

Appendix C



H. T. HARVEY & ASSOCIATES
ECOLOGICAL CONSULTANTS

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APR 24 2008

**DAVID J. POWERS
& ASSOCIATES, INC.**

22 April 2008

Ms. Shannon George
David J. Powers & Associates
1885 The Alameda, Suite 204
San Jose, CA 95126

RE: Burrowing Owl Survey Report, Proposed 49ers Stadium Site, Santa Clara, California
(HTH #2944-01)

Dear Ms. George:

Per your request, H. T. Harvey & Associates has conducted a protocol-level survey for burrowing owls (*Athene cunicularia*) on the 65.9-acre site of the proposed 49ers stadium east of Great America Parkway, south of Tasman Drive, and west of Lafayette Street in Santa Clara, California. The purpose of this survey was to determine whether the site provides suitable habitat for burrowing owls, and whether owls currently occupy the site for CEQA impact assessment purposes.

H. T. Harvey & Associates wildlife biologist Robin Carle, M.S. visited the site late yesterday afternoon. The site consists of four parcels dominated by asphalt, with landscaped bushes and grass or sidewalks around the perimeters of these parcels. San Tomas Aquino Creek and its levees bisect the study area.

Burrowing owls typically use the burrows of California ground squirrels (*Spermophilus beecheyi*) for nesting and roosting. Occasionally they will also roost (and on rare occasions nest) in artificial burrows created by culverts or other cavities. Per the California Department of Fish and Game's protocol, Robin inspected the entire site and areas within 250 feet of the site for evidence of the presence of burrowing owls, and for burrows made by California ground squirrels or artificial cavities that could provide nesting or roosting sites for burrowing owls. No evidence of burrowing owl presence on the site or burrows suitable for this species were detected. The site is dominated by asphalt, which limits habitat for California ground squirrels to landscaped areas and open grassland/ruderal areas adjacent to the project site. No suitable burrows were detected within landscaped portions of the site itself. Most adjacent areas within 250 ft of the project site were also primarily paved and landscaped, with no ground squirrels present. Ruderal areas, such as along the San Tomas Aquino Creek levees, adjacent to the site lacked ground squirrel burrows suitable for use by burrowing owls. A large mound of dirt was noted within Great America Park, but this appeared to be regularly disturbed and did not contain any ground squirrel burrows. Thus, burrowing owls and burrowing owl habitat are absent from this site.

Please feel free to contact me at srottenborn@harveyecology.com or (408) 458-3205 with any questions you may have regarding our survey. Thank you for contacting H.T. Harvey & Associates regarding this project.

Sincerely,

Stephen C. Rottenborn, Ph.D.
Principal – Wildlife Ecologist

