, 1 <sup>st</sup> paragraph, 1 <sup>st</sup> sentence: Replace ERPD with EBRPD.   | Text modified to address issue.   |
| USFWS                 | 55        |                   | 2         |        |                      | Page 2-34, section 2.4.3.1, Grassland Cover Types paragraph, last 2 sentences: Change to: Finally, botanists from East Bay CNPS reviewed... The land cover types...   | Text modified to address issue.   |
| USFWS                 | 56        |                   | 2         |        |                      | Page 2-37, Section 2.4.3.1, Valley Sink Scrub, last paragraph, last sentence: Change to: ...may use valley sink scrub for upland habitat or for ....  | Text modified to address issue.   |
| USFWS                 | 57        |                   | 3         |        |                      | Page 3-3, section 3.1, last sentence in section: Change permitting agencies to resource agencies  | Text modified to address issue.   |
| USFWS                 | 58        |                   | 3         |        |                      | Pages 3-3 and 3-4, section 3.2, all paragraphs: Change regulatory agencies to resource agencies   | Text modified to address issue.   |
| USFWS                 | 59        |                   | 3         |        |                      | Page 3-24, section 3.5.2.4, Conservation Action CON-2: Remove [aside from mitigation...].   | Text modified to address issue.   |
| USFWS                 | 60        |                   | 3         |        |                      | Page 3-25, section 3.5.2.4, Conservation Action CON-3: Remove [currently an unfunded initiative].   | Text modified to address issue.   |
| USFWS                 | 61        |                   | 3         |        |                      | Page 3-28, Conservation Action RIP-4: Remove extra space between easement and the period  | Text modified to address issue.   |
| USFWS                 | 62        |                   | 3         |        |                      | Pages 3-35 and 3-36, section 3.5.2.6, Management paragraphs: Renumber Conservation Actions—they don't match up.   | Text modified to address issue.   |
| USFWS                 | 63        |                   | 3         |        |                      | Page 3-39, section 3.5.2.7, Conservation Action STM-6: Change last sentence re: Appendix X to reflect the addition of Appendix G.   | Text modified to address issue.   |
| USFWS                 | 64        |                   | 3         |        |                      | Page 3-40, section 3.5.2.7, Management paragraph: Change sentence re: Appendix X to reflect the addition of Appendix G.   | Text modified to address issue.   |
| USFWS                 | 65        |                   | 3         |        |                      | Page 3-43, section 3.5.3.2, 1 <sup>st</sup> paragraph, last sentence: Delete the random "I" after the last sentence.  | Text modified to address issue.   |
| USFWS                 | 66        |                   | 3         |        |                      | Table 3-3, Page 2 of 5, 1 <sup>st</sup> and 8 <sup>th</sup> bullet: Replace 10(a)(1)(a) with 10(a)(1)(A).   | Text modified to address issue.   |
| USFWS                 | 67        |                   | 3         |        |                      | Table 3-3, Page 4 of 5, 5 <sup>th</sup> bullet: Remove USFWS from this measure.   | Text modified to address issue.   |
| USFWS                 | 68        |                   | 4         |        |                      | Page 4-1: Change title to: Conservation Zones   | Text modified to address issue.   |
| USFWS                 | 69        |                   | 4         |        |                      | Page 4-7, section 4.3.2, last paragraph, 2 <sup>nd</sup> to last sentence: Change entirely to entirety  | Text modified to address issue.   |

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| USFWS                 | 70        |                   | 5         |        |                      | Page 5-4, section 5.2.1, last bullet for Implementing Comm. Roles: Replace Federal with federal   | Text modified to address issue.   |
| USFWS                 | 71        |                   | 5         |        |                      | Page 5-5, 1-3 paragraphs: Capitalize public advisory committee.   | Text modified to address issue.   |
| USFWS                 | 72        |                   | 5         |        |                      | Pages 5-14 and 5-25: Replace Water Board/ Regional Board with SFRWQCB.  | Text modified to address issue.   |
| USFWS                 | 73        |                   | 5         |        |                      | Page 5-26, last sentence on page: Replace Federal with federal.   | Text modified to address issue.   |
| USFWS                 | 74        |                   | 5         |        |                      | Page 5-28 and 5-29, section 5.7.2: Use either CA Rangeland Conservation Coalition or California Rangeland Conservation Coalition, not both.   | Text modified to address issue.   |
| USFWS                 | 75        |                   | 6         |        |                      | Page 6-17: Delete redundant Swaim citation.   | Text modified to address issue.   |
| USFWS                 | 76        |                   | 6         |        |                      | Add USFWS 2007 and 2007b  | Need more specifics on these two citations.   |
| USFWS                 | 77        | Appendix C        |           |        |                      | Check spacing and consistent use of acronyms/abbreviations.   | Text modified to address issue.   |
| USFWS                 | 78        | Appendix C        |           |        |                      | Page C-2, Biological Opinion: Replace Section 7 with section 7.   | Text modified to address issue.   |
| USFWS                 | 79        | Appendix C        |           |        |                      | Page C-3, Compensation: Replace § 7 with section 7.   | Text modified to address issue.   |
| USFWS                 | 80        | Appendix C        |           |        |                      | Page C-3, Condition of Approval and Conservation: Use CDFG instead of Dept. of Fish and Game or Cal. Fish and Game.   | Text modified to address issue.   |
| USFWS                 | 81        | Appendix C        |           |        |                      | Page C-4, Conservation Strategy: Add Conservation to the 1 <sup>st</sup> sentence instead of just Strategy.   | Text modified to address issue.   |
| USFWS                 | 82        | Appendix C        |           |        |                      | Page C-7, Genetic Diversity: Delete: See also "alleles".  | Text modified to address issue.   |
| USFWS                 | 83        | Appendix C        |           |        |                      | Page C-13, Regulatory Agencies: Replace Regulatory with Resource.   | Text modified to address issue.   |
| USFWS                 | 84        | Appendix D        |           |        |                      | Page D-15 and D-16, Callippe Silverspot Butterfly: Delete sentences re: critical habitat. (No designated crit hab and the lengthy summary of history is not relevant here).   | Discussion of critical habitat is important because it notes that there is designated critical habitat but that it does not occur in the study area. Background information is also helpful for this complex species.   |
| USFWS                 | 85        | Appendix D        |           |        |                      | Page D-17, California Tiger Salamander: Need to differentiate the Central California Distinct Population Segment (federally threatened) from the Sonoma and Santa Barbara DPSs (federally endangered)   | Text modified to address issue.   |
| USFWS                 | 86        | Appendix D        |           |        |                      | Page D-18, Ecology, 1 <sup>st</sup> sentence: Replace aestivation with burrowing or upland.   | Text modified to address issue.   |
| USFWS                 | 87        | Appendix D        |           |        |                      | Page D-31, Distribution, 1 <sup>st</sup> sentence: Delete second period   | Text modified to address issue.   |
| Sweet                 | 88        | 2                 | 2.2.4.3   |        | 11                   | CA Rangeland Trust has 2 mitigation easements now in the Valley, and completing negotiation on a third. CRT should be mentioned as well.  | In order to include this information the Steering Committee will need descriptions of the three properties (e.g., general location and acreage). This can be updated at any time and as new easements are acquired they should also be updated. Most importantly Figure 2-3 should include this information so that credit towards the conservation goals can be tracked. |
| Sweet                 | 89        | 3                 | 3.1       |        | 4, 4th bullet        | It would be helpful to restate the restoration goal as action item in Ch 5. Give NRCS and RCD credit for their efforts and provide support to sustain their programs. SECONDLY, in the new concepts area of Ch 5, is there some way that mitigation dollars can be re-directed to restoration projects? RCD did a project for BART, taking mit \$ to restore portion of a Fremont creek. This would go a LONG way to provide incentives to landowners and to leverage Farm Bill and grant funds to do important projects. | Not a good place in Chapter 5 to add the restoration bullet. Added it to bullet list in Section 1.1.3 where the purpose of the strategy is stated. Money can generally be redirected to restoration meets the mitigation requirements and the site is put under a permanent easement with management plan and endowment.  |
| Sweet                 | 90        | 5                 | 5.1       |        | 1                    | insert "commitment" after creativity.   | Text modified to address issue.   |
| Sweet                 | 91        | 5                 | 5.2.1     |        | 4                    | Insert "Facilitate or participate in discussions and planning with the Public Advisory Committee and stakeholders to explore the new concepts for mitigation and voluntary conservation as presented and develop and utilize those that are appropriate." as last bullet.   | Text modified to address issue.   |
| Sweet                 | 92        | 5                 | 5.2.1     |        | 6                    | Can PLCS be considered the "administrator" with a rotating chair?   | This will need to be determined by the Implementation Committee and may evolve over time. There would only be need for an administrator if the group was going to collectively enter into third party agreements or apply for grants.   |
| Sweet                 | 93        | 5                 | 5.2.2     |        | 1                    | PLCS is County and should be on Implementation Committee  | As a member of the Implementation Committee the County could decide to use PLCS as its representative.  |
| Sweet                 | 94        | 5                 | 5.2.2     |        | 1                    | Reps from land trust community needed and UC Cooperative Extension Natural Resources Advisor  | Initially the Implementation Committee will be made up of Steering Committee members that have land use authority and will be charged with the general upkeep of the strategy. They may choose to consult with both of these entities on key issues.  |



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|                       |           | Chapter           | Section # | Page # | Paragraph (from top) |  |  |
| Sweet                 | 95        | 5                 | 5.3       |        | 2                    | Is there a contingency for inadequate funding?   | At a very basic level funding will be provided through projects that need mitigation. That was the original intent of the strategy and remains so. So to that end there will not be a shortage of funding. For voluntary conservation actions a shortage of funding would disallow implementation of several conservation initiatives. If funding is not provided this does not mean that the strategy fails, it simply means the things will operate "business as usual." No contingency is provided. |
| Sweet                 | 96        | 5                 | 5.4       |        |                      | Add "and Stakeholders" to title of section   | Participating Entities includes stakeholders, if they participate in the process.  |
| Sweet                 | 97        | 5                 | 5.4.3     |        | 1                    | Add "activities and programs" after "because of their authorities"   | Text modified to address issue.  |
| Sweet                 | 98        | 5                 | 5.4.3     |        | 2                    | I disagree with inclusion of DWR and SFPUC on Implementation Committee – OK for advisory committee. They didn't invest.  | As stated they own and manage large pieces of public land and will be involved in the successful implementation of the conservation strategy.  |
| Sweet                 | 99        | 5                 | 5.4.3     |        | 2                    | Private landowners. (How are landowners going to use the Strategy? How will the Strategy work with landowners? This is a crucial element that's been overlooked and is critical to success. Mainly, mitigation will occur on what is now private rangelands. This is also the time to talk about voluntary conservation opportunities for landowners who don't want mitigation. Suggested text:) Whether or not private landowners are interested in participation in conservation through mitigation opportunities, the Strategy provides useful information that the private ranchers can use to better understand the land type, habitat, species and management needs of their own lands that will enhance their stewardship decisions. Ranchers understand the broad values of conservation and often invest their resources to enhance and protect them. The Strategy will provide such reference material and access to knowledgeable stakeholders. The landowners' easements when completed will be recorded and their stewardship efforts may be recognized by the Strategy's databank and outreach activities. As new conservation tools and educational activities are developed landowners will have the opportunity to participate. | Text added to Section 5.7  |
| Sweet                 | 100       | 5                 | 5.4.3     |        | 2                    | Land Trusts They have a role that must be recognized, too. How will they use the Strategy? Some don't want to hold easements or property, but do want to facilitate protection. We should ask TVC and CRT for their input. Suggested draft text:) There are several local land trusts and state-wide land trusts. Land trusts have a special opportunity to utilize and obligation to implement the Strategy. They will participate in easement negotiations (both voluntary conservation and mitigation) as easement holders, report voluntary conservation transactions to the databank, and hold and monitor both types of easements in perpetuity. The land trusts, much like the landowners may utilize the reference material and other stakeholders in planning their own conservation goals and in performing their stewardship responsibilities. They will participate in landowner and community education and outreach. The existence of the Strategy may help facilitate the award of grants for voluntary conservation efforts.   | Text added to Section 5.7  |
| Sweet                 | 101       | 5                 | 5.5.5.1   |        | 1                    | First sentence isn't clear   | Text modified to address issue.  |
| Sweet                 | 102       | 5                 | 5.6.2     |        | 1                    | "Generally?" What are the allowable exceptions?  | They can be any condition that is written into an easement. For conservation easements these typically include existing land uses and any future land uses that do not conflict with the spirit and purpose of the easement.   |
| Sweet                 | 103       | 5                 | 5.6.2     |        | 1                    | Insert "such as a park district or a city" after "Public agencies"   | Text modified to address issue.  |
| Sweet                 | 104       | 5                 | 5.6.2     |        | 1                    | What does 'in favor for' mean? Aren't they in favor of anything they approve? Or does this mean proponent?   | This means that they act on behalf of the proponent.   |
| Sweet                 | 105       | 5                 | 5.6.2     |        | 1                    | Not sure why this sentence is here unless they're treated differently than the next sentence. Maybe it would be clearer to separately state when endowments and easements aren't required to meet mitigation requirements. Look at in text comment for clarification.  | For CDFG and USFWS easements and endowments will always be required if lands are protected for the purpose of mitigation.  |
| Sweet                 | 106       | 5                 | 5.6.2     |        | 1                    | Paragraph is inconsistent and unclear about whether requirements are required or optional.   | The requirement of having an easement is not options. The terms of the easement are negotiable.  |
| Sweet                 | 107       | 5                 | 5.6.2     |        | 1                    | Insert "East Alameda County is largely undeveloped, with the exception of the Cities of Dublin, Pleasanton, and Livermore. Because the majority of species' habitat occurs on lands under private or public ownership outside of the three cities, the bulk of conservation opportunities that will support the goals and objectives of the Conservation Strategy will need to occur on those lands." as third paragraph.  | Inserted as part of 2nd paragraph in same section.   |
| Sweet                 | 108       | 5                 | 5.6.2     |        | 1                    | Can mitigation occur on land already owned by the public? If not, let's say it.  | This was addressed as part of response to Comment 108.   |

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| Sweet                 | 109       | 5                 | 5.6.2     |        | 1                    | Insert "In recognition of limits to available funds for focal species habitat mitigation, this strategy supports all tools including conservation easements, mitigation banking, fee title acquisition and others such as Safe Harbor." as fourth paragraph.   | This is inherent in the strategy as a whole and does not need to be reiterated here. There will not be limited funds for mitigation. Mitigation funding comes from projects so the projects drive the need and provide the funds. There will be limited funds for voluntary conservation.                             |
| Sweet                 | 110       | 5                 | 5.6.3     |        | 2                    | Insert "for and other conservation values for on" after "particular needs of the conservation easement purchaser/mitigator as well as the habitat goals"   | Text modified to address issue.   |
| Sweet                 | 111       | 5                 | 5.6.3     |        | 3                    | Insert "(negotiated)" after "developed"  | Text modified to address issue.   |
| Sweet                 | 112       | 5                 | 5.6.3     |        | 5                    | Wording revisions: Any owner of property with conservation values may grant ( <b>sell</b> ) a conservation easement.   | Text modified to address issue.   |
| Sweet                 | 113       | 5                 | 5.6.3     |        | 5                    | Wording revisions: If the property belongs to more than one person, all owners must consent to granting ( <b>selling</b> ) a conservation easement. .  | Text modified to address issue.   |
| Sweet                 | 114       | 5                 | 5.6.3     |        | 5                    | Wording revisions: Once executed, the landowner conveys the right to enforce those <b>negotiated stewardship plan</b> and restrictions to a qualified conservation recipient...  | Text modified to address issue.   |
| Sweet                 | 115       | 5                 | 5.6.3     |        | 6-Conservation E     | Either here or page 5-21 we really must note the current status of DFG's program   | Text modified to address issue.   |
| Sweet                 | 116       | 5                 | 5.6.3     |        | 7-Long-term Man      | There should be a statement about program evaluation and adaptive management.  | Text modified to address issue.   |
| Sweet                 | 117       | 5                 | 5.6.3     |        | 7-Long-term Man      | Strategy should have a role to foster and/or ensure there is management plan consistency in the strategy area and consistency for each habitat. A kit fox management plan should be based on the same information and adapted to the site and its complexities. How could a technical advisory committee help?   | Text modified to address issue.   |
| Sweet                 | 118       | 5                 | 5.6.3     |        | 8-Monitoring         | Wording revisions: condition prescribed <b>or enhanced</b> by the conservation easement and documented at the time of the conservation easement is recorded.   | Text modified to address issue.   |
| Sweet                 | 119       | 5                 | 5.6.3     |        | 8-Monitoring         | Wording revisions: violation and restore the property to its condition prior to the violation <b>as prescribed in the negotiated easement and/or management plan.</b>  | Text modified to address issue.   |
| Sweet                 | 120       | 5                 | 5.6.3     |        | 10-PLCS CE Faci      | Remove: This process is not required by CDFG or USFWS.   | Text modified to address issue.   |
| Sweet                 | 121       | 5                 | 5.6.4     |        | 1                    | There should really be a paragraph describing land trusts and what agencies are eligible to hold easements; their role (although in text above) should be summarized here and regional and local land trusts named or referenced in table.   | See response to Comment 100.  |
| Sweet                 | 122       | 5                 | 5.6.4     |        | 4                    | I think the Strategy should REALLY offer more assistance than a website. Recommended insertion: <b>The Implementation Committee will work with PLCS to facilitate direct assistance and local landowner education so as to foster and facilitate local banks.</b>  | Initially the website and meetings will be the avenue for information flow. If other means are identified or requested during implementation they will be considered by the Implementation Committee. The Committee will be rely heavily on PLCS and would not want to duplicate the work that is already being done. |
| Sweet                 | 123       | 5                 | 5.6.5     |        | 1                    | Recommended wording change: While mitigation typically occurs between one project applicant and one landowner there <b>are</b> additional ways to accomplish the same goal.  | Text modified to address issue.   |
| Sweet                 | 124       | 5                 | 5.6.5     |        | 1                    | Recommended wording change: Below is a list of additional ideas that the Implementation Committee will continue to explore <b>and participate in discussions to develop them.</b>  | This is inferred.   |
| Sweet                 | 125       | 5                 | 5.6.5     |        | 2                    | Add subheadings to numbers: 1. Early Mitigation; 2. Facilitate Mitigation Banks; 3. Revolving Funds  | Text modified to address issue.   |
| Sweet                 | 126       | 5                 | 5.6.5     |        | 3                    | Recommended wording change: Utilize local open space funds <b>as revolving fund</b> .  | Text modified to address issue.   |
| Sweet                 | 127       | 5                 | 5.6.5     |        | 4                    | Add: <b>4. FUND POOLING. To increase efficiency of funds and to contain project and acquisition costs, Strategy encourages cooperative projects.</b>   | Text modified to address issue.   |
| Sweet                 | 128       | 5                 | 5.6.5     |        | 4                    | Add: <b>5. REDUCE THE COST OF MITIGATION. Work with stakeholders to develop new tools and processes that will reduce the cost of mitigation. I.e. pre-certifying rangelands in the Zones as a whole to reduce costs of surveys.</b>  | Text modified to address issue.   |
| Sweet                 | 129       | 5                 | 5.7.1     |        | 1                    | Recommended insertions in bold: The Nature Conservancy, <b>the California Rangeland Trust</b> and local land trusts <b>such as Tri-Valley Conservancy and agencies like Department of Conservation, and Wildlife Conservation Board.</b> A full listing of currently available stewardship programs can be obtained [Remove: through the RCD on the web at: <a href="http://www.acrcd.org/home.aspx">http://www.acrcd.org/home.aspx</a> and] in Appendix F. <b>Of particular note is pest and weed management programs provided by the Alameda County Agriculture Department and forestry expertise provided by the County Forester.</b> | Text modified to address issue.   |
| Sweet                 | 130       | 5                 | 5.7.1     |        | 2                    | Add: <b>EACCS recognizes the values of voluntary stewardship and the entities that provide services and will endeavor to help support the ACRCd and NRCS in Alameda County.</b>  | This is inherent in the strategy.   |

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| Sweet                 | 131       | 5                 | 5.7.1.2   |        | 3                    | While we removed much of this material to the appendix/table, some short description should be included here to supplement stewardship (Voluntary Conservation Easements, public and private sources of funding, process to establish and easement (possibly insert table)  | The intention of moving the information to the Appendix was so that the reader did not have to wade through the document to find it. Currently the Steering Committee plans to leave the information in the Appendix.  |
| Sweet                 | 132       | 5                 | 5.7.2     |        | 1                    | Recommended insertions in bold: Conservation Strategy through voluntary stewardship <b>and participate in discussions to develop them.</b> Below is a list of ideas generated by the <del>[Remove: Implementation]</del> <b>Steering Committee,</b>   | Text modified to address issue.  |
| Sweet                 | 133       | 5                 | 5.7.2     |        | 2-list               | Add following headings to each number in list: 1. ECOSYSTEM SERVICE CONTRACTS & TAX INCENTIVES, 2. STOCK POND AMNESTY PROGRAM, 3. FACILITATE BASELINE DATA ASSESSMENTS ON PRIVATE LANDS, 4. EXPAND LANDOWNER EDUCATION ABOUT CONSERVATION EASEMENTS, 5. CONTINUE LANDOWNER AND OPERATOR EDUCATION ABOUT HABITAT AND SPECIES STEWARDSHIP AND IDENTIFICATION AND MONITORING, 6. SUPPORT RENEWAL OF, 7. EACCS UTILIZATION FEE, 9. TRACK VOLUNTARY STEWARDSHIP AND CONSERVATION EASEMENTS, 11. WORK WITH CA RANGELAND CONSERVATION COALITION  | Text modified to address issue.  |
| EBCNPS                | 134       | General           |           |        |                      | We believe that not considering the scale of impact is the most perilous weakness in the plan. Future developments are required to be described in a city's updated General Plan. Each participating city has such a plan, and a general estimation of future development impacts should be identified so that a reasonable conservation plan can be created in order to mitigate impacts appropriately. This "estimation of future impacts" should be considered a first step in this planning process, as it is with most other conservation plans. This need not be a number that is set in stone, but rather, it allows for effective implementation of this plan based on the pace and expectations of development in the Livermore Valley.  | Estimating future impacts was never the charter of the EACCS, it was to provide project-level permitting guidance. A general discussion of the types of projects that will be permitted using guidance from EACCS are provided in Chapter 1. Further description of projects that can be addressed using the programmatic biological opinion will be described in that document. |
| EBCNPS                | 135       | General           |           |        |                      | A related deficiency of the draft is the omission of reserve design theory. Reserve design allows for future conservation efforts to be planned within the framework of existing conservation lands. It allows for species to have larger contiguous habitats, corridors to be enlarged or created, and reduces edge effect on conservation properties. This level of planning has already been provided at the scale of 4.5 million acres (the entire 9-county Bay Area) by the Open Space Council's Upland Habitat Goals Project. We strongly urge that the EACCS document rely upon the appropriate reserve design principles that have been assembled in order to make it credible and defensible.  | Include provision in guidance that gives additional credit to mitigation acquisitions that line up with Upland Habitat Goals reserve design outputs.   |
| EBCNPS                | 136       | General           |           |        |                      | EBCNPS recommends that the Steering Committee reconsider assembling a formal peer review committee for this project. The Steering Committee claims there has been an "informal" review process concomitant with the writing of the strategy, but that cannot serve as an adequate substitute for a more formal review once this document is completed. Then it can be read and digested as a single cohesive document rather than a loose assemblage of independent parts that together do not add up to a high quality plan. We believe that a peer review process that relies on opinion and analysis from individuals not intimately involved with the project may also be instructive in how implementation might be made successful. We hope the Steering Committee won't waste this opportunity to both ensure the scientific rigor of this plan as well as increase the probability of success for this planning effort. | A peer review committee may be assembled in the future but currently there is no funding available for that effort.  |
| EBCNPS                | 137       | General           |           |        |                      | Given the rarity and local significance of certain plants and animals in the study area, the mitigation ratios for impact to these species should be higher than past precedent may imply. For instance, many mitigation ratios in the framework are established based on little information about the occurrence of the focal species. As this project continues to be implemented over the years, our understanding of the focal species will improve. We may find some more common than previously considered, and some even rarer than initially imagined. The strategy should have a mechanism by which to easily adjust mitigation ratios if a changed is deemed warranted. We believe a 3-5 year review of mitigation ratios is reasonable in order to inform the mitigation process with the appropriate, current data.   | Mitigation ratios will certainly be reviewed and evaluated. Currently that will occur on an annual basis.  |
| EBCNPS                | 138       | General           |           |        |                      | EBCNPS strongly believes that there should be two "no-take" plant species until more information is collected on local distribution: Palmate-bracted bird's-beak and Livermore tarplant.  | This could be a recommendation in the EACCS but would need to be codified in the programmatic BO or other permit documents. The EACCS is not offering "take" so it is difficult to have "no take" species.   |

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| EBCNPS                | 139       | General           |           |        |                      | We ask that the EACCS elevate the status of these species to Avoidance Only focal plants or even more strongly worded No Take focal plants.  | See response to Comment 139.  |
| EBCNPS                | 140       | General           |           |        |                      | We would like to recommend that a general sensitivity analysis be conducted on the current scoring model. See comment letter for examples.   | This process has started and members of the Steering Committee are working projects through the EACCS methodology to determine its effectiveness. This sensitivity analysis will happen by default over time as long as all parties are willing to make revisions to the methods as issues arise. |
| EBCNPS                | 141       | General           |           |        |                      | We would like to recommend a "threshold mitigation value" wherein the score of potential mitigation sites cannot drop below a specified limit with respect to the quality of the "impact site." This provision would ensure that many acres of low quality habitat would not be replacing a few great acres. EBCNPS would consider a ratio of 0.5 to be a starting value. This would indicate that a mitigation site could, at worst, quantitatively score ½ of the value of the quality of the impact site.   | As it is currently written mitigation sites must be equal to or of better value than impact sites. The one allowable variance is that a lower valued site can be used as mitigation provided that it can be enhanced in a way that increases the score to the level of the impact site.           |
| EBCNPS                | 142       | General           |           |        |                      | We believe mitigation zones should simply be used as guidance, but they should not handcuff the mitigation process if high quality mitigation habitat is located one or two mitigation zones away from the optimal range. For instance, if the mitigation land were found to score equally with the impacted land, then the conservation zone should not be used as the final determining factor between a nearer, poorer site and a more distant site containing better quality habitat.  | This is where the project-by-project permitting process will be essential. In that situation the resource agencies would have the ability to approve high-quality mitigation in other zones.  |
| EBCNPS                | 143       | General           |           |        |                      | We provided a set of shapefiles that delineate what EBCNPS has designated as the Core Botanical Protection Areas in the Eastern Alameda County project area. This data was presented at an EACCS Steering Committee meeting in 2009. These maps are important in "scoring" mitigation sites, yet they have not been reproduced in the document. The final document should include these maps for reference.  | A new figure (Figure 3-14) is now included. It depicts this information.  |
| EBCNPS                | 144       |                   | 1         | 1.1.3  |                      | The second sentence should be amended to: "To this end, the Conservation Strategy describes how to avoid, minimize, and mitigate impacts on selected focal special-status species and sensitive habitats." One of the benefits of this level of planning is that species other than those already listed as "special-status" can be considered for protection. In fact, this level of planning is exactly what the Endangered Species Act is intended to achieve by reducing the number of "at-risk" species through landscape level conservation planning. We support the Steering Committee's selection of target species that best protect the greater biological diversity of the EACCS planning area. | Text modified to address issue.   |
| EBCNPS                | 145       |                   | 1         | 1.2.2  |                      | We ask that the East Bay Chapter of CNPS be specified as a participant, which is a different entity than the State CNPS organization. Please list us as: California Native Plant Society – East Bay Chapter.   | Text modified to address issue.   |

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| EBCNPS                | 146       | 1                 | 1.3.3     |        |                      | We would like to remind the consultants that locally rare plants are also protected under CEQA sections 15380 and 15125(a) which address species of local concern and place special emphasis on environmental resources that are rare or unique to a region. Dianne Lake's A-ranked plants from the 8th Edition of the Rare, Unusual and Significant Plants of Alameda and Contra Costa Counties (printed in 2010) meet this CEQA requirement and should also be granted attention in this process and any process which reviews impacts to an area or to significant botanical resources in an area.  | This is the intention of the last bullet in this section. Modified the citation to include 2010 list.  |
| EBCNPS                | 147       | 3                 | 3.5.3.15  |        |                      | We appreciate and acknowledge this plan's attempt to include some non-regulatory solutions to conservation issues. Specifically Conservation Action PLA-3 allows for greater communication between botanists who often study small scale phenomena and land owners who often observe life at a landscape scale. We would like to help ensure PLA-3 is successful and rewarding to all participants.  | Comment noted.   |
| EBCNPS                | 148       | 3                 |           |        |                      | Conservation Action PLA-3. Establish an incentive program for private landowners to allow for botanical surveys on their property and to guarantee the management of habitats with focal plant populations to suppress nonnative invasive vegetation and promote regeneration and recruitment of native species while supporting the natural processes typically found in the communities that support the focal plant species.  | Comment noted.   |
| Barry                 | 149       | 1                 | 1.1.1     |        |                      | General comment: EACCS is a conservation strategy for approximately 271,485 acres of land which is largely grasslands and woodlands managed in the past and currently by rancher stewards with livestock grazing. The important historical and future role of grazing and ranching for the habitats and species covered in this plan should be included in more detail throughout the plan. For example, how is it possible that Chapter 1 (The introduction) which is 24 pages neglects mentioning "grazing" or "ranching" a single time when this is and has been the major land use of the study area for the past 100-150 years.   | Text added to address this issue, however, it is not the mission of the EACCS to ensure cattle grazing continues to be the primary land use in the study area. It will, in all likelihood, and many of the conservation action will influence that.  |
| Barry                 | 150       | 1                 | 1.1.3     |        |                      | The extent and use of cattle grazing and ranching should be included in this biological baseline, because as recognized by USFWS and others rancher stewardship and grazing play an integral role providing habitat for several of the focal species covered in this strategy.   | While grazing is an important land use in the study area and management tool that has directly and indirectly made most of the study area suitable habitat for a suite of species, it is adequately covered in Chapters 2 and 3 and does not belong in the scope and purpose section of the EACCS.                             |
| Barry                 | 151       | 1                 | 1.1.3     |        |                      | The stated goal of this strategy is to protect and enhance native biological diversity and ecosystems. Achieving this goal across is not possible without rancher stewardship which includes managed livestock grazing.  | Comment noted.   |
| Barry                 | 152       | 1                 | 1.1.3     |        |                      | Insert a new bullet: Support the long-term viability of the ranching industry by providing economic, social and other incentives and by reducing burdens for proactive stewardship on lands managed by ranchers with livestock grazing. (Consider the goals of the California Rangeland Conservation Coalition .)  | A more general bullet was added that is not specific to ranching but highlights the need to think creatively about land management in general.   |
| Barry                 | 153       | 1                 | 1.3.1     |        |                      | A discussion on land ownership and management as it relates to covered species seems essential for the introduction. Although land-use is discussed in Chapter 2, this discussion is focused on designations and protections and not on actual stewardship which is occurring across land use types i.e. open space lands and agricultural lands. A section on the extent of grazing across all land uses including historical and current grazing uses and associated rancher stewardship is a minimum requirement.   | Text was added to Chapters 2 and 3 to address this issue, The introduction is not the appropriate place to discuss this level of detail.   |
| Barry                 | 154       | 1                 | 1.3.3     |        |                      | In recognition of the important role of livestock grazing and rancher stewardship across the study area on private and public open space lands, this strategy will serve to create a framework to support the livestock industry and associated ranch stewards. Resource management associated with ranching not only includes livestock grazing but also has historically included range improvement practices including water development and maintenance, range seeding, noxious weed control, oak woodland management (thinning, planting), vertebrate pest control, monitoring change and others. In addition ranchers as stewards provide significant protection from illicit land uses i.e. pot farming, vandalism, dumping, and trash accumulation. Future management and conservation on these habitat lands (in private or public ownership) without the ranching industry would be cost prohibitive and unfeasible. | Creating a framework to support the livestock industry is outside of the scope of the EACCS.   |
| Barry                 | 155       | 1                 | 1.4.2     |        |                      | Insert: <b>California Code of Regulations Title 14, Sections 1600-1651. This code governs the certification of individuals working in rangelands. Management plans developed throughout much of the study area will need to be written under the direction of a state licensed Certified Rangeland Manager.</b>  | USFWS or DFG do not require a State Licensed Certified Rangeland Manager to review grazing management plans for mitigation. The primary purpose of the management plan is for mitigation. Alameda County - County Counsel will conduct a focused review. Since the EACCS is not regulatory in nature this may be a moot point. |

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| Barry                 | 156       | 2                 |           |        |                      | Current Literature should have been reviewed. Much of the information regarding ecosystem function is misleading and inaccurate. In particular, review, reference and cite the following current texts:<br><br>Barbour, Keeler-Wolf, Schoenherr. 2007. Terrestrial Vegetation of California. Berkeley: UC Press. Chapters to review include: Northern Coastal Scrub, Oak Woodland, Chaparral, Valley Grassland and Vernal Pools.<br><br>Stromberg, Corbin, D'Antonio. 2007. California Grasslands, Ecology and Management. Berkeley:UC Press. Chapters to review include: Serpentine Grasslands, Grazing Ecology, Fire Ecology. | Comment noted. This information will either be incorporated into the final draft of the document or during the first year of implementation.  |
| Barry                 | 157       | 2                 | 2.2.2.1   |        | 1                    | Planning designations do not accurately represent land use designation, i.e. most of the public lands in the study area are rangeland. A discussion on actual land use across public and private lands in the study area is essential for an effective conservation strategy.   | The Steering Committee spent much time discussing the most practical way to delineate land use. This most mostly due to the fact that grazing occurs on nearly all lands and that various type of agriculture identify with each other, while others prefer to remain separate. |
| Barry                 | 158       | 2                 | 2.2.2.2.  |        | 1                    | "Other land uses" makes this statement misleading. The open space, parklands, and public watersheds are also used for ranching.   | Additional sentence added to clarify.   |
| Barry                 | 159       | 2                 | 2.2.2.2   |        | 3                    | Above ranching is listed as the primary agricultural use but here Agriculture and Rangelands are listed separately? Is this a county planning designation? If so, actual land use should be covered.  | This was an attempt to recognize the variation within agriculture and to ensure that grazing did not get lost in the shuffle.   |
| Barry                 | 160       | 2                 | 2.2.2.2   |        | 4                    | Rangeland and farmland which is dryland farmed have different habitat values. Lumping is misleading. This dramatically overstates the extent of dryland farming currently in the study area and continues to understate the extent of rangelands and ranching.  | Comment noted.  |
| Barry                 | 161       | 2                 | 2.2.2.2   |        | 4                    | Which public lands in the study area are not managed grazed? Other than the Livermore Lab site, grazing is occurring on nearly all public lands in the study area. What does active grazing means? Is there such a thing as inactive grazing??. Also see edits in text.   | Comment noted. "active" was removed.  |
| Barry                 | 162       | 2                 | 2.2.2.2   |        | County Planning      | The extent of grazing across all allowable uses would be useful information here.   | This section is devoted to describing county planning designations and not the extent of grazing. A discussion of grazing is not relevant in this section.  |
| Barry                 | 163       | 2                 | 2.2.2.2   |        | Livermore Plannin    | The extent of grazing and rancher stewardship in this area would help inform the strategy.  | This section is devoted to describing city planning designations and not the extent of grazing. A discussion of grazing is not relevant in this section.  |
| Barry                 | 164       | 2                 | 2.2.2.2   |        | Livermore Plannin    | Add: <b>Livestock grazing is a land use and management tool on some of these lands.</b>   | This section is devoted to describing city planning designations and not the extent of grazing. A discussion of grazing is not relevant in this section.  |
| Barry                 | 165       | 2                 | 2.2.2.2   |        | Pleasanton Wildla    | The extent of grazing and rancher stewardship in this area is needed to inform the strategy.  | This section is devoted to describing city planning designations and not the extent of grazing. A discussion of grazing is not relevant in this section.  |
| Barry                 | 166       | 2                 | 2.2.2.2   |        | Pleasanton Wildla    | Add: <b>Livestock grazing is a primary land use and management tool across the Pleasanton Wildlands. The City of Pleasant is using rancher stewardship and managed cattle grazing on preserve lands to provide habitat for the Callippee Silverspot Butterfly.</b>  | This section is devoted to describing city planning designations and not the extent of grazing. A discussion of grazing is not relevant in this section.  |
| Barry                 | 167       | 2                 | 2.2.2.2   |        | Wind Resource A      | The extent of grazing and rancher stewardship in this area is needed to inform the strategy. Also see additions in te   | This section is devoted to describing county planning designations and not the extent of grazing. A discussion of grazing is not relevant in this section.  |
| Barry                 | 168       | 2                 | 2.2.4     |        |                      | Where does private rangeland without easements fit?   | This is not included within the discussion of Open Space because it does not fit the definition presented in this document.   |
| Barry                 | 169       | 2                 | 2.2.4.1   |        |                      | Management for natural resources on these lands is almost exclusively with rancher stewardship and managed cattle grazing.  | Comment noted.  |
| Barry                 | 170       | 2                 | 2.2.4.2   |        |                      | It should be noted that rancher stewardship with managed livestock grazing is an important management tool in most of Type 1 Open Space.  | Text added.   |
| Barry                 | 171       | 2                 | 2.2.4.2   |        |                      | It should be noted that rancher stewardship with managed livestock grazing is an important management tool in most of Type 2 Open Space.  | Text added.   |
| Barry                 | 172       | 2                 | 2.2.4.2   |        |                      | Including livestock grazing in Type 3 description but not in Type 1 or 2 will give readers the impression that livestock grazing denotes Type 3 open space.   | Comment noted.  |

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| Barry                 | 173       | 2                 | 2.2.4.3   |        | EBRPD-2              | UCB has been conducting a long-term study with EBRPD to document some effect of grazing on these park lands. References to this study and their results is important.  | This is a discussion about the land ownership of EBRPD, not the extent to which does or does not impact parklands.   |
| Barry                 | 174       | 2                 | 2.2.4.3   |        | Site 300             | Why include this statement here, if similar statements regarding management impacts like the occurrence of livestock grazing and its impact on native flora and fauna are not included on the other public lands??   | This is used as a descriptor of the site.  |
| Barry                 | 175       | 2                 | 2.2.4.3   |        | SFPUC                | Grazing is not a land use like quarry operations or plant nurseries on SFPUC watershed lands. The SFPUC's Alameda Creek Watershed Grazing Resources Management Plan should be referenced. Grazing is a resource management tool being used by the SFPUC to provide for watershed protection and habitat improvement.   | Grazing removed from mention in this context. Another sentence was included describing that grazing occurs on watershed lands as a management tool.  |
| Barry                 | 176       | 2                 | 2.3       |        |                      | Somewhere in this chapter should be a discussion on land use management including grazing management on public and private lands in the study area. Included in this discussion should be information on infrastructure needed to support on-going ranching operations. This information is essential because the continuation of ranching is integral to the future of many of the focal species covered by this plan. Consider the situation on San Bruno Mountain where biologist would like to use livestock grazing to conserve butterfly habitat but infrastructure has been lost. | Not relevant in the land use section. Those are operational issues that vary by property.  |
| Barry                 | 177       | 2                 | 2.3.4     |        | Global Climate Ch    | The increasing importance of vegetation management tools such as grazing and associated ranching practices to mitigate the impacts of global climate change and support special status species should be discussed.  | Discussing how ranching might offset global climate change is outside of the scope of this document.   |
| Barry                 | 178       | 2                 | 2.3.5     |        | 2                    | Rangeland and public lands are not two different land types. This sort of statement continues to mislead readers.  | For the purposes of this strategy it was important to differentiate between publicly owned land and privately owned land. The term rangeland is meant to describe privately owned grazing lands  |
| Barry                 | 179       | 2                 | 2.4       |        |                      | An additional map is ABSOLUTELY necessary showing the extent of grazed lands. Although it is mentioned in the text it is not clear that grazing occurs on open space, rangeland, annual grassland, oak woodland and other cover types. Currently no map accurately depicts the extent of rancher managed lands (public and private) in the study area.   | Grazing occurs in numerous places and can change frequently. Modified language to further acknowledge grazing can span over various land cover types. This would be more useful than having a map, which would only provide a snapshot in time.  |
| Barry                 | 180       | 2                 | 2.4.2     |        | General Overview     | Insert new paragraph - see text  | Text modified to address issue.  |
| Barry                 | 181       | 2                 | 2.4.3     |        |                      | With the exception of open water and conifer woodland these cover types are all rangeland and/ other grazed habitats. This should be recognized because of the important role of rancher stewardship and grazing.  | These are descriptions of vegetative communities. While these are enhanced but grazing they are not the direct result of grazing. Discussing this land use in this context would require that the document dicusses other land uses that might also occur within each land cover type. |
| Barry                 | 182       | 2                 | 2.4.3.1   |        |                      | Native grasslands have been identified by EBRPD, SFWD and the USDA NRCS to some extent. Why are we you just relying on aerial photos??   | When data was made available locations of native grass communities was incorporated. Information was not provided by any of the entities mentioned. This information can easily be incorporated into the land cover map at any point in the future.                                    |
| Barry                 | 183       | 2                 | 2.4.3.1   |        | 7                    | The importance of vegetation management to support these species needs to be stated.   | Comment noted.   |
| Barry                 | 184       | 2                 | 2.4.3.1   |        | 8                    | Why not use better data i.e USDA NRCS and EBRPD data?  | All data that was made available was used. If additional data is made available in the future it can easily be integrated.   |
| Barry                 | 185       | 2                 | 2.4.3.1   |        | 8                    | What supports this statement? Current citations are below. Where are your citations????  | This is meant as a general overview of our knowledge on all landcover types and note a thesis which includes everything we know about each.  |
| Barry                 | 186       | 2                 | 2.4.3.1   |        | 12                   | Old citations!We have learned quite a bit about serpentine grasslands in the past 10 years!!! Serptine grassland have seemed to be resistant to invasion of non-native annual species but in the past 10 years invasion as occurred. Consider the work of Weiss 1999 and others.   | Weiss 1999 is now 11 years old and generally pertains to studies conducted in Santa Clara county, an area where serpentine grasslands and impacts from nitrogen deposition are quite different form those found in Alameda County.   |
| Barry                 | 187       | 2                 | 2.4.3.1   |        | 15                   | Consult current literature and visit the site. Other than land use change or recreation, the most significant threat to the alkali meadow is invasive species. It doesn't even make your list!!!!  | Text modified to address issue.  |
| Barry                 | 188       | 3                 | 3.1       |        | 1                    | This purpose will absolutely require a clear understanding of historical and current rancher stewardshipand grazing practices across most cover types in the study area since cattle grazing is the predominant land use in the study area.  | Comment noted.   |
| Barry                 | 189       | 3                 | 3.1       |        | 4                    | The strategy very short in this regard. References are often missing and citations are old and out-of-date. See comments in species accounts appendix and Chapter 2 Grasslands and Oak Woodlands.  | Comment noted.   |

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| Barry                 | 190       | 3                 | 3.1       |        |                      | Several general comments about management that are repeated in more specific terms in other parts of the comment letter (i.e., grazing, fire mimicry).   | Comment noted.   |
| Barry                 | 191       | 3                 | 3.5.1.1   |        | Objective 1.3        | What does this mean? It's too vague  | This goal is vague by necessity. It essentially encompasses everything that we are trying to do in the plan. All rolled up into one goal.  |
| Barry                 | 192       | 3                 | 3.5.1.1   |        | Objective 1.3        | "Natural disturbance regimes" may not be relevant to manage our altered ecosystems.  | Comment noted.   |
| Barry                 | 193       | 3                 | 3.5.1.1   |        | Objective 1.4        | How are these targets defined?   | Non-native species that would be targeted would include those that pose a threat of outcompeting native organisms and therefore altering the balance of the ecosystem to favor the non-natives.  |
| Barry                 | 194       | 3                 | 3.5.1.1   |        |                      | Insert New: Objective 1.5. <b>Support the continuation of the livestock industry in eastern Alameda County particularly for the ability of rancher stewardship and managed livestock grazing to achieve Objective 1.2,, 1.3 and 1.4.</b>   | Although the Steering Committee agreed that this comment would support or benefit the EACCS, the Steering Committee decided early on that this was a biologically based plan. The Conservation Strategy already seems to address this comment - see pages 3.9 to 3.11 and 3.14 (on Grasslands). Also, see Conservation Action GRA6, which says to continue grazing regimes. EACCS already deals with importance of grazing as a conservation action or part of implementation. EACCS is not meant to promote livestock industry. Added a variation of the recommended language to GRA-6. |
| Barry                 | 195       | 3                 | 3.5.2.1   |        |                      | Several comments about adding management items to text. These comments are more specific for parts of chapter 3 and in the species accounts.   | Comment noted.   |
| Barry                 | 196       | 3                 | 3.5.21    |        | Conservation Acti    | Mowing should be considered an alternative to grazing. Mowing is not only economically and environmentally unsustainable it is not selective except for height. Grazing animals are selective.   | Text added to GRA-8 and PLA-7 to clarify this point.   |
| Barry                 | 197       | 3                 | 3.5.2.1   |        |                      | There is value in conserving non-native grassland as well for many of the focal species.   | Comment noted. This is inevitable in the study area.   |
| Barry                 | 198       | 3                 | 3.5.2.1   |        | Management           | Much of the land has been grazed by livestock for the past 100 years or more. Herbivory is a natural process especially in relation to the naturalized annuals that need to be controlled to support native species. Why do we need to mimic grazing? Why can't we support ranchers to continue their stewardship in a sustainable manner.   | Text has been clarified. Mimicking grazing is only intended for sites where grazing is infeasible, as the text states. These would be areas that are too small to support a viable grazing operation or that would require such infrequent grazing that it would impractical for a rancher to move cattle in and out of the area.  |
| Barry                 | 199       | 3                 | 3.5.2.2   |        | CCCS-4a              | This action is more consistent with a long-term plan to promote sustainable management of eastern Alameda County than conservation action ccs-4 and ccs-5. In addition grazing and browsing has the ability to be more selective (prescriptive) than either fire or thinning. Grazing could also be a pre-treatment. This assumes that site objectives are clearly understood and defined. A Life Cycle Analysis (LCA) of three strategies would highlight environmental tradeoffs in regards to fossil fuel use and greenhouse gases when considering the three approaches. | Comment noted.   |
| Barry                 | 200       | 3                 | 3.5.2.2   |        | CCS-6                | Really?? What supports this idea? Chaparral and scrub has expanded across much of the SF Bay Area former grass-dominated lands (see Russell and McBride 2003).   | This conservation action is to identify these areas if they exist in the study area. If they do not then there is no issue. The grassland-shrub conversion issues is discussed in GRA-9.   |
| Barry                 | 201       | 3                 | 3.5.2.2   |        | CCS-6                | Insert: <b>Conservation Action CCS 6. Identify areas in the study area where chaparral and scrub communities are encroaching on chaparral and scrub communities due to the suppression of fire and lack of grazing pressure. In areas where this encroachment is affecting focal species habitat, work to reduce the encroachment through prescription management including grazing.</b>   | Text modified to address issue.  |
| Barry                 | 202       | 3                 | 3.5.2.2   |        | Management           | Managed currently with what? Most of the chaparral and coastal scrub is managed under rancher stewardship with some grazing pressure.  | While grazing may keep scrub habitats from advancing on grasslands it does little to promote structural diversity within the shrub community. This section is aimed at managing for the functions and values of chaparral and scrub habitat.   |



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| Barry                 | 203       | 3                 | 3.5.2.2   |        | Management           | How about visiting s chaparral and scrub site to have a better picture of the sort of enhancements that might be helpful.   | Good idea. This and other sites would be a good venue for the Implementation Committee to become more educated about management issues in the County.   |
| Barry                 | 204       | 3                 | 3.5.2.2   |        | Management           | General text edits  | Text modified to address issue.   |
| Barry                 | 205       | 3                 | 3.5.2.3   |        |                      | General text edits in section about management  | Text modified to address issue.   |
| Barry                 | 206       | 3                 | 3.5.2.3   |        |                      | Insert: <b>Conservation Action OAK-6a. Provide support to the continuation of livestock grazing in the oak woodlands to achieve OAK-6</b>   | See OAK-5.  |
| Barry                 | 207       | 3                 | 3.5.2.3   |        | Objective 6.4        | Consider the work of the IHRMP. Supplemental planting alone is not an effective strategy to enhance oak recruitment.  | Comment Noted.  |
| Barry                 | 208       | 3                 | 3.5.2.3   |        | Management           | Text is vague and unclear   | Text modified to address issue.   |
| Barry                 | 209       | 3                 | 3.5.2.3   |        | Management           | What does "mimick natural processes mean"   | Manage the system at the process level rather than resource by resource. Allow fires to burn and streams to flood to create natural disturbance on the landscape in a way that occurred prior to European settlement. This is clearly constrained by existing land uses, so some of these things must be "mimicked" through prescribed burns, girdling of trees, mechanical thinning or forests or shrub communities. |
| Barry                 | 210       | 3                 | 3.5.3.8   |        | Conservation Acti    | This conservation action should be required on all protected lands in the study area with little exception. If historic and current grazing use had been mapped as part of this plan. The need to develop and implement grazing plans across all protect lands would be evident.  | Management plans would be required for all lands that are used for mitigation. In nearly all cases this would include a grazing component.  |
| Barry                 | 211       | 3                 | 3.9.3.9   |        | Conservation Acti    | Vegetation needs to be managed as well  | Comment noted.  |
| Barry                 | 212       | 3                 | 3.5.3.11  |        | Objective 19.4       | Several conservation easements include grazing as a management tool. They don't necessarily have to be ag easements.  | "agricultural" removed.   |
| Barry                 | 213       | 3                 | 3.5.3.11  |        | Mitigation Guidan    | This is confusing grazed grasslands include annual grasslands and the alkali sink. This list makes them appear as distinct types of land.   | "grazed grasslands" removed.  |
| Barry                 | 214       | 3                 | 3.5.3.13  |        | Objective 21.3       | Vegetation management is missing as an action to enhance habitat.   | Added language to SJKF-4. This is also inherent in Objective 21.3.  |
| Swaim                 | 215       | General           |           |        |                      | Less emphasis on whether or not an impact site is in designated Critical Habitat is appropriate when determining mitigation ratios (Table 3-9). Critical habitat (USFWS 2006) for the Alameda whipsnake was only designated where known localities existed and were documented (personal communication with Steve Schoenburg, USFWS). This, in part, resulted in the critical habitat being reduced from the previous designation. This was significant in the Sunol Cedar Mountain area (Unit 5), where much of the EACCS area is located. Since that time we have done studies documenting the occurrence of the whipsnake outside the critical habitat area. These have been submitted to the California Natural Diversity Data Base maintained by the California Department of Fish and Game and included in annual reports to the USFWS. | Regardless of how critical habitat was designated it remains an important component of the findings that the USFWS must make related to project impacts. For this reason including it in the mitigation ratio assessment is important. Since this is combined with the recovery unit information this creates a more conservative analysis of species habitat quality.  |
| Swaim                 | 216       | General           |           |        |                      | Less emphasis should be placed on whether an occurrence is know within one mile (Table E-7) and more on whether there is high quality core type habitat within one mile (or so). Many areas of high quality habitat have not been surveyed so that lack of an observation is not meaningful   | Revised line item to read, "High quality shrub habitat (scrub/chaparral especially; on northeast, east, south east, south and southwest aspects )within one mile". The term "Core" has a legal definition related to recovery plans, so that is likely too restrictive. This approach still takes the focus off of occurrences records and places it on suitable habitat.   |

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| Swaim                 | 217       | General           |           |        |                      | On a site specific basis, higher mitigation ratios for impacts to core type habitat (scrub/chaparral especially; on northeast, east, south east, south and southwest aspects) are recommended in order to give applicants incentive to avoid this habitat in project planning. Impacts to this habitat type will result in impacts to the whipsnake population beyond the geographic extent or footprint of the project, because this habitat type is similar to the "pond" for aquatic breeding amphibians. If too much of the core type habitat is removed, the local population that uses the mosaic of habitat could be lost altogether. For example, prior to federal listing, the CDFG required a ration of 5:1 for scrub and open habitats within 100 feet of scrub. It seems any applicant will have to determine the specific acreages of habitats that will be impacted and appropriate ratios for mitigation can easily be calculated. This will help to ensure the mitigation set aside is of like or higher quality than the area impacted. | Steering Committee likes this suggestion but before we can agree to make any changes, we would like to first see an example to see if it will work without being overly complicated or subjective. This will continue to be investigate as the strategy moves into implementation.  |
| Swaim                 | 218       | General           |           |        |                      | The vegetation mapping effort indicates a minimum mapping unit of 10 acres. I had commented to the steering committee that this was too large to capture whipsnake habitat and the potential distribution of the whipsnake in the EACCS study area. I would like to add to that letter, that I am now aware of several areas of scrub that are close to 15 acres, but not shown in the vegetation cover maps   | If that data is made available to the Steering Committee it can easily be added to the EACCS land cover data set.   |
| Swaim                 | 219       | General           |           |        |                      | Although I may have missed it in the document, there does not appear to be enough of an explanation on how to use the scoring sheet (E-7) to really get at the quality of the impact site and then translate the score into a way to apply the mitigation ratios.  |   |
| Greenbelt Alliance    | 220       | General           |           |        |                      | We support the mitigation ratios proposed for project impacts in the covered area as a mechanism for improving the chances of maintaining viable populations of special status species in the project area. If implemented successfully, the strategy could significantly contribute to the conservation of natural resources in eastern Alameda County.   | Comment Noted   |
| Greenbelt Alliance    | 221       | General           |           |        |                      | We suggest adding and clearly defining a mechanism to ensure that all mitigation measures for projects in the area are actually implemented, and monitored for effectiveness.  | The Implementation Committee, including the resource agencies, will attempt to ensure that mitigation occurs and management plans are adhered to. However, they also rely upon the general public to raise issues of poorly executed mitigation. It is not economically possible for the EACCS to provide enforcement for every project.  |
| Greenbelt Alliance    | 222       | General           |           |        |                      | The Implementation Committee is expected to ensure individual entities allocate staff resources and seek funds for implementation of the strategy, upkeep of the database and undertake annual reporting. However, it is not clear that the member agencies have the capacity or incentive to accomplish these tasks. We would like to see a detailed funding strategy with specific roles and responsibilities articulated included in the EACCS.   | Local agencies committed to implementing the strategy and will put the resources toward it as the project scope demands. Each agency has already committed significant resources in terms of funding and staff time to ensure that the project is completed. That will continue to be the approach going forward. What is needed at this point is unknown but it will become more evident as we move into the implementation process. |

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| Greenbelt Alliance     | 223       | General           |           |        |                      | Following on the issue of accountability raised above, we would like to see each agency/jurisdictional entity formally adopt the EACCS  | The EACCS will be presented to each appropriate governing board or council for Steering Committee members. The method of adoption or acceptance will be determined by those bodies upon presentation. |
| Greenbelt Alliance     | 224       | General           |           |        |                      | A large portion of future development is reasonably expected within cities. The commitment of cities to using the strategy is therefore a critical component of its success. We would like to see a detailed plan for how cities will incorporate the strategy into their planning processes. For example, the EACCS could become part of a checklist for project applicants and/or cities could adopt the mitigation ratios as part of their general plan as a way to direct mitigation funding to the EACCS.  | Each city/agency intending to utilize the strategy will develop their own internal process as how to incorporate the EACCS in planning. This will vary per jurisdiction.                              |
| Greenbelt Alliance     | 225       | General           |           |        |                      | In general it is unclear what motivation there is for developers and landowners to proactively use the EACCS. It would be ideal for the cities and the County agencies (CMA, County, Waste Authority) to lead by example by integrating the EACCS into their planning processes. This leadership would engender greater trust among stakeholders and provide a means to test the EACCS to identify areas where strategic actions run up against institutional barriers to implementation.   | The members of the Steering Committee will rely on the EACCS when carrying out their projects.  |
| Greenbelt Alliance     | 226       | General           |           |        |                      | Transparency in implementation is critical to public support. We are concerned that the proposed implementation structure does not adequately provide for substantive public input. We urge you to include members of the User Advisory Group in the Implementation Committee as a way to ensure that key stakeholders remain a core part of the process. Partnerships among resource agencies, jurisdictions, property owners and community organizations are more likely to limit future litigation and increase funding opportunities.   | Members of the UAG can participate through the Public Advisory process. Further, those interested are encouraged to attend Implementation Committee meetings as they will be open to the public.      |
| Alameda Creek Alliance | 227       | General           |           |        |                      | We support the mitigation ratios proposed for project impacts in the covered area, as a mechanism for improving the chances of maintaining viable populations of special status species in the project area.  | Comment Noted   |
| Alameda Creek Alliance | 228       | General           |           |        |                      | We suggest adding and clearly defining a mechanism to ensure that all mitigation measures for projects in the area are actually implemented, and monitored for effectiveness. Effective implementation of this strategy is preferable to turning to the courts or regulatory agencies to enforce agreed upon mitigations.   | See response to comment 221   |
| Alameda Creek Alliance | 229       | General           |           |        |                      | Effective implementation will need to go beyond the basic requirement of ensuring whether mitigation measures are enforced, and the process should begin with comprehensive and credible biological surveys prepared for specific project sites. Without reliable surveys and honest and thorough analysis of impacts, the subsequent mitigation measures will not meet the goals of the EACCS. The EACCS can avoid such entanglements by ensuring complete surveys and thorough analysis of impacts, which will lead to equitable and non-disputed mitigation measures. There must be full, complete and appropriate mitigation for project impacts for the EACCS to have a chance of achieving its goals. | Comment Noted   |
| Alameda Creek Alliance | 230       | General           |           |        |                      | Since regulatory often lack the resources to adequately monitor permits they issue, it is important for the EACCS to ensure that mitigations developed by the EACCS, as well as conditions of approval for permits from any local, state, or federal regulatory agencies, are complied with.  | See response to comment 221   |
| Alameda Creek Alliance | 231       | General           |           |        |                      | In the interests of public buy-in and full disclosure, the Implementation Committee should also include members other than the agencies involved in drafting the EACCS. There should be a process to give members of the Public Advisory Committee enough input to ensure all issues are properly addressed in the process.   | See response to comment 226   |
| Alameda Creek Alliance | 232       | General           |           |        |                      | The EACCS should require that all meetings of the Implementation Committee be publicly noticed and fully open to public participation.  | All meeting will be open to the public and noticed accordingly.   |

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| Alameda Creek Alliance | 233       | General           |           |        |                      | The final critical element to ensure the success of the EACCS is a clear source of long-term funding. The strategy should identify the funding sources and requirements, and no element of the EACCS process, particularly implementation of projects, should move forward without guaranteed funding. Clearly defined and adequate funding sources can help assure the success of the EACCS.   | This is essentially why conservation actions included in the EACCS are only recommendations. Mitigation funding will be guaranteed through projects, but funding for additional conservation actions will come from a variety of private, local, state, and federal sources. Funding in these forms cannot realistically be guaranteed for a term longer than the upcoming fiscal year. |
| Barry                  | 234       | General           |           |        |                      | Inadequate description of historical and current land use in the strategy area. The important historical and current role of livestock grazing primarily by beef cattle across the strategy area should be discussed. The introduction chapter (chapter 1) fails to mention grazing or ranching at all and the few references to grazing and ranching in the environmental setting chapter (chapter 2) are largely misleading.  | Comment noted. Text has been added throughout the document to address this issue, however, cattle grazing is viewed as one of many land uses in this document and was never intended to be the focus.   |
| Barry                  | 235       |                   | 2         |        |                      | Pg 2-4, 2-5. "most of this land is either in vineyards or open rangelands used for livestock production and dry land farming." Rangelands by definition are not cultivated land.  | Text modified to address issue.   |
| Barry                  | 236       |                   | 2         |        |                      | Pg 2-5 "It should be noted that many of these public lands are rangeland and are actively grazed." This statement fails to explain the purpose or actual extent of grazing on public lands in the strategy area. Since the purpose of grazing across most public lands in the study area relates to conservation objectives this information would be important in a conservation strategy.   | Comment noted.  |
| Barry                  | 237       |                   | 2         |        |                      | Pg2-15 "SFPUC uses the watershed lands for several other purposes, including grazing, quarry operations, plant nurseries, utilities routing, and water conveyance." This statement clearly misrepresents the use of grazing on SFPUC watershed lands.   | Text clarified.   |
| Barry                  | 238       |                   | 2         |        |                      | Pg2-39 "Grasslands..provide fodder for livestock." Ranchers and rangeland managers would consider the annual grasslands better forage than "fodder".  | Fodder changed to forage.   |
| Barry                  | 239       |                   | 2         |        |                      | No clear statement regarding the fact that the vegetation in the study area is largely non-native and its management is key to conservation of most of the focal species.   | This is true of annual grassland, but nearly all other land cover types would do similarly well without constant management. If not, then that should be the primary goal of the strategy.  |
| Barry                  | 240       |                   | 2         |        |                      | Pg 2-37 "Alkali meadow threatened by.....overgrazing." The most immediate current threats to the Alkali meadows are not even mentioned, invasive annuals species and trash. Grazing can be an effective conservation tool to control invasive annual species.   | Text modified to address issue.   |
| Barry                  | 242       | General           |           |        |                      | In accurate information about the relative effects of management tools, i.e. "methods to mimic fire include grazing and mowing." Grazing in the study area does not typically mimic fire. Mowing cannot in most cases be used to mimic grazing  | Text modified to address issue.   |
| Barry                  | 243       | General           |           |        |                      | The plan fails to recognize the significant impact of non-native annual species on many of the focal species. The importance of rancher stewardship and managed livestock grazing which can not only manage vegetation but also enhance habitat for special status species is thus understated. Keeping ranchers and grazing livestock on the land is essential to conserve the desired habitat in eastern Alameda County. A conservation strategy with this goal in mind can be both environmentally and economically sustainable. | Text modified to address issue.   |
| Barry                  | 244       | General           |           |        |                      | This strategy and other planning and resource management activities for open space lands in eastern Alameda County would significantly benefit from the involvement of a State licensed Certified Rangeland Manager. In fact it may be helpful for the consultant to review California Code of Regulations Title 14, Sections 1600-1651 to be sure they are complying with state law in this regard. This code governs the certification of individuals working in rangelands.  | USFWS or DFG do not require a State Licensed Certified Rangeland Manager to review grazing management plans for mitigation. The primary purpose of the management plan is for mitigation. Alameda County - County Counsel will conduct a focused review. Since the EACCS is not regulatory in nature this may be a moot point.  |

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| PLCS                  | 245       | General           |           |        |                      | PLCS, as a conservation arm of the County requests to be included on the Implementation Committee. Some of our private landowner clients have expressed confidence that PLCS will be able to represent their perspective and experience in that role, and we agree. We have begun much of the work described in the Public Draft for PLCS and wish to expand landowner education and liaison, development of new stewardship and conservation tools and processes, and continue to facilitate conservation projects.  | The Implementation Committee will be comprised of the local agencies with land use authority and public infrastructure agencies (or public agencies with discretionary approval for infrastructure) with permit needs.  |
| PLCS                  | 246       | General           |           |        |                      | The EACCS planning area includes many voluntary conservation initiatives that should be included and described in the environmental setting for Strategy, after the Regulatory element. If the Strategy presents itself as a guide for voluntary conservation, this topic should be more completely developed. See text of comment letter for suggested examples.   | Those elements are part of the overall conservation strategy presented in the EACCS and therefore are better placed in the Conservation Strategy chapter.   |
| Nuzum                 | 247       | 6                 | 6.1       |        |                      | The PLCS Advisory Board voted to encourage the Steering Committee's review of these concerns with the goal that the final EACCS includes PLCS on the Implementation Committee as an entity of Alameda County; better recognizes private land stakeholders in implementation; more fully recognizes and supports voluntary conservation and stewardship provided by numerous landowners, organizations and the public; and is more assertive about the private ranching community's stewardship role in sustaining voluntary and regulatory conservation. PLCS will carefully review the Steering Committee's responses to these concerns before making a recommendation to the Alameda County Board of Supervisors. | While these concerns are very important to the Steering Committee it was never meant to be the focus of this conservation strategy. First and foremost the Steering Committee funded this project to achieve better certainty around permitting and mitigation for future projects. Voluntary conservation benefits are a side benefit. |
| Nuzum                 | 248       | General           |           |        |                      | Section 6.1 of the Public Draft does not include either one of these Base-Line Environmental Assessment Reports. These referenced environmental assessments reports provide substantial base-line and habitat information, species utilization and restoration opportunities (the latter are now underway on the two parcels). Please include these documents in Section 6.1.   | Kohlmann et al. 2008 report is now cited in the document. Would like to cite the second report but consultants don't believe it was ever received.  |
| Nuzum                 | 249       | General           |           |        |                      | While the property owners understand the continuing EACCS focus on developing a regional conservation planning effort with little to no information on the specific habitats and plant, animal and invertebrate species that exist on a 'parcel level' it seems short-sighted to not include accurate information when it exists.   | This is true but it does throw the focus out of balance and is somewhat disruptive when particular parcels are discussed in great detail while others are not.  |
| Nuzum                 | 250       | 3                 |           |        | Conservation Zone    | we must continue to disagree with the use of CalWater watershed boundaries that are far too general and at times inaccurate in identifying the important geologic, hydrologic and biologic attributes of areas within the over-all EACCS planning area.   | Watersheds are a useful planning tool because they are predetermined and not subjective.  |
| Nuzum                 | 251       | 3                 |           |        | Conservation Zone    | If the area in question (Frick Lake and adjacent upland) has 8 inlets and does not have an outlet it is a natural sink and forms its own watershed. It is true that this small isolated watershed is geographically within the larger Alameda Creek Watershed but it is not part of it. But, regardless of this fact the unique Frick Lake Alkali Sink continues to be included in the Livermore Watershed.   | See Response to Comment 250   |

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| Nuzum                 | 252       | Appendix E        |           |        |                      | Our position is that the current 5-point system ends up discriminating against Property Owners with rarer alkali habitat types (compared to less rare alkali grasslands or even valley grasslands). One way to make the scoring system more encompassing would be to expand the numerical rating (0 to 10 or 0 to 100) and allow the rarity of the land cover type within the Planning Area to be adequately considered. | The five point system is certainly just a starting place and is intended to give a rough assessment of the biological values of a property. Expanding the system would be okay except that at some point there are diminishing returns. If the score system is expanded too much it allows for too much subjectivity, which is what we are trying to avoid with this approach.  |
| Nuzum                 | 253       | General           |           |        |                      | During this review several land cover and land use comments came to light that may have been well meaning but they are nonetheless speculative, with little or no basis in fact.   | Comment Noted   |
| Nuzum                 | 254       | General           |           |        |                      | The controlled use of livestock is often the Best Management Practice to meet resource agency objectives but this artful science is scarcely mentioned and it is inappropriately lumped in with other more expensive and harmful land use techniques such as mowing. In addition, the references used for the controlled use of livestock and its benefits are lacking and out-of date.                                  | Comment Noted   |
| Ag Advisory Committee | 255       | General           |           |        |                      | At its regular public meeting on Tuesday, September 28, the Committee unanimously voted to request the EACCS Steering Committee to specifically address the issues raised in Ms. Barry's comments and letter.  | Comment Noted   |
| Ag Advisory Committee | 256       | General           |           |        |                      | In addition, the Committee directed Planning Staff to request County Counsel's review of California Code of Regulations Title 14, Sections 1600-1651 and the Attorney General's opinion to be sure the Strategy is complying with state law in regard to using a State licensed Certified Rangeland Manager in this planning effort.   | USFWS or DFG do not require a State Licensed Certified Rangeland Manager to review grazing management plans for mitigation. The primary purpose of the management plan is for mitigation. Alameda County - County Counsel will conduct a focused review. Since the EACCS is not regulatory in nature this may be a moot point.  |
| Ag Advisory Committee | 257       | General           |           |        |                      | The Committee clearly expects to receive and carefully review the EACCS responses to her comments prior to the Committee making any recommendation regarding approval to the Alameda County Board of Supervisors.  | Comment Noted   |
| Barry                 | 258       | Appendix D        |           |        |                      | Current scientific information seems to be largely excluded! Check out species accounts for the Yolo Co conservation plan they include current information even citing examples from the Bay Area and Alameda County. Perhaps the funders of this conservation strategy would have done better to use many of those species accounts rather than pay for out of date ones to be written.                                 | Developing species accounts was a minimal part of this process and actually was not included in the original scope of work. As a means to keep costs down it was fully intended that this process would utilize existing information and not spend an inordinant amount of time collected new information. This allowed the bulk of the budget to be utilized for conservation strategy development and stakeholder outreach. |
| Barry                 | 259       | Appendix D        |           |        | San Joaquin spea     | Threats: include invasive annual species   | Text modified to address issue.   |
| Barry                 | 260       | Appendix D        |           |        | Big tarplant         | Lack of disturbance is also a threat   | Text modified to address issue.   |
| Barry                 | 261       | Appendix D        |           |        | Congdons tarplan     | It's a huge oversight not to recognize that some disturbance is necessary for its persistence  | Text modified to address issue.   |
| Barry                 | 262       | Appendix D        |           |        | Palmate bracted h    | Non-native annual grasses are becoming a significant threat to this plant. Managed grazing may be a useful tool to improve habitat for this plant. See comment letter for suggested text.  | Text modified to address issue.   |
| Barry                 | 263       | Appendix D        |           |        | Longhorn fairy sh    | Out of date. We know more about threats and management than we did 16 years ago!!!!  | Threats to this species have not drastically changed recently.  |
| Barry                 | 264       | Appendix D        |           |        | Callippe silverspo   | Ecology: This statement is misleading. Long-term rest from grazing this habitat will deplete habitat for larval food.  | Unsure of intent of comments. It is specified throughout that grazing is beneficial to this species but that overgrazing can be detrimental.  |
| Barry                 | 265       | Appendix D        |           |        | Callippe silverspo   | Without managed cattle grazing host plant density will be inadequate to support butterflies.   | This assumes that there would not be other forms of disturbance on the landscape if cattle grazing were not present. Comment noted.   |
| Barry                 | 266       | Appendix D        |           |        | California tiger sa  | This information is out of date. Consider the following literature applicable throughout this section:<br><br>Bobzein, S. and J.E. DiDonato. 2007.<br>Marty, J.T. 2005.<br>Pyke, C.R. and J.T. Marty. 2005.<br>Searcy, C.A. and H.B. Shaffer. 2008.<br>Shaffer, H.B. and P.C. Trenham. 2005<br>Shaffer, H. B., D. Cook, B. Fitzpatrick, K. Leyse, A. Picco and P. Trenham. 2008.   | Information was considered and will be included depending on remaining project budget. Any updates that cannot be accomodated will be included in revisions during the first year of implementation. A similar process will occur throughout the life of the project as new information comes to light and if funding is provided.  |

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| Barry                  | 267       | Appendix D        |           |        | California tiger sal | Don't you think our knowledge of threats (beyond hybridization) has improved over the past 10 years?? Ecological data published within the last 5 to 10 years seems to be largely excluded.   | The basic understanding of threats to this species has not change significantly from the information presented.  |
| Barry                  | 268       | Appendix D        |           |        | California red-legg  | Your most recent citation regarding threats is 16 years old!!!!   | Comment noted.   |
| Barry                  | 269       | Appendix D        |           |        | Alameda whipsna      | EBRP research has found 3x more WFL on grazed land than ungrazed land.  | Comment noted.   |
| Barry                  | 270       | Appendix D        |           |        | Alameda whipsna      | Threats: give examples of grazing patterns that might impact whipsnakes   | Text modified to address issue.  |
| Barry                  | 271       | Appendix D        |           |        | Steelhead            | Threats: Grazing as it is currently practiced throughout the county should not be listed with homebuilding as increasing deliver of fine sediment.  | grazing was removed  |
| Barry                  | 272       | Appendix D        |           |        | San Joaquin kit fo   | Threats: This information is out of date.   | This is still our best undstanding of threats to kit fox in the study area. Recent information has not changed any of these assumptions.   |
| Ohlone Audubon Society | 273       |                   | 5         |        |                      | The Ohlone Audubon Society remains concerned that local municipal government and resource agencies are not enforcing existing regulatory laws.  | The local government and resource agencies are enforcing existing regulations to the best of their ability. Unfortunately enforcement is a lower priority that pre-project planning and avoidance, and therefore recieves fewer funds and less staff time.   |
| Ohlone Audubon Society | 274       |                   | 5         |        |                      | OAS is in disagreement with the choice of two terms in The Conservation Strategy Implementation statement found in 5.6.1 Roles and Responsibilities of Project Applicants. The use of the word " depends" in the phrase "depends upon the applicant's use of the document," and "should" in the phrase "applicants should use the Conservation Strategy," are too weak. Why did all the parties involved engaged into this process if the Steering Committee uses such vague and weak wording to describe the implementation of this strategy? OAS recommends the words "require" and "must" be used instead. | If project proponents choose to use the Programmatic BO, then they will have requirements that they must abide by. Otherwise this is a voluntary program.  |
| Ohlone Audubon Society | 275       |                   | 5         |        |                      | It is a goal of OAS to have an EACCS Steering Committee create a covenant document for use by all government permitting agencies and permit requestors. This covenant will outline all the final conservation priorities and summaries. The purpose of a covenant is to inform every permit requestor of the EACCS goals and objectives. The covenant will need to be signed by the permit-requesting contractor and land title holder, and made a requirement for a permit approval.   | Comment noted - there are mechanisms already in place to do this   |
| Ohlone Audubon Society | 276       |                   | 3         |        |                      | Does not address the need for <b>a pre-project permitting review of seasonal impacts</b> to Eastern Alameda County's resident breeding species.   | All projects will go through a standard project review process. If seasonality is an issue for any focal species or other resources it will be documented during that review.  |
| Ohlone Audubon Society | 277       |                   | 3         |        |                      | The impacts of grading a project site during the Burrowing Owl nesting and dispersal season. We want the Steering committee to add wording restricting grading permits until post-juvenile dispersal from April through July.   | Grading permits already require surveys and if burrowing owls are known or found, then there are take prohibitions invoked under the MBTA and DFG Code. See AMM BIRD-2   |
| Ohlone Audubon Society | 278       |                   | 3         |        |                      | Burrowing Owl Mitigation Guidance should discuss or guide a project applicant on available artificial nesting technology for their use in implementation of new habitat.  | DFG does not encourage artificial burrows -- this is a temporary measure.  |
| Ohlone Audubon Society | 279       |                   | 3         |        |                      | Conservation Action BUOW-8 statement does not address Municipal government use of rodenticides to kill ground squirrels associated with Burrowing nesting Habitat. OAS recommends that the steering committee add strong language to discourage the use chemical within 1500 feet of known occupied Burrowing Owl territory March to July.  | Language is too prescriptive. USFWS do not and cannot authorize use any rodenticide or herbicides in the Programmatic BO.  |
| Ohlone Audubon Society | 280       |                   | 3         |        |                      | The document should address the effects of the deadly chemical family of rodenticides on foraging Golden Eagles, American Badger, San Joaquin Kit Fox and possibly the Central California Coast Steelhead and other species via run-off into the watershed.   | Clarification added to Objective 1.4.  |
| Ohlone Audubon Society | 281       |                   | 3         |        |                      | In the Tri-colored Blackbirds Protection section, page 3-66 ,first paragraph, the Steering Committee suggests that California Audubon be responsible colony surveys. OAS requests that the wording used in Burrowing Owl Goal 19 Conservation Action BUOW-4 be used in the Tricolored Blackbird protection statement. Ohlone has been a consistent member of the EACCS process. California Audubon has not been represented nor does it have active knowledge of the EACCS planning area.   | Text modified. Reference to California Audubon remains because they are currently coordinating these efforts at a statewide level and managing the data.   |
| Ohlone Audubon Society | 282       |                   | 3         |        |                      | There is a lack of definitive Mitigation Guidance for the Central California Coast Steelhead (CCCS). This void will be subject to debate and possible legal action due to the opening misleading statement " mitigation for the species is not required".   | Opening sentence was modified, however, substantial conservation actions for steelhead have not been included because all projects that directly affect steelhead habitat would be required to go through the Army Corps of Engineers and NOAA Fisheries. would have a seperate permitting process. Further, neither agency participated in this planning process. |

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| Ohlone Audubon Society | 283       | 3                 |           |        |                      | Agencies such as EBRP, SFPUC and Alameda Water District are actively mitigating for this species. OAS recommends this wording be deleted from the Mitigation Guidance statement. OAS suggests that the Steering Committee review the lack of Mitigation Guidance for development community concerning this important species. The CCCS is a keystone species in the Natural Communities of riparian and stream ecosystem functions and is also covered in Conservation Priorities 4.2.2.   | See response to comment 282. Note the EBRPD is not currently mitigating or providing mitigation for this species.   |
| Ohlone Audubon Society | 284       | 3                 |           |        |                      | Conservation Goals for Land Cover Conservation Zone 4 Livermore Springtown Alkali Sink is lacking detail for documenting its importance to avian species. Missing is the the role it plays as foraging and/or nesting area for Golden Eagles, White-tailed Kites, wintering Ferruginous Hawks, Short-eared Owls, Burrowing Owls, Ravens;Loggerhead Shrikes and flocks of wintering Lark and Vesper Sparrows. OAS has gained much experience in the Springtown Sink by leading membership trips into the Sink and by being a founding member of Friends of Springtown Preserve.   | The discussion of conservation priorities for each conservation zone are restricted to focal species and unique land cover types. Certainly this area is important for many bird species but that level of general discussion was not included for this or any other conservation zone.   |
| ACRCD                  | 285       | 5                 |           |        |                      | We recommend a commitment from the Steering Committee to continue working with the Partnership to develop stable and secure funding sources to support creation of some of these programs in the near term (by 2012).  | Included language in preamble to voluntary conservation section in Chapter 5 that Implementation Committee's commitment to supporting voluntary actions that further implementation. Added language stating that Implementation Committee, when and where feasible/practicable, will find innovative ways to support others taking the lead in implementing voluntary conservation actions provided that it is consistent with the goals/objectives outlined in the strategy. Cannot commit to funding by 2012. |
| ACRCD                  | 286       | 5                 |           |        |                      | This could be through the development of a long-term funding partnership with the FWS's Partners for Fish and Wildlife Program, working with local municipalities to develop a cost-share program based on development fees or other sources, and/or working with the Department of Fish and Game and the Regional Water Quality Control Board to develop a mechanism for transferring fine monies into a local fund to support conservation work.   | See Comment 285 above. USFWS can NOT commit to future funding.  |
| ACRCD                  | 287       | 5                 |           |        |                      | Our next recommendation is for the Steering Committee to support a simplified permitting vehicle for conservation projects. Since the bulk of EACCS is focused on simplifying mitigation for development and infrastructure projects, it seems reasonable for EACCS to also focus on simplifying permitting for conservation projects. This should be the cornerstone of a strategy focused on conservation. There are a number of ways that this can be done. We recommend that FWS include coverage for a suite of key conservation practices (pond restoration/rehabilitation, riparian and stream restoration, etc) in the Programmatic Biological Opinion (BO) that FWS will be developing. Another option is for the Service to assist the Partnership in using the new Partners in Wildlife Programmatic BO to cover projects that receive funding from the FWS and to cover similar projects that fit within the recommendations in federal recovery plans. A third option is for the resource agencies as a whole to support (via a commitment of staff time) renewal and transfer of the existing NRCS Permit Coordination Program to the RCD. | ACRCD, EBRPD and other conservation groups can develop language and send discrete activities to USFWS for consideration as part of the project description in the Programmatic BO. The BO could also generally mention that conservation activities related to the EACCS would be considered for coverage under the BO on a case-by-case basis.   |



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| ACRCD                 | 288       | 5                 |           |        |                      | With regard to content it should be noted that although there is boilerplate language in the draft EACCS document about Safe Harbor Agreements, nowhere is it noted that the ACRCD is the administrator of a Programmatic Safe Harbor Agreement for California tiger salamander and the California red-legged frog. This programmatic SHA covers conservation practices for the restoration of stock ponds in Alameda County. This programmatic SHA has been in place since 2006 and can be viewed at:<br><a href="http://www.fws.gov/ecos/ajax/docs/plan_documents/tsha/tsha_572.pdf">http://www.fws.gov/ecos/ajax/docs/plan_documents/tsha/tsha_572.pdf</a> .   | Text modified to address issue.   |
| Didonato              | 289       | 3                 |           |        |                      | Chapter 3, figure 3-13, San Joaquin Kit Fox Standardized Mitigation Reference Map: the depicted "Southern" zone of kit fox habitat in this map is not occupied habitat and does not represent good kit fox habitat (ie. does not contain sufficient constituent elements to support kit fox). It does not contain appropriate habitat for kit fox and should be eliminated as a part of the kit fox management in the EACCS plan. To <u>require</u> mitigation for potential impacts to kit fox in this zone or to <u>allow</u> mitigation into this zone (especially from other zones) would not benefit the species at all. Allowing mitigation in this zone from other zones deteriorates the overall preservation of kit fox habitat in the EACCS area where kit fox could and may occur. Table 3-11 and the map needs to be modified to recognize this fact. | Figure has been modified to reflect this recommendation.  |
| Didonato              | 290       | 3                 |           |        |                      | Within the <u>Conservation Strategy</u> , both within Chapters 3 and 5, the document needs to clearly state that each CRF and CTS mitigation site <u>must</u> consist of both (occupied) upland and breeding site components or be contiguous with an already existing protected breeding site.   | This is already stated in document.   |
| Didonato              | 291       | 3                 |           |        |                      | On the subject of <u>off-site mitigation</u> , the strategy should clearly state that it can <u>only</u> allow out-of-county mitigation when no mitigation is available for the target species within the county, and should prioritize existing protected areas as mitigation sites when possible.   | This is now more explicit in the mitigation scoring sheets for each focal species. Mitigation priorities will shift over time and while it may be worthwhile for the Implementation committee to keep an active list of potential mitigators it is unlikely that they will be ranked in any way. In general, unprotected areas will be a priority over already protected areas. |
| Didonato              | 292       | 5                 |           |        |                      | In <u>Chapter 5, Conservation Strategy – Implementation, section 5.6.1.1</u> (Use of the Conservation Strategy for Project Planning and Mitigation) should include a step that reads " <i>Applicant should obtain a database of approved and appropriate mitigation sites for target species from the local jurisdiction, the USFWS or DFG</i> ". Perhaps a list can be generated, updated and posted on the EACCS website.   | Rather than publishing a list on the web local jurisdictions and agencies will point applicants to PLCS, ACRCD, NRCS, EPRPD, TVC, California Rangeland Coalition, and others for potential mitigation sites. This could also be a standing item at Implementation Committee meetings if that would be helpful.  |
| Didonato              | 293       | Appendix E        |           |        |                      | Is <u>Table E-11 within Appendix E</u> (Mitigation Score Sheets) on the website the most current? If so, it does not reflect the map of the kit fox zones accurately and needs to be changed to represent the map.  | Table E-11 was modified as was Figure 3-13 which pertains to San Joaquin kit fox mitigation ratios.   |
| Didonato              | 294       | Appendix E        |           |        |                      | In <u>Appendix E: Mitigation Score Sheets</u> , tables E-1 thru E-17, there is no explanation regarding the (total) scores generated by the chart. Does a low score mean it is not necessary to mitigate the impacts from the project? What is the minimum threshold for each species based on the score sheet? What guidance is offered to a project applicant to determine whether mitigation will be required?   | There would be no mitigation if impact score zero., otherwise at least a minimal amount of mitigation would be required. Typically mitigation for resources ends up being overlapping so this doesn't create an undo burden on the project proponent.   |
| Didonato              | 295       | 3                 |           |        |                      | In <u>Table 3-3: Species-Specific Avoidance and Minimization Measures</u> , under BIRD-1 and BIRD-2, please state clearly that the distance of 250 feet (or 150 feet in BIRD -2) is a <u>radius</u> from the nest.  | Text modified to address issue.   |
| Barry                 | 296       | 2                 |           |        | Grasslands           | Consult current literature and visit the site. Other than land use change or recreation, the most significant threat to the alkali meadow is invasive species. It doesn't even make your list!!!!   | Text modified to address issue.   |
| Barry                 | 297       | 2                 |           |        | Grasslands           | Fodder???? Fodder typically refers to course chopped hay or straw   | Fodder changed to forage.   |
| Barry                 | 298       | 2                 |           |        | Grasslands           | Support for these statements that is relevant to California's perennial grasses????   | Comment unclear.  |
| Barry                 | 299       | 2                 |           |        | Grasslands           | Support for this statement??? Perennial grasses do have a longer growing season over annual grasses; however, their former extent and distribution is largely unknown. A more dramatic change that has been well documented is the significant amount of biomass that is produced by naturalized annual grasses. Management of this biomass is essential for the conservation of many native species including most of the focal species listed in this plan.   | Comment noted.  |

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| Barry                 | 300       | 2                 |           |        | Grasslands           | Below is the conclusion of research project that conducted a meta analysis of all known data in CA on fire and grazing in grasslands. In important part of the conclusion is that the effects of fire are very different with and without grazing. They shouldn't be discussed separately they are not surrogates for one another. | Text added for clarification.  |
| Barry                 | 301       | 2                 |           |        | Grasslands           | Significant suggested text in comment letter about grasslands and fire.  | This information will either be integrated prior to the final draft of the document or within the first year of implementation in conjunction with other updates.  |
| Barry                 | 302       | 2                 |           |        | Grasslands           | Where is the discussion on grazing and its past and current impacts of the grassland community and associated species?   | Discussions of grazing are intermingled with discussions of fire.  |
| Barry                 | 303       | 2                 |           |        | Grasslands           | Human ignition and lightning fires continued post-European settlement as well.   | Good point. Text modified.   |
| Barry                 | 304       | 2                 |           |        | Grasslands           | Check out your California history, fire frequency likely increased post-European settlement pre-Smokey Bear.   | Comment noted.   |
| Barry                 | 305       | 2                 |           |        | Grasslands           | We are managing a much different grassland than was grazed by either tule elk or pronghorn. How is this relevant to our managing our grassland and associate species today?  | This is meant as a historical overview of the grassland ecosystem. Present day management of grasslands is only a snapshot in time compared to how Alameda County likely looked in centuries past.   |
| Barry                 | 306       | 2                 |           |        | Grasslands           | This may be true of the plant community but not the stewardship community. Remember the stewardship community is essential for the current and future conservation of the most of the focal species.   | Comment noted.   |
| Barry                 | 307       | 2                 |           |        | Grasslands           | The insurance companies who paid ranchers for loss of forage nor the ranchers who have lost forage due to a wildfire would not agree the effect is negligible.   | With respect to ecosystem function it is negligible.   |
| Barry                 | 308       | 2                 |           |        | Grasslands           | This citation is largely site specific and may not be relevant to eastern Alameda County.  | Comment noted.   |
| Barry                 | 309       | 2                 |           |        | Grasslands           | Grazing especially post-fire does not have to be heavy to prevent a thatch layer from occurring  | "Heavy" was removed.   |
| Barry                 | 310       | 2                 |           |        | Grasslands           | Why so much on fire and so little on grazing? How many acres have burned in the study area in recent years? How many are grazed???   | Fire is a naturally occur process. Grazing, with the exception of native herbivores, is not.   |
| Barry                 | 311       | 2                 |           |        | Grasslands           | Based on this statement why is fire even being discussed.  | Fire is a naturally occur process. Grazing, with the exception of native herbivores, is not.   |
| Barry                 | 312       | 2                 |           |        | Chaparral and Sc     | Why is this relevant to the strategy? A discussion on grazing use and impacts in the northern coastal scrub community would be very valuable and relevant.   | Fire is a naturally occur process. Grazing, with the exception of native herbivores, is not.   |
| Barry                 | 313       | 2                 |           |        | Chaparral and Sc     | Livestock grazing can and has played a role in conserving low-density shrub canopy cover   | Comment noted.   |
| Barry                 | 314       | 2                 |           |        | Chaparral and Sc     | Grazing management and rancher stewardship historically and currently occurring in this cover type is essential information for this conservation strategy. With this description you would never know that grazing by domestic livestock occurs in this cover type.   | Comment noted.   |
| Barry                 | 315       | 2                 |           |        | Chaparral and Sc     | A discussion of grazing as it relates to ecosystem function in this cover type is essential. Like grassland and oak woodland this too is rangeland.  | Ecosystem function is not dependent on grazing. If grazing were to go away the ecosystem would eventually come back into balance through natural means. Human management through grazing has made it seem like these habiat are reliant on grazing to persist. |
| Barry                 | 316       | 2                 |           |        | Oak Woodland         | How about consulting the County's Oakwoodland Management Plan????  | Plan was consulted. Inclusion of citation was an oversight.  |
| Barry                 | 317       | 2                 |           |        | Oak Woodland         | The presence of this cover type (among others) in the study area may create a legal requirement for the involvement of a state licensed Certified Rangeland Manager. The county attorney should review this requirement.   | See response to Comment 244.   |
| Barry                 | 318       | 2                 |           |        | Oak Woodland         | Reference Russell and McBride 2003   | Information from these citations will be incorporated either prior to the final draft of the strategy or during the first update of the strategy in year 1 of implementation.  |
| Barry                 | 319       | 2                 |           |        | Conifer Woodland     | See Weislander Vegetation Data and photos for Cedar Mountain.  | This data will be sought out and incororated as necessary into future interations of this document.  |
| Barry                 | 320       | 2                 |           |        | Conifer Woodland     | The plan includes a lot of information on fire effects and tool which has limited potential to be used in the study area. The opportunities to use grazing and other land management tool i.e. forest thinning practices are nearly completely overlooked.   | Fire is a naturally occur process. Grazing, with the exception of native herbivores, is not.   |
| Barry                 | 321       | 2                 |           |        | Cultivated Agricul   | Where is the discussion on rangeland??? It not only encompasses grassland but nearly every cover type in the strategy but is barely mentioned.   | This chapter discusses the ecology of each land cover type and not the particular land uses that might occur within them. While grazing is one land use that can occur there are also many others.   |

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| Barry                  | 322       | 2                 |           |        | Cultivated Agriculture<br>Why is dryland farming here, when previously it was included in rangeland?                       | The discussions in this Chapter refer to land cover types, not land uses. Rangeland is a land use. Within all agricultural uses this gets confusing because sometimes a category can be both a land use and a land cover, while other times it describes only one of the components.   |                          |
| Barry                  | 323       | 2                 |           |        | Cultivated Agriculture<br>Is this suppose to refer to hay or pasture? How is pasture being distinguished from rangeland??? | This refers to both Hay and Pasture as stated. Pasture is a land cover type as discussed here. Rangeland is a designated land use.   |                          |
| Tri-Valley Conservancy | 324       | 5                 |           |        |  | How are local agencies plan to implement the strategy within their individual systems<br>See response to comment 224.  |                          |
| Tri-Valley Conservancy | 325       | 5                 |           |        |  | How will developers and landowners be made aware of the EACCS.<br>Developers will be made aware of EACCS when they interface with a local permitting agency in preparation for a project application. Landowners will learn about the components of the EACCS that are relevant to their operations through the ACRCDD, NRCS and other community groups.                           |                          |
| Tri-Valley Conservancy | 326       | 5                 |           |        |  | What is the process that the implementation committee will utilize to ensure that all mitigation measures for projects in the area are actually being promote, implemented, and monitored for effectiveness. If this is not the implementation committee's role, whose role is it.<br>See response to comment 221.   |                          |
| Tri-Valley Conservancy | 327       | 5                 |           |        |  | Will the public and private protect land data that is to be updated include restoration projects such as restored ponds to "wildlife friendly" through the EQIP program.<br>If that data is made available to the Implementation Committee it will be added to the database.   |                          |
| Tri-Valley Conservancy | 328       | 5                 |           |        |  | Our understanding is that this document will be presented to the County and Cities as "guidelines", why only guidelines?<br>This is view as best management practices or an operational document. This document is likely to change over time and while it will remain guidance, formal approval of a document that is going to change becomes cumbersome in the approval process. |                          |