

SUPPLEMENTAL

COUNCIL AGENDA: 10-26-04  
ITEM: 5.8

Memorandum

TO: HONORABLE MAYOR AND  
CITY COUNCIL

FROM: Stephen M. Haase

SUBJECT: SEE BELOW

DATE: October 26, 2004

Approved:

Date:

10/26/04

COUNCIL DISTRICT: Citywide  
SNI AREA: N/A

**SUBJECT: A PRELIMINARY BIOLOGICAL ASSESSMENT OF THE USE OF LEG-HOLD TRAPS TO EXPEL THE COYOTE POPULATION LIVING IN THE VILLAS OF ALMADEN**

**REASON FOR SUPPLEMENTAL MEMO**

At the October 12, 2004 meeting, City Council directed staff to return with information regarding the environmental review for the leg-hold trap ordinance.

**BACKGROUND**

Staff contracted with a consulting biological firm, Wetlands Research Associates, Inc. (WRA), to prepare an initial assessment of the potential impacts associated with use of leg-hold traps in the Villas of Almaden.

The biologist's report (attached) considered the potential impacts of leg-hold traps to special status species protected under federal and state statutes, as well as impacts to common native, non-special status wildlife species. WRA conducted a site visit to the Villas of Almaden on October 22, 2004 to evaluate wildlife habitat conditions and the potential occurrence of wildlife. The biologist also searched the California Natural Diversity Database to determine what species have been documented in the vicinity of the Villas of Almaden.

The Villas of Almaden and surrounding vicinity provide oak woodland and non-native grassland habitat, which supports numerous wildlife species. Fifteen special status species have been observed in the Villas of Almaden vicinity. The majority of special status species documented in the study area are birds, reptiles, and amphibians, and are not at risk of being caught or injured in the traps. The San Joaquin kit fox could be caught in the traps, but the site does not provide suitable habitat for the kit fox and kit foxes avoid areas inhabited by coyotes. Therefore, kit foxes are not expected to be caught or injured in the

HONORABLE MAYOR AND CITY COUNCIL

October 26, 2004

**SUBJECT: Traps to Expel the Coyote Population Living in the Villas of Almaden**

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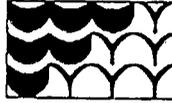
traps. The biologist described six common medium to large mammal species (opossum, raccoon, striped skunk, red fox, feral cat, mule deer) are likely present in the study area, and concluded the proposed trapping program would not result in significant impacts to those species given the small number of traps, their location away from deer trails, and the use of scent attractant targeted at coyotes.

For these reasons, the proposed trapping program is not expected to result in a significant impact to special status or common wildlife species present in the vicinity of Villas of Almaden.



STEPHEN M. HAASE, AICP, Director  
Planning, Building, Code Enforcement





**Wetlands Research Associates, Inc.**

October 22, 2004

Akoni Danielsen  
City of San Jose  
801 North First Street  
San Jose, California 95110

**RE: CEQA Analysis of the Proposed Coyote Trapping Program at the Villas of Almaden Development, San Jose**

Dear Mr. Danielsen:

The purpose of this letter report is to review potential impacts to special status wildlife species protected under the California Environmental Quality Act (CEQA) as a result of a coyote (*Canis latrans*) trapping program in The Villas of Almaden development in San Jose, Santa Clara County, California. Potential impacts to native, non-special status wildlife species are also assessed. WRA conducted a site visit to the Villas of Almaden proposed trapping area on October 22, 2004 to evaluate wildlife habitat conditions and the potential for occurrence of wildlife protected under state and federal legislation.

Significance criteria for potential trapping-related impacts to wildlife were developed based on Section 15065 and Appendices G and I of the CEQA Guidelines, and Section 21083 of the Public Resources Code. According to these guidelines, a project will have a significant effect on biological resources if it would:

Substantially affect, reduce the number of, or restrict the range of a unique, rare, or endangered species of animal or plant, or the habitat of the species (Section 15065, Appendix G, Appendix I)

Interfere substantially with the movement of any resident or migratory fish or wildlife species (Appendix G)

Threaten to eliminate a plant or animal community (Section 15065a)

Substantially diminish or reduce habitat for fish, wildlife, or plants (Appendix G)

Change the diversity of species, or number of any species of plants or animals (Appendix I)

Cause a fish or wildlife population to drop below self-sustaining levels (Section 15065)

Introduce new species of plants or animals into an area, or in a barrier to the normal replenishment of existing species (Appendix I)

Deteriorate existing fish or wildlife habitat (Appendix I)

For the purposes of this analysis, three principal components of the guidelines outlined above were considered:

Magnitude of the impact (e.g., substantial/not substantial)

Uniqueness of the affected resource (rarity)

Susceptibility of the affected resource to perturbation (sensitivity)

The evaluation of significance must consider the interrelationship of these three components. For example, a relatively small magnitude impact to breeding burrowing owls (*Athene cunicularia*) would be considered significant because the species is increasingly rare in the San Francisco Bay region and is believed to be very susceptible to burrow disturbance. On the other hand, urban deer are not rare or as sensitive to disturbance. Therefore, a much larger magnitude of impact would be required to result in a significant impact.

## Study Area

The Villas of Almaden residential development (Study Area) is an approximately 55-acre gated community located south of Coleman Road and east of Meridian Avenue in south San Jose. The Study Area is located within a residential urban area (See Photo Appendix A). The Study Area is adjacent to Guadalupe Oaks Grove Park, Jeffrey Fontana Park, and is south of the Guadalupe River. These limited, but relatively natural areas are characterized by oaks, non-native annual grassland, and riparian vegetation, and provide food and cover for many wildlife species adapted to the surrounding urbanization. This habitat, particularly oak woodland and non-native grassland, extends into the Study Area, attracting many common wildlife species.

The Study Area is characterized by approximately 192 residential homes interspersed with undisturbed natural areas and planted landscape areas. Mature blue oak trees (*Quercus douglasii*) and non-native grassland dominate the undeveloped portion of the Study Area. This habitat extends directly into the adjacent Guadalupe Oaks Grove Park, though a chain-link fence with barbed-wire top separates the two properties. This habitat is also found in small fragments interspersed with houses in the northern portion of the Study Area. The remainder of the Study Area is characterized by mature valley oak trees (*Quercus lobata*) and ornamental landscape trees and bushes. The northern, western, and southern boundaries of the Study Area are fenced with a

non-chain-link fence and have areas of dense plantings. No aquatic habitat is present within the Study Area.

### **Proposed Trapping Methodology**

Trappers focus their trapping efforts on certain species of wildlife by using several different methods of target trapping. These methods include utilizing different sizes of leg-hold traps in order to increase the chances of trapping target animals and reduce the trapping of non-target animals. A wide variety of baits are also available to lure specific species. Trappers place the traps in strategic locations that have evidence of target-species use, and/or place traps away from obvious movement corridors utilized by non-target species.

Santa Clara County Vector Control proposes to use padded leg-hold traps. A padded leg-hold trap is a term that covers different kinds of traps whose primary purpose is to catch and hold an animal by a limb. The term "foot hold trap" is also used. Generally, leg hold traps work through the use of leaf springs or coils, which are compressed when setting the trap. The jaws are opened, and the trip latch is set under the trigger pan. When an animal steps on the pan, the springs are released and the jaws close quickly on the animal. The aim is to catch the animal by a limb and hold it firmly until the trapper returns. Since these traps were first developed, the addition of padding has been incorporated by many manufacturers and wildlife managers in response to concerns about the humane treatment of wild animals. According to Noor Tietze, Ph.D, Scientific-Technical Services Manager for County Vector Control, previous coyote trapping has been extremely successful in avoiding non-target species.

A total of four or five padded leg-hold traps will be placed at locations that indicate regular use by coyotes. These locations will be selected based on the presence of coyote sign. Each trap will be baited using a commercially-available attractant, such as coyote gland lures. The traps will be placed on private property; property owners will be informed of trap locations and instructed to prevent pets from entering the area (N. Tietze, pers. com.).

### **Potential Impacts to Special Status Species**

Special status species include those plants and wildlife species that have been formally listed, are proposed as endangered or threatened, or are candidates for such listing under the federal Endangered Species Act or California Endangered Species Act. These Acts afford protection to both listed and proposed species. In addition, California Department of Fish and Game (CDFG) Species of Special Concern, which are species that face extirpation in California if current population and habitat trends continue, and U.S. Fish and Wildlife Service (USFWS) Species of Concern are considered special status species. Although California and USFWS Species of Concern generally have no special legal status, they are given special consideration under CEQA. In addition to regulations for special status species, most birds in the United States, including non-status species, are protected by the Migratory Bird Treaty Act of 1918. Under this legislation, destroying active nests, eggs, and young is illegal.

According to our search of the CDFG California Natural Diversity Database (CNDDDB), fifteen special status wildlife species have been observed in the vicinity of the Study Area (USGS 7.5 minute quadrangles: Santa Teresa, Morgan Hill, Loma Prieta, San Jose East, and Los Gatos). The majority of special status wildlife species that have been documented in the area are birds, reptiles, and amphibians. These groups are not capable of triggering or being inadvertently caught in leg-hold traps.

The only special status species that is of a size that could potentially be trapped by the proposed trapping methodology is the state and federal listed San Joaquin kit fox (*Vulpes macrotis mutica*); however, the kit fox has not been observed in the vicinity of Study Area since 1975 (CDFG 2004) when one was observed in the Santa Clara Valley area, approximately nine miles east of the Study Area. According to the Recovery Plan for Upland Species of the San Joaquin Valley, California (USFWS 1998) the current kit fox distribution in Santa Clara County is associated with the Pajaro River watershed. Furthermore, the Study Area does not provide suitable habitat for the San Joaquin kit fox because dense urban development in the region has eliminated dispersal habitat and reduced prey populations. The presence of coyotes is also known to preclude kit fox occurrence due to the nature of coyote/kit fox interactions. Coyotes are known competitors and predators of kit foxes and will aggressively dominate, pursue and kill them (USFWS 1998).

Since there is no potential for the incidental trapping of the San Joaquin kit fox, the proposed activity will not result in any significant impacts to special status wildlife species.

### **Potential Impacts to Common Wildlife Species**

Several common species of medium to large mammals other than coyotes are widespread in the San Francisco Bay region, including its urban areas. These include the following:

- opossum (*Didelphis virginiana*)
- red fox (*Vulpes vulpes*), introduced species
- gray fox (*Urocyon cinereoargenteus*)
- raccoon (*Procyon lotor*)
- striped skunk (*Mephitis mephitis*)
- bobcat (*Lynx rufus*)
- mountain lion (*Puma concolor*)
- feral cat (*Felis catus*), introduced species
- mule deer (*Odocoileus hemionus*)

Because the Study Area is largely isolated from large areas of natural habitat by urban development, some of these species are unlikely to be present or are present in very small numbers. These include the gray fox, bobcat, and mountain lion.

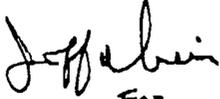
The remaining six species (opossum, raccoon, striped skunk, red fox, feral cat, mule deer) are

often found in residential developments such as the Villas of Almaden, where food and cover are available. Mule deer, in particular, are common in the Study Area (Bud Spadafore, President of Villas of Almaden Neighborhood Association, pers. com.); two bucks and six females were observed during the October 22 site visit. The proposed trapping program is unlikely to result in significant impacts as defined under CEQA to these common wildlife species because: (1) only a few traps will be set, (2) the traps will be located away from deer trails, (3) the attractant will specifically target coyotes, and (4) the potential incidental trapping of any of these species does not meet CEQA significance criteria.

### Conclusion

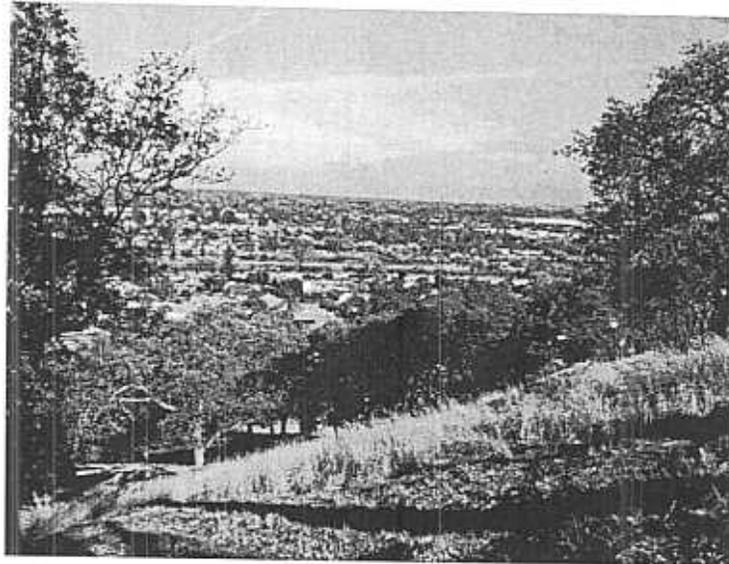
The proposed coyote trapping program at The Villas of Almaden development will not result in significant impacts to special status or common wildlife species according to CEQA significance criteria. Please call if you have any questions.

Sincerely,



For

Michael Josselyn, Ph.D  
President



Urban Residential Area surrounding Almaden Villas Study Area (top). Mature trees and vegetation of Almaden Villas Study Area and nearby neighborhoods (bottom).



Undisturbed natural areas of Almaden Villas Study Area (top). Continuation of habitat west into Guadalupe Oaks State Park (bottom).